



Agenda Date: 4/27/16
Agenda Item: VIIA

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

WATERWORKS LAUNDROMAT)	ORDER ADOPTING INITIAL DECISION
Petitioner)	AND SETTLEMENT
)	
v.)	BPU Dkt. No. EC15070853U
)	OAL Dkt. No. PUC 18813-2015N
PUBLIC SERVICE ELECTRIC & GAS COMPANY)	
Respondent)	&
)	
)	BPU Dkt. No. GC15070853U
)	OAL Dkt. No. PUC 18333-2015N

Parties of Record:

Eric S. Pennington, Esq., for Petitioner
Alexander C. Stern, Esq., for Respondent, Public Service Electric & Gas Company

BY THE BOARD:

On July 27, 2015, Waterworks Laundromat ("Petitioner") filed a petition with the Board of Public Utilities ("Board") related to a billing dispute with Public Service Electric & Gas Company ("PSE&G" or "Respondent") for gas and electric services rendered by Respondent to the Petitioner.

After the filing of Respondent's answer on September 4, 2015, 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") Caridad F. Rigo. Thereafter, Petitioner filed a first amended petition on December 30, 2015 and Respondent filed a first amended answer on January 25, 2016 with the OAL.

The parties subsequently voluntarily agreed to resolve the matter and entered into a signed Stipulation of Settlement ("Stipulation") that was submitted to the ALJ. By Initial Decision issued on April 5, 2016, and submitted to the Board on April 7, 2016, to which the Stipulation was attached and made part thereof, ALJ Rigo 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, the parties agree that on the revenue integrity department ("RID") account ending in account number 04,

Petitioner was rebilled, which resulted in an additional \$33,100.88 in charges for electric usage from 2007 to 2011; Petitioner has made payments totaling \$9,174.26; and Petitioner continues to owe \$23,926.62. PSE&G further agrees to eliminate the RID account and to consider the electric meter tampering issue associated with electric usage from 2007 to 2011 resolved.

PSE&G also agrees to credit \$67,432.53 to Petitioner's account for electric and gas services ending in account number 07, to bring the outstanding overdue balance owed to \$32,000 as of February 16, 2016. Petitioner agrees that in addition to timely paying monthly PSE&G utility bills, Petitioner will forward a \$32,000 check payable to PSE&G no later than April 15, 2016 in full satisfaction of the remaining outstanding overdue balance.

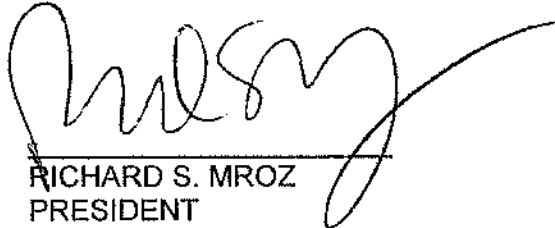
PSE&G agrees that it shall install a remote meter reading device at Petitioner's premises no later than April 30, 2016 to facilitate utility service meter readings going forward.

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.

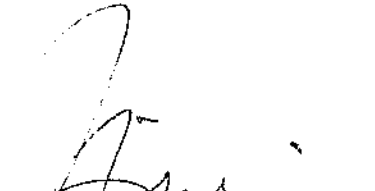
The effective date of this Order is May 7, 2016.

DATED: 4/27/16

BOARD OF PUBLIC UTILITIES
BY:



RICHARD S. MROZ
PRESIDENT



JOSEPH L. FIORDALISO
COMMISSIONER



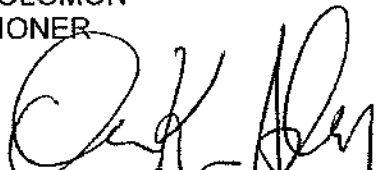
MARYANNA HOLDEN
COMMISSIONER



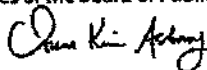
DIANNE SOLOMON
COMMISSIONER



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



WATERWORKS LAUNDROMAT

v.

