



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 AQUA NEW JERSEY, INC.'S)
DISTRIBUTION SYSTEM IMPROVEMENT CHARGE)
FOUNDATIONAL FILING PURSUANT TO N.J.A.C.)
14:9-10.4)
)
)

ORDER

DOCKET NO. WR12070685

Parties of Record:

**Stephen B. Genzer, Esq. and Coleen A. Foley, Esq., Saul Ewing LLP, for Petitioner
Stefanie A. Brand, Esq., Director, Division of Rate Counsel**

BY THE BOARD¹:

On July 24, 2012, Aqua New Jersey, Inc. ("Aqua", "Petitioner", or "Company") a public utility corporation of the State of New Jersey, filed a petition (the "Foundational Filing") pursuant to N.J.A.C. 14:9-10.1 et. seq. seeking to enable the implementation of a Distribution System Improvement Charge ("DSIC"). Specifically, the Company requested that the Board of Public Utilities (the "Board") approve the Company's Foundational Filing pursuant to N.J.A.C. 14:9-10.4(b). Additionally, on July 30, 2012, the Company filed a Motion for Confidential Treatment requesting that the Board (and the Parties to this proceeding) treat as confidential all of the water distribution system plans, analyses and data submitted in this proceeding.

BACKGROUND/PROCEDURAL HISTORY

On August 21, 2012, the Company, Board Staff, and Rate Counsel (collectively, the "Signatory Parties") convened a telephone scheduling conference and agree to a procedural schedule which would permit this matter to be acted upon by the Board within the ninety (90) day period specified in N.J.A.C. 14:9-10.4(c).

A discovery conference was held on September 12, 2012 with representatives from all parties in attendance. At that conference, representatives of the Company responded to questions from Board Staff and Rate Counsel.

¹ Commissioner Mary-Anna Holden did not participate. Commissioner Nicholas Asselta recused himself due to a potential conflict of interest.

After proper notice, two public hearings were held in Hamilton and Phillipsburg on September 24, 2012. No members of the public appeared at either hearing.

DISCUSSIONS AND FINDINGS²

As a result of an analysis of the Petitioner's Foundational Filing, a discovery conference, and public hearings held in the Company's service territory, the "Signatory Parties have come to an agreement in this matter. On October 11, 2012, the Signatory parties executed a Stipulation of Settlement ("Stipulation"). Specifically, the Stipulation stated:

1. The Signatory Parties agreed that the Company concluded a base rate proceeding and implemented new base rates pursuant to an Order of the Board dated April 11, 2012 (in BPU Docket No. WR11120859). Therefore the Company has met the requirement specified in N.J.A.C. 14:9-10.4(c) regarding the setting of new base rates.
2. The Signatory Parties recommended the Board find that the Company has satisfied the Foundational Filing requirement specified in N.J.A.C. 14:9-10.4(b).
3. The Signatory Parties stipulated that the projects contained in Appendices 1, 2, 3 & 4 of the Foundational Filing have been reviewed, are DSIC-eligible projects as defined at N.J.A.C. 14:9-10.2 with the exception of those projects designated as "Grid" projects in said Appendices, and are eligible to be included in the Company's DSIC filings pursuant to N.J.A.C. 14:9-10.5.
4. The Signatory Parties recommended that the Board authorize the recovery in the DSIC of the actual costs associated with the projects contained Appendices 1, 2, 3 & 4 of the Foundational Filing with the exception of those projects designated as "Grid" projects in said Appendices of the Foundational Filing, pursuant to the Board's rules.
5. The Signatory Parties recommended that the Company's base spending requirement be set at \$2,297,394 (which amount includes the depreciation expense associated with the Company's gridding projects). The costs of Aqua New Jersey's gridding projects may be included in satisfying the base spending requirement.
6. The Signatory Parties recommended that the Company's water distribution infrastructure renewal program could be enhanced through a more comprehensive tracking of main breaks actually occurring on various pipe sizes and types of pipe material. The Company's future Foundational Filings will show the number of actual main breaks occurring per year for the Company's various pipe size and material classes, in addition to any other main break performance metrics desired by the Company.
7. The Signatory Parties recommended that prior to its next Foundational Filing, the Company will reassess the project ranking criteria used and embodied in the "Main Replacement Evaluation Worksheet" in Appendix 20 of the current Foundational Filing to give increased weight to low pressure conditions, including those that result in customer complaints, and to potentially give increased weight to customer water quality complaints in future Foundational Filings.

² Although described in this Order at some length, should there be any conflict between this summary and the Stipulation, the terms of the Stipulation control, subject to the findings and conclusions in this Order.

Based upon the information presented in the petition and agreed to by the Parties in the Stipulation, the Board HEREBY FINDS that the Company's overall revenue for DSIC purposes is \$34,770,562. The Board FURTHER FINDS that the Petitioner's maximum amount of annual DSIC revenues that may be collected is \$1,738,528. The Board FURTHER FINDS that the stipulated maximum monthly DSIC surcharge noticed by the Company and included in its Foundational Filing satisfy the requirements of N.J.A.C. 14:9-10.4(b)(3). As an example, an average residential customer with a 5/8 inch meter will be subjected to a maximum monthly DSIC surcharge of \$2.04.

The Board HEREBY ORDERS that in accordance with N.J.A.C. 14:9-10.5(b) Petitioner shall make DSIC filings on a semi-annual basis, commencing approximately six months after the effective date of the foundational filing. Petitioner must submit its semi-annual DSIC filing within 15 days of the end of the DSIC recovery period. DSIC filings shall be reviewed by Board staff and the Division of Rate Counsel. Petitioner may recover the interim surcharge associated with the DSIC-eligible projects closed during the DSIC recovery period not objected to by Board staff or the Division of Rate Counsel beginning 60 days after the end of the DSIC recovery period, subject to refund at the Board's discretion. It is FURTHER ORDERED that Petitioner must comply with the base spending requirements set forth in this Order. Failure to comply with the base spending requirements will result in a reduction and refund, where appropriate, of the DSIC surcharge. Thus Petitioner's DSIC surcharge is interim, subject to refund, and shall not exceed the maximum DSIC rate set forth in this order.

