



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

ENRIQUE SANCHEZ,)	ORDER ADOPTING INITIAL
Petitioner)	DECISION SETTLEMENT
)	
v.)	
)	
SUEZ WATER NEW JERSEY¹)	BPU Docket No. WC16030211U
Respondent)	OAL Docket No. PUC 06291-16

Parties of Record:

Enrique Sanchez, Petitioner
John P. Wallace, Esq., for Respondent, Suez Water New Jersey, Inc.

BY THE BOARD:

On March 9, 2016, Enrique Sanchez ("Petitioner")² filed a petition with the Board of Public Utilities ("Board") related to a billing dispute with Suez Water New Jersey ("Suez Water" or "Respondent") for water services rendered by Respondent to the Petitioner.

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") Leland S. McGee.

The parties subsequently voluntarily agreed to resolve the matter and entered into a signed Stipulation of Settlement ("Stipulation") that was submitted to the ALJ.³ By Initial Decision issued on November 1, 2016, and submitted to the Board on November 2, 2016, to which the Stipulation was attached and made part thereof, ALJ McGee 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.

¹ On January 27, 2016, United Water, Inc., advised the Board of Public Utilities that the company changed its operating name to SUEZ, the ultimate corporate parent of United Water.
² Although the caption in this matter only identifies Enrique Sanchez as the Petitioner, the March 9, 2016 petition was filed by both Enrique Sanchez and Lourdes Sanchez.
³ Both Enrique Sanchez and Lourdes Sanchez signed this Stipulation. Additionally, while this Stipulation was signed by the Petitioners and the Respondent, and was attached to ALJ McGee's November 1, 2016 Initial Decision, it was not dated by any of the parties.

Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, Petitioner, among other things, agreed to pay Respondent the amount of \$5,518.68 for the un-billed and un-paid water consumption provided to the premises at 6801 Polk Street, Guttenberg, New Jersey, 07093, in full and final satisfaction of the disputed bill, dated June 23, 2015, which was attached as Exhibit A to the Stipulation. The Stipulation provides that Suez reserves the right to collect the full \$11,037.36 in the event that Petitioner defaults in making the settlement payment or tampers with the meter after the date of the Stipulation.

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 Stipulation is attached hereto and made a part hereof.

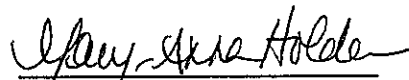
The effective date of this Order is December 22, 2016.

DATED: 12/12/16

BOARD OF PUBLIC UTILITIES
BY:


RICHARD S. MROZ
PRESIDENT


JOSEPH L. FIORDALISO
COMMISSIONER

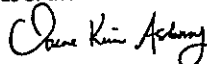

MARY-ANNA HOLDEN
COMMISSIONER


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



**In the Matter of Enrique Sanchez, Petitioner v. SUEZ Water New Jersey, Respondent –
Billing Dispute**

Docket Nos BPU WC16030211U and OAL PUC 06291-16

SERVICE LIST

Enrique Sanchez
454 Woodcliff Avenue
North Bergen, NJ 07047

John P. Wallace, Esq.
43 Briar Court
Hamburg, New Jersey 07419

Eric Hartsfield, Director
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

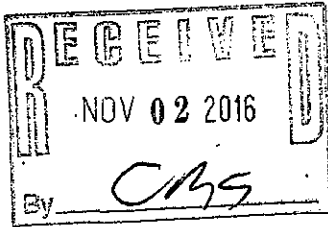
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RECEIVED

NOV 02 2016

BOARD OF PUBLIC UTILITIES
MAIL ROOM



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 06291-16

AGENCY DKT. NO. WC16030211U

ENRIQUE SANCHEZ,

Petitioner,

v.

SUEZ WATER NEW JERSEY,

Respondent.

Enrique Sanchez, pro se

John P. Wallace, Esq., for respondent

Record Closed: October 31, 2016

Decided: November 1, 2016

BEFORE LELAND S. McGEE, ALJ:

This matter is a billing dispute between Enrique Sanchez and Suez Water New Jersey. The matter was transmitted to the Office of Administrative Law on April 26, 2016, for determination as a contested case.

CMS
V. Haynes
D. Lee Thomas
E. Hartsfield
J. Ford
R. Lambert
R. Matos
C. Jordan
J. Gertsma
B. Agce
C. Vachier

Before the hearing date, the parties agreed to an amicable resolution of the matter and submitted a Stipulation of Settlement. 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 proceeding 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 (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.

11/1/16
DATE


LELAND S. McGEE, ALJ

Date Received at Agency:

Date Mailed to Parties:

LSM/lr

SETTLEMENT AGREEMENT

2016 OCT 31 P 3:28
2016

WHEREAS ENRIQUE SANCHEZ & LOURDES SANCHEZ (hereinafter "Customer") and SUEZ WATER NEW JERSEY INC., formerly UNITED WATER NEW JERSEY INC. (hereinafter "SWNJ") have agreed to a resolution of a dispute with respect to un-billed and unpaid charges for water consumption at premises at 6801 Polk Street, Guttenberg, New Jersey 07093, it is hereby agreed by said parties as follows:

1. Customer agrees to pay the total settlement sum of \$5,518.68 to SWNJ for the un-billed and unpaid water consumption provided to the premises at 6801 Polk Street, Guttenberg, New Jersey 07093, in full and final satisfaction of the disputed bill issued by SWNJ to Customer, dated June 23, 2015, copy of which is attached hereto as "EXHIBIT A".

