



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
Two Gateway Center  
Newark, NJ 07102  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

MOT H. LY, t/a T & T MARKET	)	ORDER ADOPTING INITIAL DECISION
Petitioner	)	SETTLEMENT
v.	)	
	)	
ATLANTIC CITY ELECTRIC COMPANY	)	BPU DOCKET NO. EC09040310U
Respondent	)	OAL DOCKET NO. PUC6360-09

Mot H. Ly, Atlantic City, New Jersey, Petitioner, pro se

Renee Suglia, Esq. Pepco Holdings, Inc., Wilmington, Delaware, for the Respondent

Cynthia L.M. Holland, DAG, Division of Law, Newark, New Jersey, on behalf of the Staff of the Board of Public Utilities

**BY THE BOARD:**

On April 13, 2009, Mot H. Ly, t/a T & T Market ("Petitioner") filed a petition with the Board requesting a formal hearing related to a billing dispute with Atlantic City Electric Company ("Respondent") regarding a bill for utility service provided 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") W. Todd Miller.

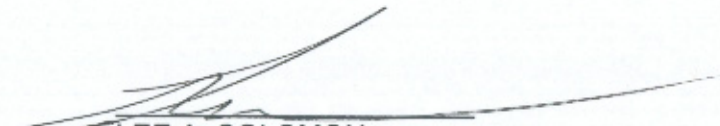
While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Settlement Agreement ("Settlement") that was submitted to the ALJ. By Initial Decision issued on January 21, 2010, and submitted to the Board on January 29, 2010, to which the Settlement was attached and made part thereof, ALJ Miller found that the Settlement

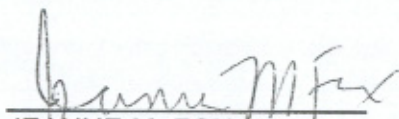
was voluntary, that its terms fully disposed of all issues in controversy and that it satisfied the requirements of N.J.A.C. 1:1-19.1. Pursuant to the terms of the Settlement, the parties have agreed in full and final settlement of this matter that Respondent will credit Petitioner's account in the amount of \$4,500.00. Based on a balance of \$8,118.17 due and owing as of January 21, 2010, such credit would leave a balance of \$3,618.17, which would be paid by Petitioner in two separate installments of \$1,809.08 and \$1,809.09 due on February 21, 2010 and March 21, 2010, respectively. When these payments have been made by Petitioner, Respondent shall apply the aforementioned credit to Petitioner's account. The parties have further agreed that Petitioner shall continue to pay subsequent regular monthly bills in the ordinary course, that the Settlement will be deemed null and void in the event of default and that the petition in this matter should be dismissed with prejudice.

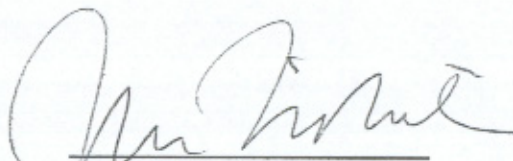
After review of the Initial Decision Settlement of the parties, the Board HEREBY FINDS that, by the terms of the Settlement the parties have resolved all outstanding contested issues in this matter. Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Settlement Agreement executed by the parties in their entirety as if fully set forth herein and ORDERS that the petition in this matter be DISMISSED with prejudice.

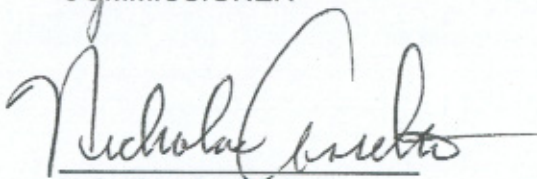
DATED: 3/17/10


BOARD OF PUBLIC UTILITIES  
BY:

  
LEE A. SOLOMON  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

  
JOSEPH L. FIORDALISO  
COMMISSIONER

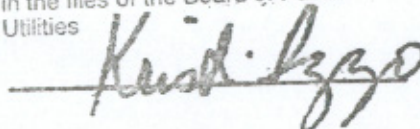
  
NICHOLAS ASSELTA  
COMMISSIONER

  
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



MOT H. LY, t/a T & T MARKET

v.

ATLANTIC CITY ELECTRIC COMPANY

BPU DOCKET NO. EC09040310U  
OAL DOCKET NO. PUC6360-09

SERVICE LIST

Mot H. Ly, t/a T & T Market  
2524 Artic Avenue  
Atlantic City, New Jersey 08401

Renee Suglia, Esq.  
Pepco Holdings, Inc.  
800 N. King Street  
Wilmington, Delaware 19801

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

Cynthia L.M. Holland, DAG  
Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

CMS  
BESLOW  
RPM  
HOLLAND-DAG



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

~~FORD WILLIAMS~~

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 6360-09

AGENCY REF. NO. EC09040310U

MOT H. LY t/a T & T MARKET,

Petitioners,

v.

ATLANTIC CITY ELECTRIC COMPANY,

Respondent.

Mot H. Ly, petitioner, pro se, through Jenny Ly, interpretor

Renee Suglia, Esq., for respondent

Record Closed: January 21, 2010

Decided: January 21, 2010

BEFORE W. TODD MILLER, ALJ:

This matter was transmitted to the Office of Administrative Law on August 18, 2009, 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.



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

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures or their representatives' signatures, and as placed on the record on January 21, 2010.
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.

January 21, 2010


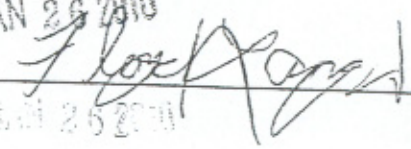
DATE

Date Received at Agency:

1-29-2010

Date Mailed to Parties:

/sd

  
\_\_\_\_\_  
W. TODD MILLER, ALJ  
JAN 26 2010  
  
\_\_\_\_\_  
JAN 26 2010  
\_\_\_\_\_

T&T Market &  
Moh Ly  
v.

BAU EC 090403104  
PUC 6360-09

Atlantic City Electric

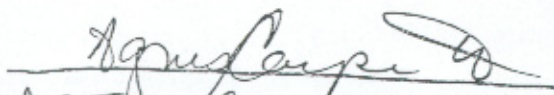
### Settlement Agreement

In full & final settlement of the above referenced matter, ~~the~~ Respondent, Atlantic City Electric ("ACE") agrees to credit Petitioner T&T Market ("T&T")'s account the amount of \$4,500.00. As of January 21, 2010, the account balance is ~~\$8118.17~~ \$8118.17. After the credit is applied, the balance will be \$3618.17. That amount will be paid by T&T in 2 installments of \$1809.<sup>08</sup>~~00~~<sup>1509.09</sup>. The first installment is due February 21, 2010 & the second is due March 21, 2010. When both are paid & cleared, the credit amount of \$4,500 will be applied to the account. T&T should continue to pay regular monthly bills in the ordinary course.

In the event of default, the settlement is null & void. The case is dismissed w/ prejudice.



T&T Market, Petitioner  
Anh Ly, owner



ACE, Respondent  
Agnes Carpenter, Sr.

14-1-10



*State of New Jersey*  
OFFICE OF ADMINISTRATIVE LAW

9 Quakerbridge Plaza  
P.O. Box 049  
Trenton, New Jersey 08625-0049  
(609) 586-6584

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

This decision was mailed to the  
parties on JAN 26 2010 \_\_\_\_\_.

CMS  
Bertram  
Holladay  
DTG.  
Cust  
Ans 'r.