



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

CUSTOMER ASSISTANCE

ADAMSON PROPERTIES, LLC.)	ORDER ADOPTING INITIAL DECISION
Petitioner,)	SETTLEMENT
)	
v.)	
)	
PUBLIC SERVICE ELECTRIC & GAS)	
COMPANY,)	BPU DOCKET NO. EC08030192U
Respondent)	OAL DOCKET NO. PUC 05906-08N

(SERVICE LIST ATTACHED)

BY THE BOARD:

On March 31, 2008, Adamson Properties, LLC (Petitioner) filed a petition with the Board of Public Utilities (Board) requesting a hearing regarding the charges of Public Service Electric and Gas Company (Respondent) for utility 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. This matter was assigned to Administrative Law Judge (ALJ) Walter M. Braswell.

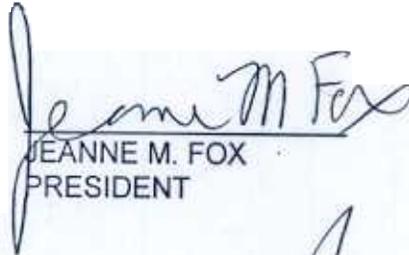
While this matter was pending at OAL, the parties engaged in negotiations and entered into and executed a Stipulation of Settlement (Stipulation) that was submitted to the ALJ. By Initial Decision issued on October 21, 2008, and submitted to the Board on October 27, 2008, to which the Stipulation was attached and made part thereof, ALJ Braswell found that the agreements set out in the Stipulation were voluntary, that their terms fully disposed of all issues in controversy and that they met the requirements of N.J.A.C. 1:1-19.1.

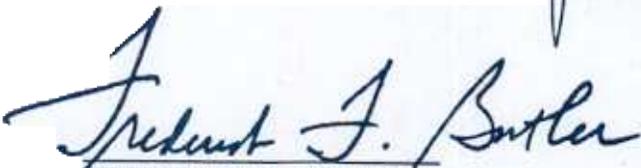
After review and consideration of the Initial Decision and the Stipulation of Settlement, which are attached hereto and made a part hereof, the Board HEREBY FINDS that the terms of the Stipulation represent a fair and reasonable resolution of all outstanding contested issues.

Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation in their entirety.

DATED: 12/9/08

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT

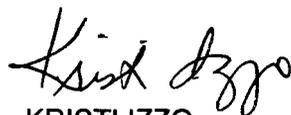

FREDERICK F. BUTLER
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

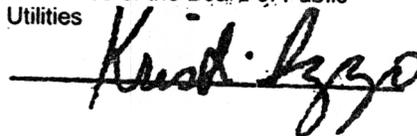

NICHOLAS ASSELTA
COMMISSIONER


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



ADAMSON PROPERTIES, LLC

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC08030192U

OAL DOCKET NO. PUC 05906-08N

SERVICE LIST

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P.O. Box 45029
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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

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BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

CMS
BESLOW
TRPA
CAMPBELL, J
FORD WILLIAMS
(2)

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 05906-08N
AGENCY DKT. NO. EC08030192U

ADAMSON PROPERTIES, LLC,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC AND GAS

COMPANY,

Respondent.

Hamdi Rifai, Esq., appearing pro se

Alexander C. Stern, Esq. appearing on behalf of respondent (PSE&G Services Corporation)

Record Closed: October 20, 2008

Decided: October 21, 2008

BEFORE WALTER M. BRASWELL, ALJ:

On May 21, 2008, 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 pre-hearing was conducted on June 9, 2008. Status conferences were also conducted on July 30 and August 4, 2008. A hearing was scheduled for September 4, 2008 which was adjourned due to petitioner's medical issues. The matter was rescheduled for February 9, 2009. Prior to the hearing date the parties reached settlement. The fully executed settlement was received by the OAL on October 20, 2008.

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.

10-21-08
DATE

Walter M. Braswell
WALTER M. BRASWELL / ALJ

Date Received at Agency: 10/17/08

Floyd H. Long
Mailed to Parties:

DATE
lib

OFFICE OF ADMINISTRATIVE LAW

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

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Adamson Properties, LLC)	OFFICE OF ADMIN LAW
)	BPU DOCKET NO. EC08030192U
Petitioner,)	OAL DOCKET NO. PUC05906-2008N
)	
v.)	
)	STIPULATION OF SETTLEMENT
Public Service Electric & Gas Company)	
)	
Respondent.)	

On or about March 31, 2008, Adamson Properties, LLC ("Petitioner" or "Adamson") filed the above-referenced billing dispute requesting, among other things, restoration of utility services. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to Adamson'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.

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. On July 21, 2008 PSE&G restored electric service under account number 41 585 400 11 ("Adamson account") to the Adamson commercial property located at 87 W. Passaic Street, City of Rochelle Park, County of Bergen, State of New Jersey (Adamson property).
2. On July 30, 2008 Adamson paid \$12,000.00 to PSE&G in partial satisfaction of past due balances owed to PSE&G for utility service provided under the Adamson account.
3. PSE&G agrees to reduce the remaining past due balance owed by Adamson to \$8,000.00.
4. PSE&G further agrees to provide Adamson with a description of the charges that Adamson receives for electric and gas distribution service and gas supply service. It is understood by Adamson and PSE&G that Adamson has enrolled with Glacial Energy of New Jersey, a third party supplier for electric supply, effective July 22, 2008. Adamson remains with PSE&G for gas supply. Therefore, for now, Adamson remains a PSE&G customer only for electric distribution service as well as natural gas

distribution and supply service. It is further understood by Adamson that PSE&G charges for service are set forth in PSE&G's NJBPU approved tariff and may change, but only upon receipt of appropriate NJBPU approval.

5. In full satisfaction of outstanding past due balances owed up and through July 22, 2008, Adamson agrees to make a lump sum payment of \$8,000.00 to PSE&G no later than August 22, 2008 ("Settlement Amount").

6. If Adamson fails to make timely payment of the \$8,000.00 settlement amount, PSE&G, having already provided notice of discontinuance for nonpayment and discontinued service prior to the filing of this matter in accordance with Board regulations; shall be authorized to discontinue service upon five (5) days notice to Adamson.

7. In addition to payment of the Settlement Amount, going forward Adamson agrees to make timely payment of PSE&G monthly utility bills for utility service so long as it remains a PSE&G customer.

8. To the extent that Adamson has registered or sworn out a criminal and/or municipal complaint or any complaint of any kind against PSE&G in connection with the discontinuance or reconnection of service to the Adamson property, Adamson further agrees to withdraw said complaint and ensure that it is dismissed.

9. This agreement is in settlement of the Petition filed by Adamson on or about March 31, 2008.

10. 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: 10/7/08

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

PSE&G

DATED:

By: Edward B. Sullivan
Edward B. Sullivan
Manager of Customer Operations

LAW OFFICES OF HAMDY RIFAI
Attorneys for Adamson Properties, LLC

DATED: 10/2/08

By: Hamdy M. Rifai
Hamdy M. Rifai, Esq.

ADAMSON PROPERTIES, LLC

DATED: 10-2-08

By: Andy Altkov 10-2-08

COPY



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

Robert J. Giordano, ALJ &
Manager of Organizational Development

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BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

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Date OCT 23 2008

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

5906-08

Adams Properties, LLC

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

Date: 10/27/08

Board of Public Utilities