

Agenda Date: 07/11/07

Agenda Item: 5D

**STATE OF NEW JERSEY****Board of Public Utilities****Two Gateway Center****Newark, NJ 07102****www.bpu.state.nj.us****WATER**

IN THE MATTER OF THE JOINT PETITION OF) ORDER OF EXTENSION
 NEW JERSEY AMERICAN WATER COMPANY, INC.,)
 S.J. SERVICES, INC. SOUTH JERSEY WATER)
 SUPPLY COMPANY, INC. AND PENNSGROVE WATER)
 SUPPLY COMPANY, INC., FOR, AMONG OTHER)
 THINGS, APPROVAL OF A CHANGE IN CONTROL)
 OF SOUTH JERSEY WATER SUPPLY COMPANY, INC.,) BPU DOCKET NO.: WM07020076
 AND PENNSGROVE WATER SUPPLY COMPANY, INC.) OAL DOCKET NO.: PUCOT-02966-2007S

(SERVICE LIST ATTACHED)

BY THE BOARD:

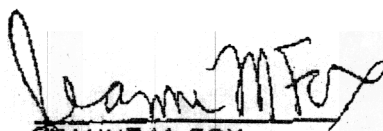
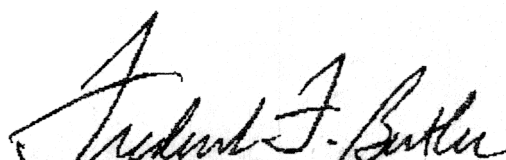
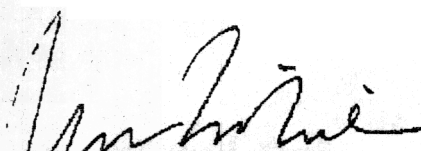
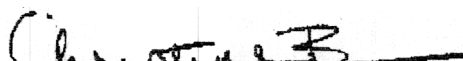
Aqua New Jersey, Inc.'s ("Aqua") request for interlocutory review of an Order by Administrative Law Judge (ALJ) Douglas H. Hurd in the above matter was received by the Board of Public Utilities (Board) on June 22, 2007. The Joint Petitioners' response to Aqua's request was received on July 3, 2007. Pursuant to N.J.A.C. 1:14-14.4(a), the Board is required to make a determination as to whether to accept the request and conduct an interlocutory review by the later of ten (10) days of its receipt of the request for interlocutory review or the Board's next regularly scheduled open meeting after expiration of the ten-day period from receipt of the request for interlocutory review. The ten-day period expired on July 2, 2007, and the next regularly scheduled meeting was July 11, 2007. On July 11, 2007, the Board decided to grant interlocutory review in the above matter.

Based on the need to conduct an appropriate and complete review of Aqua's submission and Joint Petitioners' response thereto, the Board FINDS that, in accordance with N.J.A.C. 1:1-1.3(b), there is good cause to relax the procedural rules so as to extend the time in which to conduct an interlocutory review. In order to complete review of the record in this case, the next regularly scheduled meeting at which this matter could be considered is August 1, 2007.¹ The Board requests that the Director of the Office of Administrative Law concur that there is good cause to extend the time period for the Board to complete said review.

¹ Pursuant to N.J.A.C. 1:14-14.4(b), if the Board thereafter determines to conduct an interlocutory review, the Board's decision on the review will be due within twenty (20) days of that determination. Should the Board determine to conduct an interlocutory review, the Board notes that an additional extension of time may be required to render a disposition on any such interlocutory review.

Good cause having been shown, pursuant to N.J.A.C. 1:1-1.3(b), it is HEREBY ORDERED that the time for the Board to render its decision on this motion for interlocutory review is extended until August 1, 2007.

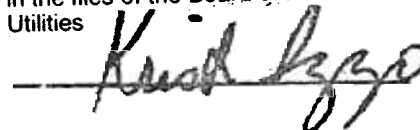
DATED: 7/12/07

BOARD OF PUBLIC UTILITIES
BY:
JEANNE M. FOX
PRESIDENT
FREDERICK F. BUTLER
COMMISSIONER
JOSEPH L. FIORDALISO
COMMISSIONER
CHRISTINE V. BATOR
COMMISSIONER

ATTEST:


CARMEN DIAZ
ACTING SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities



Date Board mailed Order to OAL: 7/17/07

cc: Service List Attached

DATE: 7/20/07


LAURA SANDERS
DIRECTOR & CHIEF ADMINISTRATIVE LAW JUDGEDate OAL ^{faxed} mailed executed Order to Board:

7/20/07

Date Board mailed executed Order to Parties:

In the Matter of the Joint Petition of New Jersey American Water Company, Inc.,
S.J. Services, Inc., South Jersey Water Supply Company, Inc. and
Pennsgrove Water Supply Company, Inc. For, Among Other Things,
Approval of a Change in Control of South Jersey Water Supply Company, Inc.
and Pennsgrove Water Supply Company, Inc.

BPU Docket No. WM7020076

OAL Docket No. PUC2966-07

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