



Agenda Date: 2/14/24
Agenda Item: 7A

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

A'MEO, INC.,)	ORDER ADOPTING INITIAL
)	DECISION
Petitioner,)	
)	
v.)	
)	BPU DOCKET NO. WC22060369U
MIDDLESEX WATER COMPANY,)	OAL DOCKET NO. PUC 01950-23
)	
Respondent.)	

Parties of Record:

Maureen Antonello, Petitioner *pro se*
Jay L. Kooper, General Counsel, for Respondent, Middlesex Water Company

BY THE BOARD:

The within matter involves a billing dispute between A'Meo Inc., ("Petitioner"), and Middlesex Water Company ("MWC" or "Respondent"). This Order sets forth the factual background and procedural history of Petitioner's claims and represents the Final Order in this matter pursuant to N.J.S.A. 52:14B-10(c). Having reviewed the record, the New Jersey Board of Public Utilities ("Board") now **ADOPTS** the Initial Decision rendered on December 4, 2023.

BACKGROUND AND PROCEDURAL HISTORY

On June 2, 2022, Petitioner filed a petition with the Board to resolve a billing dispute against MWC for water service rendered at its property in [REDACTED], New Jersey ("Property") ("Petition"). On June 13, 2022, MWC filed its answer to the Petition ("Answer"). On September 22, 2022, Petitioner submitted additional documentation supplementing the Petition. Petitioner, a privately-owned corporation, appealed the amount MWC billed to it for covered service from November 10, 2021 to February 11, 2022, for \$361.80 for using 43,384 gallons of water in a bill dated February 14, 2022. Petitioner claimed that it could not have used that amount of water during that billing period.

On March 3, 2023, the Petition 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 14F-1 to -23. This matter was assigned to Administrative Law Judge Kimberley M. Wilson (“ALJ Wilson”), who issued an Initial Decision in OAL docket PUC 01950-23 on December 4, 2023 (“Initial Decision”). Numerous prehearing conferences were held and the parties engaged in discovery. Initial Decision at 2. On July 24, 2023, MWC filed a motion for summary decision. Ibid. Petitioner did not provide a response to the motion for summary decision by August 14, 2023, and pursuant to a Letter Order dated August 23, 2023, Petitioner was given until August 31, 2023, to file a response or opposition. Ibid. On August 23, 2023, Petitioner submitted an email response to MWC’s motion for summary decision, which was accepted pursuant to an Order entered on September 20, 2023. Ibid. On September 21, 2023, the record was reopened to permit oral argument on the motion and oral argument was held on October 12, 2023. Ibid. After oral argument the parties were permitted to supplement their motion papers by October 20, 2023, and the record closed that day. Id. at 2-3.

The Initial Decision was received by the Board on December 4, 2023, therefore the 45-day statutory period for issuing a Final Decision was set to expire on January 18, 2024. Prior to this date, by Order dated January 10, 2024, the Board obtained a 45-day extension of time for issuing the Final Decision pursuant to N.J.S.A. 52:14B-10(c) and N.J.A.C. 1:1-18.8. The OAL did not receive any exceptions to the Initial Decision from either party.

INITIAL DECISION

On December 4, 2023, ALJ Wilson issued the Initial Decision granting MWC’s motion for summary decision, dismissing Petitioner’s appeal. Id. at 10. Petitioner argued that its meter at the Property could not have been accurate because Petitioner did not use the amount of water reflected in the May 14, 2021, water bill. Id. at 9. ALJ Wilson determined that Petitioner had not presented any evidence in support of its argument. Ibid. ALJ Wilson found the following facts as established:

1. MWC provides water service to Petitioner’s Property, that was initially for a residential account.
2. MWC issues bills to its residential customers each quarter.
3. On or around May 14, 2021, MWC submitted a quarterly water bill to Petitioner for the period February 9, 2021, to May 13, 2021, for \$210.74 for using approximately 26,180 gallons of water during that time.
4. On or around May 21, 2021, Petitioner contacted MWC to express its concern about the May 14, 2021, bill and requested an additional meter reading for the premises.
5. On or around May 25, 2021, a MWC employee performed an additional meter reading while representatives of Petitioner were present. The additional meter read verified and confirmed the initial meter reading for which the May 14, 2021, bill was based.
6. Petitioner paid the May 14, 2021, bill in full.
7. On or around February 14, 2022, MWC submitted a quarterly water bill to Petitioner for the period November 10, 2021, to February 11, 2022, for \$361.80 for using approximately 43,384 gallons of water during that time.
8. On or around February 22, 2022, representatives from Petitioner contacted MWC regarding its concern about the February 14, 2022, bill. Petitioner requested an on-site inspection at the Property to read the meter and check for leaks.
9. Pursuant to a letter dated March 10, 2022, MWC performed a leak inspection at the Property. The inspection revealed no spin on the meter or a current indication of a leak. The inspection confirmed that the previous meter reading was accurate.