The Board Further ORDERS, that in accordance with N.J.A.C. 14:9-10.4(e). If within three years after the effective date of this order, Petitioner has not filed a petition in accordance with the Board's rules for the setting of its base rates, all interim charges collected under the DSIC shall be deemed an over-recovery, and shall be credited to customers in accordance with the Board's rules.

Having reviewed the Foundational Filing and the Stipulation, the Board FINDS that the Signatory Parties have voluntarily agreed to the Stipulation, and that the Stipulation fully disposes of all issues in this proceeding and is consistent with the law. The Board FINDS the Foundational Filing and Stipulation to be reasonable, in the public interest, and in accordance with the law. Therefore, the Board HEREBY ADOPTS the Stipulation, attached hereto, including all attachments and schedules, as its own, incorporating by reference the terms and conditions of the Stipulation, as if they were fully set forth at length herein, subject to the requirements set forth in N.J.A.C. 14:9-10.1 et seq. and the conditions set forth in this Order.

REQUEST FOR CONFIDENTIAL TREATMENT

As to Petitioner's request for special confidential treatment of information submitted through the DSIC filing, the Board has reviewed the request and the type of information identified by Petitioner. Petitioner states that a confidentiality determination is required by the Board because of the "detailed nature of the information" implicates "vital security concerns and a confidential assessment of its own system." Petitioner's Motion at pg. 2. The Petitioner goes on to allege that "it is not prudent or in the public interest to wait until an unspecified future date to know that its critical information will be protected." Ibid. In the attached stipulation, it is noted that Rate Counsel does not object to a special Board order in this case declaring this information confidential.

The Board's regulations governing claims of confidentiality are set forth at N.J.A.C. 14:1-12.1. The regulations provide that any party may claim that documents submitted to the Board are confidential by submitting "a confidential copy and a preliminary public copy" to the Board's records custodian, the Board's Secretary. N.J.A.C. 14:1-12.3(b). The person shall also submit a substantiation of the confidentiality claim. N.J.A.C. 14:1-12.3(g). The Board's records custodian then treats these documents as confidential and only reviews the confidentiality claim if a party subsequently makes an Open Public Records Act, N.J.S.A. 47:1-1 ("OPRA") or other request for the documents claimed to be confidential. The Board further notes that if the record's custodian determines that information is not confidential and is subject to disclosure under OPRA, the custodian informs the affected party. N.J.A.C. 14:1-12.9. During the course of the custodian's review, parties have also submitted additional substantiation. Additionally, the parties may seek any other remedy available at law to protect their information.

Additionally, parties before the Board, including Board Staff and Rate Counsel, have traditionally entered into confidentiality agreements, agreeing to keep all designated documents confidential, subject to OPRA.

It should be noted, that the Board's record's custodian will only review or question a claim of confidentiality when a valid request for the information is received. In the ordinary course, until such time as a valid request is received, the information will be treated as confidential. These regulations have generally served the Board well in addressing concerns of confidentiality raised by parties.

In this case, the Board has reviewed Petitioner's request and the type of information it has submitted in this proceeding. Various basis for non-disclosure of information exist by statute, executive order and regulations. In this case, Petitioner appears to cite security concerns as well as the proprietary nature of some of its information. While these are valid concerns, they do not encompass the whole of the documents submitted by Petitioner. Additionally, the Board notes that to the extent applicable, these concerns are encompassed within current exemptions to disclosure under OPRA.

For these reasons, the Board believes it is inappropriate to enter a special order providing blanket confidentiality to the information submitted in this proceeding. This conclusion is not based on any belief by the Board of the appropriateness of confidentiality claims by the Petitioner, but on its belief that such claims should appropriately be handled consistent with the Board's regulations regarding confidentiality.

The Board is, however, concerned that perhaps in reliance on the pendency of Petitioner's motion, Petitioner made no claim of confidentiality as to any particular document in this case, and the parties did not enter into a confidentiality agreement. Therefore, the Board will permit Petitioner to make a claim of confidentiality as to documents submitted during the course of this proceeding. Any such claim shall be made by Petitioner within 30 days of the effective date of this order.³

Additionally, the Board finds it appropriate to treat this information as if a confidentiality agreement was in place and direct that information submitted during the course of this proceeding, which is claimed confidential by Petitioner pursuant to this order, shall only be disclosed pursuant to a valid OPRA request and review of any confidentiality claims. The terms

³ In the future, no party should rely upon the pendency of a motion for a confidentiality order as a basis to not comply with the Board's confidentiality rules or otherwise enter into a confidentiality agreement, if appropriate, during the course of a proceeding.

of petitioner's claim of confidentiality shall be consistent with the Board's regulations and the standard confidentiality agreement the Parties have entered into in other proceedings before the Board.

If a valid OPRA request is made for any such documents, such a request shall be reviewed by the records custodian and a determination shall be made in accordance with the Board's rules.

Specifically, the Board finds that its current confidentiality procedures set forth at N.J.A.C. 14:1-12.1 et seq. provide appropriate protections. The Board HEREBY ORDERS that Petitioner's motion is HEREBY DENIED. Additionally, the Board HEREBY ORDERS that Petitioner shall make any claims of confidentiality in accordance with the Board's rules within 30 days of the effective date of this Order. Additionally, the parties shall treat documents submitted in this proceeding as if a confidentiality agreement was in place, subject to OPRA.

