

RAINONE
COUGHLIN
MINCHELLO
ATTORNEYS AT LAW

Louis N. Rainone
Craig J. Coughlin*
David L. Minchello
Ronald H. Gordon
Carol A. Berlen
John F. Gillick
Brian P. Trelease*
Claudia Marchese
Anne E. Rowan
Matthew R. Tavares*
Sapanah Shah* Δ
Vikrant Advani
Michael R. Burns \dagger

Christopher D. Zingaro
Vaughn Parchment
Thomas Schoendorf
Nahimot A. Adedimeji*
Corissa L. Sherman
Frank J. Dyevoich*
Lonnie J. Hinton, Jr.,
Brooke D. Wheaton

* Also admitted in New York
 Δ Also admitted in DC
 \dagger Also admitted in Pennsylvania

MBurns@NJRCMLAW.com

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MAY 04 2022

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

April 27, 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, please find enclosed the following documents:

1. Notice of Appearance of Michael R. Burns as counsel for Proposed Intervenors;
2. Notice of Motion to Intervene;
3. Motion to Intervene;
4. Certification of Counsel in Support of Proposed Intervenors' Motion to Intervene;
5. Proposed Form of Order;
6. Certification of Service

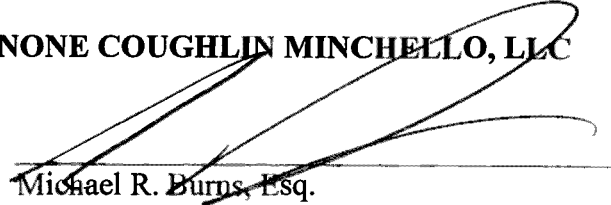
Kindly file the enclosed and return a copy stamped "filed" to my office in the self-addressed stamped envelope provided.

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

Respectfully submitted,

RAINONE COUGHLIN MINCHELLO, LLC

By:


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
Suite 440
Iselin, New Jersey 08830
(732) 709-4182

Attorneys for Intervenors 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

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that the undersigned hereby appears as Counsel for the proposed Intervenors, Township of Marlboro on behalf of Marlboro Township Water Utilities Division and the Old Bridge Municipal Utilities Authority, in the above-captioned matter.

RAINONE COUGHLIN MINCHELLO, LLC

Attorneys for proposed Intervenors, Township of Marlboro on behalf of Marlboro Township Water Utilities Division and the Old Bridge Municipal Utilities Authority

By: 

Michael R. Burns, Esq.

Dated: April 26, 2022

RAINONE COUGHLIN MINCHELLO, LLC
Michael R. Burns, Esq. (Attorney I.D. # 025662009)
555 U.S. Highway One South
Suite 440
Iselin, New Jersey 08830
(732) 709-4182

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

**In the Matter of the Petition of
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OFFICE OF ADMINISTRATIVE LAW

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

NOTICE OF MOTION TO INTERVENE

TO: HON. JACOB S. GERSTMAN, A.L.J.
New Jersey Office of Administrative Law
3444 Quakerbridge Road
Building 9
Mercerville, New Jersey 08619

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

AIDA CAMACHO, SECRETARY OF THE BOARD
New Jersey Board of Public Utilities
44 Clinton Street
Trenton, New Jersey 08625

ALL PARTIES DESIGNATED ON THE ATTACHED SERVICE LIST

COUNSEL:

PLEASE TAKE NOTICE that at a time to be decided by the Administrative Law Judge in this matter, the undersigned attorneys for Proposed Intervenors, Township of Marlboro on behalf of the Marlboro Township Water Utilities Division and the Old Bridge Municipal Utilities

Authority (collectively the "Proposed Joint Intervenors") will move before the Office of Administrative Law for an Order allowing and permitting the Proposed Joint Intervenors to intervene in the above entitled proceeding with all the rights provided therefore under all applicable rules, codes and statutes, including but not limited to the right to cross-examine all witnesses, receive copies of all pleadings and papers, documents and exhibits as appropriate.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Proposed Joint Intervenors will rely upon the Certification of Counsel submitted herewith.

