



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

WATER

IN THE MATTER OF THE VERIFIED JOINT PETITION)	ORDER SUSPENDING
OF MONTAGUE WATER CO., INC., MONTAGUE)	PROCEDURAL SCHEDULE
SEWER CO., INC., CORIX INFRASTRUCTURE (US))	
INC., AND SW MERGER ACQUISITION CORP. FOR)	DOCKET NO. WM22110690
APPROVAL OF A CHANGE OF CONTROL OF)	
MONTAGUE WATER CO., INC. AND MONTAGUE)	
SEWER CO., INC.)	

Parties of Record:

Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel
James H. Laskey, Esq., Norris McLaughlin, P.A., for the Montague Water Co., Inc., Montague Sewer Co., Inc. and Corix Infrastructure (US), Inc.
Stephen B. Genzer, Esq., Saul Ewing Arnstein & Lehr LLP for SW Merger Acquisition Corp.

BY COMMISSIONER MARY-ANNA HOLDEN:

BACKGROUND AND PROCEDURAL HISTORY

On November 9, 2022, Montague Water Company, Inc. and Montague Sewer Company, Inc., together with Corix Infrastructure (US) Inc. (“Corix US”), and SW Merger Acquisition Corp. (“SWMAC”) (collectively, “Joint Petitioners”), filed a petition with the New Jersey Board of Public Utilities (“Board”) requesting that the Board approve the proposed merger of SWMAC and Corix US (“Joint Petition”). According to the Joint Petitioners, the proposed merger would create a larger and stronger water and wastewater company.

By Order dated January 25, 2023, the Board retained the Joint Petition for hearing pursuant to N.J.S.A. 48:2-32 and designated me as the Presiding Commissioner authorized to rule on all motions arising during the pendency of these proceedings, as well as modify any schedules that may be set as necessary to secure a just and expeditious determination of the issues.¹ The Board also directed all entities seeking to intervene or participate to file the appropriate application with the Board on or before February 25, 2023, and that any party wishing to file for admission of

¹ In re the Verified Joint Petition of Montague Water Co., Inc., Montague Sewer Co., Inc., Corix Infrastructure (US) Inc., and SW Merger Acquisition Corp. for Approval of a Change of Control of Montague Water Co., Inc., and Montague Sewer Co., Inc., BPU Docket No. WM22110690, Order dated January 25, 2023.

counsel *pro hac vice* do so concurrently.²

By Order dated March 27, 2023, I established the procedural schedule for this matter.³ By Order dated May 16, 2023, I approved a modified procedural schedule for this matter, which was annexed to the Order.⁴ By Order dated May 30, 2023, I approved a second modified procedural schedule for this matter, which was annexed to the Order (“Procedural Schedule”).⁵

On June 7, 2023, the Joint Petitioners filed correspondence requesting to suspend the Procedural Schedule to allow time to execute a stipulation of settlement in this matter following successful settlement negotiations leading to an agreement in principle.

DISCUSSION AND FINDINGS


I reviewed, in detail, the Joint Petitioners’ June 7, 2023 correspondence. To allow execution of a formal stipulation of settlement and to ensure an equitable determination of the issues, I **HEREBY GRANT** the Joint Petitioners’ request to suspend the Procedural Schedule in this matter.

I **HEREBY DIRECT** that this Order be posted on the Board’s website.

This provisional ruling is subject to ratification or other alteration by the Board as it deems appropriate during the proceedings in this matter.

DATED: 6/9/2023

BY:



MARY-ANNA HOLDEN
COMMISSIONER

² Id.

³ In re the Verified Joint Petition of Montague Water Co., Inc., Montague Sewer Co., Inc., Corix Infrastructure (US) Inc., and SW Merger Acquisition Corp. for Approval of a Change of Control of Montague Water Co., Inc., and Montague Sewer Co., Inc., BPU Docket No. WM22110690, Order dated March 27, 2023 (“March 27 Order”).

⁴ In re the Verified Joint Petition of Montague Water Co., Inc., Montague Sewer Co., Inc., Corix Infrastructure (US) Inc., and SW Merger Acquisition Corp. for Approval of a Change of Control of Montague Water Co., Inc., and Montague Sewer Co., Inc., BPU Docket No. WM22110690, Order dated May 16, 2023.

⁵ In re the Verified Joint Petition of Montague Water Co., Inc., Montague Sewer Co., Inc., Corix Infrastructure (US) Inc., and SW Merger Acquisition Corp. for Approval of a Change of Control of Montague Water Co., Inc., and Montague Sewer Co., Inc., BPU Docket No. WM22110690, Order dated May 30, 2023.

IN THE MATTER OF THE VERIFIED JOINT PETITION OF MONTAGUE WATER CO., INC., MONTAGUE SEWER CO., INC., CORIX INFRASTRUCTURE (US) INC., AND SW MERGER ACQUISITION CORP. FOR APPROVAL OF A CHANGE OF CONTROL OF MONTAGUE WATER CO., INC. AND MONTAGUE SEWER CO., INC.

DOCKET NO. WM22110690

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