



Agenda Date: 1/28/09
Agenda Item: VIIA

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

PETER T. SHERMAN, JR., Petitioner,)	ORDER ADOPTING INITIAL DECISION
)	SETTLEMENT
v.)	
)	
JERSEY CENTRAL POWER & LIGHT COMPANY,)	BPU DOCKET NO. EC08060392U
Respondent)	OAL DOCKET NO. PUC 6214-08

(SERVICE LIST ATTACHED)

BY THE BOARD:

On June 5, 2008, Peter T. Sherman, Jr. ("Petitioner") filed a petition with the Board requesting a formal hearing related to an alleged improper billing by Jersey Central Power & Light Company ("Respondent").

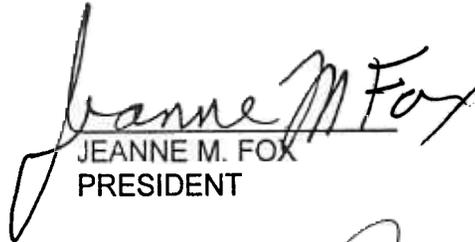
After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law ("OAL") for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge ("ALJ") Ronald W. Reba.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Stipulation") that was submitted to the ALJ. By Initial Decision issued on December 9, 2008, and submitted to the Board on December 17, 2008, to which the Stipulation was attached and made part thereof, ALJ Reba 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 their settlement, the Respondent has offered and the Petitioner has accepted a credit of \$150.00. In addition, the Petitioner has agreed to pay to Respondent the sum of \$338.93 in final payment for electric service provided at 1526 8th Avenue, Neptune, New Jersey for service provided through August 25, 2008. The parties have also agreed that these terms are in full and complete settlement of all outstanding issues and, as a result, this matter should be dismissed with prejudice.

After a review and consideration of the Initial Decision and the agreement of the parties, the Board HEREBY FINDS that, by the terms of the agreement, the parties have resolved all outstanding contested issues in this matter. Accordingly, the Board HEREBY ADOPTS the Initial Decision and agreement of the parties in their entirety as if fully set out herein.

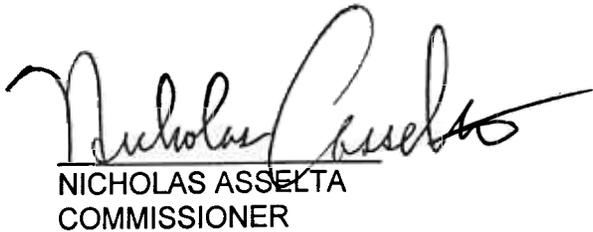
DATED: 1/28/09

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

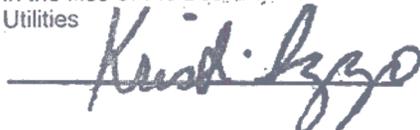

NICHOLAS ASSELTA
COMMISSIONER


ELIZABETH RANDALL
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

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



PETER T. SHERMAN, JR.
v.
JERSEY CENTRAL POWER & LIGHT COMPANY

BPU DOCKET NO. EC08060392U
OAL DOCKET NO. PUC 6214-08

SERVICE LIST

Peter T. Sherman, Jr.
808 Wakefield Road
Neptune, New Jersey 07753

Michael J. Connolly, Esq.
Morgan, Lewis & Bockius LLP
89 Headquarters Plaza North, Suite 1435
Morristown, New Jersey 07960

Eric Hartsfield, Director
Julie Ford-Williams
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Jessica L. Campbell, DAG
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102

CMS
BESLOW
RIPA
MILLER C
CAMBELL, J



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

RECEIVED
J. E. MARANO
2008 DEC 17 AM 11:50
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

~~FORA WILLIAMS~~ (C)

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 6214-08

AGENCY DKT. NO. EC08060392U

PETER T. SHERMAN JR.,

Petitioner,

v.

JERSEY CENTRAL POWER

AND LIGHT COMPANH,

Respondent.

Peter T. Sherman, Jr., petitioner pro se

Michael J. Connolly, Esq., for the respondent (Morgan, Lewis & Bockius, attorneys)

Record Closed: December 8, 2008

Decided: December 9, 2008

BEFORE RONALD W. REBA, ALJ:

This matter was transmitted to the Office of Administrative Law (OAL) on July 21, 2008, for determination 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.

The parties have agreed to a settlement and have prepared a settlement agreement indicating the terms thereof, which is attached and fully incorporated herein.

I have reviewed the record and the settlement terms and I **FIND**:

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.

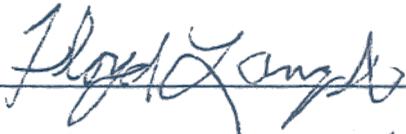
I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

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.

DECEMBER 9, 2008
DATE


RONALD W. REBA, ALJ

Date Received at Agency: 12/17/08


Mailed to Parties: 

DEC 12 2008

DATE
/cad

OFFICE OF ADMINISTRATIVE LAW

Pet T Sherman

OAL PCC U Y OF

v

BPL Docket No

E-2008-0396

Energy Co Ltd P & Light C
(JCP&L)

And on this 8th Day of December

2008, the parties hereto have

agreed to settle their dispute

as follows

A. JCP&L has offered and Mr. Sherman ("Petitioner") has accepted a good will credit of One Hundred Fifty Dollars (\$150.00); and

B. Petitioner, Mr Sherman has agreed to pay ~~the~~ Three Hundred Thirty-eight dollars and 93/100 (\$338.93) in payment of his final bill account No. [REDACTED] 2139 for electric service to 1526 8th Avenue, Neptune, New Jersey 07753. for electric service through August 25, 2008.

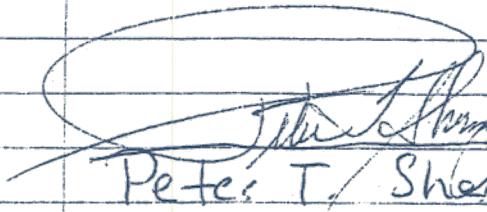
C. The parties agree that the foregoing is in full and complete settlement of the Petitioner's Petition filed in the above docketed proceeding, which shall be marked settled, with prejudice.

D. X

In Witness Whereof, the Parties hereto execute this Stipulation, the day first above written. (over)

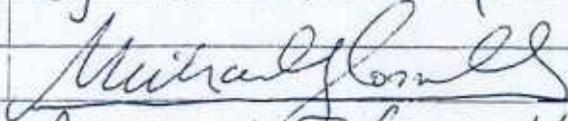
other
side)

Peter T. Sherman,
Petitioner


Peter T. Sherman

Jersey Central Power & Light Company

By its Attorney



Michael G. Connolly, Esq.
Morgan Lewis & Bockius LLP
89 Headquarters Plaza North
Suite 1435
Morristown, N.J. 07960
973-993-3132

* D. ~~Neither party admits or denies~~

This settlement is entered into by
each party without ^{admitting} and shall not be
deemed to be an Admission of liability
or responsibility by one to the other
with respect to the facts or circumstances of Petitioner's
Petition.



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW
9 Quakerbridge Plaza
P.O. Box 049
Trenton, New Jersey 08625-0049
(609) 588-6584

A copy of the administrative law judge's
decision is enclosed.

This decision was mailed to the
parties on DEC. 12 2008.

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CASE MANAGER
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NEWARK, N.J.