



Agenda Date: 5/22/24  
Agenda Item: VD

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

WATER

IN THE MATTER OF THE PETITION OF NEW JERSEY- )  
AMERICAN WATER COMPANY, INC. FOR APPROVAL )  
OF INCREASED TARIFF RATES AND CHARGES FOR )  
WATER AND WASTEWATER SERVICE, CHANGE IN )  
DEPRECIATION RATES, AND OTHER TARIFF )  
MODIFICATIONS )  
)  
) BPU DOCKET NO. WR24010056  
) OAL DOCKET NO. PUC 02409-24

**Parties of Record:**

**Brian O. Lipman, Esq., Director**, New Jersey Division of Rate Counsel  
**Bruce V. Miller, Esq.**, Cullen and Dykman LLP, on behalf of New Jersey-American Water Company, Inc.  
**Jay L. Kooper, Esq.**, on behalf of Middlesex Water Company  
**Martin C. Rothfelder, Esq.**, Rothfelder Stern, LLC, on behalf of Johanna Foods, Inc., Rutgers, The State University of New Jersey, Cogen Technologies Linden Venture, L.P., and the Trustees of Princeton University  
**Anthony R. Francioso, Esq.**, Fornaro Francioso LLC, on behalf of Mount Laurel Township Municipal Utilities Authority

BY THE BOARD:<sup>1</sup>

On January 19, 2024, New Jersey-American Water Company, Inc. (“NJAWC” or “Company”) filed a petition with the New Jersey Board of Public Utilities (“Board”) seeking approval of an increase in its base rates for water and wastewater service of approximately \$161.7 million, or 16.89%, for services rendered on and after February 21, 2024 (“Petition”).

NJAWC is engaged in the production, treatment, and distribution of water and collection of wastewater within its defined service territory within the State of New Jersey. The Company’s service territory includes portions of: Atlantic, Bergen, Burlington, Camden, Cape May, Essex, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Union, and Warren counties. As of December 31, 2023, the Company provides service

---

<sup>1</sup> Commissioner Michael Bange is recused from this matter.

to approximately 668,000 water and fire service customers and 64,200 wastewater service customers.

According to the Petition, the primary driver of the proposed rate increase is the Company's capital investment to maintain and improve infrastructure and continue to provide safe, reliable, and adequate service to its customers.

The Company asserted that, in addition to operations and maintenance expenses driven by recent high levels of inflation and supply chain disruptions, its cost of capital increased due to the rise in interest rates driven by the Federal Reserve Board.

By Order dated February 14, 2024, the Board suspended the proposed rates until June 21, 2024.<sup>2</sup> The Board subsequently transmitted this matter to the Office of Administrative Law ("OAL") for hearing as a contested case where it was assigned to Administrative Law Judge ("ALJ") Tricia M. Caliguire.

Middlesex Water Company, Johanna Foods, Inc., Rutgers, The State University of New Jersey, Cogen Technologies Linden Venture, L.P., the Trustees of Princeton University, and the Mount Laurel Township Municipal Utilities Authority filed Motions to Intervene in this matter. All motions were unopposed and granted by ALJ Caliguire.

On April 23, 2024, and supplemented on May 3, 2024, NJAWC updated the Petition to include nine (9) months of actual, and three (3) of estimated information ("9+3 Update"). Based upon the 9+3 Update, NJAWC updated its proposed revenue requirement to an increase of \$165.7 million.

Because a review of this matter will not be complete before June 21, 2024, and the proposed revisions, if approved, will likely increase existing rates and change or alter existing classifications in NJAWC's tariff, it is **HEREBY ORDERED** as follows:

- (1) Pursuant to N.J.S.A. 48:2-21(d), and consistent with N.J.A.C. 14:1-5.12, the proposed revisions are further suspended until October 21, 2024, unless prior to that date the Board makes a determination disposing of the Petition or enters an Order further suspending the proposed revisions;
- (2) NJAWC shall, at least 10 days prior to the date set for hearing on the Petition by the OAL, file with this Board, and with the OAL, 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) NJAWC shall serve copies of this Order upon the OAL, the Division of Rate Counsel (140 East Front Street, 4th Floor, Post Office Box 003, Trenton, N.J. 08625), the clerk of each affected municipality, the clerk of the Boards of County Commissioners of each affected county, and, where appropriate, the executive officer of the affected county within its service area. Proof of service of this Order shall be filed with the Board.

