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ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
PUBLIC HEARING ON THE AUTHORITY'S
PROPOSED 2013 BUDGET AND PROPOSED
CHANGES TO THE RULE, RATES AND REGULATIONS

Thursday, December 6, 2012

Neil A. Goldfine, Executive Director
Linda R. Bazemore, Deputy Executive Director

TAKEN BEFORE: JACQUELINE M. ZARRILLO,
Certified Court Reporter of the State of New Jersey,
License No. XI01786, at the ATLANTIC CITY MUNICIPAL
UTILITIES AUTHORITY, 401 North Virginia Avenue,
Atlantic City, New Jersey 08404, commencing at
10 a.m.

JACQUELINE M. ZARRILLO, CCR
CERTIFIED COURT REPORTER
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ATLANTIC CITY MUA

1 MR. GOLDFINE: Good morning. Today is
2 December 6th, Thursday, December 6, 2012. The time
3 is 10:03 a.m. This is a public hearing for the
4 Atlantic City MUA's 2013 Budget and proposed changes
5 to the Rules, Rates and Regulations. This is the
6 second of two hearings that the MUA has held.

7 The MUA will have the Budget scheduled
8 for adoption at the regularly scheduled Board meeting
9 on December 19, 2012. That meeting is also open to
10 the public.

11 The MUA will also accept written
12 comments. The comments received before the hearing
13 are read into the hearing record. Written comments
14 not read at the hearings will be presented at the
15 Board meeting. Again, the Board meeting is open to
16 the public.

17 There will be a two percent increase in
18 rates for water service in 2013. Over the last
19 several years, the Atlantic City MUA has seen its
20 expenses rise, however, its water sales since 2006,
21 has shown a steady and continual decline. 2012 was
22 the first year to see a water demand increase. The
23 increase is attributed to the opening of Revel
24 Resort. However water demand is still lower than
25 2002 through 2007. The MUA attributes the decline to

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1 two primary factors. The first is the removal of
2 hotels and housing in Atlantic City through
3 demolition. Projects such as the Pinnacle that took
4 the Sands Casino Hotel out of service and demolished
5 it, as well as several other hotels in the area had a
6 significant detrimental effect on the MUA's revenues.
7 The next most significant factor in the MUA's revenue
8 decline is water conserving devices. Water
9 conservation is always promoted in order to minimize
10 the wasteful use of resources. Since 1992, the MUA
11 seen the average gallons per capita per day in
12 Atlantic City for residential customers drop from 97
13 to 73, almost a 25 percent reduction. Last year's
14 rate increase was solely for the purpose of funding
15 an appropriation to the City of Atlantic City. There
16 was no additional funding for operations. The
17 Authority is proposing a two percent increase for
18 2013 to balance increased expenses.

19 The proposed 2013 Budget shows an
20 increase in spending of \$338,550, less than 3.1
21 percent. Increases are primarily related to
22 increases in health benefits expense \$226,500, and
23 the addition of Granular Activated Carbon, \$80,000 to
24 the budget. The ACMUA provides Health Benefits for
25 its employees through the State Health Benefits plan.

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1 These increases are a result of the State of New
2 Jersey's negotiations of health care costs. Granular
3 Activated Carbon is a critical component of the MUA's
4 water treatment system. The Authority has avoided
5 this expense for several years because a complete
6 replacement of the Carbon was included in 2008 when
7 the Filtration Plant was renovated. The Carbon now
8 needs to be replaced in order to meet Federal and
9 State Water Quality Standards. The Authority will
10 replace 50 percent of the Carbon in 2013 and 50
11 percent in 2014.

12 The Authority entered 2011 and 2012
13 with no reserve funds available to support
14 operations. The Authority will also enter 2013 with
15 no reserve funds available to support operations. In
16 2012 the Authority increased the water rates by five
17 percent to fund the \$691,000 appropriation to the
18 City of Atlantic City. This appropriation is
19 included in the 2013 Budget.

