

CUSTOMER ASSISTANCE

ORDER

BPU Dkt. No. WC09050382U
OAL Dkt. No. PUC07658-09

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Settlement Agreement ("Agreement") that was submitted to the ALJ. By Initial Decision issued on March 2, 2010, and submitted to the Board on March 8, 2010, to which the Settlement was attached and made part thereof, ALJ Braswell 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 Agreement, which was executed on March 1, 2010, and in full and final settlement of all outstanding issues in this matter, Respondent agreed to credit Respondent's account in the amount of \$296.44 made up of a credit of \$195.29 issued on December 8, 2009, and \$101.15 issued on March 1, 2010. In

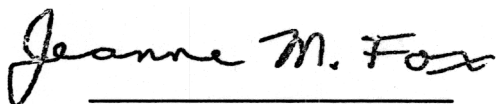
return, Petitioner agreed to pay the amount of \$101.15 to Respondent and to request that his petition in this matter be dismissed with prejudice.

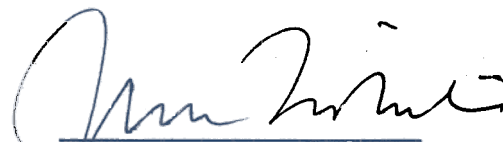
After review of the Initial Decision and the Settlement Agreement of the parties, the Board HEREBY FINDS that, by the terms of the Settlement Agreement, the parties have resolved all outstanding contested issues in this matter. Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Settlement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

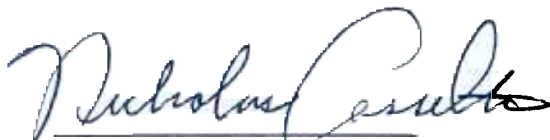
DATED: 4/16/10

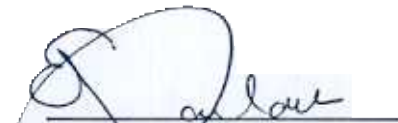
BOARD OF PUBLIC UTILITIES
BY:


LEE A. SOLOMON
PRESIDENT

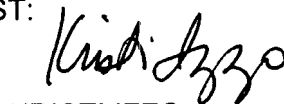

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

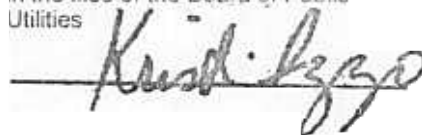

NICHOLAS ASSELTA
COMMISSIONER


ELIZABETH RAN
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that this document is a true copy of the one in the files of the Board of Public Utilities



NARESH A. PATEL

V.

NEW JERSEY AMERICAN WATER COMPANY

BPU DOCKET NO. WC09050382U
OAL DOCKET NO. PUC07658-09

SERVICE LIST

Naresh A. Patel
570 East Grant Avenue
Roselle Park, NJ 07204

Suzana Duby, Esq.
New Jersey American Water Company
167 J.F. Kennedy Parkway
Short Hills, NJ 07078

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

Cynthia Holland, DAG
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

CMS

BISLOW

JUPH

HOLLAND, C

FORD-WILLIAMS

(2)

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 07658-09

AGENCY DKT. NO. WC09050382U

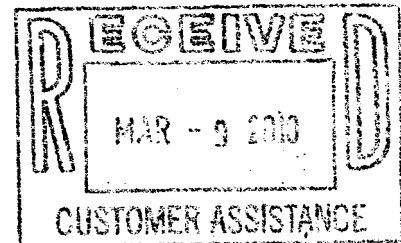
NARESH A. PATEL,

Petitioner,

v.

NEW JERSEY AMERICAN WATER
COMPANY,

Respondent.



Naresh A. Patel, petitioner, appearing pro se

Suzana Loncar, Esq. appearing on behalf of respondent (New Jersey American
Water Company)

Record Closed: March 2, 2010

Decided: March 2, 2010

BEFORE WALTER M. BRASWELL, ALJ:

On July 13, 2009, 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 hearing was scheduled and conducted on March 1, 2010. During the pendency of the hearing the parties reached a settlement. The Settlement Agreement was prepared and executed indicating the terms of the 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.

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.

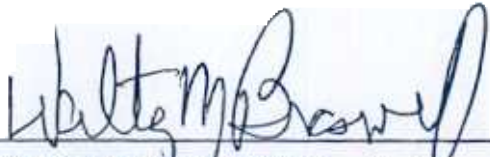
March 2, 2010

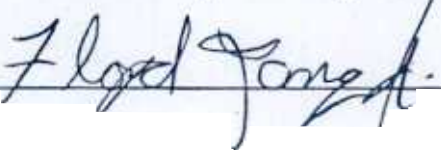
DATE

Date Received at Agency: 3-8-10

Date Mailed to Parties:

ljb



WALTER M. BRASWELL, ALJ


Naresh Patel

v. New Jersey American Water Company

BPU Docket No. WC09050382U

OAL Docket No.

PUC 07658-

S.D.

2009N

Settlement Agreement

This Settlement Agreement is made by and between NEW JERSEY-AMERICAN WATER COMPANY, INC. ("NJAW"), a corporation doing business at 131 Woodcrest Road, Cherry Hill, New Jersey 08034 and Naresh Patel, NJAW customer residing at 50 E. Grant Ave., Roselle Park, NJ and having NJAW Account Number 52-0114569-4 ("Customer") (NJAW and Customer are collectively hereinafter sometimes referred to as the "Parties"). In consideration of the mutual covenants, conditions and terms contained herein, the Parties to this Settlement Agreement agree to be legally bound hereby as follows:

1. The Parties agree that Petitioner's account #52-0114569-4 will be credited a total amount of \$296.44, which -
Petitioner will pay to NJAW the amount of \$101.15
in full and final settlement in the manner as described below.

includes a
credit
of \$195.29 (issued)

plus a
credit of
\$101.15 (issued)
3/1/10

2. Customer agrees to dismiss his complaint filed against NJAWC under

BPU Docket No. WC09050382U

OAL Docket No. PUC 07658-2009 with prejudice.

3. This Settlement Agreement shall be governed by, construed and enforced in accordance with the laws of the State of New Jersey. In the event that any provision of this Settlement Agreement is deemed unenforceable, those portions not deemed unenforceable shall remain in full force and effect.
4. Any modification of this Settlement Agreement, or additional obligation(s) assumed by either party in connection with this Settlement Agreement, shall be binding only if evidenced in writing and signed by each party.

IN WITNESS WHEREOF, the Parties understand and agree to the terms of this Settlement Agreement and have duly executed this Settlement Agreement on this 1 day of March, 2010. The parties acknowledge that this Settlement Agreement is entered into voluntarily and that no representation or inducement has been offered or made, except as contained herein. Customer further acknowledges that he has fully reviewed this Settlement and understands its contents.

Naresh A. Patel

Print: NARESH A. PATEL

Suzana Duly

Print Suzana Duly Attorney for NJAW
Date 3/1/10 Attest

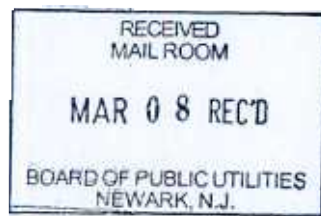
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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW
33 Washington Street
Newark, New Jersey 07102
(973) 648-6008
(973-648-6058)

Robert J. Giordano, ALJ &
Manager of Organizational Development



NORTH

Date MAR 4 2010

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

7658-09

NABESH A. PATEL

11371-09

Middlesex WATER CO.

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

Date: _____

Board of Public Utilities