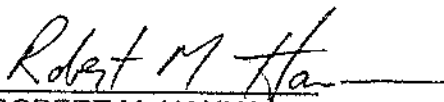
CONCLUSION

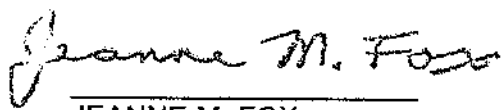
Based upon the foregoing, the Board HEREBY APPROVES the Company's Foundational Filing and ORDERS that the Company may implement a Distribution System Improvement Charge subject to this Order, Petitioner's ongoing compliance with the DSIC regulations, as well as conformity to the base spending requirements and semi-annual true-up submissions.

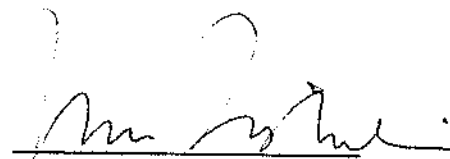
This Order shall be effective on October 23, 2012.

DATED: *10/23/12*

BOARD OF PUBLIC UTILITIES
BY:


ROBERT M. HANNA
PRESIDENT

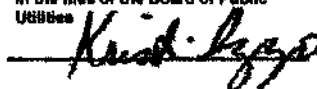

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
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



Aqua New Jersey Inc.
Distribution System Improvement
Charge Foundational Filing
pursuant to N.J.A.C. 14:9-10.4

BPU Docket No. WR12070685

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October 11, 2012

VIA EMAIL & FEDERAL EXPRESS

Honorable Kristi Izzo
Secretary
Board of Public Utilities
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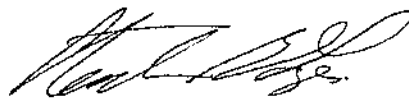
Re: In the Matter of Aqua New Jersey, Inc.'s Distribution
System Improvement Charge Foundational Filing
BPU Docket No. WR12070685

Dear Secretary Izzo:

Enclosed for filing please find an original and ten copies, plus one additional copy, of a Stipulation of Settlement executed by Petitioners, Aqua New Jersey, Inc., the Division of Rate Counsel and the Staff of the Board of Public Utilities, in the above-referenced matter. Please stamp the additional copy "filed" and return in the self-addressed, stamped envelope provided.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Respectfully submitted,



Stephen B. Genzer

SBG/jg
Enclosures
cc: Service List (w/encl., via email and Regular Mail)

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A DELAWARE LIMITED LIABILITY PARTNERSHIP

SERVICE LIST

In the Matter of Aqua New Jersey, Inc.'s Distribution System Improvement Charge Foundational Filing BPU Docket No. WR12070685

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

I/M/O AQUA NEW JERSEY, INC.'S	:	BPU DOCKET NO. WR12070685
DISTRIBUTION SYSTEM IMPROVEMENT:	:	
CHARGE FOUNDATIONAL FILING	:	STIPULATION OF SETTLEMENT
PURSUANT TO <u>N.J.A.C. 14:9-10.4</u>	:	

APPEARANCES:

Stephen B. Genzcr, Esq., and Colleen A. Folcy, Esq., Saul Ewing LLP, on behalf of Aqua New Jersey, Inc., Petitioner

Alex Moreau, Deputy Attorney General and T. David Wand, Deputy Attorney General (Jeffrey S. Chiesa, Attorney General of New Jersey), on behalf of the Staff of the Board of Public Utilities

Debra F. Robinson, Esq., Deputy Rate Counsel, Susan E. McClure, Esq., Assistant Deputy Rate Counsel, and Christine Juarez, Esq., Assistant Deputy Rate Counsel, on behalf of the Division of Rate Counsel (Stefanie A. Brand, Director)

TO THE HONORABLE BOARD OF PUBLIC UTILITIES:

The Parties in this proceeding are as follows: Aqua New Jersey, Inc. (the "Company" or "Petitioner"), the Division of Rate Counsel ("Rate Counsel"), and the Staff of the Board of Public Utilities ("Board Staff" or "Staff"). As a result of an analysis of Petitioner's Foundational Filing, as well as a discovery meeting, and two public hearings held in the service territory, the Company, Board Staff, and Rate Counsel (collectively, the "Signatory Parties") have come to an agreement on this matter. The Signatory Parties hereto agree and stipulate as follows:

The procedural history of this matter is as follows:

On July 24, 2012, Petitioner, a public utility corporation of the State of New Jersey, filed a petition (the "Foundational Filing") pursuant to N.J.A.C. 14:9-10.1 et seq. seeking to enable the implementation of a Distribution System Improvement Charge ("DSIC"). Specifically, the Company requested that the Board of Public Utilities (the "Board") approve the Company's Foundational Filing as required by N.J.A.C. 14:9-10.4(b). Additionally, on July 30, 2012, the Company separately filed a Motion for Confidential Treatment requesting that the Board (and the Parties to this proceeding) treat as confidential all of the information contained in Exhibit P-1 (and appendices) of the Foundational Filing submitted pursuant to N.J.A.C. 14:9-10.4 and N.J.A.C. 14:9-10.5.

On August 21, 2012, the Parties convened a telephone scheduling conference, and agreed to a procedural schedule which would permit this matter to be acted upon by the Board within the ninety (90) day period specified in N.J.A.C. 14:9-10.4(c).

A discovery conference was held on September 12, 2012, with representatives from all Parties in attendance. At that conference, representatives of the Company responded to questions from the Parties.

After proper notice, public hearings were held in Hamilton and Phillipsburg on September 24, 2012. A copy of the public notice setting out the proposed rate impact of the DSIC is attached as Exhibit A hereto. No members of the public appeared at either hearing. The public comment hearings were transcribed and made a part of the record.

