



2019 DEC -4 A 11: 05  
BOARD OF PUBLIC UTILITIES  
TRENTON, NJ



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BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

Via Federal Express-Tracking #7770 8481 7673  
November 26, 2019

Honorable Aida Camacho-Welch, Secretary  
New Jersey Board of Public Utilities  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Trenton, NJ 08625-0350

**RE: IN THE MATTER OF THE PETITION OF NEW JERSEY AMERICAN WATER COMPANY, INC. FOR APPROVAL TO CHANGE THE LEVELS OF ITS PURCHASED WATER ADJUSTMENT CLAUSE AND PURCHASED WASTEWATER (SEWERAGE) TREATMENT ADJUSTMENT CLAUSE**

**BPU Docket No.: WR19111465**  
**OAL Docket No.: PUC \_\_\_\_\_-2019\_**

Dear Secretary Camacho-Welch:

I am Vice President, General Counsel & Secretary of Middlesex Water Company ("Middlesex"). We have recently become aware that New Jersey American Water Company, Inc. has filed a request for approval to change the levels of its existing purchased water adjustment charges and purchased wastewater (sewerage) treatment adjustment charges. Middlesex will be significantly affected by these proceedings and seeks to intervene therein.

Enclosed 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 (or regular mail if so indicated), upon all parties set forth on the Service List annexed to the Notice of Motion.

We respectfully request that Middlesex be granted leave to intervene in this matter, and that the enclosed form of Order to Intervene be executed by the Administrative Law Judge assigned to this matter.

*Case mgmt*  
*list copied*

Respectfully submitted,

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

JLK:sm

Encl.

cc: Clerk, New Jersey Office of Administrative Law  
Service List

Jay L. Kooper, Esq.  
485C Route One South, Suite 400  
Iselin, New Jersey 08830  
Telephone: (732) 638-7506  
Fax: (732) 218-1124  
Attorney for Intervenor  
Middlesex Water Company



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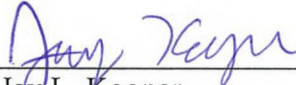
IN THE MATTER OF THE PETITION OF :  
NEW JERSEY AMERICAN WATER :  
COMPANY, INC. FOR APPROVAL TO :  
CHANGE THE LEVEL OF ITS PURCHASED :  
WATER ADJUSTMENT CLAUSE AND :  
PURCHASED WASTEWATER (SEWERAGE) :  
TREATMENT ADJUSTMENT CLAUSE :

BPU DOCKET NO.: WR19111465  
OAL DOCKET NO.: PUC \_\_\_\_-2019\_

**CERTIFICATE OF SERVICE**

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

On November 26, 2019, I caused to be served by electronic mail (or regular mail if so indicated), 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: November 26, 2019

**In the Matter of the Petition of New Jersey American Water Company for  
Approval to Change The Levels of its Purchased Water Adjustment Clause and  
Purchased Wastewater (Sewerage) Treatment Adjustment Clause  
BPU Docket No. WR19111465  
OAL Docket No. PUC \_\_\_\_-2019\_  
~ Service List A ~**

**MIDDLESEX WATER COMPANY**

<p><b>Jay L. Kooper</b> Middlesex Water Company 485C Route One South Suite 400 Iselin, NJ 08830 <a href="mailto:jkooper@middlesexwater.com">jkooper@middlesexwater.com</a></p>	<p><b>Michele L. Tilley</b> Middlesex Water Company 485C Route One South Suite 400 Iselin, NJ 08830 <a href="mailto:mtilley@middlesexwater.com">mtilley@middlesexwater.com</a></p>
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**BOARD OF PUBLIC UTILITIES**

