



A handwritten signature in black ink, appearing to be "Kristi Izzo".

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
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Chris Christie
Governor

Kim Guadagno
Lt. Governor

Kristi Izzo
Secretary of the Board
Tel. # (973) 648-3426

March 24, 2010

To: Parties on the attached service list

Re: Appellate Ruling, December 30, 2009
I/M/O Centax Homes, LLC Petition for Extension of Service and/or for Exemption
from Main Extension Rules N.J.A.C. 14:3-8.1 et seq. Pursuant to N.J.S.A. 48:2-
27 and N.J.A.C. 14:3-8.8(a)(4) or (a)(6).

Please be advised that on December 30, 2009 the Appellate Division ruled on an appeal by Centax Homes, LLC in the aforementioned proceeding. On January 20, 2010, the Board issued a secretary's letter advising utilities to process extension applications under the current rules, "under protest" and subject to possible refund. Attached is a copy of the Board's January 20, 2010 letter. At its March 15, 2010 Agenda Meeting, the Board determined not to pursue an appeal of this matter.

In the near future, the Board will undertake a rulemaking process to amend its Main Extension Rules at N.J.A.C. 14:3-8.1 et seq. Until such time as the Board amends its rules, utilities should process an application for an extension as if it is in a Designated Growth Area under N.J.A.C. 14:3-8.1 et seq.

Utilities are advised that the Board will analyze all applications pursuant to N.J.S.A. 48:2-27 by applying the applicable suggested formulae at N.J.A.C. 14:3-8.9 through 8.11, if all other statutory criteria are met, N.J.A.C. 14:3-8.1 et seq. This is applicable to all applications and deposits received on or after December 30, 2009, including those deposits received under protest pursuant to the Board's January 20, 2010 letter.

Sincerely,

A handwritten signature in black ink, appearing to be "Kristi Izzo".

Kristi Izzo
Secretary of the Board

/ac

c: Jerry May, Director, Division of Energy
Maria L. Moran, Director, Division of Water