2. This settlement agreement supersedes the disputed bill, and constitutes a new, currently due bill from SWNJ in the amount of the settlement sum. Payment in full shall be made within ten (10) days of final execution of this Agreement.

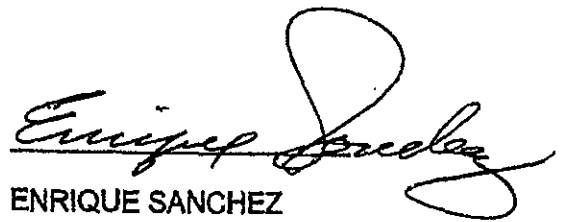
3. It is expressly understood that due to regulatory reporting requirements SWNJ cannot and will not retroactively adjust water consumption data on Customer's account as a part of this or any other settlement. Said parties agree that Customer is free to share the content of this settlement agreement with NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY (hereinafter "NBMUA") in the event that a sewer bill results from the un-billed water consumption that is the subject of this settlement agreement. Customer acknowledges that NBMUA is separate from and unaffiliated with SWNJ and that SWNJ has no input or control with respect to NBMUA, its management, operations or how it chooses to bill water consumption. Customer further acknowledges that the adjustment figure provided herein is an estimate based strictly on the 2015 rate value of \$4.1211 and is provided herein for settlement purposes only. In accordance with the foregoing disclaimer, the estimated consumption based on the settlement sum would be 1339 ccf or 1,001,572 mgl.


4. SWNJ reserves the right to collect \$11,037.36 in the event that Customer defaults in making the settlement payment due per the settlement agreement or tampers with the meter after the date of this Agreement.

5. Customer agrees to file voluntary dismissals of their petition against SWNJ filed and/or pending in the Office of Administrative Law under Docket Number PUC 06291-2016 N and BPU Docket Number WC16030211U within seven (7) days of the date hereof.

6. This Settlement is not an acknowledgment of wrongdoing by either party.

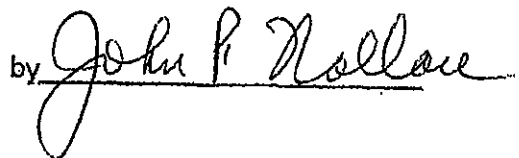
DATED: October , 2016


ENRIQUE SANCHEZ


LOURDES SANCHEZ

SUEZ WATER NEW JERSEY INC.

DATED: October , 2016

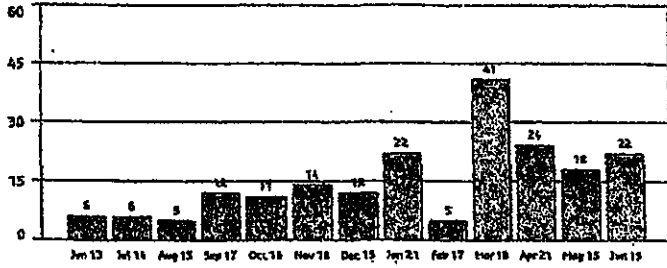
by 

UNITED WATER

United Water of New Jersey
 Customer Service Center
 59 DeVoe Place
 Hackensack, NJ 07601
 Telephone: 201-261-5387
 www.unitedwater.com

USAGE HISTORY

Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 07/15/2015

Billing Date: 06/23/15
 Account Number: [REDACTED]

Previous Balance \$99.87
 Payments Through 06/23/15 \$0.00
 Balance Forward \$99.87
 Current Charges Due 07/08/2015 \$11,037.36

TOTAL AMOUNT DUE

Past Due Balance may be subject to late charges, collection and/or termination.

SERVICE TO: ENRIQUE SANCHEZ M

SERVICE ADDRESS: [REDACTED] GUTTENBERG NJ

DATES OF SERVICE:
 FROM 01-01-1995 TO 01-01-1996
 WATER CHARGE

\$10,978.36

NEW JERSEY-WATER FROZEN/DAMAGE \$59.00
 TOTAL CURRENT CHARGES \$11,037.36 ✓

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

Payments made using an incorrect account number will no longer be accepted. To avoid unnecessary confusion, please adjust your records and only use account number 10003439912222.
 Please take note of the Due Date and consider Direct Debit, a FREE and convenient payment option.
 Your consumption is based on an actual reading of your water meter.
 Approximately 14.0625% or \$1552.13 of your current period charges reflects the average Gross Receipt and Franchise Taxes which are paid to the State of New Jersey and distributed to New Jersey municipalities.

PLEASE DETACH HERE AND RETURN THE BOTTOM PORTION WITH YOUR PAYMENT IN THE RETURN ENVELOPE PROVIDED.



UNITED WATER
 Customer Service Center
 59 DeVoe Place
 Hackensack, NJ 07601

Temp - Return Service Requested

SERVICE ADDRESS: 6801 POLK ST
 GUTTENBERG NJ

Please check this box if you have made any changes to the information on the reverse side.

000009



PL: 9
 ENRIQUE SANCHEZ M
 NORTH BERGEN NJ 07047-6145

Account Number: [REDACTED]
 Balance Forward \$99.87
 Current Charges Due 07/08/2015 \$11,037.36

TOTAL AMOUNT DUE

Payment Amount Enclosed \$



UNITED WATER NEW JERSEY
 PAYMENT CENTER
 PO BOX 371804
 PITTSBURGH PA 15250-7804

EXHIBIT A