



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

WATER

IN THE MATTER OF THE PETITION OF NEW JERSEY)
AMERICAN WATER COMPANY FOR A)
DETERMINATION CONCERNING FENWICK WATER)
TANK PURSUANT TO N.J.S.A. 40:55D-19)
ORDER ON REQUEST FOR)
EXTENSION)
BPU DOCKET NO. WO22010004)
OAL DOCKET NO. PUC 00319-22)

Parties of Record:

Brian O. Lipman, Esq, Esq., Director, New Jersey Division of Rate Counsel
Niall J. O'Brien, Esquire, Archer & Greiner P.C., on behalf of New Jersey-American Water Company
Louis P. Rago, Esq., on behalf of the Borough of Bernardsville
Phyllis J. Kessler, Esq. and David B. Amerikaner, Esq., Duane Morris, LLP, on behalf of Paul Savas, Intervenor and Karen Martin, Participant

BY THE BOARD:¹

This matter is before the New Jersey Board of Public Utilities (“Board”) concerning Board Staff’s (“Staff”) request for a 45-day extension of time prior to the Board issuing a Final Decision in this matter.

On May 1, 2023, the Board received Administrative Law Judge Tricia Caliguire’s Initial Decision, rendering a 45-day statutory period for review and setting the date for final Board action on June 15, 2023.^{2 3}

On May 11, 2023, the New Jersey Division of Rate Counsel filed exceptions to the Initial Decision.

On May 15, 2023, David Amerikaner, Esq. filed exceptions to the Initial Decision on behalf of Intervenor Paul Savas and Participant Karen Martin.

¹ Commissioner Christodoulou recused himself due to a potential conflict of interest and as such took no part in the discussion or deliberation of this matter. Commissioners Guhl-Sadovy and Abdou abstained from voting on this matter.

² Since the deadline set by this order by operation of the Administrative Procedure Act falls on a Sunday, it is effectively the following Monday by virtue of the generally applicable regulations. See N.J.A.C. 1:1-1.4.

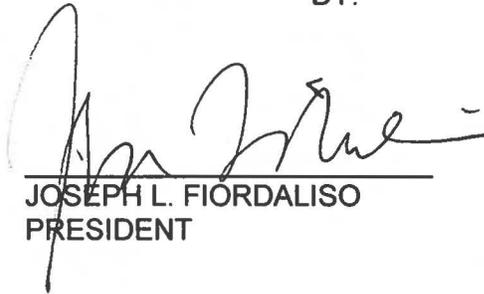
³ N.J.S.A. 52:14B-10(c).

Staff requested a 45-day extension of time to adequately review the record in this matter.

As such, and for good cause having been shown, considering the voluminous record in this matter, I **HEREBY GRANT** Staff's request for an additional 45 days prior to the Board rendering a Final Decision in this matter. As such, and pursuant to N.J.S.A. 52:14B-10(c) and N.J.A.C. 1:1-18.8, I **HEREBY ORDER** that the time for the Board to issue a Final Decision is extended to July 31, 2023.⁴

DATED: June 7, 2023

BOARD OF PUBLIC UTILITIES
BY:



JOSEPH L. FIORDALISO
PRESIDENT

ATTEST:



SHERRI L. GOLDEN
SECRETARY

Date Board mailed Order to OAL: 6/7/23

DATED: 6/7/2023



BARRY E. MOSCOWITZ, ACTING DIRECTOR
AND CHIEF ADMINISTRATIVE LAW JUDGE

Date OAL mailed executed Order to Board: 6/7/2023

Date Board mailed executed Order to Parties: 6/8/2023

cc: Service List Attached

⁴ President Joseph L. Fiordaliso is authorized by the Board to execute this Order of Extension on its behalf.

IN THE MATTER OF THE PETITION OF NEW JERSEY AMERICAN WATER COMPANY FOR
A DETERMINATION CONCERNING FENWICK WATER TANK PURSUANT TO N.J.S.A.
40:55D-19

BPU DOCKET NO. WO022010004
OAL DOCKET NO. PUC 00319-22

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