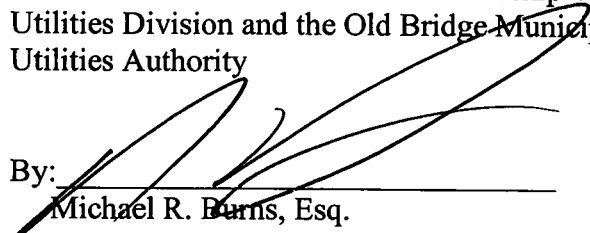
PLEASE TAKE FURTHER NOTICE that the return date of this Motion shall be such date, and at such time and place as may be established and/or scheduled by the Office of the Clerk of the Office of Administrative Law, or by the Administrative Law Judge to whom this matter is assigned, pursuant to N.J.A.C. 1:1-12.2 or otherwise.

PLEASE TAKE FURTHER NOTICE that a proposed Form of Order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is hereby requested only in the event timely opposition is filed.

RAINONE COUGHLIN MINCHELLO, LLC

Attorneys for proposed Intervenors, Township of Marlboro on behalf of Marlboro Township Water Utilities Division and the Old Bridge Municipal Utilities Authority

By: 
Michael R. Burns, Esq.

Dated: April 26, 2022

I/M/O 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. Docket No. WR22030138

SERVICE LIST

Middlesex Water Company

485C Route 1 South, Suite 400
Iselin, NJ 08830

Jay L. Kooper, Vice President, General Counsel &
Secretary
jkooper@middlesexwater.com

A Bruce O'Conner
aboconner@middlesexwater.com

Robert J. Capko
rcapko@middlesexwater.com

Tracy Tyrell
ttyrell@middlesexwater.com

Yvonne Nieto
ynieto@middlesexwater.com

Michele Tilley
mtilley@middlesexwater.com

Board of Public Utilities

44 South Clinton Avenue, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Aida Camacho-Welch, Secretary of the Board
aida.camacho@bpu.nj.gov

Karriemah Graham, Director of Case Management
karriemah.graham@bpu.nj.us

Donna Thomas, Case Management
donna.thomas@bpu.nj.gov

Michael Kammer
Director, Division of Water
mike.kammer@bpu.nj.gov

Andrew Tuzzo
andrew.tuzzo@bpu.nj.gov

Board of Public Utilities Cont.

Kofi Ocansey
Kofi.ocansey@bpu.nj.gov

David Schmitt, Legal Specialist
david.schmitt@bpu.nj.gov

New Jersey Division of Law

Office of the Attorney General
25 Market Street, P.O. Box 112
Trenton, NJ 08625

Pamela Owen
Deputy Attorney General
pamela.owen@law.njoag.gov

Meliha Arnautovic
Deputy Attorney General
meliha.arnautovic@law.njoag.gov

Brandon Simmons
Deputy Attorney General
brandon.simmons@law.njoag.gov

Rate Counsel

Division of Rate Counsel
140 East Front Street, 4th Fl.
P.O. Box 003
Trenton, NJ 08625-0350

Brian Lipman, Director
blipman@rpa.nj.gov

Susan McClure, Managing Attorney
smcclure@rpa.nj.gov

Emily Smithman, Esq.
Emily.smithman@rpa.nj.gov

Marilyn Silva
msilva@rpa.nj.gov

Borough of Carteret

Carmela Pogorzelski, Clerk.
Pogorzelskic@carteret.net

Township of Edison

Cheryl Russomanno, Clerk
crussomanno@edisonnj.org

Borough of Metuchen

Deborah Zupan, Clerk
dzupan@metuchen.com

Borough of South Plainfield

Dominic Demico, Jr., Clerk,
ddemico@southplainfieldnj.com

City of South Amboy

Deborah Brook, Clerk
clerk@southamboynj.gov

Union Township

Eileen Birch, Clerk
clerk@uniontownship.com

Township of Clark

Edie Merkel, Clerk
clerk@ourclark.com

Borough of Highland Park

Jennifer Santiago, Clerk
jsantiago@hpboro.com

Township of Old Bridge

Gabriella Siboni, Clerk
gsiboni@oldbridge.com

Township of Woodbridge

John M. Mitch, Clerk
john.mitch@twp.woodbridge.nj.us

Middlesex County

Amy R. Petocelli, Clerk
clerk@co.middlesex.nj.us

Township of Marlboro

Susan A. Branagan, Clerk
clerk@marlboro-nj.gov

Old Bridge Municipal Utility Authority

Michael Roy
engineer@obmua.com

Monmouth County

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

RAINONE COUGHLIN MINCHELLO, LLC
Michael R. Burns, Esq. (Attorney I.D. # 025662009)
555 U.S. Highway One South
Suite 440
Iselin, New Jersey 08830
(732) 709-4182

