



Agenda Date: 2/24/16
Agenda Item: VIIC

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

MORIE MUSSAFFA,)	ORDER ADOPTING INITIAL
Petitioner)	DECISION SETTLEMENT
)	
v.)	
)	
AQUA NEW JERSEY, INC.)	BPU DOCKET NO. WC15010045U
Respondent)	OAL DOCKET NO. PUC 05590-15

Parties of Record:

Morie Mussaffa, Petitioner, pro se
Edward F. Roslak, Esq., on behalf of Respondent, Aqua New Jersey, Inc.

BY THE BOARD:

On January 12, 2015, Morie Mussaffa ("Petitioner"), filed a petition with the Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with Aqua New Jersey, Inc. ("Respondent") for utility services rendered by Respondent to the Ashburn Way premises in Woolwich Township, 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 decision 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") Ronald W. Reba.

During the hearing of the case by ALJ Reba, 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 December 1, 2015, and submitted to the Board on December 3, 2015, to which the Stipulation was attached and made part thereof, ALJ Reba 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 fully resolve this matter in settlement of the petition filed by Petitioner, Respondent, with regard to the service provided to the Property,

agreed to waive \$163.00 of the past due amount of \$652.00,¹ and to accept \$163.00 as partial payment towards the past due amount for Petitioner's account ending in 4106. In addition, Petitioner agreed to pay twelve (12) monthly payments of \$27.00 towards his past due balance, and to pay his current fixed and monthly usage charges. The Stipulation provides that Petitioner understands and acknowledges that, if the \$163.00 payment is not made by November 27, 2016, or if the Petitioner is not timely in making the \$27.00 monthly payments, Respondent is entitled to shut off Petitioner's utility services.

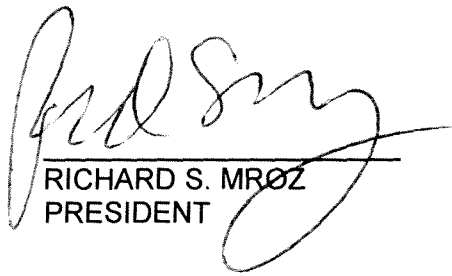
After review of the record and the Stipulation, the Board **HEREBY FINDS** that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that by the terms of the Stipulation, have fully resolved all outstanding contested issues in this matter.

Accordingly, the Board **HEREBY ADOPTS** the Initial Decision and the Stipulation executed by the parties in their entirety. The Stipulation is attached hereto and made a part hereof.


The effective date of this Order is March 5, 2016.

DATED: 2-24-16

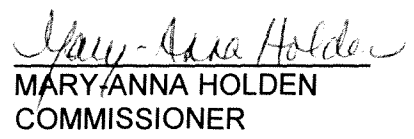
BOARD OF PUBLIC UTILITIES
BY:



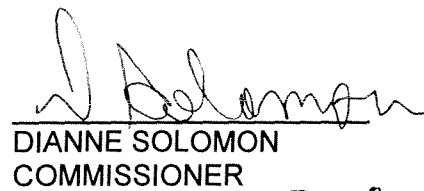
RICHARD S. MROZ
PRESIDENT



JOSEPH L. FIORDALISO
COMMISSIONER



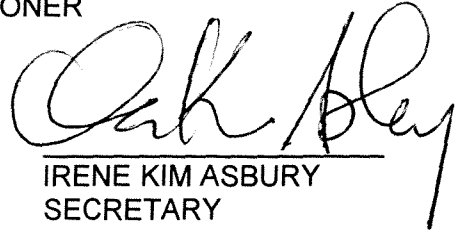
MARY-ANNA HOLDEN
COMMISSIONER



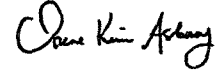
DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
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



¹ Respondent's \$163.00 waiver altered the amount owed to \$489.00; however, as part of the settlement, Respondent has agreed to accept payment of \$487.00, \$27.00 x 12 months, to satisfy the full amount due.

MORIE MUSSAFFA

v.

AQUA NEW JERSEY

**BPU Docket No. WC15010045U
OAL Docket No. PUC 05590-15**

SERVICE LIST

Morie Mussaffa
898 Ashburn Way
Woolwich Township, NJ 08085

Stephen B. Genzer, Esq.
Edward F. Roslak, Esq.
Saul Ewing Law Firm
One Riverfront Plaza
1037 Raymond Blvd., Suite 1520
Newark, New Jersey 07102-5426
sgenzer@saul.com
eroslak@saul.com

Eric Hartsfield, Director
Julie Ford-Williams, Chief
Division of Customer Assistance
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Eric.Hartsfield@bpu.state.nj.us
Julie.Ford@bpu.state.nj.us

Christopher Psihoules, Esq.
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Christopher.Psihoules@dol.lps.state.nj.us



2015 10 2015

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 05590-15

AGENCY DKT. NO. WC15010045U

MORIE MUSSAFFA,

Petitioner,

v.

AQUA NEW JERSEY, INC.,

Respondent.

Morie Mussaffa, petitioner, pro se

Stephen B. Genzer, Esq., for respondent Aqua New Jersey, Inc., (Saul Ewing, LLP, attorneys)

Veronica Beke, Deputy Attorney General, for the Staff of the Board of Public Utilities (John J. Hoffman, Acting Attorney General of New Jersey, attorney)

Record Closed: November 25, 2015

Decided: December 1, 2015

BEFORE RONALD W. REBA, 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. 52:14F 1 to- 13. A hearing was held on November 25, 2015 in the OAL- Mercerville.

*CMS
Legal
J. Kane
DAG
Gertsman
E. Hartsfield
J. Ford
C. Jordan
R. Lambert
V. Haynes
D. Lee Thomas
E. Bestow
C. Vachier*

During the hearing of the case, the parties reached a Settlement. A Settlement Agreement was prepared and executed indicating the terms of the agreement, which are incorporated herein by reference.

I 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 agreement or their representatives' agreement as set forth above.
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.

December 1, 2015

DATE

Ronald W. Reba

RONALD W. REBA, ALJ

Date Received at Agency: 12/2/15

by John Schuster III, ACT

Date Mailed to Parties:

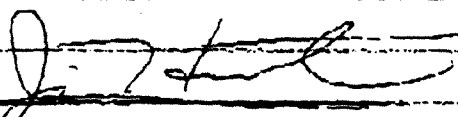
12/3/15

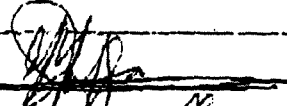
Attachment

/mei

Whereas Mr. Marie Musatta ("Petitioner") and Agua New Jersey ("Respondent") have agreed as follows in order to effect an amicable settlement of the matter described as BPU Docket no. WC1301004566 (the "Action"):

1. The Petitioner and Respondent agree that the Petitioner's past due utility bill amount equals \$652.00;
2. Agua ~~with~~ agrees to receive \$163.00 of the past due amount;
3. Petitioner agrees to make a payment of \$163.00 by November 27, 2015;
4. Agua agrees to enter into a payment plan with the Petitioner for the remainder of the past due balance. This payment plan requires the Petitioner to make 12 monthly payments of \$27.00 towards his back due balance, in addition to paying his current fixed and monthly usage charges;
5. Petitioner understands and acknowledges that if the \$163.00 payment is not made or if Petitioner does not make the \$27.00 monthly payments, Agua is entitled to shut-off Petitioner's utility service.


 John Niddhart
 Agua New Jersey


 Marie Musatta
 Petitioner