Settlement discussions were held, and the agreements reached during those discussions have resulted in the following stipulation by the Signatory Parties:

1. The Signatory Parties stipulate that the Company concluded a base rate proceeding and implemented new base rates pursuant to an Order of the Board dated April 11,

2012 (in BPU Docket No. WR11120859). The Signatory Parties therefore recommend that the Board find the Company has met the requirement specified in N.J.A.C. 14:9-10.4(c) regarding the setting of new base rates.

2. The Signatory Parties recommend the Board find that the Company has satisfied the Foundational Filing requirement specified in N.J.A.C. 14:9-10.4(b).

3. The Signatory Parties stipulate the projects contained in Exhibit B hereto (Appendices 1, 2, 3 & 4 of the Foundational Filing) have been reviewed, are DSIC-eligible projects as defined at N.J.A.C. 14:9-10.2, with the exception of those projects designated as "Grid" projects in said Appendices, and are eligible to be included in the Company's DSIC filings pursuant to N.J.A.C. 14:9-10.5.

4. Subject to the DSIC rules, the Signatory Parties recommend that the Board authorize the recovery in the DSIC of the actual costs associated with the projects contained in Exhibit B.

5. The Signatory Parties agree that the Company's base spending requirement is \$2,297,394 (which amount includes the depreciation expense associated with the Company's gridding projects). The Signatory Parties recommend that the Board find that the costs of Aqua's gridding projects may be included in satisfying the base spending requirement.

6. The Signatory Parties agree that the Company's water distribution infrastructure renewal program could be enhanced through a more comprehensive tracking of main breaks actually occurring on various pipe sizes and types of pipe material. Therefore, the Company agrees that its future Foundational Filings will show the number of actual main breaks occurring per year for the Company's various pipe size and material classes, in addition to any other main break performance metrics desired by the Company.

7. Prior to its next Foundational Filing, the Company will reassess the project ranking criteria used and embodied in the "Main Replacement Evaluation Worksheet" in Appendix 20 of the current Foundational Filing to give increased weight to low pressure conditions, including those that result in customer complaints, and to potentially give increased weight to customer water quality complaints in future Foundational Filings.

8. The Signatory Parties recommend to the Board that it consider this Stipulation at its October 23, 2012 public agenda meeting. Pending is the Company's Motion for Confidential Treatment pursuant to N.J.A.C. 14:1-12 et seq., in response to which Rate Counsel has filed a no opposition letter.


9. This Stipulation is the product of extensive negotiations by the Signatory Parties, and it is an express condition of the settlement embodied by this Stipulation that it be presented to the Board in its entirety without modification or condition. It is also the intent of the Signatory Parties to this Stipulation that this settlement, once accepted and approved by the Board, shall govern all issues specified and agreed to herein. The Signatory Parties to this Stipulation specifically agree that if adopted in its entirety by the Board, no appeal shall be taken by them from the order adopting same as to those issues upon which the Signatory Parties have stipulated herein. The Signatory Parties agree that the within Stipulation reflects mutual balancing of various issues and positions and is intended to be accepted and approved in its entirety. Each term is vital to this Stipulation as a whole, since the Signatory Parties hereto expressly and jointly state that they would not have signed this Stipulation had any terms been modified in any way. In the event any particular aspect of this Stipulation is not accepted and approved by the Board, then any Signatory Party hereto materially affected thereby shall not be bound to proceed under this Stipulation. The Signatory Parties further agree that the purpose of

this Stipulation is to reach fair and reasonable rates, with any compromises being made in the spirit of reaching an agreement. None of the Signatory Parties shall be prohibited from or prejudiced in arguing a different policy or position before the Board in any other proceeding, as such agreements pertain only to this matter and to no other matter.

10. This Stipulation may be executed in as many counterparts as there are Signatory Parties of this Stipulation, each of which counterparts shall be an original, but all of which shall constitute one and the same instrument.

AQUA NEW JERSEY, INC.

10/11/12
Date

By: 
Saul Ewing LLP
Stephen B. Genzer, Esq.
Attorney for Petitioners

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Attorney for the Staff of the Board of Public Utilities

Date

By: _____
Alex Moreau
Deputy Attorney General

STEFANIE A. BRAND, ESQ.
DIRECTOR - RATE COUNSEL


Date

By: _____
Debra F. Robinson, Esq.
Deputy Rate Counsel

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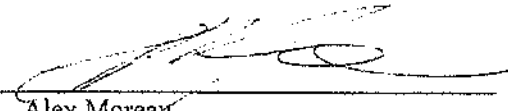
AQUA NEW JERSEY, INC.

10/11/12
Date

By: 
Saul Ewing LLP
Stephen B. Genzer, Esq.
Attorney for Petitioners

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Attorney for the Staff of the Board of Public Utilities

10/11/12
Date

By: 
Alex Moreau
Deputy Attorney General

STEFANIE A. BRAND, ESQ.
DIRECTOR - RATE COUNSEL


Date

By: _____
Debra F. Robinson, Esq.
Deputy Rate Counsel

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AQUA NEW JERSEY, INC.

10/11/12
Date

By: 
Saul Ewing LLP
Stephen B. Genzer, Esq.
Attorney for Petitioners

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Attorney for the Staff of the Board of Public Utilities

Date

By: _____
Alex Moreau
Deputy Attorney General

STEFANIE A. BRAND, ESQ.
DIRECTOR - RATE COUNSEL

10/11/12
Date


By: 
Debra F. Robinson, Esq.
Deputy Rate Counsel

Exhibit A

NOTICE OF PUBLIC HEARING
AQUA NEW JERSEY, INC.
NOTICE OF FILING OF A PETITION FOR APPROVAL OF A
DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
BPU Docket No. WR12070685

PLEASE TAKE NOTICE that on July 24, 2011, Aqua New Jersey, Inc. (the "Company"), pursuant to N.J.A.C. 14:9-10.1 et seq., filed a Petition with the Board of Public Utilities (the "Board" or "BPU") of the State of New Jersey seeking approval to implement a Distribution System Improvement Charge ("DSIC" or "surcharge"). A DSIC is a rate recovery mechanism to encourage and support accelerated rehabilitation and replacement of certain non-revenue producing, critical water distribution components. Its purpose is to enhance safety, reliability, water quality, systems flows and pressure, and/or conservation. A DSIC rate is interim, subject to refund, until the subsequent base rate case.