10. On or around March 16, 2022, Petitioner contacted MWC to request that MWC remove and test the meter at the Property.
11. On or around March 22, 2022, one of MWC's employees removed the meter serving the Property (meter number [REDACTED]) and installed a new meter (meter number [REDACTED]). The MWC employee delivered the removed meter to MWC's meter testing facility for testing.
12. On or around March 24, 2022, a MWC employee tested the removed meter, and that meter tested well within the acceptable limits of accuracy, which is 98.5 percent to 101.5 percent, as established by the Board.
13. On or around March 29, 2022, MWC sent Petitioner a letter informing it of the meter test results. The meter's intermediate flow registered at 100.9 percent, and the full flow registered at 99.3 percent.
14. The New Jersey Office of Weights and Measures certified and inspected the equipment MWC used to test Petitioner's meter on January 25, 2022.
15. On or around May 13, 2022, MWC submitted a quarterly water bill to Petitioner for the period February 11, 2022 to May 12, 2022 for \$94.15 for using approximately 4,488 gallons of water during that time.
16. On or around September 22, 2022, Petitioner requested a hearing regarding past billing.

[Initial Decision 3-5.]

In ALJ Wilson's legal analysis, it was noted that, pursuant to N.J.A.C. 1:1-12.5, summary decision should be rendered "if the papers and discovery which have been filed, together with affidavits, if any, show that there is no genuine issue as to any material fact challenged and that the moving party is entitled to prevail as a matter of law." Initial Decision at 5. ALJ Wilson further stated that when the motion "is made and supported, an adverse party in order to prevail must by responding affidavit set forth specific facts showing that there is a genuine issue which can only be determined in an evidentiary proceeding." Id. at 5-6. ALJ Wilson determined that there were no genuine issues of material fact, and summary decision is appropriate. Id. at 6.

ALJ Wilson determined that the Petitioner bears the burden of proof by a preponderance of the competent, credible evidence of the matter before the OAL. Ibid. ALJ Wilson further determined that as the customer of record, Petitioner is responsible for payment of all utility service rendered pursuant to N.J.A.C. 14:3-7.1(a). Ibid. A customer of record is authorized to dispute a utility charge before the Board and in conjunction with a billing dispute, a customer may request that the utility perform a test of their water meter to determine whether it is functioning properly. Ibid. ALJ Wilson determined that an inspection of the Property revealed no leaks, and the meter was tested and found to be well within the limits of accuracy which is 98.5 to 101.5 percent. Id. at 9. The ALJ noted that in order to defeat a motion for summary decision, a party cannot rely on self-serving conclusions that are not supported by specific facts in the record and the nonmoving party must present concrete evidence in the record that supports the essential elements of his or her case. Ibid. Here, ALJ Wilson determined that the Petitioner failed to present any evidence that MWC overbilled, and Petitioner's conclusion that it could not have used that amount of water billed in the May 14, 2021, water bill is not supported by any evidence in the record. Ibid. ALJ Wilson, having concluded that no genuine issue of material facts remains in dispute, found this matter ripe for summary decision. Ibid.

DISCUSSION AND FINDINGS

In customer billing disputes before the Board, a petitioner bears the burden of proof by a preponderance of the competent, credible evidence. See Atkinson v. Parsekian, 37 N.J. 143, 149 (1962). The burden of proof is met if the evidence establishes the reasonable probability of the acts alleged and generates reliable belief that the tended hypothesis, in all human likelihood, is true. See Loew v. Union Beach, 56 N.J. Super. 93, 104 (App. Div.), certif. denied, 31 N.J. 75 (1959). In the present instance, Petitioner failed to show, by a preponderance of the competent credible evidence, that MWC overbilled service rendered at Petitioner's Property. An inspection by MWC of Petitioner's Property revealed no leaks and the meter at the Property was tested with equipment certified by the New Jersey Office of Weights and Measure and tested will within the acceptable limits of accuracy. Based on the competent evidence, there can be no dispute that Petitioner's meter was removed and tested for accuracy, pursuant to N.J.A.C. 14:5-4.3 Here, Petitioner failed to present any evidence showing that MWC overbilled it. Further, Petitioner's conclusion that it could not have used that amount of water billed in the May 14, 2021, water bill is not supported by any evidence in the record.