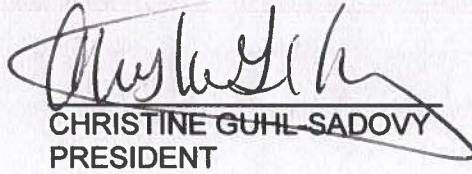
---

<sup>2</sup> In re the Petition of New Jersey-American Water Company, Inc. for Approval of Increased Tariff Rates and Charges for water and Wastewater Service, Change in Depreciation Rates, and Other Tariff Modifications, BPU Docket No WR24010056, Order dated February 14, 2024.

This Order shall be effective on May 29, 2024.

DATED: May 22, 2024

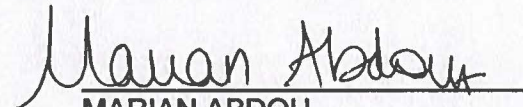
BOARD OF PUBLIC UTILITIES  
BY:



CHRISTINE GUHL-SADOVY  
PRESIDENT



DR. ZENON CHRISTODOULOU  
COMMISSIONER



MARIAN ABDOU  
COMMISSIONER

ATTEST:   
SHERRI L. GOLDEN  
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 NEW JERSEY-AMERICAN WATER COMPANY, INC. FOR APPROVAL OF  
INCREASED TARIFF RATES AND CHARGES FOR WATER AND WASTEWATER SERVICE, CHANGE IN  
DEPRECIATION RATES, AND OTHER TARIFF MODIFICATIONS

BPU DOCKET NO. WR24010056

SERVICE LIST

**New Jersey-American Water Company, Inc.**  
1 Water Street  
Camden, New Jersey 08102

Stephen R. Bishop  
VP, Managing General Counsel and Secretary  
[stephen.bishop@amwater.com](mailto:stephen.bishop@amwater.com)

Christopher M. Arfaa, Director, Corporate Counsel  
[Chris.arfaa@amwater.com](mailto:Chris.arfaa@amwater.com)

Jamie Hawn, Director, Rates and Regulatory  
[jamie.hawn@amwater.com](mailto:jamie.hawn@amwater.com)

Michael McKeever, Senior Director  
Rates and Regulatory  
[michael.mckeever@amwater.com](mailto:michael.mckeever@amwater.com)

Donna Carney, Principal Paralegal  
[donna.carney@amwater.com](mailto:donna.carney@amwater.com)

Cullen and Dykman LLP

Bruce V. Miller, Esq.  
333 Earle Ovington Blvd, 2<sup>nd</sup> Floor  
Uniondale, NY 11553  
[bmiller@cullenllp.com](mailto:bmiller@cullenllp.com)

Zachary A. Klein, Esq.  
229 Nassau Street  
Princeton, New Jersey 08542  
[zklein@cullenllp.com](mailto:zklein@cullenllp.com)

**Department of Law and Public Safety**

Division of Law  
Public Utilities Section  
25 Market Street, Post Office Box 112  
Trenton, NJ 08625

Daren Eppley, Section Chief, DAG  
[daren.eppley@law.njoag.gov](mailto:daren.eppley@law.njoag.gov)

Pamela Owen, DAG, Assistant Section Chief  
[pamela.owen@law.njoag.gov](mailto:pamela.owen@law.njoag.gov)

Meliha Arnautovic, DAG  
[meliha.arnautovic@law.njoag.gov](mailto:meliha.arnautovic@law.njoag.gov)

Terel Klein, DAG  
[terel.klein@law.njoag.gov](mailto:terel.klein@law.njoag.gov)

**Board of Public Utilities**  
44 South Clinton Avenue, 1st Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Sherri L. Golden, Board Secretary  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Stacy Peterson, Deputy Executive Director  
[stacy.peterson@bpu.nj.gov](mailto:stacy.peterson@bpu.nj.gov)

Office of General Counsel

Michael Beck, General Counsel  
[michael.beck@bpu.nj.gov](mailto:michael.beck@bpu.nj.gov)

Carol Artale, Deputy General Counsel  
[carol.artale@bpu.nj.gov](mailto:carol.artale@bpu.nj.gov)

Michael Hunter, Regulatory Officer  
[michael.hunter@bpu.nj.gov](mailto:michael.hunter@bpu.nj.gov)

Division of Revenue and Rates

Kofi Ocansey  
[kofi.ocansey@bpu.nj.gov](mailto:kofi.ocansey@bpu.nj.gov)