The Company's Petition consists of a Foundational Filing. The Foundational Filing lists the projects the Company believes are eligible for recovery through the DISC surcharge for the period 2012 through 2015. Please note the Company has requested that a maximum monthly DSIC surcharge of \$2.04 per meter equivalent be authorized. The Company will implement the DSIC surcharge if, and when, it achieves specific levels of infrastructure investment and places the facilities into service as required by N.J.A.C. 14:9-10.4.

The Company has proposed that the monthly DSIC surcharge be assessed to the following services and classes of customers based on the customer's meter size or service connection: General Metered Service and Private Fire Protection Service. Pursuant to BPU regulations, public fire service charges are not affected by this surcharge. It is important to note that any surcharges implemented as a result of the DSIC will be revised on customer bills on a semi-annual basis. The maximum surcharges shown below are not intended or expected to be reached until the conclusion of both the Foundational Filing proceeding and subsequent semi-annual DSIC filings. The Company expects the rates to be assessed incrementally over a two to three year period commensurate with the Company's actual DSIC program capital spending.

The maximum proposed DSIC rates are contained in the Petition filed with the Board, and are set out below:

PROPOSED DSIC SURCHARGE RATES

General Metered Service
Maximum Monthly DSIC Surcharge:

<u>Size of Meter</u>	<u>Proposed Rates</u>
5/8"	\$ 2.04
3/4"	\$ 3.06
1"	\$ 5.09
1-1/2"	\$ 10.19
2"	\$ 16.30
3"	\$ 30.56

4"	\$ 50.94
6"	\$ 101.87
8"	\$ 163.00
10"	\$ 203.75

Private Fire Protection Service
Maximum Monthly DSIC Surcharge:

<u>Size of Service</u>	<u>Proposed Rates</u>
3"	\$ 15.28
4"	\$ 25.47
6"	\$ 50.94
8"	\$ 81.50
10"	\$ 101.87
12"	\$ 127.34

PLEASE TAKE FURTHER NOTICE that public hearings on the Company's Petition have been scheduled for:

September 24, 2012 at 2:00 p.m. at the Hamilton Township Free Public Library, located at 1 Justice Samuel A. Alito, Jr. Way, Hamilton, NJ 08619, and

September 24, 2012 at 5:30 p.m. at the Phillipsburg Town Hall, Council Chambers, located at 675 Corliss Avenue, Phillipsburg, NJ 08865.

A Hearing Officer designated by the Board will preside over the public comment hearings. Members of the public are invited to attend and express their views on the proposed DSIC mechanism. Such comments will be made a part of the final record in the proceeding. Written comments may be submitted to the Hon. Kristi Izzo, Secretary, Board of Public Utilities, 44 S. Clinton Avenue, 7th Floor, Trenton, New Jersey 08625; or the New Jersey Division of Rate Counsel, 31 Clinton Street, 11th Floor, P.O. Box 46005, Newark, New Jersey 07101. Please include Docket Number WR12070685 in your comment letter.

Notice of the Petition was also served on the Clerks of Municipalities, County Executives and the Clerks of the County Boards of Freeholders in the service area of the Company. Further information and copies of the Petition may be obtained at the Board's offices located at 44 S. Clinton Avenue, 7th Floor, Trenton, New Jersey 08625 or at the Company's offices located at 10 Black Forest Road, Hamilton, New Jersey 08691.

Please submit any requests for special accommodation, including interpreters and mobility assistance, at least 72 hours prior to these hearings to the Company's counsel: Stephen Genzer, Esq., Saul Ewing LLP, One Riverfront Plaza, Suite 1520, Newark, New Jersey 07102, phone 973-286-6700.