Attorneys for Intervenors 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

MOTION TO INTERVENE

Proposed Intervenors Township of Marlboro and Old Bridge Municipal Utilities Authority (collectively, "Proposed Intervenors"). 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 Intervenors to join as Intervenors 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 Intervenors 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 proposed PWAC increase represents an actual effective rate increase of approximately 3.49% for 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.
4. Middlesex Water provides water and wastewater 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. Pursuant to N.J.S.A. 40A:65-1 et seq. Of the Joint Meeting Statute, a local unity authorized to enter into an agreement under Section 4 of P.K. 2007, c. 63 (C. 40A:65-4) may do so by adoption of a resolution.
7. The Proposed Municipal Intervenors have previously adopted resolutions authorizing the joint representation in this proceeding. (Old Bridge Municipal Utilities Authority,

Resolution # M-46-21, Adopted June 16, 2021 and memorialized July 28, 2021 and Township of Marlboro Resolutions #2021-222 and 2021-275, adopted June 17, 2021 and August 19, 2021 and wish to continue this representation.

8. 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.
9. 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 the with full procedural and substantive rights, in this proceeding.

Respectfully, Submitted,

By: 

Michael R. Burns, Esq.

Dated: April 26, 2022

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

RAINONE COUGHLIN MINCHELLO, LLC
Michael R. Burns, Esq. (Attorney I.D. # 025662009)
555 U.S. Highway One South
Suite 440
Iselin, New Jersey 08830
(732) 709-4182

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 MICHAEL R. BURNS

Michael R. Burns, of full age, hereby certifies as follows:

1. I am an attorney at law in the State of New Jersey, and am a partner in the law firm of Rainone Coughlin Minchello, LLC, attorneys for Proposed Joint Intervenors Township of Marlboro on behalf of the Marlboro Water Utilities Division and the Old Bridge Municipal Utilities Authority (collectively, the "Proposed Intervenors")
2. I am fully familiar with the facts and circumstances surrounding this case and make this certification in support of the Proposed Intervenors' Motion to Intervene in this matter.
3. Middlesex Water Company Petition to Change the Levels of Its Purchased Water Adjustment Clause is set to have an actual effective rate increase of approximately 3.49% for Marlboro Township Water Utility Department and a 4.02% effective rate increase for the Old Bridge Municipal Utilities Authority.
4. These rate increases are in addition to significant base rate increases already experienced by the Proposed Intervenors as the result of the Petitioner's May 19, 2021 petition in BPU Docket No. WR21050813.
5. Proposed Intervenors and their customers' interest in these proceedings will not be adequately protected by any of the other parties. It is essential to the members of the

public served by these proposed intervenors that they be permitted to intervene for the purpose of representing their own interests.

6. I am authorized to make this statement on behalf of the Proposed Intervenors.
7. I prepared the attached Motion to Intervene and certify that the facts set forth therein are true and accurate to the best of my knowledge and belief.
8. 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.

By: _____

Michael R. Burns, Esq.

Dated: April 26, 2022

RAINONE COUGHLIN MINCHELLO, LLC
Michael R. Burns, Esq. (Attorney I.D. # 025662009)
555 U.S. Highway One South
Suite 440
Iselin, New Jersey 08830
(732) 709-4182

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

**In the Matter of the Petition of
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OFFICE OF ADMINISTRATIVE LAW

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

ORDER GRANTING INTERVENTION

THIS MATTER, having been presented to the Office of Administrative Law by Michael R. Burns, Esq. appearing for Rainone Coughlin Minchello, LLC, attorney for the Proposed Intervenors Township of Marlboro on behalf of Marlboro Township Water Utilities Division and the Old Bridge Municipal Utilities Authority, on notice to all parties 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, and other good cause appearing;

IT IS ON THIS _____ day of _____, 2022

ORDERED that Proposed Intervenors' are 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 notification of all hearings, conferences, stipulation discussions and all other proceedings of this matter; and

IT IS FURTHER ORDERED, that a copy of this Order shall be served upon counsel for all parties on the attached Service List by regular mail within _____ days of the date of this Order.

