



Agenda Date: 11/8/07
Agenda Item: VIIC

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

CUSTOMER ASSISTANCE

JOHN BINETTI, Petitioner)	ORDER ADOPTING STIPULATION OF SETTLEMENT
)	
)	
)	
)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent)	BPU DOCKET NO. GC07080577U OAL DOCKET NO. PUC9742-07N

(SERVICE LIST ATTACHED)

BY THE BOARD:

On August 2, 2007, John Binetti (Petitioner) filed a petition with the Board disputing the bill of Public Service Electric and Gas Company (Respondent) for natural gas services.

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. On October 3, 2007, the Board was notified that this matter had been filed at OAL as a contested case and docketed on September 25, 2007. The Board and the parties were later notified that the matter had been assigned to Administrative Law Judge (ALJ) Walter M. Braswell.

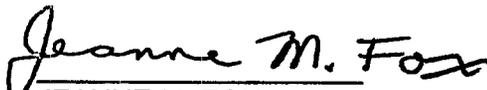
Subsequently, the parties engaged in negotiations and executed a Stipulation of Settlement (Stipulation) that was submitted directly to the Board. In order that the Stipulation could be considered in the most expeditious manner, the Board, by letter dated October 11, 2007, requested that this matter be returned by OAL pursuant to N.J.A.C. 1:1-3.3(a). Notwithstanding this request by the Board, an Initial Decision was submitted to the Board on October 18, 2007, by ALJ Braswell. For the sake of simplicity and clarity, the Board will consider the Initial Decision and ignore the October 11, 2007 letter which requested the matter to be retained by the Board.

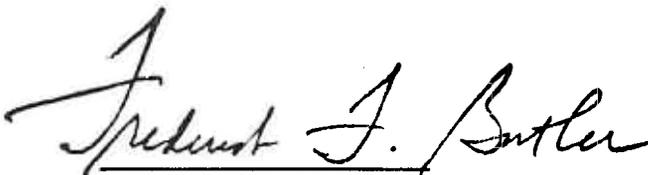
Pursuant to the terms of the Stipulation, Respondent will credit Petitioner's account in the total amount of \$270.00 leaving a remaining balance of \$155.58 which Petitioner shall pay on or before October 15, 2007. Petitioner further agreed to pay all future bills on a timely basis.

After review of the Initial Decision and the Stipulation of Settlement, the Board HEREBY FINDS that the terms of the Stipulation represent a fair and reasonable resolution of all outstanding contested issues. Accordingly, the Board HEREBY ADOPTS the Initial Decision and Stipulation in their entirety and, as a result of the agreement of the parties, HEREBY DISMISSES the petition in this matter.

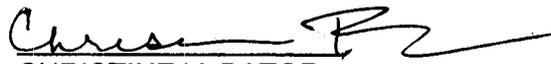
DATED: 11/9/07

BOARD OF PUBLIC UTILITIES
BY:

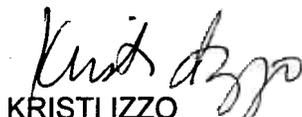

JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER

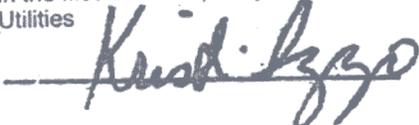

JOSEPH L. FIORDALISO
COMMISSIONER


CHRISTINE V. BATOR
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



JOHN BINETTI
v.
PUBLIC SERVICE ELECTRIC AND GAS COMPANY

SERVICE LIST

John Binetti
18 Bergen Street
Moonachie, New Jersey 07074

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

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

Arlene Pasko, DAG
Cynthia L. Miller
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

RECEIVED
MAIL ROOM
07 OCT 18 PM 2:24
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 09742-07

AGENCY DKT. NO. GC07080577U

CMS
Bbelow
RPA

PASke

FORD WILLIAMS

JOHN BINETTI,

Petitioner

v.

PUBLIC SERVICE ELECTRIC
AND GAS COMPANY



BOARD OF PUBLIC UTILITIES
NEWARK, N.J.
2007 OCT 18 PM 2:24
CASE MANAGER: [illegible]

John Binetti, pro se

Sheree L. Kelly, Esq.

(PSE&G Services Corporation)

Record Closed: October 10, 2007

Decided: October 15, 2007

BEFORE WALTER M. BRASWELL, ALJ:

On September 20, 2007, 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. The matter was scheduled for a prehearing conference on November 14, 2007. However, prior to the date of the prehearing conference the parties reached a settlement. A Stipulation indicating the terms of settlement was signed by all parties and submitted to the OAL on October 10, 2007. A copy of the Stipulation is attached and made part hereof.

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.

10-15-07

DATE

Walter M. Braswell

WALTER M. BRASWELL, ALJ

Date Received at Agency: 10-18-07

Floyd Young

Mailed to Parties:

DATE

OFFICE OF ADMINISTRATIVE LAW

ljb

COPY



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW
33 Washington Street
Newark, New Jersey 07102
(973) 648-6008
(973-648-6058)

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07 OCT 18 PM 2:24
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

Robert J. Giordano, ALJ &
Manager of Organizational Development

CASE MANAGEMENT
2007 OCT 18 PM 2:24
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

NORTH

Date OCT 16 2007

Re: Initial Decisions for Receipt

We are hereby forwarding to you the following decisions from the office of Administrative Law. **Receipt is acknowledged as of the next business day of the date indicated below.** Should a listed decision not be included in this batch, please call 973-648-6008.

OAL Docket No. PUC

Case Name

9742-07

John Binetti

Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Date: _____

Board of Public Utilities

Sheree L. Kelly
Assistant General Regulatory Counsel

Law Department
80 Park Plaza, T5G, Newark, NJ 07102-4194
tel: 973.430.6468 fax: 973.430.5983
email: sheree.kelly@pseg.com

RECEIVED
CASE MANAGER
2007 OCT -3 PM 12: 02
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.



September 25, 2007

Kristi Izzo, Secretary
NJ Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

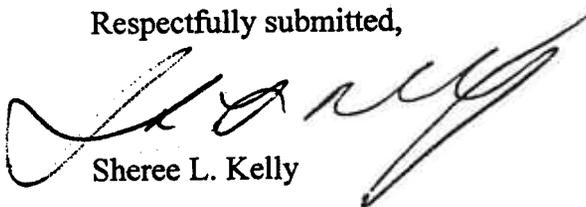
Re: John Binetti v. PSE&G
BPU Docket No. GC07080577U
Stipulation of Settlement

RECEIVED
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07 OCT -2 PM 12: 20
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

Dear Secretary Izzo:

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

Respectfully submitted,



Sheree L. Kelly

SLK/jb

cc: John Binetti
Edward B. Sullivan

DMS
Baslow
Curtis

RECEIVED
CASE MANAGER
2007 OCT -4 AM 10:
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

