



Agenda Date: 12/16/15
Agenda Item: VIIA

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

PATRICIA JORDAN,)	ORDER ADOPTING
Petitioner)	INITIAL DECISION IN PART
)	AND MODIFYING IN PART
v.)	
)	
UNITED WATER OF NEW JERSEY, INC.)	BPU DOCKET NO. WC15020237U
Respondent)	OAL DOCKET NO. PUC 05603-15

Parties of Record:

Richard J. Abrahamsen, Esq., on behalf of Petitioner, Patricia Jordan
John P. Wallace, Esq., on behalf of Respondent, United Water of New Jersey, Inc.

BY THE BOARD:¹

On February 18, 2015, Patricia Jordan (“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, Inc. (“Respondent”) for utility services rendered by Respondent to the Probst Avenue premises in Fairview, New Jersey (the “Property”).

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”) Jeffery A. Gerson.

While this matter was pending at the OAL, on October 30, 2015, Petitioner’s counsel submitted a letter to the ALJ and forwarded to Respondent’s counsel, advising that the matter had been settled (“Settlement Letter”). The letter specified that the Respondent would accept \$800.00 as full and final payment for Petitioner’s account ending in 1111 with regard to the service provided to the Property. By Initial Decision issued on November 16, 2015, and submitted to the Board on November 19, 2015, to which the Settlement Letter was attached and made part thereof, ALJ Gerson found that the Settlement Letter 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.

¹ Commissioner Upendra J. Chivukula recused himself due to a potential conflict of interest and as such took no part in the discussion or deliberation of this matter. Commissioner Joseph L. Fiordaliso was not present at the December 16, 2015 agenda meeting.

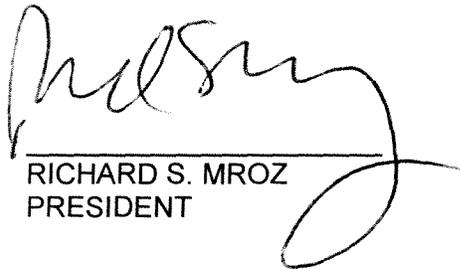
As no written or oral record was created evidencing Respondent's assent to the Settlement Letter, Board Staff requested an acknowledgment of the letter's accuracy. In a November 23, 2015 e-mail, Respondent's counsel advised that the matter had been resolved pursuant to the Settlement Letter.

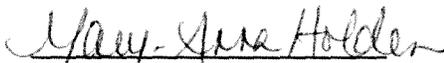
After review of the record, the Board **HEREBY FINDS** that the parties have voluntarily agreed to the settlement as evidenced by the Settlement Letter and Respondent's counsel e-mail acknowledging the accuracy of that letter, and that the documents meet the requirements of N.J.A.C. 1:1-19.1. Accordingly, the Board **HEREBY ADOPTS** the Initial Decision insofar as it adopts a settlement between the parties and **HEREBY MODIFIES** the Initial Decision to reflect that the Respondent approved the Settlement Letter.

The effective date of this Order is December 26, 2015.

DATED: 12/16/15

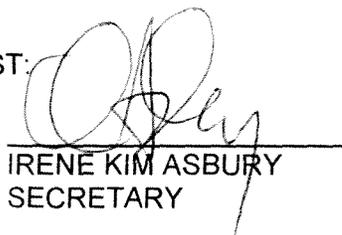
BOARD OF PUBLIC UTILITIES
BY:


RICHARD S. MROZ
PRESIDENT

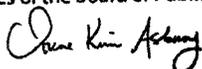

MARY-ANNA HOLDEN
COMMISSIONER


DIANNE SOLOMON
COMMISSIONER

ATTEST:


IRENE KIM ASBURY
SECRETARY

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



Docket Nos. BPU WC15020237U and OAL PUC 05603-15 – In the Matter of Patricia Jordan, Petitioner V. United Water of New Jersey, Inc., Respondent

SERVICE LIST

Richard J. Abrahamsen, Esq.
Abrahamsen Law Firm, LLC
115 River Road, Suite 828
Edgewater, New Jersey 07020
Rja.attorney@gmail.com

John P. Wallace, Esq.
171 East Ridgewood Avenue
Ridgewood, NJ 07450
jack.wallace@yahoo.com

Eric Hartsfield, Director
Division of Customer Assistance
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
Eric.hartsfield@bpu.state.nj.us

Julie Ford-Williams, Chief
Division of Customer Assistance
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
Julie.ford@bpu.state.nj.us

Emma Yao Xiao, Esq.
Deputy Attorney General
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
emma.xiao@dol.lps.state.nj.us



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 05603-15

AGENCY DKT. NO. WC15020237U

PATRICIA JORDAN,

Petitioner,

v.