PUBLIC SERVICE ELECTRIC & GAS COMPANY

**BPU Dkt. No. EC15070853U
OAL Dkt. No. PUC 18813-15**

&

**BPU Dkt. No. GC15070853U
OAL Dkt. No. PUC 18333-15**

SERVICE LIST

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MAIL RECEIVED



CMS

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 18813-15
AGENCY DKT. NO. EC15070853U
&
OAL DKT. NO. PUC 18333-15
AGENCY DKT. NO. GC15070853U

WATERWORKS LAUNDROMAT,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC AND

GAS COMPANY CO.,

Respondent.

Eric S. Pennington, Esq., for petitioner

Alexander C. Stern, Associate General Regulatory Counsel, for petitioner Public Service Electric & Gas Company (PSEG Services Corporation, attorneys)

Veronica Beke, Deputy Attorney General, for respondent Board of Public Utilities (Robert Lougy, Acting Attorney General of New Jersey, attorneys)

Record Closed: March 16, 2016

Decided: April 5, 2016

BEFORE CARIDAD F. RIGO, ALJ:

These matters were transmitted to the Office of Administrative Law on November 9, 2015, and November 16, 2015, respectively, for determination as contested cases, pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13.

The parties agreed to an amicable resolution of the matter and submitted a Stipulation of Settlement indicating the terms thereof, which is attached and fully incorporated herein.

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 signatures or their representatives' signatures.
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.

April 5, 2016 _____
DATE



CARIDAD F. RIGO, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____

lr

Attachment

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

Waterworks Laundromat)
) BPU DOCKET NO. GC15070853U ^{2015 MAR 15 P 3 13}
)
 Petitioner,) OAL DOCKET NO. 18333-2015N ^{18 P 13-2015}
)
 v.)
) STIPULATION OF SETTLEMENT
 Public Service Electric & Gas Company)
)
 Respondent.)

On or about July 30, 2015 Petitioner filed the above-referenced billing dispute. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to Petitioner's petition and the New Jersey Board of Public Utilities ("NJBP" or "Board") transmitted the matter to the Office of Administrative Law ("OAL") as a contested case for adjudication. Subsequently, Petitioner filed an amended complaint on or about December 23, 2015 and PSE&G filed an amended answer on or about January 14, 2016.

In the interests of resolving this matter without further delay, extensive effort and cost, the parties hereto agreed to settle this matter in accordance with the following terms:

1. Petitioner and Respondent agree that separate and apart from issues with Petitioner's gas meter location which is the subject of this matter, in or about August 2012, PSE&G's revenue integrity department ("RID") notified and rebilled Petitioner with respect to certain issues related to electric utility service consistent with N.J.A.C. 14:3-4.6. The rebilling resulted in an additional \$33,100.88 in charges for electric usage from 2007 to 2011. Consistent with the RID process, a separate account was established to facilitate Petitioner's repayment of charges associated with the electric meter issue (PSE&G RID account #70 13 [REDACTED]). Petitioner has made payments totaling \$9,174.26 and continues to owe \$23,926.62 related to electric usage resulting from the electric meter issue.

2. PSE&G agrees to credit \$67,432.53 to Petitioner's account for electric and gas service (PSE&G account # 65 01 [REDACTED]) to bring the outstanding overdue balance owed on the account to \$32,000.00 as of February 16, 2016.

3. PSE&G further agrees to eliminate the RID account and to consider the electric meter tampering issue associated with electric usage from 2007 to 2011 resolved.

4. Petitioner agrees that in addition to timely paying monthly PSE&G utility bills, Petitioner will forward to counsel for PSE&G a \$32,000.00 check made out to PSE&G by no later than April 15, 2016 in full satisfaction of the remaining outstanding overdue balance.

5. PSE&G agrees that it shall install a remote meter reading device at Petitioner's premise by no later than April 30, 2016 to facilitate utility service meter reading going forward.

