

Michael J. Baker, Esq. (ID# 24831982)
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40 Paterson Street, P.O. Box 480
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(732) 545-4717
Attorneys for Intervenor, Township of East Brunswick Water Utility

IN THE MATTER OF THE PETITION OF
MIDDLESEX WATER COMPANY FOR
APPROVAL OF AN INCREASE IN ITS
RATES FOR WATER SERVICE AND
OTHER TARIFF CHANGES

OFFICE OF ADMINISTRATIVE LAW

OAL DK. NO.: PUC 04690-21
BPU DK. NO.: WR 21050813

**NOTICE OF MOTION
TO INTERVENE**

TO: HON. JACOB S. GERTSMAN, A.L.J.
Office of Administrative Law
PO Box 049
Trenton, NJ 08625-0049

CLERK
Office of Administrative Law
PO Box 049
Trenton, NJ 08625-0049

AIDA CAMACHO, SECRETARY OF THE BOARD
NJ Board of Public Utilities
44 S. Clinton Avenue
Trenton, NJ 08625

ALL PARTIES DESIGNATED ON THE
ATTACHED SERVICE LIST

SIRS:

PLEASE TAKE NOTICE that pursuant to N.J.A.C. 1:1-16.1, the undersigned attorney

for Intervenor, Township of East Brunswick Water Utility, shall move before the Office of Administrative Law for an Order allowing and permitting the Township of East Brunswick Water Utility to intervene in the above-entitled proceeding with all the rights provided therefore under

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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.

TAKE FURTHER NOTICE that the submission and/or 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.

TAKE FURTHER NOTICE that, in support of the within Motion, Intervenor shall rely on the Certification of Michael J. Baker, Esq.

HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP
Attorneys for Intervenor, Township of East Brunswick
Water Utility

Michael J. Baker

By: _____
MICHAEL J. BAKER

Dated: July 22, 2021

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& DOUKAS, LLP
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P.O. BOX 480
NEW BRUNSWICK, NJ

CERTIFICATE OF MAILING

I hereby certify that an original of the within Notice of Motion has been filed with the Hon. Jacob S. Gertsman, A.L.J. and the Clerk of the Office of Administrative Law and that copies have been sent by regular mail to Aida Camacho, Secretary of the Board of the New Jersey Board of Public Utilities, together with the attached Service List.

Michael J. Baker

By: _____
MICHAEL J. BAKER

Dated: July 23, 2021

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& DOUKAS, LLP
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OAL SERVICE LIST

In the Matter of the Petition of Middlesex Water Company for Approval of an
Increase in its Rates for Water Service and Other Tariff Changes

OAL Docket No. PUC 04690-21

BPU Docket No. WR21050813

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CERTIFICATION

I, MICHAEL J. BAKER, do hereby certify as follows:

1. I am an attorney-at-law of the State of New Jersey, a partner in the law firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP, attorneys for Intervenor, Township of East Brunswick Water Utility (hereinafter the "Utility"), and am fully familiar with this matter.
2. I am familiar with the facts and circumstances concerning this matter and I make this Certification in support of the Utility's Notice of Motion to Intervene in this action.
3. The Utility is a corporate public body of the State of New Jersey, duly organized under and pursuant to the provisions of N.J.S.A. 40:14B-1 et. seq. The Utility maintains an office at 25 Harts Lane, East Brunswick, New Jersey 08816, State of New Jersey.
4. The Utility is not an initial party in this proceeding, but, nonetheless, will be substantially, specifically, and directed affected by the outcome of this proceeding.
5. The Utility is a contract customer of Middlesex Water Company ("Middlesex"). Service charges for water treated and pumped by Middlesex to the Utility are calculated under and pursuant to Middlesex's Rate Schedule No. 6, entitled "Special Contract Service." Under the contract currently in effect between the Utility and Middlesex, the Utility receives a minimum of 2.9 billion gallons of water each year from Middlesex. Based upon a preliminary review of the Petition filed by Middlesex and the supporting documents, it appears that the increase sought by Middlesex for bulk water service supplied pursuant to contract approximates 37.79%.
6. The Utility's interests relate to and are affected by every aspect of the Petition filed by Middlesex and the Utility intends to cross-examine witnesses and present direct evidence and testimony regarding all issues.
7. Approximately 55,000 persons within the Utility's service area will be affected by the new rates proposed by Middlesex and said customer's interests, and the interests of the

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

8. All correspondence in this proceeding should be sent to the attorney for the Utility, at the following addresses:

Michael J. Baker, Esq.
40 Paterson Street
PO Box 480
New Brunswick, NJ 08903

Lou Neely
179 Pennington Rockyhill Road
Hopewell, NJ 08525

9. 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.

Michael J. Baker

MICHAEL J. BAKER

Dated: July 23, 2021

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**ORDER GRANTING
INTERVENTION**

THIS MATTER having been presented to the Office of Administrative Law by Michael J. Baker, Esq., appearing for Hoagland, Longo, Moran, Dunst & Doukas, LLP, attorneys for Intervenor, East Brunswick Water Utilities, 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 _____, 2021,

ORDERED that the Township of East Brunswick Water Utility 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 cases documents, papers, pleadings, discovery materials, and exhibits and notification of all hearings, conferences, stipulation discussions and all other proceedings in this matter; and

IT IS FURTHER ORDERED that 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.

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