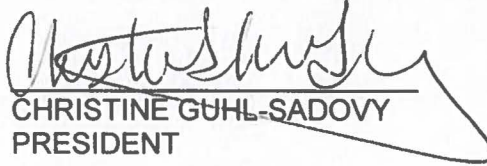
Thus, after careful review and consideration of the entire record, the Board **HEREBY FINDS** the findings and conclusions of law of ALJ Wilson to be reasonable and, accordingly, **HEREBY ACCEPTS** them. Specifically, the Board **FINDS** that Petitioner failed to meet their burden of proof.

Accordingly, the Board **HEREBY ADOPTS** the Initial Decision in its entirety and **ORDERS** that the Petition be **DISMISSED**.

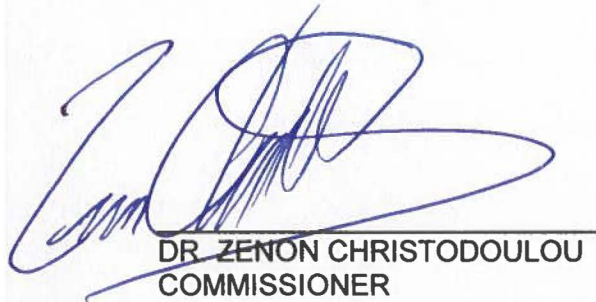
This Order shall be effective, February 21, 2024.

DATED: February 14, 2024

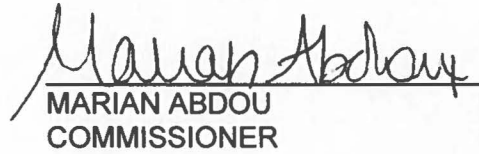
BOARD OF PUBLIC UTILITIES
BY:



CHRISTINE GUHL-SADOVY
PRESIDENT



DR. ZENON CHRISTODOULOU
COMMISSIONER



MARIAN ABDOU
COMMISSIONER



MICHAEL BANGE
COMMISSIONER

ATTEST: 
SHERRI L. GOLDEN
SECRETARY

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

A'Meo Inc., Petitioner v. Middlesex Water Company, Respondent
BPU Docket No. WC22060369U
OAL Docket No. PUC 01950-23

SERVICE LIST

Petitioner

A'Meo Inc.
c/o Maureen & Patrick Antonello

[REDACTED]
[REDACTED]
[REDACTED]

Middlesex Water Company

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VP, General Counsel & Secretary
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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION GRANTING
MOTION FOR SUMMARY DECISION

OAL DKT. NO. PUC 01950-23

AGENCY DKT. NO. WC22060369U

A'MEO, INC.,
Petitioner,

v.

MIDDLESEX WATER COMPANY,
Respondent.

Maureen Antonello, President, for petitioner, pursuant to N.J.A.C. 1:1-5,4(a)5¹

Jay L. Kooper, General Counsel, for respondent

Record Closed: October 20, 2023

Decided: December 4, 2023

BEFORE **KIMBERLEY M. WILSON**, ALJ:

STATEMENT OF THE CASE

¹ Maureen Antonello is the President of A'Meo, Inc., a privately-owned corporation

Petitioner, A'Meo, Inc. (A'Meo), a privately-owned corporation, through one of its principals, Maureen Antonello, appeals the amount respondent Middlesex Water Company (Middlesex) billed to it for covered service from November 10, 2021, to February 11, 2022, for \$361.80 for using 43,384 gallons of water in a bill dated February 14, 2022. After discovery was completed, Middlesex filed a motion for summary decision, claiming that A'Meo has not shown that the February 14, 2022, bill was improper or inaccurate. A'Meo generally claims that it could not have used that amount of water during that billing period.

PROCEDURAL HISTORY

On or before June 2, 2022, A'Meo filed a petition with the Board of Public Utilities (BPU). Middlesex filed its answer to the petition on or around June 13, 2022. A'Meo submitted its petition for a formal hearing to the BPU on or around September 22, 2022. On March 3, 2023, the matter was transmitted to the Office of Administrative Law (OAL), for a hearing as a contested case. N.J.S.A. 54:14B-1 to -15 and N.J.S.A. 14F-1 to -23.

