



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center**  
**Newark, NJ 07102**  
**[www.nj.gov/bpu/](http://www.nj.gov/bpu/)**

CUSTOMER ASSISTANCE

CAROL KAPLAN,	)	
	)	ORDER ADOPTING INITIAL DECISION
PETITIONER,	)	
v.	)	
	)	
PUBLIC SERVICE ELECTRIC AND GAS	)	
COMPANY, _____	)	BPU DOCKET NO. GC07080641U
	)	OAL DOCKET NO. PUC 11172-07
RESPONDENT	)	

(SERVICE LIST ATTACHED)

BY THE BOARD:

On August 27, 2007, Carol Kaplan (Petitioner) filed a petition with the Board requesting a hearing regarding charges of Public Service Electric and Gas Company (Respondent) for utility services.

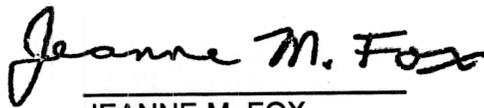
After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law (OAL) for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge (ALJ) Walter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

While this matter was pending at the OAL, the parties engaged in negotiations and executed a Stipulation of Dismissal that was submitted to the ALJ. By Initial Decision issued on March 17, 2008, and submitted to the Board on March 20, 2008, to which the Stipulation of Dismissal was attached and made part thereof, ALJ Braswell found that the agreement was voluntary, that its terms fully disposed of all issues in controversy and that it met the requirements of N.J.A.C. 1:1-19.1. Pursuant to the terms of their settlement, the Petitioner has agreed to pay the amount of \$14,000.00 in full settlement of the matter. The parties have further agreed that the matter be dismissed with prejudice.

After a review and consideration of the Initial Decision and the agreement of the parties, the Board HEREBY FINDS that the agreement represents a fair and reasonable resolution of all outstanding contested issues. Accordingly, the Board HEREBY ADOPTS the Initial Decision and agreement of the parties in their entirety as if fully set out herein.

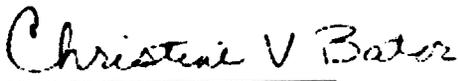
DATED: 4/9/08

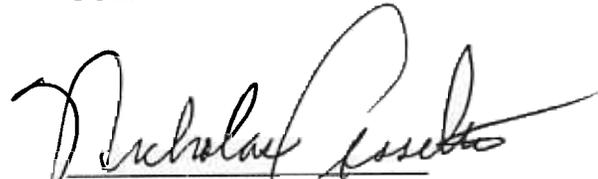
BOARD OF PUBLIC UTILITIES  
BY:

  
JEANNE M. FOX  
PRESIDENT

  
FREDERICK F. BUTLER  
COMMISSIONER

  
JOSEPH L. FIORDALISO  
COMMISSIONER

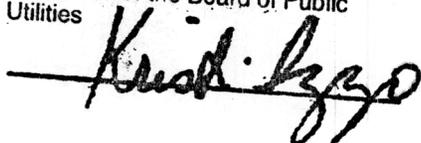
  
CHRISTINE V. BATOR  
COMMISSIONER

  
NICHOLAS ASSELTA  
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



**CAROL KAPLAN**

**v.**

**PUBLIC SERVICE ELECTRIC AND GAS COMPANY  
BPU Docket No. GC07080641U  
OAL Docket No. PUC 11172-07**

**SERVICE LIST**

Gregory G. Campisi, Esq.  
Sharkey & Campisi  
P.O. Box 419  
188 Eagle Rock Avenue  
Roseland, New Jersey 07068

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

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



State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW

CMS

BESLOW

RPA

CAMPBELL, J

~~FOTO WILLIAMS~~

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 11172-07

AGENCY DKT. NO. GC07080641U

CAROL KAPLAN,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC AND GAS

COMPANY,

Respondent.

\_\_\_\_\_  
Gregory Campisi, Esq., appearing on behalf of petitioner

Sheree Kelly, Esq. appearing on behalf of respondent (PSE&G Services Corporation)

RECEIVED  
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08 MAR 20 PM 12:22  
BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.

Record Closed: March 14, 2008

Decided: March 17, 2008

BEFORE WALTER M. BRASWELL, ALJ:

On October 15, 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 telephone prehearing on November 7, 2007 at which time the parties reached a tentative settlement. A status conference was scheduled for December 10, 2008. The Stipulation of Dismissal indicating the terms of the settlement was signed by all parties and submitted to the OAL on March 14, 2008.

have reviewed the record and terms of the Stipulation of Dismissal and **FIND**

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.

