



January 18, 2022

VIA ELECTRONIC FILING

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

**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 AND
OTHER TARIFF MODIFICATIONS**

**BPU Docket No.: WR22010019
OAL Docket No.: PUC _____-2022_**

Dear Secretary Camacho-Welch:

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).

Enclosed are Middlesex's Notice of Motion to Intervene, Certification of Michele L. Tilley, in support thereof, and proposed form of Order to Intervene, and Certificate of Service. These aforementioned documents are being filed with the Board Secretary by electronic mail only pursuant to the Board's Order dated March 19, 2020 in Board Docket No. EO20030254. I hereby certify that copies of the aforementioned documents have this day been transmitted to the attached Service List.

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.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jay Kooper".

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

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

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	:	BPU DOCKET NO.: WR22010019
AND OTHER TARIFF MONDIFICATIONS	:	OAL DOCKET NO.: PUC ____-2022_ :

CERTIFICATE OF SERVICE

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

On January 18, 2022 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: January 18, 2022

**In the Matter of the Petition of New Jersey American Water Company for
Approval of Increased Tariff Rates and Charges For Water and Wastewater Service
And Other Tariff Modifications
BPU Docket No. WR22010019
OAL Docket No. PUC _____-2022_
~ Service List ~**

MIDDLESEX WATER COMPANY

<p>Jay L. Kooper Middlesex Water Company 485C Route One South Suite 400 Iselin, NJ 08830 jkooper@middlesexwater.com</p>	<p>Michele L. Tilley Middlesex Water Company 485C Route One South Suite 400 Iselin, NJ 08830 mtilley@middlesexwater.com</p>	<p>Robert J. Capko Middlesex Water Company 485C Route One South Suite 400 Iselin, NJ 08830 rcapko@middlesexwater.com</p>
--	--	--

BOARD OF PUBLIC UTILITIES

<p>Aida Camacho-Welch, Secretary Board of Public Utilities Secretary 44 South Clinton Ave., Suite 314 PO Box 350 Trenton, NJ 08625 Aida.camacho@bpu.nj.gov</p>	<p>Suzanne Patnaude Board of Public Utilities Division of Water 44 South Clinton Avenue PO Box 350 Trenton, NJ 08625-0350 Suzanne.Patnaude@bpu.nj.gov</p>	<p>Kofi Ocansey Board of Public Utilities Division of Water 44 South Clinton Ave., 9th Floor P.O. Box 350 Trenton, NJ 08625 Kofi.Ocansey@bpu.nj.gov</p>
<p>Michael Kammer Board of Public Utilities Division of Water 44 South Clinton Ave., 9th Floor P.O. Box 350 Trenton, NJ 08625 Mike.kammer@bpu.nj.gov</p>	<p>Julie Ford-Williams Board of Public Utilities Division of Customer Assistance 44 South Clinton Avenue P.O. Box 350 Trenton, NJ 08625-0350 Julie.Ford@bpu.nj.gov</p>	<p>Dr. Benjamin Witherell Board of Public Utilities Office of the Economist 44 South Clinton Ave., 9th Floor P.O. Box 350 Trenton, NJ 08625 Benjamin.witherell@bpu.nj.gov</p>
<p>Melha Arnautovic, DAG Division of Law Public Utilities Section R.J. Hughes Justice Complex 25 Market Street P.O. Box 112 Trenton, NJ 08625 Melhia.Aranautovic@law.njoag.gov</p>	<p>Pamela Owen Division of Law Public Utilities Section R.J. Hughes Justice Complex 25 Market Street Trenton, NJ 08625 Pamela.Owen@law.njoag.gov</p>	<p>Yanina Lepore Board of Public Utilities Division of Water 44 South Clinton Avenue PO Box 350 Trenton, NJ 08625-0350 Yanina.Lepore@bpu.nj.gov</p>
<p>Son Lin Lai, Ph.D, CFA Board of Public Utilities 44 South Clinton Avenue, 3rd Floor Suite 314 P.O. Box 350 Trenton, NJ 08625 Son-lin.lai@bpu.nj.gov</p>	<p>Jackie O'Grady Board of Public Utilities Division of Water 44 South Clinton Avenue PO Box 350 Trenton, NJ 08625-0350 Jackie.OGrady@bpu.nj.gov</p>	<p>David Schmitt Board of Public Utilities Division of Water 44 South Clinton Ave., 9th Floor P.O. Box 350 Trenton, NJ 08625 David.Schmitt@bpu.nj.gov</p>
<p>Kyle Felton Board of Public Utilities Division of Water 44 South Clinton Ave. P.O. Box 350 Trenton, NJ 08625 Kyle.Felton@bpu.nj.gov</p>		

**In the Matter of the Petition of New Jersey American Water Company for
Approval of Increased Tariff Rates and Charges For Water and Wastewater Service
And Other Tariff Modifications
BPU Docket No. WR22010019
OAL Docket No. PUC _____-2022_
~ Service List ~**

