



Agenda Date: 3/18/16
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

PAUL F. COPPOLA,
Petitioner

v.

RIDGEWOOD WATER COMPANY,
Respondent

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ORDER OF EXTENSION

DOCKET NO. WC15091087U
OAL DOCKET NO. PUC 18213-15

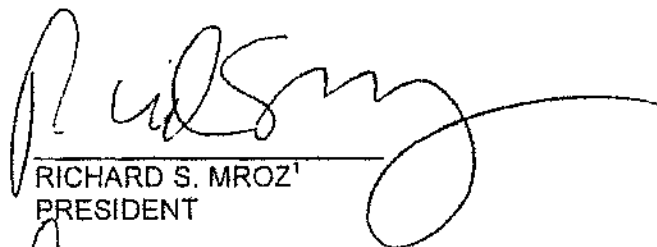
(SERVICE LIST ATTACHED)

The Initial Decision of the Administrative Law Judge was received by the Board of Public Utilities (Board) on March 4, 2016; therefore, the 45-day statutory period for review and the issuing of a Final Decision will expire on April 18, 2016. Prior to that date, the Board requests an additional 45-day extension of time for issuing the Final Decision in order to adequately review the record in this matter.

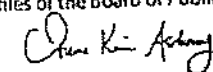
Good cause having been shown, pursuant to N.J.S.A. 52:14B-10(c) and N.J.A.C. 1:1-18.8, **IT IS ORDERED** that the time limit for the Board to render a Final Decision is extended until June 2, 2016.

DATED: 3-18-16

BOARD OF PUBLIC UTILITIES
BY:


RICHARD S. MROZ¹
PRESIDENT

ATTEST: 
IRENE KIM ASBURY
SECRETARY

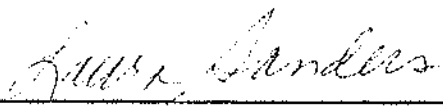
I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities


¹ Authorized by Board to execute this Order of Extension on its behalf

Date Board mailed Order to OAL: 3/21/16

cc: Service List Attached

DATED: 3/22/16



LAURA SANDERS, ACTING DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

Date OAL mailed executed Order to Board: 3/22/16 emailed

Date Board mailed executed Order to Parties: 3/22/16

**Docket Nos. BPU WC15091087U OAL PUC 18213-15 – In the Matter of Paul F. Coppola,
Petitioner v. Ridgewood Water Company, Respondent – Request for Extension.**

SERVICE LIST

Paul F. Coppola
793 Birchwood Drive
Wyckoff, New Jersey 07481

David Scheibner
Ridgewood Water Company
131 North Maple Avenue
Ridgewood, New Jersey 07451

Eric Hartsfield, Director
Julie Ford-Williams, Chief
Division of Customer Assistance
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
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Trenton, NJ 08625-0350
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Christopher Psihoules, Esq.
Deputy Attorney General
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Christopher.Psihoules@dol.lps.state.nj.us

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BOARD OF PUBLIC UTILITIES
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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. PUC 18213-15

AGENCY DKT. NO. WC15091087U

PAUL F. COPPOLA,

Petitioner,

v.

RIDGEWOOD WATER COMPANY,

Respondent.

Paul F. Coppola, pro se

Matthew Rogers, Esq., appearing on behalf of respondent

Record Closed: February 29, 2016

Decided: March 4, 2016

BEFORE: **JOANN LASALA CANDIDO, ALAJ:**

CMS
V Haynes
D. Lee Thom
E. Hartsfield
J. Ford
K. Lambert
C. Jordan
B. Agee
J. Gertsman
C. Vachier
R. Matos

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner, Paul Coppola (Coppola or petitioner), filed a complaint before the Board of Public Utilities (BPU) on September 17, 2015, disputing the estimated billing charges from September 2011(billed January 2012) to February 3, 2015, requiring him to pay \$975.52 for under-billed water consumption from Ridgewood Water Company (Ridgewood).

On November 12, 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 telephone pre-hearing conference was held on January 7, 2016. The hearing was held on February 29, 2016, on which date the record closed.

FACTUAL DISCUSSION AND FINDINGS

Having had an opportunity to hear the testimony, observed the witnesses, and reviewed the exhibits, I **FIND** the following **FACTS**:

Petitioner, a resident of Wyckoff for many years, receives his water supply from Ridgewood Water Company. Ridgewood read its water meters on a quarterly basis using a Verizon land line telephone system connected to a computer server. Petitioner at all times relevant to this matter maintained a Verizon land line telephone. The last accurate meter reading using this system was in June 2011. The reading on September 23, 2011 failed to read the meter and petitioner was provided an estimated bill based upon past consumption. These failed attempts continued for each quarter until the meter was replaced on February 3, 2015. Each estimated bill provided an "important message" which read:

"YOUR CURRENT BILL IS ESTIMATED. IF YOUR HOME TELEPHONE SERVICE IS NOT PROVIDED BY VERIZON, WE MAY NOT BE ABLE TO READ YOUR METER. PLEASE CALL OUR CUSTOMER SERVICE CENTER AT 201-670-5520 TO ARRANGE FOR US TO INSTALL THE APPROPRIATE EQUIPMENT."