HON. JACOB S. GERTSMAN, A.L.J.

RAINONE COUGHLIN MINCHELLO, LLC
Michael R. Burns, Esq. (Attorney I.D. # 025662009)
555 U.S. Highway One South
Suite 440
Iselin, New Jersey 08830
(732) 709-4182

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

**In the Matter of the Petition of
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OFFICE OF ADMINISTRATIVE LAW

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

CERTIFICATION OF SERVICE

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

On April 27, 2022 I caused a copy of Notice of Appearance, Notice of Motion to Intervene, Motion to Intervene, Certification of Counsel, Proposed Form of Order 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,
General Counsel & Secretary
jkooper@middlesexwater.com
A Bruce O'Conner
aboconner@middlesexwater.com
Robert J. Capko
rcapko@middlesexwater.com
Tracy Tyrell
ttyrell@middlesexwater.com
Yvonne Nieto
ynieto@middlesexwater.com
Michele Tilley
mtilley@middlesexwater.com

Board of Public Utilities

44 South Clinton Avenue, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Aida Camacho-Welch, Secretary of
the Board aida.camacho@bpu.nj.gov

Karriemah Graham, Director of Case
Management
karriemah.graham@bpu.nj.us

Donna Thomas, Case Management
donna.thomas@bpu.nj.gov

Michael Kammer Director, Division
of Water mike.kammer@bpu.nj.gov

Andrew Tuzzo
andrew.tuzzo@bpu.nj.gov

Board of Public Utilities Cont.

Kofi Ocansey
Kofi.ocansey@bpu.nj.gov

David Schmitt, Legal Specialist
david.schmitt@bpu.nj.gov

New Jersey Division of Law
Office of the Attorney General
25 Market Street, P.O. Box 112 Trenton, NJ
08625

Pamela Owen
Deputy Attorney General
pamela.owen@law.njoag.gov

Meliha Arnautovic
Deputy Attorney General
meliha.arnautovic@law.njoag.gov

Brandon Simmons
Deputy Attorney General
brandon.simmons@law.njoag.gov

Rate Counsel

Division of Rate Counsel
140 East Front Street, 4th Fl.
P.O. Box 003
Trenton, NJ 08625-0350

Brian Lipman, Director
blipman@rpa.nj.gov

Susan McClure, Managing Attorney
smcclure@rpa.nj.gov

Emily Smithman, Esq.
Emily.smithman@rpa.nj.gov

Marilyn Silva
msilva@rpa.nj.gov

Borough of Carteret

Carmela Pogorzelski, Clerk.
Pogorzelskic@carteret.net

Township of Edison

Cheryl Russomanno, Clerk
crussomanno@edisonnj.org

Borough of Metuchen

Deborah Zupan, Clerk
dzupan@metuchen.com

Borough of South Plainfield

Dominic Demico, Jr., Clerk,
ddemico@southplainfieldnj.com

City of South Amboy

Deborah Brook, Clerk
clerk@southamboynj.gov

Union Township

Eileen Birch, Clerk
clerk@uniontownship.com

Township of Clark

Edie Merkel, Clerk
clerk@ourclark.com

Borough of Highland Park

Jennifer Santiago, Clerk
jsantiago@hpboro.com

Township of Old Bridge

Gabriella Siboni, Clerk gsiboni@oldbridge.com

Township of Woodbridge

John M. Mitch, Clerk
john.mitch@twp.woodbridge.nj.us

Middlesex County

Amy R. Petocelli, Clerk
clerk@co.middlesex.nj.us

Township of Marlboro

Susan A. Branagan, Clerk
clerk@marlboro-nj.gov

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: April 27, 2022