



Agenda Date: 6/29/23  
Agenda Item: VA

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

WATER

IN THE MATTER OF MIDDLESEX WATER COMPANY	)	ORDER SUSPENDING
FOR APPROVAL OF AN INCREASE IN ITS RATES	)	INCREASES, CHANGES OR
FOR WATER SERVICE AND OTHER TARIFF	)	ALTERATIONS IN RATES
CHANGES	)	FOR WATER SERVICE
	)	
	)	DOCKET NO. WR23050292

**Parties of Record:**

**Brian O. Lipman, Esq., Director**, New Jersey Division of Rate Counsel  
**Stephen B. Genzer, Esq.**, Saul Ewing Arnstein and Lehr, LLP, on behalf of Middlesex Water Company

BY THE BOARD:

On May 15, 2023, pursuant to N.J.S.A. 48:2-21, N.J.A.C.14:1-5.11, N.J.A.C 14:1-5.12, N.J.A.C 14:9-7.1 et seq., and N.J.A.C. 14:9-10 et seq., Middlesex Water Company (“Middlesex,” “Company,” or “Petitioner”), a regulated public utility of the State of New Jersey with its principal offices located at 485C Route One South, Suite 400, Iselin, New Jersey, 08830, filed a petition seeking approval of an increase in its base water rates (“Petition”).

The Company serves approximately 61,000 retail water customers throughout the State of New Jersey. Middlesex also provides wholesale water service to the City of Rahway; the Townships of Edison and Marlboro; the Borough of Highland Park; and the Old Bridge Municipal Utilities Authority. The Company also provides water treatment and pumping services to the Township of East Brunswick.

By the Petition, Middlesex proposed rates that would increase its revenues by approximately \$33.9 million, or 31.23%, above its current revenues of \$109.3 million for services rendered on and after June 15, 2023(“Proposed Rates”).<sup>1</sup> The Company indicated that it would then implement the Proposed Rates on February 15, 2024, on an interim basis pursuant to law, applicable regulations, and Board policy if the Board suspended the effective date of the proposed

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<sup>1</sup> By correspondence dated May 30, 2023, the Petitioner indicated that it would not implement its proposed interim rates prior to Board’s June 29, 2023 Agenda meeting.

rates pursuant to N.J.S.A. 48:2-21 but not finally determined a new just and reasonable tariff prior to that date.

According to the Petition, the Company seeks recovery of prudent investments made to address aging drinking water infrastructure and others to help ensure continued resiliency and overall quality of service. The Company indicated that it invested approximately \$136 million as part of its Water for Tomorrow capital improvement program, which includes several large-scale infrastructure projects, all of which have been completed but not currently reflected in customer's rates.

Middlesex noted that its large-scale infrastructure projects include: 1) the Granular Activated Carbon water treatment system installed at the Park Avenue Water Treatment Plant facility to ensure compliance with recent New Jersey Department of Environmental Protection regulations pertaining to perfluoroalkyl and polyfluoroalkyl chemicals; 2) replacement of aging areas of Middlesex's water distribution system including mains, valves, service lines, and meters under the Company's RENEW program; and 3) replacement of approximately 25,000 feet of distribution mains and their related service, valves, and meters in accordance with the New Jersey Water Quality Accountability Act.

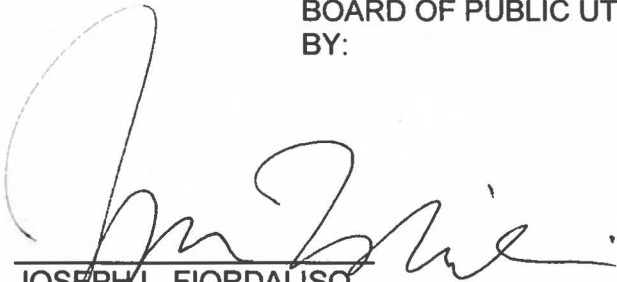
Because the proposed revisions, if approved, will likely increase existing rates and change or alter existing classifications in the Petitioners tariff, it is **HEREBY ORDERED** as follows:

- (1) Pursuant to N.J.S.A. 48:2-21(d), and consistent with N.J.A.C. 14:1-5.12, the proposed revisions are suspended until October 15, 2023, unless prior to that date the Board makes a determination disposing of the Petition or enters an Order further suspending the proposed revisions;
- (2) Middlesex shall, at least 10 days prior to the date set for hearing on the petition by the Office of Administrative Law ("OAL"), file with this Board, and with the OAL, 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) Middlesex shall serve copies of this Order upon the OAL, the Division of Rate Counsel (140 East Front Street, 4th Floor, Post Office Box 003, Trenton, N.J. 08625), the clerk of each affected municipality, the clerk of the Boards of County Commissioners of each affected county, and, where appropriate, the executive officer of the affected county within its service area. Service of the petition, notice of hearings and this Order may be made simultaneously. Proof of service of this Order shall be filed with the Board.

This Order shall be effective on June 29, 2023.

DATED: June 29, 2023

BOARD OF PUBLIC UTILITIES  
BY:

  
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JOSEPH L. FIORDALISO  
PRESIDENT

  
\_\_\_\_\_  
MARY-ANNA HOLDEN  
COMMISSIONER

  
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DR. ZENON CHRISTODOULOU  
COMMISSIONER

  
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CHRISTINE GUHL-SADOWY  
COMMISSIONER

  
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MARIAN ABDOU  
COMMISSIONER

ATTEST:   
\_\_\_\_\_  
SHERRIL L. GOLDEN  
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 MIDDLESEX WATER COMPANY FOR APPROVAL OF AN INCREASE IN ITS RATES FOR  
 WATER SERVICE AND OTHER TARIFF CHANGES

BPU DOCKET NO. WR23050292

SERVICE LIST

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