6. If Petitioner fails to keep the agreement as set forth above, it is understood by Petitioner that PSE&G may exercise its authority in accordance with its tariff and the provisions of N.J.A.C. 14:3-3A.1 et seq.

6. This agreement is in settlement of the Petition filed by Petitioner on or about July 30, 2015.

7. The undersigned agree that this Settlement contains mutually balancing and interdependent provisions and is intended to be accepted and approved in its entirety. In the event any particular aspect of this Settlement is not accepted and approved by the Board or modified by the Board, the party that is adversely affected by the modification can either accept the modification or declare this Settlement to be null and void, and the parties shall be placed in the same position that they were in immediately prior to its execution.

PSEG SERVICES CORPORATION
Attorneys for PSE&G

DATED: 3-11-16

By: Alexander C. Stern
Alexander C. Stern, Esq.
Assistant General Regulatory Counsel

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 3-9-16

By: James T. Walsh
James T. Walsh
Senior Customer Relations Consultant

ERIC S. PENNINGTON, ESQ.
ATTORNEY AT LAW

DATED: 3-1-16

By: Eric S. Pennington
Eric S. Pennington, Esq.
Attorney for Petitioner

WATERWORKS LAUNDROMAT

DATED: 3-1-16

By: Darryl Godfrey
Darryl Godfrey, Petitioner

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Alexander C. Stern
Associate General Regulatory Counsel

Law Department
80 Park Plaza, TSG, Newark, NJ 07102-4194
tel: 973.430.5754 fax: 973.430.5983
email: alexander.stern@pseg.com



March 14, 2016

2015 MAR 16 P 2 13

Honorable Caridad F. Rigo
Office of Administrative Law
33 Washington Street
Newark, NJ 07102

Re: Waterworks Laundromat v. PSE&G
BPU Docket No.: EC15070853U
OAL Docket No.: PUC 18813-2015 N

Dear Judge Rigo:

Enclosed please find a signed Stipulation of Settlement with reference to the above-captioned matter.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alexander C. Stern".

Alexander C. Stern

SLK/jb
Enclosure

cc: Eric S. Pennington, Esq. (w/enc.)
James T. Walsh (w/cnc.)

NH 3/29/16

ERIC S. PENNINGTON, PC
ATTORNEYS & COUNSELLORS AT LAW

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Saiju George, Esq. *
SAIJU.GEORGE@EPENNINGTONLAW.COM

* ADMITTED TO PRACTICE IN NY & NJ

2016 MAR -3 A 10:03

March 3, 2016

Deputy Clerk
Office of Administrative Law
33 Washington Street
Newark, New Jersey 07102

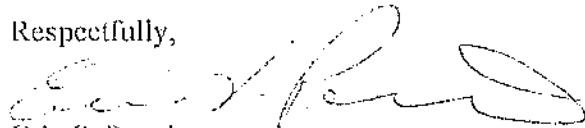
Re: Waterworks Laundromat v. Public Service Electric & Gas Company
OAL Docket No.: PUC 18333-2015 N
Agency Ref. No.: GC15070853U

Dear Deputy Clerk:

We represent Petitioner, Waterworks Laundromat and its principal, Darryl Godfrey, in the above-referenced matter. The matter was resolved via settlement at a pre-hearing conference with Judge Rigo on February 16, 2016. At that hearing, the court pointed out that there are two docket numbers for this matter, and advised that we need to consolidate the matters. The docket numbers are PUC 18333-2015N and PUC 18813-2015N. To that end, we respectfully request that both docket numbers be consolidated into PUC 18333-2015N.

Please let me know if you require anything further.

Respectfully,



Eric S. Pennington

Cc: Hon. Caridad F. Rigo, ALJ
Alexander C. Stern, Esq. - PSEG (via email)
Valerie Haynes, Chief BPU
Veronica Beke, DAG
Client (via email)

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