

STATE OF NEW JERSEY

Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

•		VATER
IN THE MATTER OF THE PETITION OF AQUA NEW JERSEY, INC. FOR APPROVAL OF AN INCREASE IN RATES FOR WATER SERVICE AND OTHER TARIFF CHANGES)))))	ORDER FURTHER SUSPENDING INCREASES, CHANGES OR ALTERATIONS IN RATES FOR SERVICE BPU DOCKET NO. WR18121351 OAL DOCKET NO. PUC 00305-19

Parties of Record:

Colleen A. Foley, Esq. & Courtney L. Schultz, Esq., on behalf of Aqua New Jersey, Inc., Petitioner Stefanie Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:

On December 21, 2018, Aqua New Jersey, Inc. ("Company" or "Petitioner"), a public utility of the State of New Jersey, filed with the Board of Public Utilities ("Board") pursuant to N.J.S.A. 48:2-18, N.J.S.A. 48:2-21, N.J.A.C. 14:1-5.7, N.J.A.C. 14:1-5.12, a petition seeking to increase rates for water service in the amount of \$7,201,793 or 18.7% over pro-forma present rate revenues of \$38,522,567.

Petitioner serves approximately 53,000 water customers¹ in portions of the Town of Phillipsburg, Pohatcong Township, Lopatcong Township, Greenwich Township, Harmony Township and Holland Township in Warren County; Bearbrook Village in Fredon Township and Vernon Township in Sussex County; Lebanon Township, the Boroughs of Califon and Bloomsbury in Hunterdon County; Hamilton Square, Hamilton Township, Robbinsville Township, Lawrence Township and Lawrenceville Township in Mercer County; Berkeley Township in Ocean County; Chesterfield Township, North Hanover Township in Burlington County; Upper Freehold Township, Hardyston Township and Howell Township in Monmouth County; Gloucester Township, Blackwood in Gloucester Township and Laurel Springs in Camden County and Woolwich Township in Gloucester County.

¹The Petitioner serves approximately 6,000 wastewater customers. The Petitioner is not seeking any change in its wastewater rates in this proceeding.

The increase in rates is proposed to become effective on January 21, 2019.² The Petitioner also indicates that it intends to implement the proposed rates on September 21, 2019, on an interim basis, following the expiration of the suspension periods if the Board has not made a final determination in this matter prior pursuant to N.J.S.A. 48:2-21.

According to the petition, the rate increase is required to enable the Petitioner to recover its increases in its operating expenses, the significant capital expenditures required to continue to provide safe, adequate and proper water service to its customers and to comply with state and federal regulations.

On January 4, 2019, the Board transmitted this matter to the Office of Administrative Law ("OAL") and on January 17, 2019 (with an effective date of January 27, 2019); the Board issued an Order initially suspending the Company's proposed rate increase until May 21, 2019.

Because this matter is still pending before the OAL, and the proposed revisions will increase existing rates and change or alter existing classifications in each joint Petitioner's tariff, it is **HEREBY ORDERED** that:

- Pursuant to N.J.S.A. 48:2-21, the proposed revisions be, and are further suspended until September 21, 2019, 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, NJ 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, Division of Rate Counsel (140 East Front Street, 4th Floor, Post Office Box 003, Trenton, NJ 08625-0003), the clerk of each affected municipality, the clerk of the Boards of Chosen Freeholders of each affected county, and where appropriate, the executive officer of each affected county within its service area. Service of the petition, notice of hearings and this Order may be made simultaneously. Proof of service of this Order shall be filed with the Board within fifteen (15) days of the date of this Order.

² On December 28, 2018, the Company submitted a letter to the Board Secretary advising that it will not implement rates on an interim basis prior to the effective date of the Board's Initial Suspension Order resulting from the January 17, 2019 public 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 September 21, 2019, should the Board not issue a final Decision and Order by that date." Ibid. The effective date of the Board's Initial Suspension Order is January 27, 2019.

This Order shall be effective on May 18, 2019.

DATED: 5/8/19

BOARD OF PUBLIC UTILITIES

PRESIDENT

COMMISSIONER

UPENDRA J. CHIVUKULA

COMMISSIONER

COMMISSIONER

ATTEST:

SECRETARY

I HEREBY CERTIFY that the within

document is a true copy of the original in the files of the Board of Public Utilities.

In the Matter of the Petition of Aqua New Jersey, Inc. for Approval of an Increase in Rates for Water Service and Other Tariff Changes

BPU Docket No. WR18121351

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