



Agenda Date: 5/23/12
Agenda Item: 5A

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
www.nj.gov/bpu/

WATER

IN THE MATTER OF THE APPLICATION BY UNITED)
WATER NEW JERSEY INC. PURSUANT TO N.J.S.A.)
40:55D-19, AS UNDER THE BOARD'S ORIGINAL)
JURISDICTION FOR APPROVAL OF UNITED WATER'S)
WOODCLIFF LAKE DAM IMPROVEMENTS PROJECT;)
AND A DETERMINATION THAT THESE)
IMPROVEMENTS ARE REASONABLY NECESSARY)
FOR THE SERVICE, CONVENIENCE OR WELFARE OF)
THE PUBLIC; AND THAT ZONING AND LAND USE)
ORDINANCES OF WOODCLIFF LAKE AND HILLSDALE)
HAVE NO APPLICATION THERETO)

ORDER

DOCKET NO. WM12050358

Parties of Record:

Thomas J. Herten, Esq., Archer & Greiner, P.C., Hackensack, New Jersey , Harrington Park, New Jersey for United Water New Jersey Inc.
Stefanie A. Brand, Esq. Division of Rate Counsel, Newark, New Jersey
Kathy Rizza, Planning Board of the Borough of Woodcliff Lake, Woodcliff Lake, New Jersey
Christie Wyssneski, Borough of Hillsdale, Hillsdale, New Jersey

BY THE BOARD:

On May 1, 2012, United Water New Jersey ("Petitioner") filed a petition and exhibits, with the New Jersey Board of Public Utilities ("BPU" or "Board") pursuant to N.J.S.A. 40:55D-19 of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. ("MLUL").


In relevant part, N.J.S.A. 40:55D-19 provides that:

This act or any ordinance or regulation made under authority thereof, shall not apply to a development proposed by a public utility for installation in more than one municipality for the furnishing of service, if upon a petition of the public utility, the Board of Public Utilities shall after hearing, of which any municipalities affected shall have notice, decide the proposed installation of the development in question is reasonably necessary for the service, convenience or welfare of the public.

The Board has determined that this matter should be retained by the Board for review and hearing, and, as authorized by N.J.S.A. 48:2-32, HEREBY DESIGNATES Commissioner Mary-Anna Holden as the presiding officer. Commissioner Holden is HEREBY AUTHORIZED to preside over this matter, decide upon motions, establish and modify any schedules that may be set as necessary and otherwise control the conduct of this case without the need for full Board approval, subject to subsequent Board ratification.

DATED: 5/23/12


BOARD OF PUBLIC UTILITIES
BY:


ROBERT M. HANNA
PRESIDENT

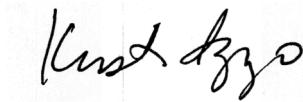

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

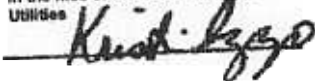

NICHOLAS ASSELTA
COMMISSIONER


MARY-ANNA HOLDEN
COMMISSIONER

ATTEST:


KRISTI IZZO
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 APPLICATION BY UNITED WATER NEW JERSEY INC. PURSUANT TO N.J.S.A. UNDER THE BOARD'S ORIGINAL JURISDICTION FOR APPROVAL OF UNITED WATER'S WOODCLIFF LAKE DAM IMPROVEMENTS PROJECT; AND A DETERMINATION THAT THESE IMPROVEMENTS ARE REASONABLY NECESSARY FOR THE SERVICE, CONVENIENCE OR WELFARE OF THE PUBLIC; AND THAT ZONING AND LAND USE ORDINANCES OF WOODCLIFF LAKE AND HILLSDALE HAVE NO APPLICATION THERETO.
- DOCKET NO. WM12050358

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