



Agenda Date: 2/22/17  
Agenda Item: VA

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314**  
**Post Office Box 350**  
**Trenton, New Jersey 08625-0350**  
**[www.nj.gov/bpu/](http://www.nj.gov/bpu/)**

WATER

IN THE MATTER OF THE PETITION OF THE	)	ORDER FURTHER SUSPENDING
ATLANTIC CITY SEWERAGE COMPANY FOR	)	INCREASES, CHANGES OR
AUTHORIZATION TO INCREASE TARIFF RATES AND	)	ALTERATIONS IN RATES FOR
CHARGES FOR SEWERAGE SERVICE	)	SEWERAGE SERVICE
	)	
	)	DOCKET NO. WR16100957
	)	OAL DOCKET NO. PUC 16816-2016S

**Parties of Record:**

**Ira G. Megdal, Esq., Cozen O'Connor**, on behalf of Atlantic City Sewerage Company  
**Stefanie A. Brand, Esq., Director**, New Jersey Division of Rate Counsel

**BY THE BOARD:**

On October 13, 2016, pursuant to N.J.S.A. 48:2-21, N.J.S.A. 48:2-21.1, and N.J.A.C. 14:1-5.12, Atlantic City Sewerage Company ("Company" or "Petitioner"), a public utility of the State of New Jersey subject to the jurisdiction of the Board of Public Utilities ("Board"), filed a petition for authority to increase its base tariff rates and charges for sewerage service amounting to approximately \$3,003,981 or 15%. The increase in rates was proposed to become effective on November 15, 2016. ACSC services approximately 7,400 customers located in the City of Atlantic City, Atlantic County, New Jersey.

According to the petition, the need for the base rate relief is primarily driven by two factors: (1) the continuing prudent capital investment by the Company in its sewerage system; and (2) the continuing erosion of the Atlantic City casino industry.

On November 1, 2016, the Board transmitted this matter to the Office of Administrative Law for hearings and on November 30, 2016, the Board issued an Order suspending the Company's proposed rate increase until March 15, 2017.<sup>1</sup>

<sup>1</sup> On October 26, 2016, the Company submitted a letter to the Board Secretary advising that it would not implement rates on an interim basis prior to the effective date of the Board's Initial Suspension Order resulting from the November 30, 2016 agenda meeting. However, the Company asserted that it "in no way waives it[s] right to implement the proposed rates at the conclusion of the eight month suspension period on July 15, 2017, should the Board not issue a final Decision and Order by that date." Ibid.

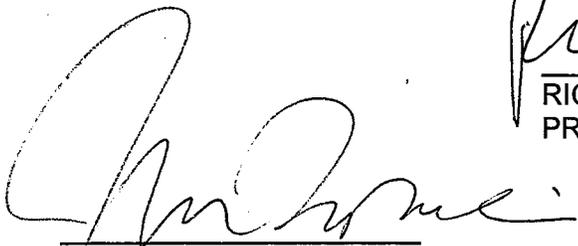
In light of the fact that this matter will not be completed by March 15, 2017, and that the proposed revisions will increase existing rates and change or alter existing classifications in Petitioner's tariff, it is **HEREBY ORDERED** that:

- (1) Pursuant to N.J.S.A. 48:2-21, the proposed revisions be, and are further suspended until July 15, 2017, unless the Board, prior to that date, makes a determination disposing of the petition, or enters an Order further suspending the proposed revisions;
- (2) Petitioner shall, at least ten (10) days prior to the date set for hearing on the petition by the Office of Administrative Law, file with this Board and with the Office of Administrative Law (33 Washington Street, Newark, N.J. 07102), proof of compliance with the Notice provisions of N.J.S.A. 48:2-32.2 and N.J.A.C. 14:1-5.12(b) and (c), which Notice shall include a statement that any relief found by the Board to be just and reasonable may be allocated by the Board to any class or classes of customers on any rate or schedule as the Board may determine; and
- (3) Petitioner shall serve copies of this Order upon the Office of Administrative Law, the Division of Rate Counsel (140 East Front Street, 4<sup>th</sup> Floor, Post Office Box 003, Trenton, N. J. 08625-0003), the clerk of the affected municipality, the clerk of the Board of Chosen Freeholders of the affected county and, where appropriate, the executive officer of the affected county within its service area. Service of this petition, notice of hearings and this Order may be made simultaneously. Proof of service of the Order shall be filed with the Board within fifteen (15) days of the date of this Order.

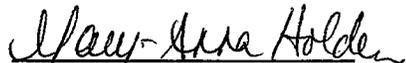
This Order shall be effective on March 4, 2017.

DATED: 2/22/17

BOARD OF PUBLIC UTILITIES  
BY:

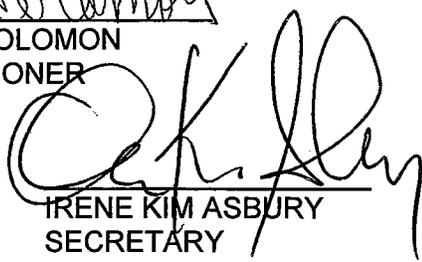
  
JOSEPH L. FIORDALISO  
COMMISSIONER

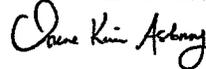
  
RICHARD S. MROZ  
PRESIDENT

  
MARY-ANNA HOLDEN  
COMMISSIONER

  
DIANNE SOLOMON  
COMMISSIONER

  
UPENDRA J. CHIVUKULA  
COMMISSIONER  
I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities

ATTEST:   
IRENE KIM ASBURY  
SECRETARY



IN THE MATTER OF THE PETITION OF THE ATLANTIC CITY SEWERAGE COMPANY  
FOR AUTHORIZATION TO INCREASE TARIFF RATES AND CHARGES FOR  
SEWERAGE SERVICE

DOCKET NO. WR16100957  
OAL DOCKET NO. PUC 16816-2016S

SERVICE LIST

Ira G. Megdal, Esq.  
Cozen O'Connor  
457 Haddonfield Road, Suite 300  
Post Office Box 5459  
Cherry Hill, NJ 08002  
[imegdal@cozen.com](mailto:imegdal@cozen.com)

Stefanie A. Brand, Esq., Director  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
Post Office Box 003  
Trenton, NJ 08625-0003  
[sbrand@rpa.state.nj.us](mailto:sbrand@rpa.state.nj.us)

Alex Moreau, Esq.  
Deputy Attorney General  
Department of Law and Public Safety  
Division of Law  
Public Utilities Section  
124 Halsey Street  
Post Office Box 45029  
Newark, NJ 07101-45029  
[Alex.moreau@dol.lps.state.nj.us](mailto:Alex.moreau@dol.lps.state.nj.us)

Irene Kim Asbury, Esq.  
Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[irene.asbury@bpu.nj.gov](mailto:irene.asbury@bpu.nj.gov)

Maria L. Moran, Director  
Division of Water  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[maria.moran@bpu.nj.gov](mailto:maria.moran@bpu.nj.gov)