



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 02409-24

AGENCY DKT. NO. WR24010056

**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, DEPRECIATION RATES AND
OTHER TARIFF MODIFICATIONS, PURSUANT
TO N.J.S.A. 48:2-18, N.J.S.A. 48:2-21, AND N.J.S.A.
48:2-21.1, N.J.A.C. 14:1-5.7, AND N.J.A.C. 14:1-5.12**

Stephen R. Bishop, Vice President, Managing General Counsel and Secretary,
and **Christopher M. Arfaa**, Director and Corporate Counsel, for petitioner,
New Jersey-American Water Company, Inc.

Bruce V. Miller, Esq., and **Zachary A. Klein**, Esq., for petitioner, New Jersey-
American Water Company, Inc. (Cullen and Dykman, LLP, attorneys)

Meliha Arnautovic and **Terel Klein**, Deputy Attorneys General, for Staff of the
Board of Public Utilities (Matthew J. Platkin, Attorney General of New
Jersey, attorney)

Susan E. McClure, Managing Attorney of Water and Wastewater and Deputy Rate
Counsel, and **Christine Juarez** and **Emily Lam**, Assistant Deputy Rate

Counsels, for New Jersey Division of Rate Counsel (Brian O. Lipman, Director)

Jay L. Kooper, Vice President, General Counsel, and Secretary, for intervenor, Middlesex Water Company

Martin C. Rothfelder, Esq. and **Bradford M. Stern**, Esq., for intervenors, Rutgers, The State University of New Jersey, Johanna Foods, Inc., Cogen Technologies Linden Venture, L.P., the Trustees of Princeton University, and Phillips 66 Company (Rothfelder Stern, L.L.P., attorneys)

Anthony R. Francioso, Esq., for intervenor Mount Laurel Township Municipal Utilities Authority (Fornaro Francioso LLC, attorneys)

Record Closed: August 13, 2024

Decided: August 15, 2024

BEFORE **TRICIA M. CALIGUIRE**, ALJ:

On January 19, 2024, New Jersey-American Water Company, Inc. (NJAW) filed a petition with the Board of Public Utilities (Board) for approval of increases in tariff rates and charges for water and wastewater service, change in depreciation rates, and other tariff modifications. On February 21, 2024, the Board transmitted the matter to the Office of Administrative Law (OAL), where it was filed as a contested case, pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13. A telephone prehearing conference was conducted on March 6, 2024, and a prehearing order was issued on April 1, 2024.

Motions to Intervene were filed by Middlesex Water Company (Middlesex); Johanna Foods, Inc.; Cogen Technologies Linden Venture, L.P.; Rutgers, the State University; Phillips 66 Company; the Trustees of Princeton University; and the Mount Laurel Township Municipal Utilities Authority (MLTMUA). With no objections, the motions were granted by orders issued on March 8, 2024; March 26, 2024; April 5, 2024; April 19, 2024; and August 6, 2024.

On April 10, 2024, two duly-noticed public hearings¹ were conducted by the OAL using Zoom Video Communications, Inc., a remote video and audio platform. The petitioner, Staff of the Board, the Division of Rate Counsel, and members of the public participated in the public hearings and provided comments. At the first hearing, counsel for Howell Township explained his client's objections to the petition, and three private citizens joined the hearing but did not make comments. No members of the public appeared at the second hearing. All comments were transcribed and made part of the record.

On August 13, 2024, the parties filed a Stipulation of Settlement which resolves all issues in this proceeding. (J-1). Said Stipulation of Settlement has been signed by petitioner, Staff of the Board; and the New Jersey Division of Rate Counsel. On August 13, 2024, a letter of non-opposition to the Stipulation of Settlement was submitted by intervenors Cogen Technologies Linden Venture, L.P., Phillips 66 Company, Johanna Foods, Inc., the Trustees of Princeton University, and Rutgers, the State University of New Jersey. On August 13, 2024, Middlesex and MLTMUA submitted letters of non-opposition to the Stipulation of Settlement.

The Stipulation of Settlement indicates the terms of settlement and is attached and fully incorporated herein.

I have reviewed the terms of settlement and I **FIND:**

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures or their representatives' signatures on the attached document.
2. The settlement fully disposes of all issues in controversy between the parties and is consistent with the law.

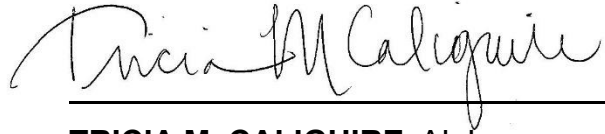
I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

¹ Proof of publication was provided by petitioner to the court reporter, to all parties, and to me; the public notice and proof of its publication are part of the record transmitted to the Board with this Initial Decision.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

August 15, 2024

DATE



TRICIA M. CALIGUIRE, ALJ

Date Received at Agency:

Date Mailed to Parties:

TMC/kl

APPENDIX

EXHIBITS

Jointly Submitted:

J-1 Stipulation of Settlement