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BOARD OF PUBLIC UTILITIES

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THE MIDDLESEX WATER ENTERPRISE

Middlesex Water Company • Pinelands Water & Wastewater Company • Southern Shores Water Company • Tidewater Utilities, Inc. • Tidewater Environmental Services, Inc. • Twin Lakes Utilities, Inc. • Utility Service Affiliates, Inc. • Utility Service Affiliates (Avalon) • Utility Service Affiliates (Perth Amboy) Inc. • White Marsh Environmental Systems, Inc.

Via Federal Express
September 28, 2017

Honorable Irene Kim Asbury, Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 3rd Floor Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Kurt Schwartz, Deputy Clerk
New Jersey Office of Administrative Law
33 Washington Street
Newark, New Jersey 07102

RE: 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.: WR17090985
OAL Docket No.: PUC _____-2017_

Dear Secretary Asbury and Deputy Clerk Schwartz:

I am Vice President, General Counsel & Secretary of Middlesex Water Company ("Middlesex"). New Jersey-American Water Company has filed a request for an increase in its rates and charges and for changes in other aspects of its tariff(s).

On behalf of Middlesex, encloses are two (2) copies of a Notice of Motion to Intervene and a Certification of A. Bruce O'Connor, in support thereof, together with three (3) copies of a proposed form of Order to Intervene. A copy of each of the aforementioned documents has been served, by electronic mail, upon all parties set forth on the Service List annexed to the Notice of Motion.

Kindly forward the enclosed Motion papers to the Administrative Law Judge assigned to hear this matter and please advise, by written notice, as to the date established for the return date of the Intervenor's Motion.

Respectfully submitted,

Jay L. Kooper
Vice President, General Counsel & Secretary
Middlesex Water Company

JLK:rk
Encl.
cc: Service List ✓

Case mgmt
Legal
C. Pashier

**IN THE MATTER OF THE PETITION OF NEW JERSEY AMERICAN WATER
COMPANY, INC. FOR APPROVAL OF INCREASED TARIFF RATES AND CHARGES
FOR WATER AND SEWER SERVICE; CHANGE IN DEPRECIATION RATES AND
OTHER TARIFF MODIFICATIONS**



**BPU DOCKET NO. WR17090985
OAL DOCKET NO. PUC _____-2017_**

SERVICE LIST

BOARD OF PUBLIC UTILITIES

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NEW JERSEY AMERICAN WATER CO.

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Attorney for Intervenor
Middlesex Water Company



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IN THE MATTER OF THE PETITION OF :
NEW JERSEY-AMERICAN WATER : **OFFICE OF ADMINISTRATIVE LAW**
COMPANY, INC. FOR APPROVAL OF :
INCREASED TARIFF RATES AND CHARGES : **BPU DOCKET NO.: WR17090985**
FOR WATER AND WASTEWATER SERVICE, : **OAL DOCKET NO.: PUC ____-2017-__**
CHANGE IN DEPRECIATION RATES, AND :
OTHER TARIFF MODIFICATIONS :

**CERTIFICATION IN SUPPORT
OF MOTION TO INTERVENE**

I, A. BRUCE O’CONNOR, do hereby certify as follows:

1. I am Vice President, Treasurer and Chief Financial Officer for Intervenor, Middlesex Water Company (“Middlesex”), in this matter. I am familiar with the facts and circumstances concerning the matter.
2. I make this Certification in support of Intervenor's Notice of Motion to Intervene.
3. Middlesex is a duly authorized public utility corporation of the State of New Jersey having its principal place of business at 1500 Ronson Road, Iselin, New Jersey 08830.
4. Middlesex will be substantially, specifically, and directly affected by the outcome of this proceeding.
5. Middlesex receives contract water service from New Jersey-American Water Company, Inc. (“NJAWC”) in the NJAWC Service Area 2 with rates for such water service charged to Middlesex under NJAWC Rate Schedule G entitled “Sales for Resale – Service to Other Systems” and Rate Schedule O-1 entitled “Purchased Water Adjustment Clause”. Under the contract currently in effect, Middlesex is required to purchase a minimum of three (3) million gallons of water per day from NJAWC at a minimum annual cost of approximately \$2.62 million under Rate Schedule G. The anticipated

minimum annual cost for water service under the proposed new rates under Rate Schedule G would be approximately \$3.33 million for an increase of approximately 27.4%.

6. As a contract customer affected by the request of NJAWC for an increase in rates for water service, Middlesex is entitled to intervene in this proceeding. Accordingly, Middlesex hereby formally seeks leave to intervene in this matter, with full rights and obligations as a party to participate in pre-hearing conferences, present and cross-examine witnesses at hearing, and file briefs.

7. Middlesex's interest in this proceeding will not be adequately protected by any of the other parties. As a large use contract customer, Middlesex is significantly different from the majority of other customers of NJAWC. Therefore, it is critical that Middlesex be permitted to intervene for the purpose of representing its own interests.

