



Agenda Date: 12/17/08
Agenda Item: VIIC

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

CUSTOMER ASSISTANCE

MOUSTAFA A. ELSAMRA, Petitioner,)	ORDER ADOPTING INITIAL DECISION
)	SETTLEMENT
v.		
VERIZON NEW JERSEY INC., Respondent.)	BPU DOCKET NO. TC08030143U
)	OAL DOCKET NO. PUC 07457-08

(SERVICE LIST ATTACHED)

BY THE BOARD

On March 4, 2008, Moustafa A. Elsamra ("Petitioner") filed a petition with the Board disputing certain long distance telephone calling rates charged by Verizon New Jersey Inc. ("Respondent").

After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law ("OAL") 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") Walter M. Braswell.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Settlement Agreement and Release ("Agreement") that was submitted to ALJ Braswell. By Initial Decision issued on November 21, 2008, and submitted to the Board on November 25, 2008, to which the Agreement was attached and made a part thereof, ALJ Braswell found that the Agreement was voluntary, that its terms fully disposed of all issues in controversy, and that it satisfied the requirements of N.J.A.C. 1:1-19.1. Pursuant to the terms of their settlement, the Respondent agreed to: (1) reduce to zero the balance on Petitioner's telecommunications account; (2) close the account; and (3) not pursue collection actions on any amounts allegedly overdue on the account. Furthermore, the Petitioner agreed to dismiss with prejudice his petition in the matter and the Respondent agreed to dismiss with prejudice its counterclaim filed in this matter.

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: 12/18/08

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

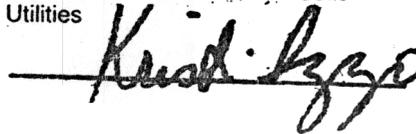

NICHOLAS ASSETTA
COMMISSIONER


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



**MOUSTAFA A. ELSAMRA
v.
VERIZON NEW JERSEY INC.**

**BPU DOCKET NO. TC08030143U
OAL DOCKET NO. PUC 07457-08**

SERVICE LIST

Moustafa A. Elsamra
311 Allaire Avenue
Leonia, New Jersey 07605

Ralph V. Lee, Esq.
Verizon New Jersey Inc.
540 Broad Street, Floor 20
Newark, New Jersey 07102

Eric Hartsfield, Director
Julie Ford-Williams
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

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

CMS
BESLOW
RPA
KIRSCHBAUM
FORD W. WILMS



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 07457-08

AGENCY DKT. NO. TC08030143U

MOUSTAFA A. ELSAMRA,

Petitioner,

v.

VERIZON NEW JERSEY,

Respondent.

Moustafa A. Elsamra, appearing pro se

Ralph V. Lee, Esq. appearing on behalf of respondent (Verizon New Jersey Inc.)

Record Closed November 17, 2008

Decided: November 21, 2008

BEFORE WALTER M. BRASWELL, ALJ:

On January 18, 2008, this matter was transmitted to the Office of Administrative Law (OAL) for hearing 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. A telephone pre-hearing was conducted on July 10, 2008 at which time the matter was scheduled for hearing on November 17, 2008. On the date of the hearing the parties engaged reached a settlement. A Settlement Agreement was prepared and executed indicating the terms of agreement, which are incorporated herein by reference.

have reviewed the record and terms of the Stipulation of Settlement and **FIND**

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

I **CONCLUDE** that the agreement meets the requirements of N.J.A.C. 1:1-19.1 and therefore, it is **ORDERED** that the parties comply with the settlement terms and that these proceedings be and are hereby concluded.

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

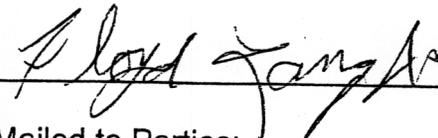
This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10

11-20-08

DATE


WALTER M. BRASWELL, ALJ

Date Received at Agency: 11-25-08


Mailed to Parties:

DATE
ljb

OFFICE OF ADMINISTRATIVE LAW



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

RECEIVED
 MAIL ROOM
 08 NOV 25 AM 10:15
 BOARD OF PUBLIC UTILITIES
 NEWARK, N.J.

Robert J. Giordano, ALJ &
 Manager of Organizational Development

RECEIVED
 CASE MANAGER
 2008 NOV 25 PM 2:49
 BOARD OF PUBLIC UTILITIES
 NEWARK, N.J.

NORTH

Date NOV 21 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
<u>7457-08</u>	<u>MUSTAFA A.</u> <u>EL SAMAA</u>

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

Date: 11-25-08

Board of Public Utilities