20 In 2012, the Authority took advantage
21 of favorable interest rates to refund one of its
22 outstanding bonds issues and borrowing an additional
23 \$2.5 million. The borrowing was necessary to replace
24 the \$2.5 million the Authority appropriated to the
25 City of Atlantic City from 2010 to 2013. The

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1 financing was completed in a manner that will have no
2 impact on the Authority's Budget in 2013. The
3 Authority used the savings from the refinancing to
4 pay the interest on new bonds in 2013 and 2014. In
5 2015, one of the Authority's bond issues will be paid
6 off and that decrease will fund the principal
7 payments due that year.

8 The MUA's proposed two percent increase
9 will be applied as a two percent increase in base
10 charges and a two percent increase in excess charges
11 for all users in all categories in Atlantic City.

12 The average residential single family
13 property in Atlantic City currently pays
14 approximately \$204.19 per year for water. The MUA is
15 projecting with this rate increase, the average
16 customer will pay \$210.03 per year. This is a \$5.84
17 per year increase per household.

18 The connection fee rate will increase.
19 State law sets a formula mandating the specific
20 calculation of Connection Fees. State law further
21 requires Connection Fees be recalculated at the end
22 of every calendar year, and all Debt Service and
23 Capital Expenditures be included in the new
24 calculations.

25 The net result is a proposed Connection

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1 Fee in 2013 of \$11.6005 per gallon of average daily
2 flow. This applies to new construction.

3 The MUA is also making changes to the
4 Rules, Rates and Regulations. The full text of the
5 changes is available by contacting the MUA's offices.
6 It is also available on the MUA's website,
7 www.acmua.org.

8 I have prepared a package including the
9 Press Release, a summary of Projected Revenues for
10 Operations, and sources of funding for Capital
11 Improvements, a summary of the Proposed Operating
12 Budget for Administration and Water. That includes
13 the MUA's debt service, a summary of the categories
14 for Capital Expenditures for 2013, a detailed
15 document showing the precise Connection Fee
16 calculation, as well as a package showing all of the
17 changes to the Rules, Rates and Regulations for 2013.

18 The MUA has received two letters during
19 this process. The first letter was read at the first
20 hearing. It was from Rich Fire Protection. They
21 essentially requested the ability to have five fire
22 pump tests at a particular project during one day.
23 The MUA's rules previously only allowed two. This
24 was approved during 2012, and the MUA is modifying
25 its Rules for 2013 to allow five tests on a regular

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1 basis.

2 The MUA has also received a letter from
3 New Jersey American Water. New Jersey American Water
4 is the MUA's largest single customer. The MUA
5 provides water to them as a bulk sale. The letter is
6 dated December 3, 2012, and it reads:

7 "Dear Mr. Goldfine,

8 "With regard to the proposed rate
9 increase, New Jersey American Water hereby submits
10 the attached statement. Please ensure that this
11 statement is entered into the record at the
12 Authority's next Board meeting on December 6, 2012.

13 "Please feel free to contact me with
14 any questions.

15 "Sincerely, Dante M. DeStefano,
16 Financial Analyst, Rates and Regulations."

17 The statement is, the heading is
18 "Atlantic City Municipal Utilities Authority Public
19 Statement of New Jersey American Water Company.

20 "This statement is on behalf of New
21 Jersey American Water Company on the Authority's
22 proposed user charges for water for the Fiscal Year
23 2013. The Authority has indicated that a two percent
24 increase is sought in the overall total amount
25 proposed to be recovered in 2013, over 2012.

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1 "New Jersey American has requested
2 various documents to assist in a review of the
3 Authority's financial and operational status. We
4 requested data which included the Authority's audited
5 financial statements, operating and capital budgets,
6 miscellaneous revenues, labor and contract policies.
7 A copy of the aforementioned questions is provided
8 for the record. At this time, we have yet to receive
9 a response to our inquiry. Therefore, we
10 respectfully reserve the right to supplement this
11 record with any responses to these questions provided
12 by the Atlantic City Municipal Utilities Authority
13 when said responses are made available.

14 "New Jersey American Water Company
15 undertakes its review to ensure that the adopted
16 charges reflect as closely as possible the
17 Authority's actual operating and capital needs for
18 Fiscal Year 2013.

