



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center, Suite 801
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

ANTHONY MAXWELL,
Petitioner,

V.

NEW JERSEY AMERICAN WATER COMPANY,
Respondent.

ORDER ADOPTING INITIAL
DECISION SETTLEMENT

BPU Docket No. WC10090668U
OAL Docket No. PUC12509-10

Anthony Maxwell, Scotch Plains, New Jersey, appearing *pro se*

Stacy A. Mitchell, Esq., Cozen O'Connor, Cherry Hill, New Jersey, on behalf of
Respondent, New Jersey American Water Company

BY THE BOARD:

On September 17, 2010, Anthony Maxwell ("Petitioner") filed a petition with the New Jersey Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with New Jersey American Water Company ("Respondent") for utility services rendered by 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") Kimberly A. Moss.

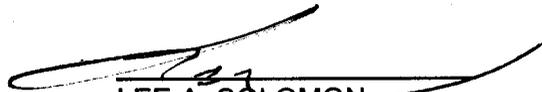
While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Stipulation") that was submitted to the ALJ. By Initial Decision issued on January 13, 2011, to which the Stipulation was attached and made part thereof, ALJ Moss found that the Stipulation 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 the Stipulation, and in order to resolve this matter, Respondent has agreed to discharge \$196.13 of the disputed charges in the form of a credit to appear on Petitioner's next invoiced statement. In return, Petitioner has agreed to pay the remaining contested balance, as well as any current charges as reflected on his next invoiced statement. Both parties agree to release the other from any claims arising out of the April 14, 2010 meter read.

After review of the record and the Stipulation of Settlement of the parties, the Board HEREBY FINDS that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that by the terms of the Stipulation of Settlement, have fully resolved all outstanding contested issues in this matter.

Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.

DATED: 2/10/11

BOARD OF PUBLIC UTILITIES
BY:


LEE A. SOLOMON
PRESIDENT

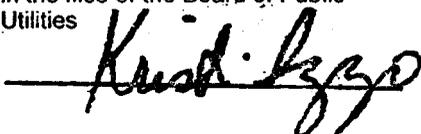

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
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



ANTHONY MAXWELL

V.

NEW JERSEY AMERICAN WATER COMPANY

BPU DOCKET NO. WC10090668U

OAL DOCKET NO. PUC12509-10

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

RECEIVED
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11 JAN 20 PM 4: 54
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 12509-10

AGENCY DKT. NO. WC10090668U

ANTHONY MAXWELL,

Petitioner,

v.

NEW JERSEY AMERICAN WATER COMPANY,

Respondent.

Anthony Maxwell, petitioner appearing pro se

Stacy A. Mitchell, Esq. on behalf of respondent (Cozen O'Connor)

Record Closed: January 13, 2011

Decided: January 13, 2011

BEFORE KIMBERLY A. MOSS, ALJ:

On November 15, 2010, 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 prehearing was scheduled for December 20, 2010 during which time engaged in vigorous settlement discussions. On January 13, 2011 the parties submitted a Stipulation of Settlement. The Settlement Agreement was prepared and executed indicating the terms of the agreement, which are incorporated herein by reference.

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.

1/13/11
DATE


KIMBERLY A. MOSS, ALJ

Date Received at Agency:

1-18-11


Date Mailed to Parties: **JAN 18 2011**
ljb

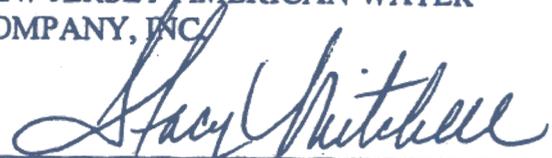
DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

Charges arising out of the April 14, 2010 meter read. This releases all claims, including known or unknown claims, between the Parties up to and including the date of execution of the Stipulation. **WHEREFORE** the Parties respectfully submit this Stipulation of Settlement and request that it be approved in its entirety.

ANTHONY MAXWELL

Handwritten signature of Anthony Maxwell in blue ink, written over a horizontal line.

NEW JERSEY-AMERICAN WATER
COMPANY, INC.

Handwritten signature of Stacy A. Mitchell in blue ink, written over a horizontal line.

By: Stacy A. Mitchell
Attorney

Date: 12/29/2010