After several prehearing conferences, discovery concluded. On or around July 24, 2023, Middlesex filed its motion for summary decision, and by August 14, 2023, A'Meo did not provide a response to the motion for summary decision. Pursuant to a Letter Order dated August 23, 2023, A'Meo was given until August 31, 2023, to file a response or opposition to the motion. Pursuant to a Letter Order dated September 6, 2023, A'Meo was advised that if no response or opposition to the motion for summary decision were submitted by August 31, 2023, the matter would be decided without it.

On August 23, 2023, A'Meo submitted an email response to Middlesex's motion for summary decision, which was accepted pursuant to an Order entered on September 20, 2023. On September 21, 2023, the record was reopened to permit oral argument on the motion, which was held on October 12, 2023. After oral argument, the parties were

allowed to supplement their motion papers by October 20, 2023,² and the record closed that day.

FINDINGS OF FACT

After reviewing the briefs, certifications, exhibits and emails presented in support of and in opposition to Middlesex's motion, I **FIND** the following material **FACTS**:

1. Middlesex provides water service to A'Meo at [REDACTED], [REDACTED], New Jersey ([REDACTED]), that initially was for a residential account. Resp't Br. 1; Email from Patrick Antonello to Jay Kooper and Alison Minott, attach. (October 16, 2023, 11:29 EDT).
2. Middlesex issues bills to its residential customers each quarter. Ibid.
3. On or around May 14, 2021, Middlesex submitted a quarterly water bill to A'Meo for the period February 9, 2021, to May 13, 2021, for \$210.74 for using approximately 26,180 gallons of water during that time. Resp't Br. Ex. A; Certification of Walli McMillan (McMillan Cert.) ¶ 6.
4. On or around May 24, 2021, A'Meo contacted Middlesex to express its concern about the May 14, 2021, bill and requested an additional meter reading for the premises. Resp't Br. 1; McMillan Cert. ¶ 5.
5. On or around May 25, 2021, a Middlesex employee performed an additional meter reading while representatives of A'Meo were present. Ibid. The additional meter read verified and confirmed the initial meter reading for which the May 14, 2021, bill was based. Ibid.

² A'Meo submitted an email with a signed letter on or around October 23, 2023, which was accepted for consideration.

6. A'Meo paid the May 14, 2021, bill in full. Resp't Br. Exh. B; McMillan Cert. ¶ 6.
7. On or around February 14, 2022, Middlesex submitted a quarterly water bill to A'Meo for the period November 10, 2021, to February 11, 2022, for \$361.80 for using approximately 43,384 gallons of water during that time. Resp't Br. Exh. D; McMillan Cert. ¶ 6.
8. On or around February 22, 2022, representatives from A'Meo contacted Middlesex regarding its concern about the February 14, 2022, bill. See Resp't Br. 2; McMillan Cert. ¶ 5. A'Meo requested an on-site inspection at [REDACTED] to read the meter and check for leaks. Ibid.
9. Pursuant to a letter dated March 10, 2022, Middlesex performed a leak inspection at [REDACTED]. See Resp't Br. Exh. E; McMillan Cert. ¶ 6. The inspection revealed no spin on the meter or a current indication of a leak. Ibid. The inspection confirmed that the previous meter reading was accurate. Ibid.
10. On or around March 16, 2022, A'Meo contacted Middlesex to request that Middlesex remove and test the meter at [REDACTED]. See Resp't Br. 2; McMillan Cert. ¶ 5.
11. On or around March 22, 2022, one of Middlesex's employees removed the meter serving [REDACTED] (meter number [REDACTED]) and installed a new meter (meter number [REDACTED]). Ibid. The Middlesex employee delivered the removed meter to Middlesex's meter testing facility for testing. Ibid.
12. On or around March 24, 2022, a Middlesex employee tested the removed meter, and that meter tested well within the acceptable limits of accuracy,

which is 98.5 percent to 101.5 percent, as established by the New Jersey Board of Public Utilities. See Resp't Br. 3; McMillan Cert. ¶ 5.