AQUA NEW JERSEY, INC.
10 Black Forest Road
Hamilton, New Jersey 08691

Exhibit B

Appendix 2
Rehabilitation Project List

Identification Number (Activity Number)	Street	Location Parameters	Township	Original Material	Age/Yr	Length	Proposed Size	Proposed Material	Construction Year	Estimated Cost	Performance Criteria	Removal Method	Score
2500004701	Chryse	End to End	Bradley	ACP	1965	2400	8	CLDP	2013/2014	\$ 360,000.00	Main Breaks & Leaks/mile	R(C)	14
2500004721	North Hanover		North Kanawest	GAL		3800	8-2	PVC	2013/2014	\$ 375,000.00	Prior Ownership Neglect	R(C)	
2501000433	HA Distribution Main Line		Upstony	CI	1957	5700	15	CLDP	2013/2014	\$ 855,000.00	Main Breaks & Leaks/mile	R(C)	24.1
2501002565	Vermon Water Company		Vernon	Plastic	1960's	8000	8	CLDP	2013/2014	\$ 1,200,000.00	Prior Ownership Neglect	R(C)	
2503003749	Lacerta	Portions of Development	Gloucester	PVC	1973	2500	8	HDPE	2013/2014	\$ 500,000.00	Main Breaks & Leaks/mile-Poor Installation	R(C)	18.1
2503003789	Windsor Way	Portion of Area	Gloucester	GAL	1968	1500	4	CLDP	2013/2014	\$ 225,000.00	Main Breaks & Leaks/mile	R(C)	11.4
2013/2018 Subtotal										\$ 3,210,000.00			
25010025185	Vermon Water Company		Vernon	Plastic	1960's	8000	8	CLDP	2015/2016	\$ 1,200,000.00	Prior Ownership Neglect	R(C)	
	Harker's Hollow		Harmory	GAL		2000	6	CLDP	2015/2016	\$ 300,000.00	Prior Ownership Neglect	R(C)	
	Chestnut	Lead to Shiner	Phillipsburg	CI	1945	1000	12	CLDP	2015/2016	\$ 350,000.00	Main Breaks & Leaks/mile	R(C)	9.2
	Greenwell		Lopacong	CI	1983	1500	8	CLDP	2015/2016	\$ 225,000.00	Main Breaks & Leaks/mile	R(C)	8.1
	Lyndale	Helton to Stanley	Pohatcong	CI		850	8	CLDP	2015/2016	\$ 127,500.00	Main Breaks & Leaks/mile	R(C)	7.7
	John Mitchell	Neokony to Rockford	Lopacong	CI		930	8	CLDP	2015/2016	\$ 139,500.00	Main Breaks & Leaks/mile	R(C)	7.3
	First to Sixth	Belknap to Edwards	Phillipsburg	CI	1960's	9650	8	CLDP	2015/2016	\$ 1,350,000.00	Main Breaks & Leaks/mile	R(C)	7.3
	Therak	Sara to Columbus	Phillipsburg	CI		1200	16	CLDP	2015/2016	\$ 380,000.00	Main Breaks & Leaks/mile	R(C)	16.9
	Bellevue	End to End	Gloucester	CI		500	8	CLDP	2015/2016	\$ 75,000.00	Main Breaks & Leaks/mile	R(C)	8.0
	Crestview	End to End	Gloucester	CI		2500	8	CLDP	2015/2016	\$ 375,000.00	Main Breaks & Leaks/mile	R(C)	10.1
	Summit/Graebury	Colts to Oak	Gloucester	CI	1971	1600	12	CLDP	2015/2016	\$ 240,000.00	Main Breaks & Leaks/mile	R(C)	5.6
	South Side Route 22		Phillipsburg	CI		500			2015/2016	\$ 75,000.00	Main Breaks & Leaks/mile	R(C)	
	2015/2018 Subtotal									\$ 4,437,000.00			
	George Dye Rd.	Rt. 93 to Carl Swadburg	Hamilton	AC	1958	2500	8	CLDP	2017/2018	\$ 375,000.00	Main Breaks & Leaks/mile	R(C)	
	Yanof-Ham So.	Rt. 93 to Feedmors	Hamilton	AC	1958	1100	8	CLDP	2017/2018	\$ 165,000.00	Main Breaks & Leaks/mile	R(C)	
	2017/2018 Subtotal									\$ 540,000.00			

Appendix 3
Un-reimbursed Water Main Relocation List

Street	Township	Original Size	Original Material	Age/Era	Length	Proposed Size	Proposed Material	Construction Year	Estimated Cost	Performance Criteria	Renewal Method
Bayview Ave. Relocation	Berkeley	8"	PVC	Various	700'	8" HDPE	HDPE	2013/2014	\$ 100,000.00	Mandated	Relocate
Utility Relocations	Hamilton	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2013/2014	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Lawrenceville	6" - 16"	Various	Various	100' 8" - 16"	CLDIP	CLDIP	2013/2014	\$ 7,500.00	Mandated	Relocate
Utility Relocations	Robbinsville	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2013/2014	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Chesterfield	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2013/2014	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Gloucester	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2013/2014	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Phillipsburg	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2013/2014	\$ 50,000.00	Mandated	Relocate
Utility Relocations	Lopcatong	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2013/2014	\$ 50,000.00	Mandated	Relocate
Utility Relocations	Greenwich	6" - 16"	Various	Various	100' 8" - 16"	CLDIP	CLDIP	2013/2014	\$ 10,000.00	Mandated	Relocate
Utility Relocations	Polkton	6" - 16"	Various	Various	100' 8" - 16"	CLDIP	CLDIP	2013/2014	\$ 10,000.00	Mandated	Relocate
	2013/2014 Subtotal								\$ 377,500.00		
Utility Relocations	Hamilton	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2015/2016	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Lawrenceville	6" - 16"	Various	Various	100' 8" - 16"	CLDIP	CLDIP	2015/2016	\$ 7,500.00	Mandated	Relocate
Utility Relocations	Robbinsville	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2015/2016	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Chesterfield	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2015/2016	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Gloucester	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2015/2016	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Phillipsburg	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2015/2016	\$ 50,000.00	Mandated	Relocate
Utility Relocations	Lopcatong	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2015/2016	\$ 50,000.00	Mandated	Relocate
Utility Relocations	Greenwich	6" - 16"	Various	Various	100' 8" - 16"	CLDIP	CLDIP	2015/2016	\$ 10,000.00	Mandated	Relocate
Utility Relocations	Polkton	6" - 16"	Various	Various	100' 8" - 16"	CLDIP	CLDIP	2015/2016	\$ 10,000.00	Mandated	Relocate
	2015/2016 Subtotal								\$ 277,500.00		
Utility Relocations	Hamilton	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2017/2018	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Lawrenceville	6" - 16"	Various	Various	100' 8" - 16"	CLDIP	CLDIP	2017/2018	\$ 7,500.00	Mandated	Relocate
Utility Relocations	Robbinsville	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2017/2018	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Chesterfield	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2017/2018	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Gloucester	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2017/2018	\$ 37,500.00	Mandated	Relocate
Utility Relocations	Phillipsburg	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2017/2018	\$ 50,000.00	Mandated	Relocate
Utility Relocations	Lopcatong	6" - 16"	Various	Various	500' 8" - 16"	CLDIP	CLDIP	2017/2018	\$ 50,000.00	Mandated	Relocate
Utility Relocations	Greenwich	6" - 16"	Various	Various	100' 8" - 16"	CLDIP	CLDIP	2017/2018	\$ 10,000.00	Mandated	Relocate
Utility Relocations	Polkton	6" - 16"	Various	Various	100' 8" - 16"	CLDIP	CLDIP	2017/2018	\$ 10,000.00	Mandated	Relocate
	2017/2018 Subtotal								\$ 277,500.00		