<p><b>Aida Camacho-Welch, Secretary</b> Board of Public Utilities Secretary 44 South Clinton Ave., Suite 314 PO Box 350 Trenton, NJ 08625 <a href="mailto:Aida.camacho@bpu.nj.gov">Aida.camacho@bpu.nj.gov</a></p>	<p><b>Paul Youchak</b> Division of Law Public Utilities Section R.J. Hughes Justice Complex 25 Market Street Trenton, NJ 08625 <a href="mailto:Paul.Youchak@law.njoag.gov">Paul.Youchak@law.njoag.gov</a></p>	<p><b>Kofi Ocansey</b> Board of Public Utilities Division of Water 44 South Clinton Ave., 9<sup>th</sup> Floor P.O. Box 350 Trenton, NJ 08625 <a href="mailto:Kofi.Ocansey@bpu.nj.gov">Kofi.Ocansey@bpu.nj.gov</a></p>
<p><b>Michael Kammer</b> Board of Public Utilities Division of Water 44 South Clinton Ave., 9<sup>th</sup> Floor P.O. Box 350 Trenton, NJ 08625 <a href="mailto:Mike.kammer@bpu.nj.gov">Mike.kammer@bpu.nj.gov</a></p>	<p><b>Alex Moreau, DAG</b> Division of Law Public Utilities Section R.J. Hughes Justice Complex 25 Market Street P.O. Box 112 Trenton, NJ 08625 <a href="mailto:Alex.Moreau@law.njoag.gov">Alex.Moreau@law.njoag.gov</a></p>	<p><b>Dr. Benjamin Witherell</b> Board of Public Utilities Office of the Economist 44 South Clinton Ave., 9<sup>th</sup> Floor P.O. Box 350 Trenton, NJ 08625 <a href="mailto:Benjamin.witherell@bpu.nj.gov">Benjamin.witherell@bpu.nj.gov</a></p>

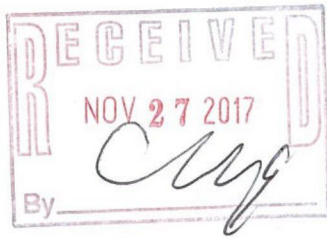
**DIVISION OF RATE COUNSEL**

<p><b>Stefanie A. Brand, Esq.</b> Director Division of Rate Counsel 140 East Front Street - 4th Floor Trenton, NJ 08625 <a href="mailto:sbrand@rpa.nj.gov">sbrand@rpa.nj.gov</a></p>	<p><b>Susan McClure, Esq.</b> Assistant Deputy Rate Counsel Division of Rate Counsel 140 East Front Street - 4th Floor Trenton, NJ 08625 <a href="mailto:smcclure@rpa.nj.gov">smcclure@rpa.nj.gov</a></p>	<p><b>Debra F. Robinson, Esq.</b> Managing Attorney Water &amp; Wastewater Division of Rate Counsel 140 East Front Street - 4<sup>th</sup> Floor Trenton, NJ 08625 <a href="mailto:drobinso@rpa.nj.gov">drobinso@rpa.nj.gov</a></p> <p><i>* Correspondence Only</i></p>
<p><b>Brian Lipman, Esq.</b> Division of Rate Counsel 140 East Front Street, 4<sup>th</sup> Floor P.O. Box 003 Trenton, NJ 08625 <a href="mailto:blipman@rpa.nj.gov">blipman@rpa.nj.gov</a></p>	<p><b>Marilyn Silva</b> Division of Rate Counsel 140 East Front Street, 4<sup>th</sup> Floor P.O. Box 003 Trenton, NJ 08625 <a href="mailto:msilva@rpa.nj.gov">msilva@rpa.nj.gov</a></p> <p><i>* Electronic Mail Only</i></p>	<p><b>Debra F. Robinson, Esq.</b> Managing Attorney Water &amp; Wastewater Division of Rate Counsel 140 East Front Street - 4<sup>th</sup> Floor Trenton, NJ 08625 <a href="mailto:drobinso@rpa.nj.gov">drobinso@rpa.nj.gov</a></p> <p><i>* Correspondence Only</i></p>

**In the Matter of the Petition of New Jersey American Water Company for  
Approval to Change The Levels of its Purchased Water Adjustment Clause and  
Purchased Wastewater (Sewerage) Treatment Adjustment Clause  
BPU Docket No. WR19111465  
OAL Docket No. PUC \_\_\_\_\_-2019\_  
~ Service List A ~**

**NEW JERSEY AMERICAN WATER COMPANY**

Christine Soares  
New Jersey American Water Company  
One Water Street  
Camden, NJ 08102  
[Christine.Soares@amwater.com](mailto:Christine.Soares@amwater.com)



Jay L. Kooper, Esq.  
 485C Route One South, Suite 400  
 Iselin, New Jersey 08830  
 Telephone: (732) 638-7506  
 Fax: (732) 218-1124  
 Attorney for Intervenor  
 Middlesex Water Company

IN THE MATTER OF THE PETITION OF :  
 NEW JERSEY AMERICAN WATER :  
 COMPANY, INC. FOR APPROVAL TO :  
 CHANGE THE LEVEL OF ITS PURCHASED :  
 WATER ADJUSTMENT CLAUSE AND :  
 PURCHASED WASTEWATER (SEWERAGE) :  
 TREATMENT ADJUSTMENT CLAUSE :

BPU DOCKET NO.: WR19111465  
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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 \_\_\_\_\_, 2019,

**ORDERED** that:

- 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 regular mail within \_\_\_\_\_ days of the date of this Order.