DIVISION OF RATE COUNSEL

<p>Brian Lipman, Esq. Director Division of Rate Counsel 140 East Front Street, 4th Floor P.O. Box 003 Trenton, NJ 08625 blipman@rpa.nj.gov</p>	<p>Susan McClure, Esq. Managing Attorney Water & Wastewater Division of Rate Counsel 140 East Front Street - 4th Floor Trenton, NJ 08625 smcclure@rpa.nj.gov</p>	<p>Christine Juarez, Esq. Assistant Deputy Rate Counsel Division of Rate Counsel 140 East Front Street – 4th Floor Trenton, NJ 08625 cjuarez@rpa.nj.gov</p>
<p>Emily Smithman, Esq. Assistant Deputy Rate Counsel Division of Rate Counsel 140 East Front Street – 4th Floor Trenton, NJ 08625 esmithman@rpa.nj.gov</p>	<p>Marilyn Silva Division of Rate Counsel 140 East Front Street, 4th Floor P.O. Box 003 Trenton, NJ 08625 msilva@rpa.nj.gov</p>	

** Electronic Mail Only*

NEW JERSEY AMERICAN WATER COMPANY

<p>Chris Arfaa New Jersey American Water Company One Water Street Camden, NJ 08102 Chris.arfaa@amwater.com</p>	<p>Donna Carney New Jersey American Water Company One Water Street Camden, NJ 08102 Donna.Carney@amwater.com</p>
<p>Bruce V. Miller Cullen & Dykman, LLP 100 Quentin Roosevelt Boulevard Garden City, NY 11530 (516) 296-9133 bmiller@cullenllp.com</p>	<p>Debbie Albrecht New Jersey American Water Company One Water Street Camden, NJ 08102 Debbie.Albrecht@amwater.com</p>
<p>John S. Tomac New Jersey American Water Company One Water Street Camden, NJ 08102 John.Tomac@amwater.com</p>	<p>Sarmili Saha, Esq. Cullen & Dykman, LLP 80 State Street, Suite 900 Albany, NY 12207 ssaha@cullenllp.com</p>
<p>Jamie Hawn New Jersey American Water Company One Water Street Camden, NJ 08102 Jamie.Hawn@amwater.com</p>	

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 OF
INCREASED TARIFF RATES AND CHARGES
FOR WATER AND WASTEWATER SERVICE
AND OTHER TARIFF MODIFICATIONS

:
:
:
:
:
:
:
:
:
:
:

BPU DOCKET NO.: WR22010019
OAL DOCKET NO.: PUC _____-2022_

NOTICE OF MOTION
TO INTERVENE

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

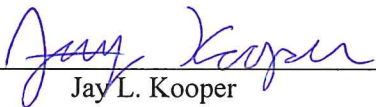
CLERK
Office of Administrative Law
P.O. Box 049
Trenton, NJ 07102

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 Michele L. Tilley, dated January 18, 2022.



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

DATED: January 18, 2022

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 OF :
INCREASED TARIFF RATES AND CHARGES :
FOR WATER AND WASTEWATER SERVICE :
AND OTHER TARIFF MODIFICATIONS :

BPU DOCKET NO.: WR22010019
OAL DOCKET NO.: PUC ____-2022_

CERTIFICATION IN SUPPORT
OF MOTION TO INTERVENE

I, MICHELE L. TILLEY, do hereby certify as follows:

1. I am Director of Budgets and Rates 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 \$3.2 million dollars. NJAWC is proposing to increase the rates charged to

Middlesex under Rate Schedule G by 11.7%, which will increase the minimum annual cost for water service by approximately \$326,700.

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 but not limited to NJAWC's last concluded rate proceedings under OAL Docket No. PUC-17894-2019S and BPU Docket No. WR19121516. Middlesex has also historically been granted leave to intervene in NJAWC's PWAC proceedings including NJAWC's recently filed PWAC proceeding under BPU Docket No. WR21111220 and last concluded PWAC proceeding under OAL Docket No. PUC 01163-2021S and BPU Docket No. WR20110719.

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

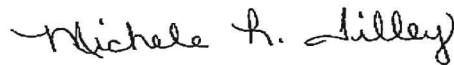
Jay L. Kooper
Vice President, General Counsel & Secretary
Middlesex Water Company
485C Route One South, Suite 400
Iselin, NJ 08830
Tel: (732) 638-7506
jkooper@middlesexwater.com

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

Robert J. Capko
Corporate Controller
Middlesex Water Company
485C Route One South, Suite 400
Iselin, NJ 08830
Tel: (732) 638-7524
rcapko@middlesexwater.com

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



Michele L. Tilley

Dated: January 18, 2022

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

<hr/>	:	
IN THE MATTER OF THE PETITION OF	:	
NEW JERSEY AMERICAN WATER	:	
COMPANY, INC. FOR APPROVAL OF	:	BPU DOCKET NO.: WR22010019
INCREASED TARIFF RATES AND CHARGES	:	OAL DOCKET NO.: PUC _____-2022_
FOR WATER AND WASTEWATER SERVICE	:	
AND OTHER TARIFF MODIFICATIONS	:	
<hr/>	:	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 _____, 20__,

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 regular mail within _____ days of the date of this Order.

Honorable _____, A.L.J.