Anthony DeAnni  
[anthony.deanni@bpu.nj.gov](mailto:anthony.deanni@bpu.nj.gov)

Cindy Bianco  
[cindy.bianco@bpu.nj.gov](mailto:cindy.bianco@bpu.nj.gov)

Division of Engineering

Dean Taklif, Director  
[dean.taklif@bpu.nj.gov](mailto:dean.taklif@bpu.nj.gov)

Magdy Mekhaeil  
[magdy.mekhaeil@bpu.nj.gov](mailto:magdy.mekhaeil@bpu.nj.gov)

Office of the Chief Economist

Dr. Benjamin Witherell, Chief Economist  
[benjamin.witherell@bpu.nj.gov](mailto:benjamin.witherell@bpu.nj.gov)

**Division of Rate Counsel**

140 East Front Street, 4<sup>th</sup> Floor  
Post Office Box 003  
Trenton, NJ 08625-0003

Brian O. Lipman, Esq., Director  
[blipman@rpa.nj.gov](mailto:blipman@rpa.nj.gov)

Susan McClure, Esq., Assistant Deputy Rate Counsel  
[smcclure@rpa.nj.gov](mailto:smcclure@rpa.nj.gov)

Christine Juarez, Esq.  
[cjuarez@rpa.nj.gov](mailto:cjuarez@rpa.nj.gov)

Emily Lam, Esq.  
[esmithman@rpa.nj.gov](mailto:esmithman@rpa.nj.gov)

Felecia Jackson-Rodgers  
[fr Rodgers@rpa.nj.gov](mailto:fr Rodgers@rpa.nj.gov)

Rate Counsel Consultants

Ralph Smith  
Sr. Regulatory Consultant  
Larkin & Associates PLLC  
15728 Farmington Road  
Livonia, MI 48154  
[rsmithla@aol.com](mailto:rsmithla@aol.com)

Larkin & Associates PLLC  
15728 Farmington Road  
Livonia, MI 48154

Mark Dady, Analyst  
[mdady@gmail.com](mailto:mdady@gmail.com)

Megan Cranston-Eliasz, Analyst  
[mcranston29@gmail.com](mailto:mcranston29@gmail.com)

Dawn Bisdorf, Analyst  
[dawn.bisdorf@gmail.com](mailto:dawn.bisdorf@gmail.com)

Karl Pavlovic  
PCMG and Associates  
22 Brooks Avenue  
Gaithersburg, MD 20877  
[kpavlovic@pcmgregcon.com](mailto:kpavlovic@pcmgregcon.com)

James Garren  
GDS Associates, Inc.  
1850 Parkway Place, Suite 800  
Marietta, GA 30067  
[james.garren@gdsassociates.com](mailto:james.garren@gdsassociates.com)

J. Randall Woolridge. Professor of Finance  
The Goldman Sachs and Frank P. Smeal Endowed  
University Fellow  
The Pennsylvania State University  
University Park, PA 16802  
[jrwoolridge@gmail.com](mailto:jrwoolridge@gmail.com)

**Rutgers University**  
**Johanna Foods, Inc.**  
**Cogen Technologies Linden Venture, L.P.**  
**Trustees of Princeton University**

Rothfelder Stern, L.L.C.

407 Greenwood Avenue, Unit #301  
Trenton, NJ 08609

Bradford M. Stern, Esq.  
[bstern@rothfelderstern.com](mailto:bstern@rothfelderstern.com)

Martin C. Rothfelder, Esq.  
[mrothfelder@rothfelderstern.com](mailto:mrothfelder@rothfelderstern.com)

**Middlesex Water Company**

Jay L. Kooper, Esq.  
485C Route One South, Suite 400  
Iselin, New Jersey 08830  
[jkooper@middlesexwater.com](mailto:jkooper@middlesexwater.com)

MSW Consultant

Tim Lyons, Partner  
ScottMadden  
3 Speen Street, Suite 150  
Framingham, MA01701  
[tylons@scottmadden.com](mailto:tylons@scottmadden.com)

**Mount Laurel Township Municipal Utilities Authority**

Anthony R. Francioso, Esq.  
Fornaro Francioso LLC  
1540 Kuser Road, A-1  
Hamilton, New Jersey 08619  
[afrancioso@fornarofrancioso.com](mailto:afrancioso@fornarofrancioso.com)