



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

YOUNG I. LEE,)	ORDER ADOPTING INITIAL DECISION
PETITIONER,)	SETTLEMENT
v.)	
)	
NEW JERSEY AMERICAN WATER COMPANY,)	BPU DOCKET NO. WC08020083U
RESPONDENT.)	OAL DOCKET NO. PUC 7666-08

(SERVICE LIST ATTACHED)

BY THE BOARD:

On February 11, 2008, Young I. Lee (Petitioner) filed a petition with the Board disputing a July 20, 2006 bill of New Jersey American Water Company (Respondent) for water services.

After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law (OAL) on June 19, 2008 for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge (ALJ) Margaret M. Monaco.

While this matter was pending at the OAL, the parties engaged in negotiations at a Settlement Conference on September 5, 2008, and entered into and executed a Settlement Agreement to resolve the issues pertaining to the July 20, 2006 bill that was submitted to the ALJ. By Initial Decision issued on September 5, 2008, and received by the Board on September 12, 2008, ALJ Monaco found that the agreement was voluntary, that its terms fully disposed of all issues in controversy and that it met the requirements of N.J.A.C. 1:1-19.1.

Pursuant to the terms of their settlement, the parties agreed that, of the \$1675.97 in dispute, the Petitioner's payment of \$850.00 within thirty days of the Settlement Agreement would constitute a full and final settlement of this matter. Upon payment of the amount specified in the Settlement Agreement within the specified time period of thirty days, Respondent will release any and all claims for unpaid amounts with respect to the July 20, 2006 bill which covers actual

water usage from December 2005 through July 2006. In return, Petitioner agreed to dismiss the matter with prejudice and release any and all claims he may have with respect to the July 20, 2006 bill against Respondent. Petitioner also agreed that if he fails to pay the \$850.00 in satisfaction of the July 20, 2006 bill within the thirty days specified, Respondent reserves the right to proceed to collection for the full amount of the July 20, 2006 bill, \$1,675.97.

After a review and consideration of the Initial Decision and the agreement of the parties, the Board HEREBY FINDS that, by the terms of the agreement, the parties have resolved all outstanding contested issues in this matter. Accordingly, the Board HEREBY ADOPTS the Initial Decision and agreement of the parties in their entirety as if fully set out herein.

DATED: 10/23/08

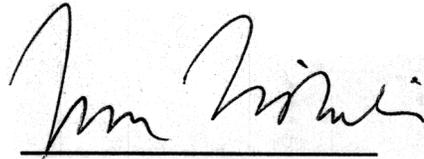
BOARD OF PUBLIC UTILITIES
BY:



JEANNE M. FOX
PRESIDENT



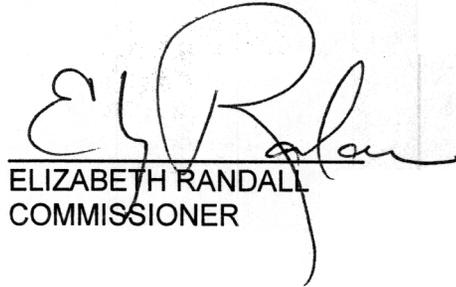
FREDERICK F. BUTLER
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER



NICHOLAS ASSELTA
COMMISSIONER



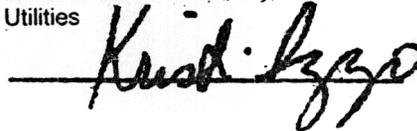
ELIZABETH RANDALL
COMMISSIONER

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



YOUNG I. LEE
v.

NEW JERSEY AMERICAN WATER COMPANY
BPU Docket No. WC08020083U
OAL Docket No. PUC7666-08

SERVICE LIST

Young I. Lee
150 High Oaks Drive
Warren, NJ 07059

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Julie Ford-Williams
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Two Gateway Center
Newark, New Jersey 07102

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Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102

CMS
REBECC
RPH
KIRSCHBAUM
FERD WILLIAMS
(2)



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

RECEIVED
MANAGE
2008 SEP 12 PM 2:19
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 7666-08

AGENCY DKT. NO. WC08020083U

YOUNG I. LEE,
Petitioner,
v.