Petitioner candidly testified that he did not question an estimated bill during the thirty-nine months he continued to receive water from Ridgewood because he continued to have the Verizon land line that he had maintained for about thirty years and did not think this message applied to him. He disputes the difference in the consumption Ridgewood alleges during the time of the estimated bills as well as the reliability of the Blue Usage Graphs on each quarterly bill.

On February 3, 2015, a representative replaced petitioner's meter in his home and the meter was tested at the Ridgewood water testing facility on February 4, 2015 and was deemed operable. Based upon this test, it was determined that petitioner owed a balance of \$975.52 for the water consumption not previously billed for.

Ridgewood seeks this surcharge of \$975.52 to be paid over a forty-eight month period without interest.

LEGAL ANALYSIS AND CONCLUSION

N.J.A.C. 14:3-7.2(e) states:

Rules concerning estimated bills for all customers are as follows:

1. Utility companies shall maintain a regular meter reading schedule and make a reasonable effort to read all meters;
2. Utility companies, upon request, shall make available to all customers a postage paid business reply card on which the customer may mark the meter reading as follows:
 - i. The business reply card shall have appropriate explanation. The utility shall permit the customer to telephone the meter reading to the utility. The customer reading is to be used in lieu of an estimated reading, provided the reading is received in time for billing;
3. When a utility estimates an account for four consecutive billing periods (monthly accounts), or two consecutive billing periods (bimonthly and quarterly accounts), the utility shall mail a notice marked "Important Notice" to the customer on the fifth and seventh months, respectively, explaining that a meter reading must be obtained and said notice shall explain the penalty for failure to complete an actual meter reading. After all reasonable means to obtain a meter reading have been exhausted, including, but not limited to, offering to schedule meter readings for evenings and on weekends, the utility may discontinue service provided at least eight months have passed since the last meter reading was obtained, the Board has been so notified and the customer has been properly notified by prior mailing. If service is discontinued

and subsequently restored, the utility may charge a reconnection charge equal to the reconnection charge for restoring service after discontinuance for nonpayment;

4. Utility companies shall submit to the Board of Public Utilities a statement detailing their estimating procedures;

5. If low estimates result in a customer receiving an actual bill that is at least 25 percent greater than the prior estimated bill, the utility shall allow the customer to amortize the excess amount. The amortization will be in equal installments over a period of time equal to the period when no actual reading was taken by the customer or the utility; and

6. Annually, the utility shall notify all customers of their rights to amortize as set forth in (e)(5) above.

In this case, there were long periods of time where there were not any actual meter readings by Ridgewood. There was no evidence presented by petitioner that the meter was inaccurate. To the contrary, the meter was tested after its removal and was found to be operable and accurate. The February 3, 2015 actual meter reading shows that the balance owed by petitioner is \$975.52. Each quarterly bill was clearly marked ESTIMATE. Each quarterly bill contained an important message. Petitioner did not contact the water company to inquire about this ongoing estimation for approximately thirty-nine months. Respondent offered the petitioner to amortize this excess amount over a period of four years without interest. I **CONCLUDE** that petitioner has an outstanding of balance of \$975.52 for consumption not billed.

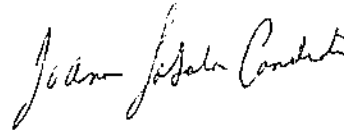
ORDER

Based on the foregoing, it is **ORDERED** that petitioner pay to Ridgewood Water the sum of \$972.52 without interest amortized over a period of four years as confirmed by respondent, an amount to be determined and scheduled by the parties within thirty days of the final decision by respondent.

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.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **SECRETARY OF THE BOARD OF PUBLIC UTILITIES, 44 South Clinton Avenue, P.O. Box 350, Trenton, NJ 08625-0350**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.



March 4, 2016

DATE

JOANN LASALA CANDIDO, ALAJ

Date Received at Agency:

March 4, 2016

Date Mailed to Parties:

ljb

WITNESSES

For Petitioner:

None

For Respondent:

David Scheibner

EXHIBITS

For Petitioner:

- P-1 Ridgewood Water estimated bill dated 01/09/12
- P-2 Ridgewood Water estimated bill dated 03/28/12
- P-3 Verizon account summaries
- P-4 Ridgewood Water billing history September 2011 to July 2015
- P-5 Photo of replaced meter
- P-6 Ridgewood Water meter test results
- P-7 Letter from petitioner dated May 5, 2015
- P-8 Past due reminder bill dated 01/03/2016
- P-9 Past due reminder bill dated 04/02/2015
- P-10 Letter from petitioner dated June 8, 2015
- P-11 Ridgewood water bill dated July 6, 2015
- P-12 Notice of Meter Replacement Program

For Respondent:

None