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January 23, 2018

VIA NJLS OVERNIGHT MAIL

One Copy and One CD

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**Re: Jersey City Municipal Utilities Authority  
Draft Amendment and Extension Agreement to the Professional Operations Service  
Agreement for the City of Jersey City's Water Supply System  
Application for Approval of Amendment and Extension**

Dear Messrs. and Madams:

Please be advised that this office serves as General Counsel to the Jersey City Municipal Utilities Authority ("JCMUA"). The JCMUA is in the final stages of the development and negotiation of the above referenced Services Agreement Amendment and Extension (the "Amendment"). This letter shall serve as an update to my prior correspondence dated December 12, 2017, concerning the Amendment<sup>1</sup>.

The JCMUA previously entered into the a Professional Operations Agreement with United Water Jersey City, Inc., (now known as Suez Water Environmental Services, Inc., "Suez"), dated April 1, 2008 (the "Original Agreement") pursuant to, and in accordance with, the New Jersey Water Supply Public-Private Contracting Act, N.J.S.A. 58:26-19 et seq., (the "Act"). The Original Agreement is due to expire on March 31, 2018 (the "Base Term"). The Original Agreement also allows for two (2) extensions of the Base Term at the exclusive option of the JCMUA, including one four (4) year extension and one five (5) year extension.

In early 2016, the JCMUA notified Suez of its desire to exercise the extension options contained in the Original Agreement. The JCMUA and Suez began negotiating the extension of, and amendments to, the Original Agreement in the summer of 2016. The negotiations of the Amendment were substantially completed in the summer of 2017.

The JCMUA held a public hearing on the Amendment on January 4, 2018 at 6:00 PM to solicit public comment concerning the Amendment. As required by the Act, the JCMUA is now submitting the attached application to your respective agencies for review and approval of the Amendment.

Attached please find the following:

**Exhibit 1** – Local Finance Board Application Certification;

**Exhibit 2** – Form of Resolution of the Jersey City Municipal Utilities Authority, in the County of Hudson, New Jersey authorizing the making of an application to the Local Finance Board pursuant to N.J.S.A. 58:26-19 et. seq., and approving the submission thereof;

**Exhibit 3** – Local Finance Board: Part XII, New Jersey Water Supply Public Private Contracting Act Application Requirements.

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<sup>1</sup> The December 13, 2017 letter was only provided to Gordon Ball, Karen Fell, Patricia Parkin McNamara, Maria Moran, Carolyn McIntosh, DAG, and Susan McClure, DAG.

The JCMUA would like to achieve the following schedule with respect to the review and approval of the Amendment:

Review and Approval Schedule Amendment and Extension Agreement		
Task	Description	Date
1	Department of Environmental Protection provides any comments it has concerning the application to BPU (within 30 days of receipt of the Application)	February 23, 2018
2	Local Finance Board Hearing to consider/approve the application (within 60 days of receipt of the Application)	March 14, 2018
3	Board of Public Utilities consider/approve of the Application (within 60 days of receipt of the Application)	March 26, 2018
4	Meeting of the Jersey City Municipal Utilities Authority to Award the Amendment and Extension Agreement	March 2018
5	Execute Amendment and Extension	April 1, 2018

Thank you for your attention to this matter. Should you have any questions, or should you require any additional information, please do not hesitate to contact me directly at (201) 907-5264 or [rscerbo@decotiislaw.com](mailto:rscerbo@decotiislaw.com).

Very truly yours,

DeCotiis, FitzPatrick, Cole & Gjblin, LLP

By:   
Ryan J. Scerbo, Esq.

Attachment  
(one copy)

cc: Jeremy Farrell, Esq., Executive Director JCMUA  
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Joseph Coviello, Director of Public Affairs, JCMUA  
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