

Agenda Date: 2/27/19 Agenda Item: VIIB

# STATE OF NEW JERSEY

Board of Public Utilities
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

| •   |        | CUSTOMER ASSISTANCE                                       |
|---|--------|---|
| LINDA LACEY, Petitioner                             | )      | ORDER ADOPTING INITIAL DECISION                           |
| V.  | Ś      |   |
| PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent | )<br>) | BPU DOCKET NO. EC17060689U<br>OAL Docket No. PUC 03687-18 |
|   |        |   |

#### Parties of Record:

**Linda Lacey**, petitioner *pro se* **Adrian D. Newall, Esq.**, on behalf of Respondent, Public Service Electric and Gas Company

#### BY THE BOARD:

The within matter is a billing dispute between Linda Lacey ("Petitioner") and Public Service Electric and Gas Company ("PSE&G" or "Respondent"). This Order sets forth the background and procedural history of Petitioner's claims and represents the Final Order in the matter pursuant to N.J.S.A. 52:14B-20. Having reviewed the record, the Board of Public Utilities ("Board") now **ADOPTS** the Initial Decision rendered on January 10, 2019, as follows.

### PROCEDURAL HISTORY

On or about June 26, 2017, Petitioner filed a petition with the Board requesting a formal hearing. Petitioner alleged PSE&G had claimed she owed money from a previous bill, but that the company was unable to provide her with the actual bill in question.

Respondent filed an answer to the petition on August 15, 2017. The Answer averred Petitioner had failed to set forth a claim upon which relief may be granted, and requested her Petition be denied. To this end, Respondent stated that the services were supplied and billed in accordance with the terms and conditions and rate schedules set forth in its Board approved Tariff, and that no billing error was made.

On March 8, 2018, this matter was transmitted by the Board to the Office of Administrative Law ("OAL") for a hearing as a contested cased pursuant to N.J.S.A. 52:14B-1 to -15, and N.J.S.A. 52:14F-1 to -23. This matter was assigned to Administrative Law Judge ("ALJ") Kimberly A. Moss.

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Following a telephone prehearing conference, a hearing was scheduled for January 10, 2019. Following this conference, the parties reached a Settlement Agreement resolving all issues in this matter.

# **DISCUSSION AND FINDINGS**

Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, PSE&G agreed to credit Petitioner's account in the amount of \$725.16 in full and final settlement of the billing dispute.

By Initial Decision issued on January 10, 2019, and submitted to the Board on January 17, 2019, ALJ Moss found that the Stipulation was voluntary, its terms fully disposed of all issues in controversy, it was consistent with the law, and satisfied the requirements of N.J.A.C. 1:1-19.1.

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 March 9, 2019.

DATED: 2/27/19

BOARD OF PUBLIC UTILITIES

BY:

PRESIDENT

COMMISSIONER

COMMISSIONER

UPENDRA J. CHIVUKULA

COMMISSIONER

ROBERT M. GORDO COMMISSIONER

ATTEST:

SECRETARY

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# LINDA LACEY

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## PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC17060689U OAL DOCKET NO. PUC 03687-18

# **SERVICE LIST**

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JAN 172019

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

INITIAL DECISION
SETTLEMENT

OAL DKT. NO. PUC 03687-18 AGENCY DKT. NO. EC17060689U

LINDA LACEY,

Petitioner.

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**PUBLIC SERVICE ELECTRIC & GAS,** 

Respondent.

Linda Lacey, petitioner, pro se

Adrian D. Newall, Esq., on behalf of respondent

Record Closed: January 10, 2019

Decided: January 10, 2019

## BEFORE KIMBERLY A. MOSS, ALJ:

On March 9, 2018, 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 prehearing was conducted during which time the parties agreed on a hearing date. During the pendency of the January 10, 2019 hearing, the parties reached a Settlement Agreement resolving all issues in dispute. Said Agreement is attached hereto for reference.

I have reviewed the record and terms of the Stipulation of Settlement and FIND:

- 1. The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties or their representatives.
- 2. The settlement fully disposes of all issues in controversy and is consistent with law.

I CONCLUDE that the agreement meets the requirements of N.J.A.C. 1:1-19.1 and therefore, it is ORDERED that the parties comply with the settlement terms and that these proceedings be and are hereby 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.

| 1-10-19                  |                       |  |  |
|--------------------------|-----------------------|--|--|
| DATE                     | KIMBERLY A. MOSS, ALJ |  |  |
| Date Received at Agency: |                       |  |  |
| Date Mailed to Parties:  |                       |  |  |

Linda Lacey Docket No. PUC 3687-18 Public Service Electric + Gas Company (PSEIG) DOCKES EC 17060689U 5+1pulation of Settlement 1- PSETG will credit account 06 at 83 Walnu Street Floor 2 in the amount 5725.16 stipulation Settles all dicputes between the customer and PSE; o regarding the account at 83 Wailmt St , and Floor Newark, NJ: Adrian D. Newall torney for January 10, 2019