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† Also admitted in Pennsylvania

MBurns@NJRCMLAW.com

May 3, 2022

Office of the Clerk
New Jersey Office of Administrative Law
33 Washington Street, 15th Floor
Newark, New Jersey 07102

Re: I/M/O the Petition of Middlesex Water Company for
Approval to Change the Levels of Its Purchased Water Adjustment
Clause Pursuant to N.J.A.C. 14:9-7.1, et seq.
OAL Docket No. PUC 02047-2022
BPU Docket No. WR22030138

Dear Clerk:

This firm serves as counsel to Proposed Intervenors, Township of Marlboro and the Old Bridge Municipal Utilities Authority. In that capacity, a Motion to Intervene was submitted by this office on April 27th, 2022. Upon further review of the motion and additional consultation with the proposed intervenors, it appears that there are a few factual matters that require clarification within the motion itself. Accordingly, please find enclosed the following documents:

1. Amended Motion to Intervene;
2. Certification of Service

Kindly file the enclosed and return a copy stamped "filed" to my office in the self-addressed stamped envelope provided.

If you should have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

RAINONE COUGHLIN MINCHELLO, LLC

By:

A handwritten signature in black ink, appearing to read "Michael R. Burns", is written over a horizontal line.

Michael R. Burns, Esq.

Enclosure

cc: Hon. Jacob S. Gertsman, A.L.J
OAL Service List

RAINONE COUGHLIN MINCHELLO, LLC
Michael R. Burns, Esq. (Attorney I.D. # 025662009)

555 U.S. Highway One South
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Iselin, New Jersey 08830
(732) 709-4182

Attorneys for Intervenor Township of Marlboro and Old Bridge Municipal Utility Authority

**In the Matter of the Petition of
MIDDLESEX WATER
COMPANY for Approval to
Change the Levels of its Purchased
Water Adjustment Clause
Pursuant to N.J.A.C. 14:9-7.1, et
seq.**

OFFICE OF ADMINISTRATIVE LAW

OAL DOCKET NO. PUC 02047-2022
BPU DOCKET NO. WR22030138

AMENDED MOTION TO INTERVENE

Proposed Intervenor Township of Marlboro and Old Bridge Municipal Utilities Authority (collectively, "Proposed Intervenor"). Hereby move before the New Jersey Board of Public Utilities (the "Board") pursuant to N.J.S.A. 48:2-32.2 to permit Proposed Intervenor to join as Intervenor in the above captioned proceeding with all of those rights and obligations typically afforded to an intervenor in such proceedings. In support of its motion, the Proposed Intervenor state as follows:

1. On March 15, 2022, Middlesex Water Company ("Middlesex Water") initiated the above captioned proceeding by filing a Petition requesting approval to change the levels of its purchased water adjustment clause (PWAC) to recover increased purchased water costs, together with deferred costs, PWAC rate case expenses and associated gross receipts and franchise taxes. Middlesex Water seeks an increase in its rate for water services amounting to approximately \$3,725,535, or 3.62% in

additional annual revenue. The increase in rates is proposed to become effective for services rendered on a date listed for as soon as possible.

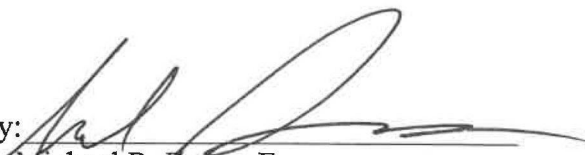
2. Middlesex Water Company's proposed PWAC increase represents an actual effective rate increase of approximately 3.49% for the Marlboro Township Water Utility Department and 4.02% for the Old Bridge Municipal Utilities Authority.
3. These rate increases are in addition to significant base rate increases already approved as the result of the Petitioner's May 19, 2021 petition in BPU Docket No. WR21050813. That petition resolved by Stipulation of Settlement dated November 29, 2021. The Initial Decision by the Office of Administrative Law recommended approval of the Stipulation on December 2, 2021 and the Board Order adopting the Initial Decision and Stipulation was approved December 15, 2021. This petition follows immediately upon the resolution of the prior rate increase in which the PWAC was reset to zero as a condition of the settlement.
4. Middlesex Water provides water services to Proposed Intervenors and residential, commercial and industrial users within Proposed Intervenors' municipal boundaries.
5. N.J.S.A. 48:2-32.2 provides in pertinent part that "[e]very municipality may intervene alone or jointly with another municipality or municipalities in any hearing or investigation held by the board, which involves public utility rates, fares or charges, services or facilities, affecting the municipality or municipalities or the public within the municipality or municipalities and may employ such legal counsel, experts and assistants as may be necessary to protect the interest of the municipality or municipalities or the public within the municipality or municipalities."

6. The Proposed Municipal Intervenors are both represented by Rainone Coughlin and Minchello and seek joint representation in this matter.
7. The Attorney Certification of Michael R. Burns is attached hereto certifying that the facts and statements herein are true and accurate to the best of his knowledge and belief.
8. All communications and correspondence concerning this proceeding should be directed to:

Michael R. Burns, Esq.
Rainone Coughlin Minchello, LLC
555 U.S. Highway 1 South, Suite 440
Iselin, New Jersey 08830
Phone: 732.709.4182
Fax: 732.791.1555
Email: mburns@njrcmlaw.com

WHEREFORE, pursuant to N.J.S.A. 48:2-32.2, the Proposed Intervenors respectfully request that they be permitted to intervene and join with full procedural and substantive rights, in this proceeding.

Respectfully, Submitted,

By: 
Michael R. Burns, Esq.

Dated: May 2, 2022

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Attorneys for Intervenors Township of Marlboro and Old Bridge Municipal Utility Authority

**In the Matter of the Petition of
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CERTIFICATION OF SERVICE

I, **ROCHELLE P. JENKINS**, being of full age and duly sworn upon my oath, deposes and says:

On May 3, 2022 I caused a copy of Amended Motion to Intervene and this Certification of Service to be served via e-mail and regular mail to:

Office of the Clerk

New Jersey Office of Administrative Law

33 Washington Street

15th Floor

Newark, New Jersey 07102

Hon. Jacob S. Gertsman, A.L.J.

New Jersey Office of Administrative Law

3444 Quakerbridge Road

Building 9

Mercerville, New Jersey 08619

In addition, I caused a courtesy copy of the above documents to be delivered via e-mail and regular mail to the following address:

Middlesex Water Company

485C Route 1 South, Suite 400
Iselin, NJ 08830
Jay L. Kooper, Vice President,
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Township of Marlboro

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Old Bridge Municipal Utility Authority

Michael Roy
engineer@obmua.com

Monmouth County

Christine Giordano Hanlon, Clerk
CountyClerk@co.monmouth.nj.us

I 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.



By: _____

Rochelle Jenkins

Dated: May 3, 2022