

POST, POLAK, GOODSSELL & STRAUCHLER, P.A.

COUNSELLORS AT LAW

425 EAGLE ROCK AVENUE - SUITE 200  
ROSELAND, NEW JERSEY 07068-1717  
(973) 228-9900  
FAX (973) 994-1705

www.postpolak.com

Writer's Email: srother@postpolak.com

ELLEN C. KIM ▶  
JERRY FISCHER  
ANNE L.H. STUDHOLME  
CLYDE L. OTIS III  
DAVID R. DEMARÉE, LLC  
TOYA L. GAVIN\*  
OF COUNSEL

\* NJ AND NY BAR  
■ NJ, NY AND PA BAR  
▶ NY BAR ONLY

REPLY TO ROSELAND OFFICE

JOHN N. POST  
FREDERICK B. POLAK \*  
ROBERT A. GOODSSELL  
PAUL D. STRAUCHLER \*  
DAVID L. EPSTEIN  
STEVEN C. ROTHER  
DOUGLAS J. SHERMAN \*  
MITCHELL H. PORTNOI  
SIOBHAN BEERE \*  
MICHAEL J. MARTELO ■  
PAUL T. SZYPIOTKO

PRINCETON OFFICE  
134 NASSAU STREET  
PRINCETON, NJ 08542

(609) 651-6211

NEW YORK OFFICE  
SUITE 1006  
575 MADISON AVENUE  
NEW YORK, NY 10022

(212) 486-1455

RECEIVED

APR 20 2016

BOARD OF PUBLIC UTILITIES  
MAIL ROOM

April 19, 2015

**VIA LAWYERS SERVICE (Tracking No. 20242503)**

NJ Board of Public Utilities  
44 South Clinton Ave, 9<sup>th</sup> Floor  
Trenton, NJ 08625

W016040310

**RE: Verified Petition of the Township of South Orange Village  
Review and Approval of a Hearing Report - Pursuant to N.J.S.A. 58:26-19 et seq.  
PPGS File No. 4160.00075**

Dear Sir/Madam:

This firm represents the Township of South Orange Village (the "Village") with respect to a contract it has negotiated with American Water Operations and Maintenance, Inc. pursuant to the New Jersey Water Supply Public-Private Contracting Act, N.J.S.A. 58:26-19 et seq. (the "Act"). The Village seeks the approval of the proposed contract by the Board, and in support thereof encloses the following:

1. An original and four copies of a Verified Petition;
2. An original and four copies of the Hearing Report provided for in N.J.S.A. 58:26-24d;
3. Five copies of a Pre-Hearing Chronology of Events, with Exhibits, demonstrating compliance by the Village with the Act's procedural requirements; and
4. A check in the amount of \$25.00 for the required fee.

The Village will be transitioning from its current operating and management agreement effective January 1, 2017. As can be seen from the Phase I work described in the proposed contract, there is much to be done in preparation for the transaction. The Village therefore requests that this matter be placed on the Board's agenda at the earliest possible time.

Should you have any questions, please do not hesitate to call the undersigned.

Very truly yours,  
POST, POLAK, GOODSSELL  
& STRAUCHLER, P.A.

Steven C. Rother

CMS  
LEGAL (J. Kane)  
DTAG  
RPA  
WATER (J. Cederberg)

SCR/mb  
Enclosures

RECEIVED  
APR 20 2016  
C.A.S.

RECEIVED

APR 20 2016

BOARD OF PUBLIC UTILITIES  
MAIL ROOM

**Post, Polak, Goodsell, MacNeill & Strauchler, P.A.**

Steven C. Rother (234581967)  
425 Eagle Rock Avenue, Suite 200  
Roseland, New Jersey 07068-1717  
973-228-9900

Attorneys For Petitioner, Township of South Orange Village  
Our File No. 4160.00075

**STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES**

In the Matter of the Verified Petition of the **TOWNSHIP OF SOUTH ORANGE VILLAGE** Seeking Approval to Enter Into a Negotiated Contract for Operation and Maintenance of the South Orange Water System with **American Water Operations and Maintenance, Inc.** pursuant to the New Jersey Water Supply Public-Private Contracting Act, N.J.S.A. 58:26-19 et seq.

BPU Docket No.

WO16040310

**VERIFIED PETITION**

**TO THE HONORABLE BOARD OF PUBLIC UTILITIES:**

Petitioner, Township of South Orange Village (the "Village"), a duly organized municipal corporation of the State of New Jersey maintaining offices at the Township of South Orange Village, 76 South Orange Avenue, South Orange, New Jersey, 07079, submits this Verified Petition pursuant to the New Jersey Water Supply Public-Private Contracting Act, N.J.S.A. 58:26-19 et seq. (the "Act") seeking approval of a negotiated contract with American Water Operations and Maintenance, Inc. for operation and maintenance of the South Orange water system. In support of this Petition the Village states as follows:

1. Filed herewith is a Hearing Report required by N.J.S.A. 58:26-24d by containing *inter alia* a copy of the proposed contract, a copy of the statement of reasons for selecting American Water Operations and Maintenance, Inc., a verbatim record of the public hearing, a written statement submitted by an interested party and a copy of bond counsel's opinion.

2. Also filed herewith is a Pre-Hearing Chronology of Events, with Exhibits, documenting the actions taken by the Village in compliance with all of the procedural requirements of the Act.

3. The Hearing Report and Pre-Hearing Chronology have also been filed with the Local Finance Board and the New Jersey Department of Environmental Protection.

Respectfully Submitted,

POST, POLAK, GOODSSELL & STRAUCHLER, P.A.  
Attorneys for Petitioner, Township of South Orange Village

Dated: April 17, 2016

By:  \_\_\_\_\_  
Steven C. Rother, Esq.

**AFFIDAVIT OF VERIFICATION**

Barry Lewis, being duly sworn upon his oath, deposes and says:


1. I am the Village Administrator for the Township of South Orange Village, Petitioner named in the foregoing Verified Petition, and I am duly authorized to make this Affidavit of Verification on its behalf.

2. I have read the contents of the foregoing Verified Petition by the Township of South Orange Village seeking approval from the New Jersey Board of Public Utilities to enter into a negotiated contract for operation and maintenance of the South Orange water system with American Water Operations and Maintenance, Inc. pursuant to N.J.S.A. 58:26-19 et seq., and I hereby verify that the statements of fact and other information contained in the Petition and accompanying Hearing Report and Pre-Hearing Chronology of Events are true and current to the best of my knowledge, information and belief.

Dated: April 19, 2016

By:  \_\_\_\_\_  
Barry Lewis

Sworn to and subscribed before me  
this 19 day of April 2016

  
\_\_\_\_\_  
(Notary Public)

**SUSAN LEE COBB**  
**NOTARY PUBLIC OF NEW JERSEY**  
My Commission Expires March 19, 2019