8. Middlesex has been granted leave to intervene in NJAWC's last two rate proceedings under OAL Docket No. PUC 09799-2011N and BPU Docket No. WR11070460, and under OAL Docket No. PUC 01166-2015N and BPU Docket No. WR15010035

9. All correspondence in the case should be sent to the attorney for Middlesex at the following address:

Jay L. Kooper
Vice President, General Counsel & Secretary
Middlesex Water Company
1500 Ronson Road
Iselin, NJ 08830
Tel: (732) 638-7506
E-Mail: jkoop@middlesexwater.com

10. In addition, all correspondence in this case should be sent to the following persons on behalf of Middlesex at the following addresses:

A. Bruce O'Connor
Vice President, Treasurer & Chief Financial Officer
Middlesex Water Company
1500 Ronson Road
Iselin, NJ 08830
Tel: (732) 638-7502
E-Mail: aboconno@middlesexwater.com

Michele L. Tilley
Rates & Budget Manager
Middlesex Water Company
1500 Ronson Road
Iselin, NJ 08330
Tel: (732) 638-7676
E-Mail: mtalley@middlesexwater.com

11. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



A. Bruce O'Connor

Dated: September 28, 2017

Jay L. Kooper, Esq.
1500 Ronson Road
Iselin, New Jersey 08830
Telephone: (732) 638-7506
Fax: (732) 638-7515
Attorney for Intervenor
Middlesex Water Company



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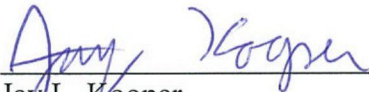
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CERTIFICATE OF SERVICE

Jay L. Kooper, an Attorney at Law of New Jersey, hereby certifies the following:

On September 28, 2017, I caused to be served by electronic mail, a copy of the within Notice of Motion to Intervene and supporting papers, to each party on the attached Service List.



Jay L. Kooper

Dated: September 28, 2017

**IN THE MATTER OF THE PETITION OF NEW JERSEY AMERICAN WATER
COMPANY, INC. FOR APPROVAL OF INCREASED TARIFF RATES AND CHARGES
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SERVICE LIST

BOARD OF PUBLIC UTILITIES

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sbrand@rpa.state.nj.us

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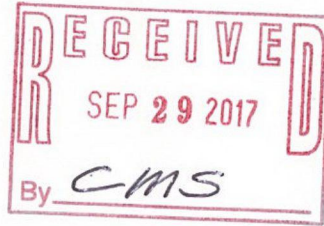
NEW JERSEY AMERICAN WATER CO.

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Telephone: (732) 638-7506
Fax: (732) 638-7515
Attorney for Intervenor
Middlesex Water Company



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NEW JERSEY-AMERICAN WATER : OFFICE OF ADMINISTRATIVE LAW
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NOTICE OF MOTION
TO INTERVENE

TO: IRENE KIM ASBURY, SECRETARY OF THE BOARD
New Jersey Board of Public Utilities,
44 South Clinton Avenue – 3rd Floor Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

KURT SCHWARTZ, DEPUTY CLERK
Office of Administrative Law
33 Washington Street
Newark, N.J. 07102

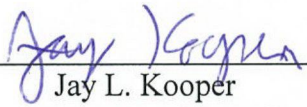
ALL PARTIES DESIGNATED ON THE
ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that, pursuant to N.J.A.C. 1:1-16.1, the undersigned, attorney for intervenor, Middlesex Water Company, shall move before the Office of Administrative Law, and, in particular, before the Administrative Law Judge to whom this matter is assigned, for an Order allowing and permitting Middlesex Water Company to intervene in the above-entitled action and proceeding(s) with all the rights provided therefor under all applicable

rules, codes and statutes, including, but not limited to, the right to cross-examine all witnesses, receive copies of all pleadings, papers, documents and exhibits and to introduce, submit and file direct testimony, pleadings, papers, documents and exhibits as appropriate.

PLEASE TAKE FURTHER NOTICE that the return date for this Motion shall be such date, and at such time and place, as may be established and/or scheduled by the Office of the Clerk of the Office of Administrative Law, or by the Administrative Law Judge to whom this matter is assigned, pursuant to N.J.A.C. 1:1-12.2, or otherwise.

PLEASE TAKE FURTHER NOTICE that, in support of the within Motion, Middlesex Water Company shall rely on the Certification of A. Bruce O'Connor, September 28, 2017.



Jay L. Kooper
Vice President, General Counsel & Secretary
Middlesex Water Company, Intervenor

DATED: September 28, 2017



Jay L. Kooper, Esq.
 1500 Ronson Road
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 Attorney for Intervenor
 Middlesex Water Company

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**ORDER GRANTING
 INTERVENTION**

This matter having been presented to the Office of Administrative Law by Jay L. Kooper, Esq., attorney for intervenor, Middlesex Water Company, on notice to the parties and persons set forth on the attached Service List, and the Administrative Law Judge assigned to preside over this proceeding, having read and considered the moving papers and other documents on file in this matter, including the Certification submitted in support of the Motion to Intervene, and other good cause appearing.

IT IS on this ____ day of _____, 2017,

ORDERED that:

1. Middlesex Water Company is hereby granted leave to intervene and fully participate in the above-entitled matter and that it be placed on the Service List for receipt of all case documents, papers, pleadings, discovery materials and exhibits and to receive notification of all hearings, conferences, stipulation discussions and all other proceedings in this matter; and

2. A true, but uncertified, copy of this Order shall be served upon the attached Service List by electronic mail within _____ days of the date of this Order.

, A.L.J.