\_\_\_\_\_  
**Honorable \_\_\_\_\_, A.L.J.**

NOV 27 2019

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

Jay L. Kooper, Esq.  
485C Route One South, Suite 400  
Iselin, New Jersey 08830  
Telephone: (732) 638-7506  
Fax: (732) 218-1124  
Attorney for Intervenor  
Middlesex Water Company



IN THE MATTER OF THE PETITION OF  
NEW JERSEY AMERICAN WATER  
COMPANY, INC. FOR APPROVAL TO  
CHANGE THE LEVEL OF ITS PURCHASED  
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BPU DOCKET NO.: WR19111465  
OAL DOCKET NO.: PUC \_\_\_\_\_-2019\_

NOTICE OF MOTION  
TO INTERVENE

TO: AIDA CAMACHO-WELCH, SECRETARY OF THE BOARD  
New Jersey Board of Public Utilities,  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Trenton, NJ 08625-0350; and

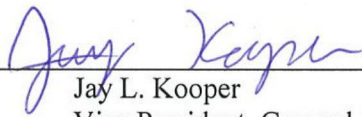
CLERK  
Office of Administrative Law  
P.O. Box 049  
Trenton, NJ 07102

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 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 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, Intervenor shall rely on the Certification of A. Bruce O'Connor, dated November 26, 2019.

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

DATED: November 26, 2019



Jay L. Kooper, Esq.  
485C Route One South, Suite 400  
Iselin, New Jersey 08830  
Telephone: (732) 638-7506  
Fax: (732) 218-1124  
Attorney for Intervenor  
Middlesex Water Company

IN THE MATTER OF THE PETITION OF :  
NEW JERSEY AMERICAN WATER :  
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CHANGE THE LEVEL OF ITS PURCHASED :  
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BPU DOCKET NO.: WR19111465  
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CERTIFICATION IN SUPPORT  
OF MOTION TO INTERVENE

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

1. I am Senior 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 485C Route One South, Suite 400, Iselin, New Jersey 08830.
4. Middlesex will be substantially, specifically, and directly affected by the outcome of this proceeding.
5. Middlesex procures water under contract with the New Jersey American Water Company, Inc. ("NJAWC") through the Elizabethtown System of NJAWC. Middlesex is charged for purchased water under NJAWC Rate Schedule G entitled "Sales for Resale – Service to Other Systems" and Rate Schedule O-1 entitled "Purchased Water Adjustment Clause (PWAC)". Under the contract currently in effect, Middlesex is required to purchase a minimum of three (3) million gallons of water per day from NJAWC. Using the Rate Schedules G and O-1 currently in effect results in a minimum annual cost of approximately \$3.1 million dollars.

6. As a contract customer affected by this request of NJAWC for a change 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, it 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 historically been granted leave to intervene in NJAWC's rate case proceedings, including NJAWC's last partially concluded rate proceeding under OAL Docket No. PUC-14251-2017S and BPU Docket No. WR17090985, and NJAWC's last fully concluded rate proceeding under OAL Docket No. PUC-01166-2015N and BPU Docket No. WR15010035. Middlesex has also historically been granted leave to intervene in NJAWC's PWAC proceedings including NJAWC's last concluded PWAC proceeding under OAL Docket No. PUC 16622-2018S and BPU Docket No. WR18111241.

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

Jay L. Kooper  
Vice President, General Counsel & Secretary  
Middlesex Water Company  
485C Route One South, Suite 400  
Iselin, NJ 08830  
(732) 638-7506  
[jkooper@middlesexwater.com](mailto:jkooper@middlesexwater.com)

Michele L. Tilley  
Assistant Director of Rates & Budgets  
Middlesex Water Company  
485C Route One South, Suite 400  
Iselin, NJ 08830  
(732) 638-7676  
[mtilley@middlesexwater.com](mailto:mtilley@middlesexwater.com)

10. 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: November 26, 2019