



Agenda Date: 10/14/2020
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

| | | |
|---|---|-----------------------------|
| STEVEN L. WONG, |) | ORDER ADOPTING |
| Petitioner |) | INITIAL DECISION |
| |) | |
| v. |) | |
| |) | |
| NEW JERSEY AMERICAN WATER COMPANY, |) | DOCKET NO. WC19050572U |
| Respondent |) | OAL DOCKET NO. PUC 09585-19 |

Parties of Record:

Harold Petzoid, Esq., for petitioner
Josiah Contarino, Esq., (Archer and Greiner, PC) on behalf of Respondent, New Jersey American Water Company

BY THE BOARD:

The within matter is a billing dispute between Steven L. Wong (“Petitioner”) and New Jersey American Water Company (“NJAWC” or “Respondent”). This Order sets forth the background and procedural history of Petitioner’s claims and represents the Final Order in the matter pursuant to N.J.S.A. 52:14B-1 to B-15 and N.J.S.A. 52:14F-1 to F-13. Having reviewed the record, the Board of Public Utilities (“Board”) now **ADOPTS** the Initial Decision rendered on September 17, 2020, as follows.

PROCEDURAL HISTORY

On or about May 9, 2019, Petitioner filed a petition with the Board requesting a formal hearing, stating that NJAWC incorrectly billed his account in the amount of \$2,840.14. Petitioner stated that there were no leaks at the property in question. Petitioner further stated the service was shut off even though he was disputing the billing.

Respondent filed an Answer to the Petition, dated June 7, 2019. Respondent stated that the Petitioner’s services were supplied and billed in accordance with terms and conditions and rate schedules set forth in its Board approved Tariff. The Company requested that the relief sought be denied on the basis that the Petitioner failed to set forth a claim upon which relief may be granted.

On July 3, 2019, this matter was transmitted by the Board to the Office of Administrative Law (“OAL”) for a 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. This matter was assigned to Administrative Law Judge (“ALJ”) Nanci G. Stokes.

A Settlement Agreement and General Release was made between NJAW and Petitioner dated September 16, 2020 resolving all issues in this matter.

DISCUSSION AND FINDINGS

Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, NJAW agreed to credit the Petitioner's account in the amount of \$914.78 by September 30, 2020. Petitioner agreed to pay the outstanding balance on the account within 90 days.

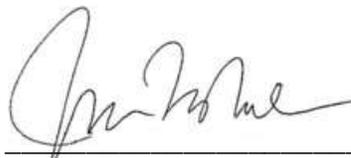
By Initial Decision issued on September 17, 2020, and submitted to the Board on September 17, 2020, ALJ Stokes found that the Stipulation was voluntary, its terms fully disposed of all issues in controversy, it was consistent with the law, and that it satisfied the requirements of N.J.A.C. 1:1-19.1.

After review of the Initial Decision 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, they 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 as if fully set forth herein.

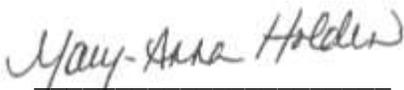
The effective date of this Order is October 14, 2020

DATED: October 14, 2020

BOARD OF PUBLIC UTILITIES
BY:



JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER

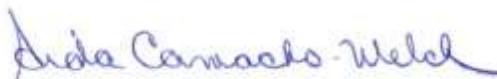


UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST:



AIDA CAMACHO-WELCH
SECRETARY

STEVEN L. WONG, PETITIONER

V.

NEW JERSEY AMERICAN WATER COMPANY, RESPONDENT

BPU DOCKET NO. WC19050572U

OAL DOCKET NO. PUC 09585-19

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 09585-19

BPU DKT. NO. WC19050572U

STEVEN L. WONG.,

Petitioner,

v.

**NEW JERSEY AMERICAN WATER
COMPANY,**

Respondent.

Harold Petzold, Esq. for petitioner

Josial Contarino, Esq. for respondent (Archer & Greiner, PC, attorneys)

Record Closed: September 16, 2020

Decided: September 17, 2020

BEFORE **NANCI G. STOKES**, ALJ:

On May 4, 2019, petitioner filed a petition with the Board of Public Utilities disputing the utility bill asserting that New Jersey American Water (respondent) overcharged his water account. On June 10, 2019, respondent filed its answer to the petition. On July 3, 2019, the BPU transmitted the case to the Office of Administrative Law (OAL) for hearing as a contested case under N.J.S.A. 52:14B-1 to-15 and N.J.S.A. 52:14F 1 to- 13.

I conducted several telephone conferences, the last one being September 15, 2020, wherein the parties advised that the case resolved and the hearing scheduled September 22, 2020, was unnecessary. The OAL received a copy of the fully executed settlement on September 16, 2020, attached hereto. Having reviewed the record and the settlement terms, I **FIND** as follows:

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

Therefore, I **CONCLUDE** that the agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. Accordingly, it is **ORDERED** that the parties comply with the terms of the settlement, and it is **FURTHER ORDERED** that the proceedings in this matter 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.

September 17, 2020



DATE

NANCI G. STOKES, ALJ

Date Received at Agency:

September 17, 2020

Date Mailed to Parties:

September 17, 2020

ljb