March 14, 2008  
DATE

Walter M. Braswell  
WALTER M. BRASWELL, ALJ

Date Received at Agency: 3-24-08

Floyd X. [unclear]  
Mailed to Parties:

\_\_\_\_\_  
DATE  
ljb

\_\_\_\_\_  
OFFICE OF ADMINISTRATIVE LAW

RECEIVED  
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08 MAR 29 PM 12:23  
BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.

SHARKEY & CAMPISI  
P.O. Box 419  
188 Eagle Rock Avenue  
Roseland, NJ 07068  
(973) 226-7155  
Attorneys for Petitioner

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STATE OF N.J.  
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2008 MAR 4 P 43

\_\_\_\_\_  
CAROL KAPLAN,

Petitioner,

vs.

PUBLIC SERVICE ELECTRIC  
AND GAS COMPANY,

Respondent.  
\_\_\_\_\_

STATE OF NEW JERSEY  
OFFICE OF ADMINISTRATIVE LAW  
OAL DOCKET NO.: PUC 11172-2007N

Honorable Walter M. Braswell, ALJ

STIPULATION OF DISMISSAL  
WITH PREJUDICE

The matter in difference in the above-entitled action having been amicably adjusted by and between the parties to this administrative law proceeding, it is hereby stipulated and agreed that the same be and it is hereby dismissed with prejudice and without costs against any party.

PUBLIC SERVICE ELECTRIC  
AND GAS COMPANY

By: \_\_\_\_\_

Sherée L. Kelly

PSEG Services Corporation

SHARKEY & CAMPISI  
Attorneys for Petitioner

By: \_\_\_\_\_

Gregory G. Campisi

Gregory G. Campisi

Dated: February 27, 2008

SHARKEY & CAMPISI  
ATTORNEYS AT LAW  
P. O. BOX 419  
188 EAGLE ROCK AVENUE  
ROSELAND, NEW JERSEY 07068

RECEIVED  
STATE OF NJ  
AW  
2008 MAR 4 P : 43

RICHARD G. SHARKEY  
GREGORY G. CAMPISI  
JEFFREY CAMPISI

March 11, 2008

(973) 226-7155  
Fax #: (973) 226-0167

Sheree L. Kelly, Esq.  
PSE&G - Law Department  
80 Park Plaza, T5G  
Newark, NJ 07102-4194

Re: Carol Kaplan v. Public Service Electric & Gas Company  
Billing Dispute  
Docket No. GC07080641U  
OAL Docket No. PUC 11172-07

Dear Ms. Kelly:

I have enclosed herewith two separate checks from my client totaling \$14,000 representing payment in full of the settlement in the above-referenced matter. I hope that all is well.

Very truly yours,

SHARKEY & CAMPISI

By: Greg Campisi  
Gregory G. Campisi

GGC:PCR

Enclosures

cc: Honorable Walter M. Braswell, ALJ  
Ms. Carol Kaplan

Kaplan-Kelly 031108

SHARKEY & CAMPISI

ATTORNEYS AT LAW

P. O. BOX 419

188 EAGLE ROCK AVENUE

ROSELAND, NEW JERSEY 07068

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STATE OF N.J.

2008 MAR 14 P 43

March 11, 2008

RICHARD G. SHARKEY  
GREGORY G. CAMPISI  
JEFFREY CAMPISI

(973) 226-7155  
Fax #: (973) 226-0167

William G. Speziale  
Deputy Clerk  
State of New Jersey  
Office of Administrative Law  
33 Washington Street  
Newark, NJ 07102-3011

Re: Carol Kaplan v. Public Service Electric & Gas Company  
Billing Dispute  
Docket No. GC07080641U  
OAL Docket No. PUC 11172-07

Dear Mr. Speziale:

I have enclosed herewith for filing an original and two (2) copies of a Stipulation of Dismissal with Prejudice with regard to the above-referenced matter. Kindly file the same and return a copy to my attention in the self-addressed, stamped envelope provided. Thank you very much for extending the courtesies of your office.

Very truly yours,

SHARKEY & CAMPISI  
Attorneys for Petitioner

By: Gregory G. Campisi  
Gregory G. Campisi

GGC:PCR

Enclosures

cc: Honorable Walter M. Braswell, ALJ  
Sheree L. Kelly, Esq.  
Ms. Carol Kaplan

Kaplan-Speziale 031108

92



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

CASE MANAGEMENT  
2008 MAR 24 PM 3:19

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MAIL ROOM  
08 MAR 20 PM 12:22  
BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.

# NORTH

Date MAR 18 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
<u>11172-07</u>	<u>CAROL KAPLAN</u>

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

Date: 3-24-08

Board of Public Utilities