



Agenda Date: 2/20/13
Agenda Item: VA

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

WATER

| | | |
|--|---|------------------------|
| IN THE MATTER OF THE PETITION OF UNITED |) | ORDER FURTHER |
| WATER TOMS RIVER INC. FOR AN APPROVAL OF |) | SUSPENDING INCREASES, |
| AN INCREASE IN RATES FOR WATER SERVICE AND |) | CHANGES OR ALTERATIONS |
| OTHER TARIFF CHANGES |) | IN WATER SERVICE |
| |) | |
| |) | |
| |) | DOCKET NO. WR12090830 |

Parties of Record:

Stephen B. Genzer, Esq., on behalf of United Water Toms River Inc., Petitioner
Stefanie A. Brand, Esq., Director, Division of Rate Counsel

BY THE BOARD:

On September 19, 2012, pursuant to N.J.S.A. 48:2-21 and N.J.A.C. 14:1-5.12 and other related statutes and regulations, United Water Toms River Inc., (UWTR or Petitioner) a public utility of the State of New Jersey subject to the jurisdiction of the Board of Public Utilities (Board), filed a petition seeking to increase and revise its rates and charges for water service amounting to \$6,653,244 or 23.18%. The increase in rates is proposed to become effective on October 24, 2012. By letter dated September 25, 2012, UWTR extended the effective date until November 2, 2012, unless the Board acts on the matter sooner. On October 23, 2012, rates were suspended by the Board Order until February 24, 2013.

UWTR services approximately 50,000 water customers in the central portion of Ocean County, specifically in the municipalities of Toms River Township (formerly known as Dover Township), the Borough of South Toms River, a portion of Berkeley Township, and seven customers in a small portion of Brick Township.

As part of its filing UWTR seeks to update the base consumption and base rate costs which were established in the last rate proceeding.

According to the petition, UWTR seeks the increase to maintain a satisfactory credit position, preserve its financial integrity, permit proper maintenance, develop and improve the utility plant required to furnish safe, adequate, and proper service, encourage continued good management, prevent confiscation or diminution of Petitioner's property, and earn a reasonable return upon the fair value of the property used and useful in the public service.

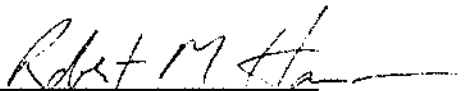
It appearing that the proposed revisions will increase existing rates and change or alter existing classifications in Petitioner's tariff, it is **HEREBY ORDERED** that:

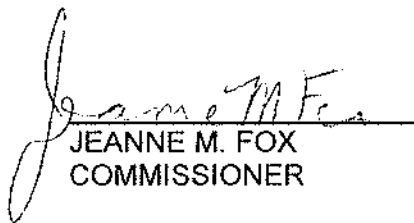
- (1) Pursuant to N.J.S.A. 48:2-21, the proposed revisions be, and are suspended until June 24, 2013, unless the Board prior to that date makes a determination disposing of the petition or enters an Order further suspending the proposed revisions;
- (2) Petitioner shall, at least ten (10) days prior to the date set for hearing on the petition by the Office of Administrative Law, file with this Board and with the Office of Administrative Law (9 Quakerbridge Plaza, P. O. Box 049, Trenton, NJ 08625) proof of compliance with the Notice provisions of N.J.S.A. 48:2-32.2 and N.J.A.C. 14:1-5.12 (b) and (c), which Notice shall include a statement that any relief found by the Board to be just and reasonable may be allocated by the Board to any class or classes of customers on any rate or schedule as the Board may determine; and
- (3) Petitioner shall, serve three copies of this Order upon the Office of Administrative Law, the Division of Rate Counsel (31 Clinton Street, P.O. Box 46005, Newark NJ 07102), the clerks of all affected municipalities, and the clerk to the Board of Chosen Freeholders of the affected county, and where appropriate, the executive officer of the affected county. Service of the petition, notice of hearings and this Order may be served simultaneously. Proof of service of this Order shall be filed with the Board within fifteen (15) days of the date of this Order.

This Order shall be effective on February 24, 2013.

DATED: 2/20/13

BOARD OF PUBLIC UTILITIES
BY:

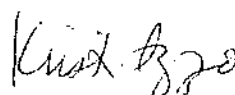

ROBERT M. HANNA
PRESIDENT

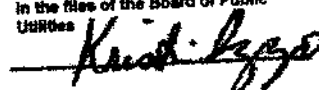

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


MARY-ANNA HOLDEN
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities


**IN THE MATTER OF THE PETITION OF UNITED WATER TOMS RIVER INC.
FOR AN APPROVAL OF AN INCREASE IN RATES FOR WATER SERVICE AND
OTHER TARIFF CHANGES - DOCKET NO.WR12090830**

SERVICE LIST

Stephen B. Genzer, Esq.
Saul Ewing, LLP
One Riverfront Plaza, 5th Floor
Newark, NJ 07102

Stefanie A. Brand, Esq., Director
Division of Rate Counsel
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, NJ 07101

Caroline Vachier, Esq., DAG Section Chief
Department of Law and Public Safety
Division of Law
124 Halsey St. 5th Floor
P.O. Box 45029
Newark, NJ 07101

Maria Moran, Director
Board of Public Utilities
Division of Water
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350

Michael Kammer, Bureau Chief
Board of Public Utilities
Division of Water
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350

Edward Hiott, Senior Utility Management Analyst
Board of Public Utilities
Division of Water
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350