



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

CUSTOMER ASSISTANCE

MATHAI JOY,)	ORDER ADOPTING INITIAL DECISION
PETITIONER,)	SETTLEMENT
v.)	
)	
NEW JERSEY AMERICAN WATER COMPANY,)	BPU DOCKET NO. WC08070496U
RESPONDENT.)	OAL DOCKET NO. PUC11404-08

(SERVICE LIST ATTACHED)

BY THE BOARD:

On July 16, 2008, Mathai Joy (Petitioner) filed a petition with the Board disputing bills of New Jersey American Water Company (Respondent) for water services.

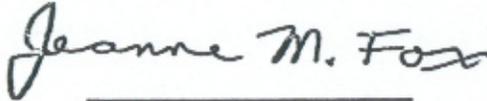
After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law (OAL) on September 10, 2008 for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge (ALJ) Joann Lasala Candido.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and executed a Stipulation of Settlement Agreement and Release (Settlement) dated June 4, 2009 that was submitted to ALJ Candido. By Initial Decision issued on June 25, 2009, and submitted to the Board on July 7, 2009, ALJ Candido 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 the Settlement, the parties agreed that, within fifteen days of entry of the Settlement, Petitioner would pay Respondent \$585.67, dismiss the petition with prejudice, and release any and all claims against Respondent with respect to past bills. In return of payment, Respondent agreed to release any and all claims for unpaid amounts with regard to the present dispute. Should Petitioner not make payment as provided above, Respondent reserved the right to proceed with the collection process for the total amount in controversy.

After review and consideration of the Initial Decision and the Settlement 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: 7/29/09

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT

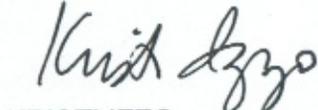

FREDERICK F. BUTLER
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

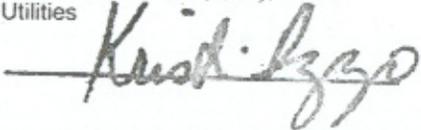

NICHOLAS ASSELTA
COMMISSIONER


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



MATHAI JOY

v.

NEW JERSEY AMERICAN WATER COMPANY

BPU Docket No. WC08070496U

OAL Docket No. PUC11404-08

SERVICE LIST

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10 Stone Ridge Court
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124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102

CMS
BLESLAW
RPA

KIRSCHBAUM

~~FORD WILLIAMS~~ (2)



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 11404-08

AGENCY DKT. NO. WC08070496U

RECEIVED
CASE MANAGER
2009 JUL -7 AM 8:4
BOARD OF JUSTICE
NEWARK, N.J.

MATHAI JOY,

Petitioner,

v.

NEW JERSEY AMERICAN WATER

COMPANY

Respondent.

Mathai Joy, petitioner pro se

Daniel J. Bitonti, Esq., appearing on behalf of respondent (Cozen O'Connor)

Record Closed: June 22, 2009

Decided: June 25, 2009

BEFORE JOANN LASALA CANDIDO, ALJ:

On September 29, 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. The matter was scheduled for an in person pre-hearing on December 12, 2008 at which time a hearing was scheduled for July 14, 2009. Prior to the hearing the parties submitted a Stipulation indicating the terms of settlement was signed by all parties which is attached and made part hereof.

I 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.

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 (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.

June 26, 2009
DATE

Joann Lasala Candido
JOANN LASALA CANDIDO, ALJ

Date Received at Agency: 7/7/09
FJE

Date Mailed to Parties: JUL 1 2009
ljb

7-1-09
Lucia Sanders
DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

3. If Petitioner fails to pay the agreed amount in Paragraph 1 within the fifteen (15) days specified above, the Company reserves the right to proceed with the collection process for the total amount in controversy.

4. Petitioner releases any and all claims it may have with respect to past bills against the Company.

5. Upon payment of the amount specified in this Settlement Agreement within the specified time periods, the Company will release any and all claims for unpaid amounts with respect to the present dispute.

This Settlement Agreement may be subject to the Board of Public Utilities' approval.

Petitioner:

Attorney for Respondent:

COZEN O'CONNOR, PC

By: 
Mathai Joy

By: 
Daniel J. Bitonti

Dated: JUNE-14-09

Dated: 6/19/09

9c



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

**A copy of the administrative law
judge's decision is enclosed.**

**This decision was mailed to the parties
on JUL 1 2009**

RECEIVED
OFFICE OF ADMINISTRATIVE LAW
NEWARK, NJ
JUL 1 2009

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JUL 1 2009