

Agenda Date: 5/21/14 Agenda Item: VIIC

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

PAUL NICHOLS,)	ORDER ADOPTING INITIAL
Petitioner)	DECISION SETTLEMENT
)	
V.	j	
)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	BPU Docket No. EC13050442U
Respondent)	OAL Docket No. PUC 11165-13

Parties of Record:

Paul Nichols, Petitioner, appearing <u>pro se</u> **Sheree L. Kelly, Esq.,** appearing on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On May 31, 2013, Paul Nichols, ("Petitioner"), filed a petition with the Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with Public Service Electric and Gas Company ("Respondent" or "Company") for utility services rendered by Respondent. In 2005 Petitioner discontinued service of his account ending in 31306 at the Hasbrouck Heights address. From 2005, through 2009, Petitioner continued to receive bills for that address totaling \$1,308.13. Petitioner currently resides in Lodi, New Jersey with an account ending in 43308. The Company filed an Answer denying the allegation and stating that Petitioner failed to state a claim upon which relief can be granted.

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 <u>N.J.S.A.</u> 52:14B-1 <u>et seq.</u> and <u>N.J.S.A.</u> 52:14F-1 <u>et seq.</u> This matter was assigned to Administrative Law Judge ("ALJ") Richard McGill.

Prior to a hearing, the parties agreed to settle the matter. The parties entered into and signed a Stipulation of Settlement ("Stipulation") that was submitted to ALJ McGill, in which Respondent agreed to remove the disputed amount of \$1,308.13 from the Petitioner's old residence in Hasbrouck Heights with account ending in 31306 and transferred it to his new residence in Lodi, New Jersey with an account number ending in 43308. Respondent will credit Petitioner's account ending in 43308 in the amount of \$1,308.13.

By Initial Decision issued on April 22, 2014 and submitted to the Board on April 25, 2014, to which the Stipulation was attached and made a part thereof, ALJ McGill 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.

After review of the Initial Decision, the Stipulation of Settlement of the parties, and the entire record, the Board <u>HEREBY</u> <u>FINDS</u> that the parties have voluntarily agreed to the Stipulation as evidenced by their signatures and that by the terms of the Stipulation, have fully resolved all outstanding contested issues in this matter. Accordingly, the Board <u>HEREBY</u> <u>ADOPTS</u> the Initial Decision and Stipulation of Settlement executed by the parties in their entirety as if set forth at length herein.

DATED: 5/2/14

BOARD OF PUBLIC UTILITIES BY:

DIANNE'SOLOMON PRESIDENT

JEANNE M. FOX

JOSEPH L. FIORDALISO CØMMISSIONER

COMMISSIONER

ATTEST:

KRISTI IZZO

SECRETARY

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

PAUL NICHOLS

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU Docket No. EC13050442U OAL Docket No. PUC 11165-13

SERVICE LIST

Paul Nichols 222 Garibaldi Avenue, Apt 39 Lodi, NJ 07644

Sheree L. Kelly, Esq. PSEG Services Corporation 80 Park Plaza – T5G Newark, NJ 07102-4194

Jennifer S. Hsia, DAG Department of Law and Public Safety Division of Law 124 Halsey Street Post Office Box 45029 Newark, NJ 07101-45029 Eric Hartsfield, Director Division of Customer Assistance Board of Public Utilities 44 South Clinton Avenue, 9th Floor Post Office Box 350 Trenton, NJ 08625-0350

Julie Ford, Chief Division of Customer Assistance Board of Public Utilities 44 South Clinton Avenue, 9th Floor Post Office Box 350 Trenton, NJ 08625-0350

Valerie Haynes, Chief Office of Case Management Board of Public Utilities 44 South Clinton Avenue, 9th Floor Post Office Box 350 Trenton, NJ 08625-0350



State of New Jersey

OFFICE OF ADMINISTRATIVE LAW

REC'D 2014 APR 25 PM 1 51 NJ DPU CASE MANAGEMENT

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 11165-13 AGENCY DKT. NO. EC13050442U

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ORWARD

PAUL NICHOLS,

Petitioner,

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PUBLIC SERVICE ELECTRIC AND GAS COMPANY,

Respondent.

Paul Nichols, pro se

Sheree L. Kelly, Esq., for respondent

Record Closed: April 1, 2014

Decided: April 22, 2014

BEFORE RICHARD McGILL, ALJ:

This matter is a billing dispute between Paul Nichols and Public Service Electric and Gas Company. The matter was transmitted to the Office of Administrative Law on August 2, 2013, for determination as a contested case.

Prior to hearing, 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 <u>N.J.A.C.</u> 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 <u>N.J.S.A.</u> 52:14B-10.

AM. 22, 2014

DATE

RICHARD McGill, ALJ

Date Received at Agency:

Date Mailed to Parties: ljb

STATE OF NEW JERSEY RECEIVED OFFICE OF ADMINISTRATIVE LAW

2014 APR -1 P 12:45

STATE OF NEW JERSEY OFFICE OF ADMIN. LAW

OAL Docket No. PUC 11165-2013 N BPU Docket No. EC13050442U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Paul Nichols ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises, 496 Burton Ave., Hasbrouck Heights, NJ 07604 (the "Property") and the Parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

- PSE&G agrees to remove the disputed amount of \$1308.13, from Petitioner's old residence at 496 Burton Ave., Hasbrouck Heights, NJ 07604, account ending in 313 0 6 and transfer it to his new residence at 222 Garibaldi Ave., Apt. #39, Lodi, NJ 07644, account ending in 433 0 8.
- 2. PSE&G will then credit the account ending in 433 0 8 in the amount of \$1308.13.

Petitioner: Paul Nichols

Paul Nichols

v,

Petitioner

Public Service Electric and Gas Company, Respondent

Date: 1 - 21 -

Respondent: PSE&G

By:

James T. Walsh Sr. Customer Relations

3.31-14 Date: