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Please reply to Trenton

July 20, 2023

Via Electronic Filing

Sherrri Golden, Secretary
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, New Jersey 08625-0350

**Re: I/M/O Petition of New Jersey-American Water Company, Inc. for Recovery of
Regulatory Asset Established for Incremental Covid-19 Related Expenses, and for
Establishment of an Uncollectible Adjustment Clause
Docket No. WR23050275**

Dear Secretary Golden:

Enclosed on behalf of the Phillips 66 Company, please find enclosed its motion to
intervene in this matter. A certificate of service is also enclosed.

Sincerely,



Bradford M. Stern

enclosure

cc: Service List (via email)

Rothfelder Stern, L.L.C.
407 Greenwood Ave., #301
Trenton, NJ 08609
(609) 394-1000

**STATE OF NEW JERSEY
BEFORE THE
BOARD OF PUBLIC UTILITIES**

**In The Matter of the Petition of
New Jersey-American Water Company, Inc.
for Recovery of Regulatory Asset
Established for Incremental Covid-19
Related Expenses, and for Establishment
of an Uncollectible Adjustment Clause**

**BPU DOCKET NO. WR23050275

MOTION TO INTERVENE
OF
PHILLIPS 66 COMPANY**

The Phillips 66 Company (“Phillips 66”) hereby moves for an Order granting it intervention in the above referenced matter. This motion is filed pursuant to N.J.A.C.

1:1-16.1. In support of this motion, Phillips 66 states:

1. Phillips 66 is the owner of the Phillips 66 Bayway Refinery (the “Facility”) situated in Linden, New Jersey. The Facility is among the largest crude oil refineries in the northeastern United States, with a crude oil charge capacity of 258.5 thousand barrels per day (“MBD”). The Facility also contains a polypropylene plant with a production capacity of 775 million pounds per year.

2. The Facility is within the service territory of New Jersey American Water Company (“NJAW”), formerly the Elizabethtown Water Company (“EWC”) territory, and purchases water from NJAW pursuant to Rate Schedule F, Optional Industrial Wholesale (“OIW”) of NJAW’s tariff. The Facility’s recent annual billings from NJAW are on the order of \$7.4 million, making the Facility among NJAW’s largest industrial customers.

3. NJAW is requesting a an increase in its rates and a new rate mechanism in this proceeding. As a large volume purchaser of services from NJAW under Rate Schedule F of NJAW's tariff, Phillips 66's interests are clearly distinct from other customers of NJAW and no other party to this proceeding can adequately represent Phillips 66's interest.

4. Phillips 66 anticipates coordinating its representation and presentation of witnesses to the extent possible in this proceeding with other customers in the same rate class and will in that regard act in concert as the "OIW Customer Coalition."

5. Granting Phillips 66 intervention at this stage of the proceeding will not cause undue delay or confusion, nor impose an undue burden on any party to this proceeding.

6. Phillips 66 was granted full intervenor status in the last most recent and other prior rate cases of NJAW, and its predecessor, the Elizabethtown Water Company.

7. The verification of William J. Eskuchen is annexed hereto stating that the facts stated herein are true and accurate to the best of his knowledge and belief.

8. Correspondence concerning this Motion and this proceeding should be sent to

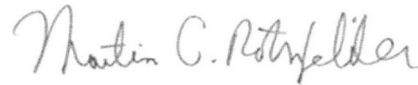
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bstern@rothfelderstern.com

9. A Certificate of Service and proposed form of order granting intervention are annexed hereto.

WHEREFORE, Phillips 66 respectfully requests the Board of Public Utilities to
(1) grant it full rights as an intervenor in this matter pursuant to N.J.A.C. 1:1-16.1, and
(2) order such further relief in connection therewith as the OAL deems reasonable and
just.

Respectfully Submitted,

Rothfelder Stern, L.L.C.



Martin C. Rothfelder

By: Martin C. Rothfelder

Date: July 20, 2023

**STATE OF NEW JERSEY
BEFORE THE
OFFICE OF ADMINISTRATIVE LAW**

**In The Matter of the Petition of)
New Jersey-American Water Company, Inc.)
for Recovery of Regulatory Asset)
Established for Incremental Covid-19)
Related Expenses, and for Establishment)
of an Uncollectible Adjustment Clause)**


BPU DOCKET NO. WR23050275

VERIFICATION OF WILLIAM J. ESKUCHEN

I, William J. Eskuchen, of full age and upon my oath, depose and say:

1. I am the Business Improvement Coordinator of the Phillips 66 Bayway Refinery, and I am authorized to make this statement on behalf of the Phillips 66 Company.
2. I have reviewed the attached Motion to Intervene and certify that the facts set forth therein regarding the Phillips 66 Company are true and accurate to the best of my knowledge and belief.

Date: 7/17/23



William J. Eskuchen

**STATE OF NEW JERSEY
BEFORE THE
BOARD OF PUBLIC UTILITIES**

**In The Matter of the Petition of)
New Jersey-American Water Company, Inc.)
for Recovery of Regulatory Asset)
Established for Incremental Covid-19)
Related Expenses, and for Establishment)
of an Uncollectible Adjustment Clause)**

BPU DOCKET NO. WR23050275

ORDER

On July 20, 2023, the Phillips 66 Company (“Phillips 66”) filed a Motion to Intervene in this matter. Phillips 66 owns and operates the Phillips 66 Bayway Refinery (the “Facility”), located in Linden, New Jersey. The Facility purchases water and related service from New Jersey American Water Company (“NJAW”) under Rate Schedule F, Optional Industrial Wholesale, in connection with the operation of the Facility. The Company represents that, to the best of its knowledge, it is among the largest industrial customers of NJAW.

I FIND that Phillips 66 will be directly and substantially affected by the outcome of this proceeding and that no other party to this proceeding can adequately represent Phillips 66’s interests. Granting intervention to Phillips 66 will not cause undue confusion or delay, nor impose an undue burden on any party to this proceeding. I therefore GRANT Phillips 66 intervention in this proceeding pursuant to N.J.A.C. 1:1-16.1 AND 1:1-16.3.

Date: _____

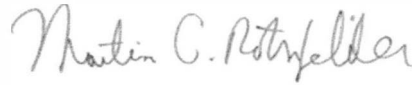
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CERTIFICATE OF SERVICE

I, Martin C. Rothfelder upon my oath, duly state that I have sent or caused to be sent by e-mail, unless otherwise noted, the attached Motion to Intervene and supporting Verification by the Phillips 66 Company to the persons set forth on the attached service list.



Martin C. Rothfelder

Date: July 20, 2023

SERVICE LIST

BPU DOCKET NO. WR23050275

I/M/O Petition of New Jersey-American Water Company, Inc. for Recovery of Regulatory Asset Established for Incremental Covid-19 Related Expenses, and for Establishment of an Uncollectible Adjustment Clause

NEW JERSEY AMERICAN WATER

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BOARD OF PUBLIC UTILITIES

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