**NEW JERSEY AMERICAN WATER
COMPANY,**
Respondent.

Young I. Lee, petitioner, pro se

Daniel J. Bitonti, Esq., for respondent (Cozen & O'Connor, attorneys)

Record Closed: September 5, 2008

Decided: September 5, 2008

BEFORE **MARGARET M. MONACO**, ALJ:

This matter concerns a billing dispute by petitioner Young I. Lee against respondent New Jersey American Water Company. The Board of Public Utilities transmitted this matter to the Office of Administrative Law, where it was filed on June 25, 2008, for determination as a contested case pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13. The hearing scheduled for August 18, 2008 was adjourned at petitioner's request. A settlement conference was held on September 5, 2008. The parties reached an amicable agreement and submitted the attached Settlement Agreement setting forth the terms of agreement.

have reviewed the record and the settlement terms and **FIND:**

- 1 The parties have voluntarily agreed to the settlement as evidenced by their signatures or their representatives' signatures.
2. The settlement fully disposes of all issues in controversy and is consistent with the law.

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I approve the settlement and, therefore, **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded.

I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

September 5, 2008
DATE

Margaret M. Marano
MARGA

Date Received at Agency: 9/14/08

[Signature]
Mailed to Parties:

DATE
jb

OFFICE OF ADMINISTRATIVE LAW

Young I Lee, Petitioner

BPU Docket No.

v.

WC 08020083

New Jersey American Water Co., Inc.

OL Docket No

PUC 0706 2008M

Settlement Agreement

WHEREAS, Young I. Lee ("Petitioner") has filed a

petition with the Board of Public Utilities wherein he

disputed a bill from New Jersey American Water Co., Inc.

("NJAWC" or "Company") dated July 20, 2006, which

represented charges for actual water usage at the property

located at 243 Morris Ave, Springfield, NJ from

December 2005 through July 2006.

WHEREAS, the Company answered petitioner's Complaint

and requested the Board of Public Utilities dismiss the Complaint

and require Petitioner to pay the full amount in dispute,
which is \$1675.97.

WHEREAS, the Board of Public Utilities assigned
Docket No. WC080200830 to this matter and transferred
it to the Office of Administrative Law, who assigned
Docket No. PUC 0766 2008N

WHEREAS, the Petitioner and Company wish to resolve
this matter without the necessity for further litigation.

IT IS THEREFORE AGREED AS FOLLOWS :

- Petitioner will pay the Company \$850.00 within
30 days of entry of this Settlement Agreement;

Petitioner will dismiss his Petition with prejudice;

If Petitioner fails to pay the agreed amount in
satisfaction of the July 20, 2006 bill within
the thirty days specified above, the Company
reserves the right to proceed with collection process for

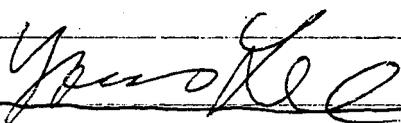
the total July 20, 2006 bill, \$1675.97

This Settlement Agreement does not resolve Petitioner's March 15, 2007 bill of \$198.97, which remains unpaid to date

- Petitioner releases any and all claims he may have with respect to the July 20, 2006 bill against the Company;

Upon payment of the amount specified in the Settlement Agreement within the specified time period of thirty days (30), the Company will release any and all claims for unpaid amounts with respect to the July 20, 2006 bill which covers actual ^{water} usage from December 2005 through July 2006.

THIS Settlement Agreement, may be subject to ~~the Board of Public Utilities approval~~ ^{UK} ~~the~~ the Board of Public Utilities approval


Young I Lee


Daniel J. Bitanti, Esq.
Cozen O'Connor
457 Haddonfield Rd.
Cherry Hill, NJ 08002

Date 9/5/08



State of New Jersey
 OFFICE OF ADMINISTRATIVE LAW
 33 Washington Street
 Newark, New Jersey 07102
 (973) 648-6008
 (973-648-6058)

OP

Robert J. Giordano, ALJ &
 Manager of Organizational Development

08 SEP 12 PM 1:55
 BOARD OF PUBLIC UTILITIES
 NEWARK, N.J.

RECEIVED
 MAIL ROOM

RECEIVED
 CASE MANAGEMENT
 2008 SEP 12 PM 2:19
 BOARD OF PUBLIC UTILITIES
 NEWARK, N.J.

NORTH

Date SEP 9 2008

Re: Initial Decisions for Receipt

We are hereby forwarding to you the following decisions from the office of Administrative Law. **Receipt is acknowledged as of the next business day of the date indicated below.** Should a listed decision not be included in this batch, please call 973-648-6008.

OAL Docket No. PUC

Case Name

7666-08

Young I. Lee

Board of Public Utilities
 Two Gateway Center
 Newark, New Jersey 07102

Date:

9/12/08

Board of Public Utilities