UNITED WATER NEW JERSEY,

Respondent.

Joseph S. Pasquale, Esq., for petitioner

John P. Wallace, Esq., for respondent

Record Closed: November 6, 2015

Decided: November 16, 2015

BEFORE JEFFREY A. GERSON, ALJ:

On April 20, 2015 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. 52:14F1 to -13. The matter was scheduled for a hearing on October 20, 2015 and during that time the parties were discussing settlement and agreed to settle the matter. The

settlement amount as full and final payment in the amount of \$800 is to be paid by petitioner directly to the Hackensack Office.

I have reviewed the record and terms of the 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 issues in controversy and is consistent with law.

I **CONCLUDE** that the agreement meets the safeguard requirements of N.J.A.C. 1:1-19.1 and, accordingly, I approve the settlement and **ORDER** that the parties comply with the settlement terms.

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.

NOV 16 15
DATE

Date Received at Agency:

Date Mailed to Parties: **NOV 18 2015**
sej

JEFFREY A. GERSON, ALJ
11-18-15
Aura Sanders
DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

ABRAHAMSEN LAW FIRM, L.L.C.

← ATTORNEYS AT LAW →

Richard J. Abrahamsen * Δ
Joseph S. Pasquale

Of Counsel:

Harriet E. McDonnell *

Members are admitted to:

* NJ & NY

Δ Certified By the Supreme Court
of New Jersey as a Civil Trial
Attorney

115 River Road, Suite 828
Edgewater, NJ 07020
201.840-5660
201.840-5663 - Fax
rja.attorney@gmail.com

515 Madison Avenue, 6th Fl.
New York, NY 10022

October 30, 2015

RECEIVED
2015 NOV - 5 P 4:07
STATE OF NEW JERSEY

United Water of New Jersey
69 Devoe Place
Hackensack, NJ 07601
Attn: Kathy Ofeldt, Customer Service Representative

Re: Jordan vs. United Water
OAL Docket No.: PUC 05603-2015 N
Agency Ref. NO: WC15020237U
Our File NO: 15-290

Dear Ms. Ofeldt:

Please be advised that the Abrahamsen Law Firm, LLC has been retained to represent Plaintiff/Petitioner in connection with the above referenced matter.

This letter shall confirm that the matter has been amicable settled between the parties before Hon. Jeffrey Gerson on October 20, 2015. The settlement amount as full and final payment in the amount of \$800 to be paid by Plaintiff, Patricia Jordon settling any and all past due amounts relating to any and all water disputes 742 Probet Avenue Fairview, NJ.

Enclosed herein please find Plaintiff's payment payable to United Water in the amount of \$800.00, check # 1510 referencing the above docket and Account [REDACTED] relating to the disputed billing and the claim. Kindly apply the payment to Ms. Jordan's account.

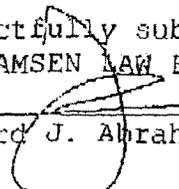
By copy of this letter I am advising all parties of the same.

Nov. 19. 2015 10:16AM

No. 4556 P. 6

This letter shall further confirm at the October 20, 2015 hearing that payment to be made directly to the Hackensack Office Attn: Kathy Ofeldt.

Thank you for your kind courtesies in this matter.

Respectfully submitted,
ABRAHAMSEN LAW FIRM, LLC
By: 
Richard J. Abrahamsen, Esq.

RJA:mt

CC: John P. Wallace, Esq. Via: Facsimile
201-447-0417 and Regular Mail
CC: Hon. Jeffrey Garson, Via: Facsimile
973-648-6058/6124 and Regular Mail