



Agenda Date: 7/23/14  
Agenda Item: VIIA

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

<b>GARY D. WARTENBERG,</b>	)	ORDER ADOPTING INITIAL
Petitioner	)	DECISION SETTLEMENT
	)	
V.	)	
	)	
<b>UNITED WATER OF NEW JERSEY, INC.</b>	)	BPU DOCKET NO. WC13111116U
Respondent	)	OAL DOCKET NO. PUC 00960-14

**Parties of Record:**

**Gary D. Wartenberg**, appearing pro se  
**John P. Wallace, Esq.**, appearing on behalf of Respondent, United Water of New Jersey, Inc.

**BY THE BOARD:**

On November 21, 2013, Gary D. Wartenberg ("Petitioner"), filed a petition with the Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with United Water of New Jersey ("Respondent") for water utility services rendered by Respondent.

After the filing of Respondent's answer, on January 16, 2014, 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 June 6, 2014 and submitted to the Board on June 9, 2014, 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.

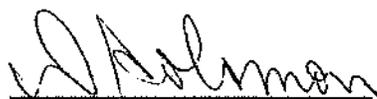
Pursuant to the Stipulation, the parties have entered into an agreement and, in the interest of resolving on all outstanding issues in this matter without further delay, extensive effort and costs, the Respondent shall credit the account number ending in 2222 in the sum of \$448.64, leaving a remaining arrearage balance of \$548.74. Petitioner has agreed to pay the remaining balance on or before July 1, 2014. On July 1, 2014, staff was advised that Petitioner made the required payment and Respondent issued the credit.

After review of the Initial Decision and the Stipulation of Settlement of the parties, the Board **HEREBY FINDS** that the parties have voluntarily agreed to the Stipulation 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 Stipulation of Settlement executed by the parties in their entirety as if set forth at length herein.

DATED: 7/23/14

BOARD OF PUBLIC UTILITIES  
BY:



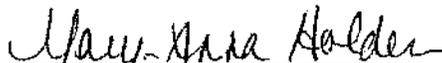
DIANNE SOLOMON  
PRESIDENT



JEANNE M. FOX  
COMMISSIONER



JOSEPH L. FIORDALISO  
COMMISSIONER



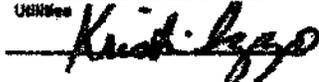
MARY-ANNA HOLDEN  
COMMISSIONER

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



GARY D. WARTENBERG, Petitioner

V.

UNITED WATER OF NEW JERSEY, INC. Respondent  
BPU DOCKET NO. WC1311116U  
OAL DOCKET NO. PUC 00960-14

SERVICE LIST

Gary D. Wartenberg  
123 Francisco Avenue  
Montclair, NJ 07043

John P. Wallace, Esq.  
171 East Ridgewood Avenue  
Ridgewood, NJ 07450

Christopher Psihoules, DAG  
Division of Law  
124 Halsey Street  
Post Office Box 45029  
Newark, NJ 07101-45029

Eric Hartsfield, Director  
Division of Customer Assistance  
Board of Public Utilities  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Julie Ford-Williams, Chief  
Division of Customer Assistance  
Board of Public Utilities  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, NJ 08625-0350



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OFFICE OF  
CASE MANAGEMENT  
FORWARDING

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State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW

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GUARD OF PUBLIC UTILITIES  
MAIL ROOM

**INITIAL DECISION**

**SETTLEMENT**

OAL DKT. NO. PUC 10960-14N

AGENCY DKT. NO. WC1311116U

**GARY D. WARTENBERG,**

Petitioner,

v.

**UNITED WATER NEW JERSEY,**

Respondent.

REC'D  
2014 JUN 9 PM 1 51  
NJ BPU  
CASE MANAGEMENT

**Gary D. Wartenberg**, petitioner, pro se

**John P. Wallace**, Esq on behalf of respondent (United Water New Jersey)

Record Closed: June 6, 2014

Decided: June 6, 2014

BEFORE **KIMBERLY A. MOSS**, ALJ:

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 conducted on February 28, 2014 during which time a hearing was scheduled for May 16, 2014. A status conference was conducted on March 28, 2014 wherein the parties reached a tentative settlement. On the date of the hearing the parties resolved all issues in dispute and the agreement was placed on the record. On June 6, 2014 respondent's counsel submitted a Stipulation of Settlement, which is attached hereto for reference.

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

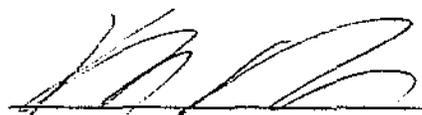
1. The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties or their representatives.
2. The settlement fully disposes of all issues in controversy and is consistent with law.

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.

6-6-14  
DATE

  
KIMBERLY A. MOSS, ALJ

Date Received at Agency: \_\_\_\_\_

Date Mailed to Parties: \_\_\_\_\_

ljb



amount of \$548.74 have been paid in full.

3. Petitioner agrees that the petition in the above matter be and same is hereby withdrawn.

Dated: May , 2014

  
GARY D. WARTENBERG  
Petitioner

  
JOHN P. WALLACE, ESQ.  
Attorney for Respondent