Appendix 4
Service/Valve and Hydrant Renewal List

Project Type	Township	Original Size	Original Material	Age/Era	Length	Proposed Size	Proposed Material	Construction Year	Estimated Cost	Performance Criteria
Service Replacements	Hamilton	3/4" - 2"	Various	Various	6000 1" - 2"	6000 1" - 2"	Copper	2013/2014	\$ 450,000	Replacements
Service Replacements	Lawrenceville	3/4" - 2"	Various	Various	1000 1" - 2"	1000 1" - 2"	Copper	2013/2014	\$ 75,000	Replacements
Service Replacements	Robbinsville	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2013/2014	\$ 37,500	Replacements
Service Replacements	Chesterfield	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2013/2014	\$ 18,750	Replacements
Service Replacements	Gloucester	3/4" - 2"	Various	Various	6000 1" - 2"	6000 1" - 2"	Copper	2013/2014	\$ 450,000	Replacements
Service Replacements	Phillipsburg	3/4" - 2"	Various	Various	15000 1" - 2"	15000 1" - 2"	Copper	2013/2014	\$ 1,500,000	Replacements
Service Replacements	Lopcatong	3/4" - 2"	Various	Various	1000 1" - 2"	1000 1" - 2"	Copper	2013/2014	\$ 100,000	Replacements
Service Replacements	Greenwich	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2013/2014	\$ 50,000	Replacements
Service Replacements	Pohatcong	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2013/2014	\$ 50,000	Replacements
Service Replacements	Holland	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2013/2014	\$ 50,000	Replacements
Service Replacements	Califon	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2013/2014	\$ 25,000	Replacements
Service Replacements	Burnvale	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2013/2014	\$ 25,000	Replacements
Service Replacements	Berkeley	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2013/2014	\$ 75,000	Replacements
2013/2014 Subtotal										
									\$ 2,906,250	
Service Replacements	Hamilton	3/4" - 2"	Various	Various	6000 1" - 2"	6000 1" - 2"	Copper	2015/2016	\$ 477,405	Replacements
Service Replacements	Lawrenceville	3/4" - 2"	Various	Various	1000 1" - 2"	1000 1" - 2"	Copper	2015/2016	\$ 79,568	Replacements
Service Replacements	Robbinsville	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2015/2016	\$ 39,784	Replacements
Service Replacements	Chesterfield	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2015/2016	\$ 19,892	Replacements
Service Replacements	Gloucester	3/4" - 2"	Various	Various	6000 1" - 2"	6000 1" - 2"	Copper	2015/2016	\$ 477,405	Replacements
Service Replacements	Phillipsburg	3/4" - 2"	Various	Various	15000 1" - 2"	15000 1" - 2"	Copper	2015/2016	\$ 1,591,350	Replacements
Service Replacements	Lopcatong	3/4" - 2"	Various	Various	1000 1" - 2"	1000 1" - 2"	Copper	2015/2016	\$ 100,000	Replacements
Service Replacements	Greenwich	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2015/2016	\$ 50,000	Replacements
Service Replacements	Pohatcong	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2015/2016	\$ 50,000	Replacements
Service Replacements	Holland	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2015/2016	\$ 50,000	Replacements
Service Replacements	Califon	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2015/2016	\$ 25,000	Replacements
Service Replacements	Burnvale	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2015/2016	\$ 25,000	Replacements
Service Replacements	Berkeley	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2015/2016	\$ 75,000	Replacements
2015/2016 Subtotal										
									\$ 3,060,403	
Service Replacements	Hamilton	3/4" - 2"	Various	Various	6000 1" - 2"	6000 1" - 2"	Copper	2017/2018	\$ 506,479	Replacements
Service Replacements	Lawrenceville	3/4" - 2"	Various	Various	1000 1" - 2"	1000 1" - 2"	Copper	2017/2018	\$ 84,413	Replacements
Service Replacements	Robbinsville	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2017/2018	\$ 42,207	Replacements
Service Replacements	Chesterfield	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2017/2018	\$ 21,103	Replacements
Service Replacements	Gloucester	3/4" - 2"	Various	Various	6000 1" - 2"	6000 1" - 2"	Copper	2017/2018	\$ 506,479	Replacements
Service Replacements	Phillipsburg	3/4" - 2"	Various	Various	15000 1" - 2"	15000 1" - 2"	Copper	2017/2018	\$ 1,591,350	Replacements
Service Replacements	Lopcatong	3/4" - 2"	Various	Various	1000 1" - 2"	1000 1" - 2"	Copper	2017/2018	\$ 100,000	Replacements
Service Replacements	Greenwich	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2017/2018	\$ 50,000	Replacements
Service Replacements	Pohatcong	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2017/2018	\$ 50,000	Replacements
Service Replacements	Holland	3/4" - 2"	Various	Various	500 1" - 2"	500 1" - 2"	Copper	2017/2018	\$ 50,000	Replacements
Service Replacements	Califon	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2017/2018	\$ 25,000	Replacements
Service Replacements	Burnvale	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2017/2018	\$ 25,000	Replacements
Service Replacements	Berkeley	3/4" - 2"	Various	Various	250 1" - 2"	250 1" - 2"	Copper	2017/2018	\$ 75,000	Replacements
2017/2018 Subtotal										
									\$ 3,127,031	