19 "Thank you."

20 Included with that statement was the
21 list of questions, and since I received the list of
22 questions as well as the statement on December 3,
23 2012, it would have been impossible for me to respond
24 before receiving the statement. The list of
25 questions again was dated December 3, 2012. I

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1 received both these originally by e-mail.

2 "Dear Mr. Goldfine:

3 "With regard to the proposed rate
4 increase, New Jersey American Water hereby submits
5 the following questions to better help us understand
6 the need for the increase:

7 "One, Please provide audit reports
8 covering the years 2010 to 2011.

9 "Two, Please provide the 2012 and 2013
10 Authority Budgets filed with the State of New Jersey.
11 Please include all supporting documentation and
12 schedules attached to the original filing.

13 "Three, Please provide 2011 and 2012
14 (to date) flow data by bulk customer, summarized by
15 month. Also include 2013 budgeted flow data in the
16 same format.

17 "Four, Please provide a breakdown of
18 the amount from each source of miscellaneous income
19 on the 2013 Budget Summary.

20 "Five, Please provide the number of
21 authorized employees for the years ended 2010 through
22 2012.

23 "Six, Please detail the contributions
24 required by employees towards health benefits and
25 pension. Please detail how the MUA plans to

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1 institute the State mandated employee contributions
2 in the coming years.

3 "Seven, Please provide the applicable
4 Press Release and 'Rules and Regs' changes for this
5 increase.

6 "Mr. Goldfine, we would like to thank
7 you in advance for assisting us with the above
8 inquiries. We are regulated by the New Jersey Board
9 of Public Utilities and are required by regulation to
10 ascertain that all increases passed on to our
11 customers are warranted and justified.

12 "Please feel free to contact me if you
13 have any questions.

14 "Sincerely, Frank X. Simpson, Director
15 of Rates and Regulations."

16 This was received by me by e-mail. I
17 did respond by e-mail on December 4th, the following
18 day. I provided the documents that they requested in
19 items one, two.

20 In item three I indicated to them that
21 they asked for the flow data by bulk customer. New
22 Jersey American is the Authority's only bulk customer
23 and therefore they have all of that information from
24 their monthly bills.

25 Item four, I indicated that the

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1 breakdown of each source of miscellaneous income is
2 included in the supplemental sheets provided to them
3 under item two, the Authority Budget for 2013.

4 Item five, I provided a number of
5 authorized employees, and I vaguely recall, I believe
6 in 2010, 2011 the MUA had 80 budgeted employees and
7 for 2012 has 78.

8 Item six, they requested information on
9 the required contributions by employees toward health
10 benefits and pensions, and asked for the MUA's plan
11 for State mandated employee contributions. Since the
12 passage of the State Laws in 2010, the MUA has fully
13 implemented all of the requirements on the specific
14 dates as required in the statute and the MUA is in
15 full compliance and the MUA's plan for the future is
16 to continue to meet that compliance. As requirements
17 for additional health contributions and additional
18 pension contributions go up, the MUA will implement
19 them on the required date.

20 And the last they requested a copy of
21 the Press Release, which was also provided by e-mail.

22 I would like to indicate at this time
23 that there are no members of the public present at
24 the Public Hearing, and therefore we will take a
25 little recess. And if any members of the public come

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1 in, we will immediately reconvene to deal with any
2 questions or comments that they have. And if not, we
3 will reconvene around noon to close the hearing.

4 It's 10:23 a.m.

5 (The hearing recessed at 10:23 a.m.)

6 MR. GOLDFINE: The time is now 12:07
7 p.m. No members of the public came into the meeting
8 while we were recessed. There have been no other
9 submissions of any written documentation and I
10 therefore will declare this hearing closed.

11 (The hearing closed at 12:07 p.m.)

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C E R T I F I C A T E

I, JACQUELINE M. ZARRILLO, a Certified Court Reporter of the State of New Jersey, do hereby certify that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

JACQUELINE M. ZARRILLO
Certified Court Reporter
License No. XI01786

DATED: December 12, 2012

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