



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

State of New Jersey

BOARD OF PUBLIC UTILITIES
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/
(609)777-3300

Joseph L. Fiordaliso
President

Mary-Anna Holden
Commissioner

Dianne Solomon
Commissioner

Upendra Chivukula
Commissioner

Bob Gordon
Commissioner

January 12, 2022

See Attached Service List:

Re: Town of Clinton v. Borough of Lebanon
OAL Docket No.: PUC 05575-2021S
BPU Ref No.: WO21060896

Dear Parties,

On January 4, 2022, the Superior Court of New Jersey, Appellate Division, Judges Allison E Accurso and Lisa Rose ("Appellate Division"), issued an Order on Motion of the Borough of Lebanon, appealing the November 17, 2021 Order of the Board of Public Utilities ("Board") denying the Borough of Lebanon's motion for interlocutory review of Administrative Law Judge Jacob Gertsman's October 19, 2021 Letter Order, which denied the Borough of Lebanon's motion to dismiss for lack of jurisdiction. By its Order, the Appellate Division remanded the matter to the Board for determination of subject matter jurisdiction. The Appellate Division also asked that the Board expedite its determination of the issue of jurisdiction.

In order to supplement the record in this matter and comply with the Appellate Division's instructions to handle this matter quickly, the Board has directed the Board Secretary to issue this request for supplemental briefs from all parties of the issue of jurisdiction including the Town of Clinton, the Borough of Lebanon, the Division of Rate Counsel and Board Staff, which shall be submitted no later than 5 p.m. on January 21, 2022.

Thank you for your attention to this letter.

Sincerely,

A handwritten signature in blue ink that reads "Aida Camacho-Welch".

Aida Camacho-Welch
Secretary

c: E Service list

Town of Clinton v. Borough of Lebanon

OAL Docket No.: PUC 05575-2021S

BPU Ref No.: WO21060896

SERVICE LIST

| | |
|---|--|
| <p>Town of Clinton Gebhardt & Kiefer, P.C. 1318 Route 31 Annandale, NJ 08801</p> <p>Richard P. Cushing, Esq. rcushing@gklegal.com</p> <p>Patti Hammer phammer@gklegal.com</p> <p>Borough of Lebanon Lanza & Lanza, L.L.P. 5 Main Street Post Office Box 2520 Flemington, NJ 08822</p> <p>John R. Lanza, Esq. irlanza@lanzaandlanza.com</p> <p>Robyn D. Wright, Esq. rdwright@lanzaandlanza.com</p> <p>Laura Mortara lmortara@lanzaandlanza.com</p> <p>Division of Rate Counsel 140 East Front Street, 4th Floor Post Office Box 003 Trenton, NJ 08625-0003</p> <p>Brian Lipman, Esq., Director blipman@rpa.nj.gov</p> <p>Susan McClure, Esq. Assistant Deputy Rate Counsel smcclure@rpa.nj.gov</p> <p>Christine Juarez, Esq. Deputy Rate Counsel cjuarez@rpa.nj.gov</p> <p>Emily Smithman, Esq. Deputy Rate Counsel esmithman@rpa.nj.gov</p> <p>Howard Woods howard@howardwoods.com</p> | <p>Board of Public Utilities 44 South Clinton Avenue, 1st Floor Post Office Box 350 Trenton, NJ 08625-0350</p> <p>Aida Camacho-Welch, Secretary board.secretary@bpu.nj.gov</p> <p>Stacy Peterson Deputy Executive Director Stacy.peterson@bpu.nj.gov</p> <p><u>Division of Water</u></p> <p>Mike Kammer, Director mike.kammer@bpu.nj.gov</p> <p>Yanina Lepore, Principal Engineer yanina.lepore@bpu.nj.gov</p> <p><u>General Counsel's Office</u></p> <p>Suzanne Patnaude, Esq. suzanne.patnaude@bpu.nj.gov</p> <p>Division of Law Public Utilities Section 25 Market Street, Post Office Box 112 Trenton, NJ 08625</p> <p>Pamela Owen, Esq. Assistant Section Chief pamela.owen@law.njoag.gov</p> <p>Meliha Arnautovic, Esq. Deputy Attorney General meliha.arnautovic@law.njoag.gov</p> <p>Brandon Simmons, Esq. Deputy Attorney General brandon.simmons@law.njoag.gov</p> <p>Steven Chaplar, Esq. Deputy Attorney General steven.chaplar@law.njoag.gov</p> |
|---|--|