Appendix 4
Service/Valve and Hydrant Renewal List

Hydrant Replacements	Hamilton	Standard	Various	Various	20 1/2"	Mueller	2013/2014	\$	70,000	Replacements
Hydrant Replacements	Lawrenceville	Standard	Various	Various	10 1/2"	Mueller	2013/2014	\$	35,000	Replacements
Hydrant Replacements	Robbinsville	Standard	Various	Various	5 1/2"	Mueller	2013/2014	\$	17,500	Replacements
Hydrant Replacements	Chesterfield	Standard	Various	Various	2 1/2"	Mueller	2013/2014	\$	7,000	Replacements
Hydrant Replacements	Gloucester	Standard	Various	Various	20 1/2"	Mueller	2013/2014	\$	70,000	Replacements
Hydrant Replacements	Phillipsburg	Standard	Various	Various	20 1/2"	Mueller	2013/2014	\$	90,000	Replacements
Hydrant Replacements	Lopcatong	Standard	Various	Various	5 1/2"	Mueller	2013/2014	\$	22,500	Replacements
Hydrant Replacements	Greenwich	Standard	Various	Various	5 1/2"	Mueller	2013/2014	\$	22,500	Replacements
Hydrant Replacements	Pohatcong	Standard	Various	Various	5 1/2"	Mueller	2013/2014	\$	22,500	Replacements
Hydrant Replacements	Holland	Standard	Various	Various	2 1/2"	Mueller	2013/2014	\$	9,000	Replacements
Hydrant Replacements	Califon	Standard	Various	Various	2 1/2"	Mueller	2013/2014	\$	9,000	Replacements
Hydrant Replacements	Bunvale	Standard	Various	Various	2 1/2"	Mueller	2013/2014	\$	9,000	Replacements
Hydrant Replacements	Berkeley	Standard	Various	Various	2 1/2"	Mueller	2013/2014	\$	10,000	Replacements
2013/2014 Subtotal										
Hydrant Replacements	Hamilton	Standard	Various	Various	20 1/2"	Mueller	2015/2016	\$	70,000	Replacements
Hydrant Replacements	Lawrenceville	Standard	Various	Various	10 1/2"	Mueller	2015/2016	\$	35,000	Replacements
Hydrant Replacements	Robbinsville	Standard	Various	Various	5 1/2"	Mueller	2015/2016	\$	17,500	Replacements
Hydrant Replacements	Chesterfield	Standard	Various	Various	2 1/2"	Mueller	2015/2016	\$	7,000	Replacements
Hydrant Replacements	Gloucester	Standard	Various	Various	20 1/2"	Mueller	2015/2016	\$	70,000	Replacements
Hydrant Replacements	Phillipsburg	Standard	Various	Various	20 1/2"	Mueller	2015/2016	\$	90,000	Replacements
Hydrant Replacements	Lopcatong	Standard	Various	Various	5 1/2"	Mueller	2015/2016	\$	22,500	Replacements
Hydrant Replacements	Greenwich	Standard	Various	Various	5 1/2"	Mueller	2015/2016	\$	22,500	Replacements
Hydrant Replacements	Pohatcong	Standard	Various	Various	5 1/2"	Mueller	2015/2016	\$	22,500	Replacements
Hydrant Replacements	Holland	Standard	Various	Various	2 1/2"	Mueller	2015/2016	\$	9,000	Replacements
Hydrant Replacements	Califon	Standard	Various	Various	2 1/2"	Mueller	2015/2016	\$	9,000	Replacements
Hydrant Replacements	Bunvale	Standard	Various	Various	2 1/2"	Mueller	2015/2016	\$	9,000	Replacements
Hydrant Replacements	Berkeley	Standard	Various	Various	2 1/2"	Mueller	2013/2014	\$	10,000	Replacements
2015/2016 Subtotal										
Hydrant Replacements	Hamilton	Standard	Various	Various	20 1/2"	Mueller	2017/2018	\$	70,000	Replacements
Hydrant Replacements	Lawrenceville	Standard	Various	Various	10 1/2"	Mueller	2017/2018	\$	35,000	Replacements
Hydrant Replacements	Robbinsville	Standard	Various	Various	5 1/2"	Mueller	2017/2018	\$	17,500	Replacements
Hydrant Replacements	Chesterfield	Standard	Various	Various	2 1/2"	Mueller	2017/2018	\$	7,000	Replacements
Hydrant Replacements	Gloucester	Standard	Various	Various	20 1/2"	Mueller	2017/2018	\$	70,000	Replacements
Hydrant Replacements	Phillipsburg	Standard	Various	Various	20 1/2"	Mueller	2017/2018	\$	90,000	Replacements
Hydrant Replacements	Lopcatong	Standard	Various	Various	5 1/2"	Mueller	2017/2018	\$	22,500	Replacements
Hydrant Replacements	Greenwich	Standard	Various	Various	5 1/2"	Mueller	2017/2018	\$	22,500	Replacements
Hydrant Replacements	Pohatcong	Standard	Various	Various	5 1/2"	Mueller	2017/2018	\$	22,500	Replacements
Hydrant Replacements	Holland	Standard	Various	Various	2 1/2"	Mueller	2017/2018	\$	9,000	Replacements
Hydrant Replacements	Califon	Standard	Various	Various	2 1/2"	Mueller	2017/2018	\$	9,000	Replacements
Hydrant Replacements	Bunvale	Standard	Various	Various	2 1/2"	Mueller	2017/2018	\$	9,000	Replacements
Hydrant Replacements	Berkeley	Standard	Various	Various	2 1/2"	Mueller	2017/2018	\$	10,000	Replacements
2017/2018 Subtotal										
									\$	394,000
									\$	394,000