13. On or around March 29, 2022, Middlesex sent A'Meo a letter informing it of the meter test results. See Resp't Br. Exh. G; McMillan Cert. at ¶ 6. The meter's intermediate flow registered at 100.9 percent, and the full flow registered at 99.3 percent. Ibid.
14. The New Jersey Office of Weights and Measures certified and inspected the equipment Middlesex used to test A'Meo's meter on January 25, 2022. See Resp't Br. Exh. H; McMillan Cert. ¶ 6.
15. On or around May 13, 2022, Middlesex submitted a quarterly water bill to A'Meo for the period February 11, 2022 to May 12, 2022 for \$94.15 for using approximately 4,488 gallons of water during that time. See Resp't Br. Exh. J; McMillan Cert. ¶ 6.
16. On or around September 22, 2022, A'Meo requested a hearing regarding past billing. See Resp't Br. Exh. K; McMillan Cert. ¶ 6.

LEGAL ANALYSIS

Under the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1 to -21.6, "[a] party may move for summary decision upon all or any of the substantive issues in a contested case." N.J.A.C. 1:1-12.5(a). Such motion "shall be served with briefs and with or without supporting affidavits" and "[t]he decision sought may be rendered if the papers and discovery which have been filed, together with the affidavits, if any, show that there is no genuine issue as to any material fact challenged and that the moving party is entitled to prevail as a matter of law." N.J.A.C. 1:1-12.5(b); see also Rule 4:46-2 (standards on motions for summary judgment). When the motion "is made and supported, an adverse party in order to prevail must by responding affidavit set forth specific facts showing that

there is a genuine issue which can only be determined in an evidentiary proceeding." Ibid. Here, there are no genuine issues of material fact, and accordingly, summary decision is appropriate.

In this administrative proceeding, the petitioner bears the burden of proof by a preponderance of the competent, credible evidence as to those matters that are before the Office of Administrative Law. Atkinson v. Parsekian, 37 N.J. 143, 149 (1962). Evidence is found to preponderate if it establishes the reasonable probability of the facts alleged and generates reliable belief that the tendered hypothesis, in all likelihood, is true. Loew v. Union Beach, 56 N.J. Super. 93, 104 (App. Div.), certif. denied, 31 N.J. 75 (1959).

As the customer of record³ of Middlesex, A'Meo is "responsible for payment of all utility service rendered." N.J.A.C. 14:3-7.1(a). A customer of record is authorized to dispute a utility charge before the BPU. N.J.A.C. 14:3-7.6(a). In conjunction with a billing dispute, a customer may request that the utility perform a test of his water meter to determine whether it is functioning properly. N.J.A.C. 14-3:4.5 provides:

- (a) Each utility shall, without charge, make a test of the accuracy of a meter upon request of a customer, provided such customer does not make a request for test more frequently than once in 12 months.
- (b) A report giving results of such tests shall be made to the customer, and a complete record of such tests shall be kept on file at the office of the utility in accordance with N.J.A.C. 14:3-4.7.
- (c) When a billing dispute is known to exist, the electric, gas or water utility shall, prior to removing the meter, advise the customer that the customer may have the meter tested by the utility or may have the Board⁴ witness a testing of the meter by the utility, and that in any event the customer may have the test witnessed by a third party.

³"Customer of record" means the "person that applies for utility service and is identified in the account records of a public utility as the person responsible for payment of the public utility bill." N.J.A.C. 14:3-1.1.

⁴ The term "Board" refers to the Board of Public Utilities of New Jersey. See N.J.A.C.14:3-1.1.

- (d) A meter test arising from a billing dispute may be appropriate in instances which include, but are not limited to, unexplained increased consumption, crossed meters, consumption while account is vacant or any other instance where the meter's accuracy might be an issue in a bill dispute.
- (e) Upon application by any customer to the Board, a Board inspector shall witness the utility's test the customer's meter. Such test shall be made as soon as practicable after receipt of the application for the test. Board staff shall notify the customer and the utility as to the time and place of such test. All costs associated with the meter test shall be borne by the utility.

N.J.A.C. 14:3-4.6(a) establishes parameters to be applied when a meter is tested:

Whenever a meter is found to be registering fast by more than two percent, or in the case of water meters, more than one and one half percent, an adjustment of charges shall be made in accordance with this section. No adjustment shall be made if a meter is found to be registering less than 100 percent of the service provided, except under (d) below.⁵

Finally, the regulations establish standards that must be met by the equipment that is used to test meters. N.J.A.C. 14:3-4.4 provides, in relevant part, as follows:

- (a) A utility shall ensure that its meter testing equipment is tested and either sealed or certified in accordance with

⁵ N.J.A.C. 14:3-4.6(d) provides:

If a meter is found to be registering less than 100 percent of the service provided, the utility shall not adjust the charges retrospectively or require the customer to repay the amount undercharged, except if:

1. The meter was tampered with, or other theft of the utility service has been proven;
2. The meter failed to register at all; or
3. The circumstances are such that the customer should reasonably have known that the bill did not reflect the actual usage.

this section at each of the following events or time intervals:

1. Each time the equipment is moved, except if the equipment is portable meter testing equipment;
2. Each time the security seal on the equipment is broken;
3. Each time the equipment is cleaned, handled or maintained in any way that could affect its accuracy; and
4. At the following time intervals:
 - i. For all meter testing equipment, except bell provers used for ensuring accuracy of gas meters, every 12 months; and
 - ii. For bell provers, every five years.

(b) To comply with this section, a utility shall do either of the following:

1. Have its meter testing equipment tested and sealed by NJ Weights and Measures; or
2. Meet both of the following requirements:
 - i. Have its meter testing equipment tested and certified by a laboratory approved and recognized by the National Institute of Standards and Technology (NIST) with testing equipment traceable to NIST; and
 - ii. Prior to utilizing the equipment for compliance with this subchapter, submit to the Board a written approval, issued by the Superintendent of NJ Weights and Measures, accepting the laboratory that performed the certification for purposes of compliance with this subchapter.

(c) The cost of complying with this section shall be borne by the utility.

- (d) A utility shall make its meter testing equipment available at all reasonable times for inspection and/or use by Board staff or its designees.

The Board gives great weight to tests that measure meters' accuracy. Ravi Kohli v. Jersey Central Power & Light Company, 2011 N.J. PUC Lexis 116, OAL Docket No. PUC 09900-10, Final Decision (May 16, 2011).

Here, A'Meo owned [REDACTED] during the billing periods at issue. An inspection of [REDACTED] on or around March 10, 2022, revealed no leaks at the property. The meter at [REDACTED] was tested with equipment certified by the New Jersey Office of Weights and Measures. The subsequent test of that meter tested well within the acceptable limits of accuracy, which is 98.5 percent to 101.5 percent.

A'Meo argues that the meter at [REDACTED] could not have been accurate because it did not use the amount of water reflected in the May 14, 2021, water bill. Email from Patrick Antonello to Alison Minott (August 23, 2023, 11:54 EDT). A'Meo has not presented any evidence in support of its argument. In order to defeat a motion for summary decision, a party cannot rely upon self-serving conclusions that are not supported by specific facts in the record. Celotex Corp. v. Catrett, 477 U.S. 317, 325 (1986). The nonmoving party must present concrete evidence in the record that supports the essential elements of his or her case. Ibid.

Here, A'Meo has failed to present any evidence showing that Middlesex overbilled it. Its conclusion that it could not have used the amount of water billed in the May 14, 2021, water bill is not supported by any evidence in the record. Having concluded that no genuine issue of material facts remains in dispute, this matter is ripe for summary decision.

Having found that Middlesex followed proper procedures; that it inspected the [REDACTED] [REDACTED] premises and found no leaks; and that the results of the testing of Middlesex's

meter at the premises demonstrated that the meter at [REDACTED] was functioning properly, I **CONCLUDE** that the respondent Middlesex is entitled to summary decision on its motion to dismiss the petitioner's appeal. Accordingly, the appeal is dismissed.

ORDER

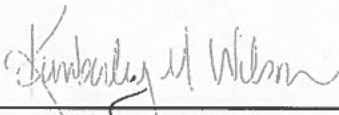
Based on the foregoing, I **ORDER** that Middlesex's motion for summary decision is **GRANTED**, and petitioner's appeal is hereby **DISMISSED**.

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.

December 4, 2023
DATE



KIMBERLEY M. WILSON, ALJ

Date Received at Agency:

December 4, 2023

Date Mailed to Parties:

12/4/23

OAL DKT. NO. PUC 01950-23

KMW/am/mph

c: Clerk, OAL-T

APPENDIX

WITNESSES

For petitioner:

None

For respondent:

None

EXHIBITS

For petitioner:

- Email dated August 23, 2023
- Email dated October 16, 2023, with twenty-four pages of billing from Middlesex Water Company
- Email dated October 23, 2023, with a signed letter regarding the billing statements from Middlesex Water Company.

For respondent:

- Letter brief dated July 24, 2023 with exhibits
- Certification of Walli McMillan dated October 16, 2023
- Certification of Jay L. Kooper dated October 26, 2023