



**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**

IRONMAN MANAGEMENT, LLC,	)	ORDER ADOPTING INITIAL DECISION
PETITIONER	)	SETTLEMENT
v.	)	
PUBLIC SERVICE ELECTRIC AND GAS	)	
COMPANY,	)	BPU DOCKET NO. GC07120954U
RESPONDENT	)	OAL DOCKET NO. PUC 03224-08

(SERVICE LIST ATTACHED)

**BY THE BOARD:**

On December 20, 2007, Ironman Management, LLC (Petitioner) filed a petition with the Board requesting a hearing regarding charges of Public Service Electric and Gas Company (Respondent) for electric services.

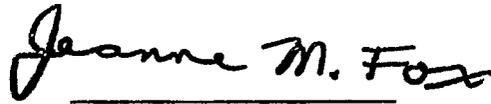
After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law (OAL) for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law (ALJ) Judge Gail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

While this matter was pending at the OAL, the parties engaged in negotiations and reached a settlement that was submitted to the ALJ. By Initial Decision issued on June 6, 2008 and submitted to the Board on June 10, 2008, to which the settlement was attached and made part thereof, ALJ Cookson 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 Respondent has agreed to credit Petitioner's account number xx xxx xxx 26 the amount of \$55,000.00 based on Petitioner's payment on August 8, 2007 of the same amount on account number xx xxx xxx 18.

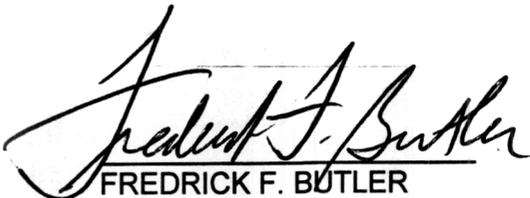
In addition, Respondent has agreed to reverse and credit to Petitioner's account numbers xx xxx xxx 26 and xx xxx xxx 38 all late payment charges and field collection charges currently totaling \$4,090.41. Petitioner, in turn, has agreed to pay the remaining balance on account number xx xxx xxx 26 on or before June 20, 2008 and to pay all future bills on a timely basis. After a review and consideration of the Initial Decision and the agreement of the parties, the Board HEREBY FINDS that the terms of the agreement represent 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: 7/14/08

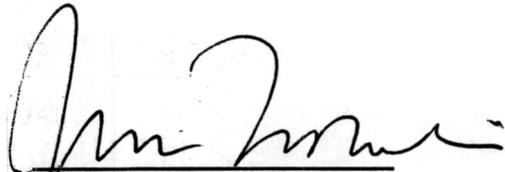
BOARD OF PUBLIC UTILITIES  
BY:



JEANNE M FOX  
PRESIDENT



FREDRICK F. BUTLER  
COMMISSIONER



JOSEPH L. FIORDALISO  
COMMISSIONER

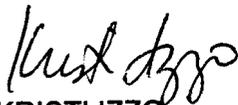


NICHOLAS ASSELTA  
COMMISSIONER



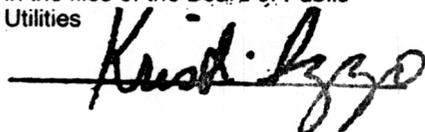
ELIZABETH RANDALL  
COMMISSIONER

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



**IRONMAN MANAGEMENT, LLC**

**v.**

**PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

**BPU Docket No. EC07120954U**

**OAL Docket No. PUC 03224-08**

**SERVICE LIST**

Jason Lembo  
Ironman Management, LLC  
700 1<sup>st</sup> Street  
Hoboken, New Jersey 07030

Ada Sachter Gallicchio, Esq.  
Lanciano & Associates, LLC  
600 Alexander Road  
Princeton, New Jersey 08540

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

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BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

CMS  
BESLOW  
CAMPBELL, J  
RPA  
~~FORN-TO-HIS-AIR~~ (6)

INITIAL DECISION  
SETTLEMENT  
OAL DKT. NO. PUC 03224-08  
AGENCY DKT. NO. EC07120954U

2008 JUN 10 11:59 AM  
08

**IRONMAN MANAGEMENT, LLC,**  
Petitioner,  
v.

**PUBLIC SERVICE ELECTRIC & GAS COMPANY,**  
Respondent.

Jason Lembo, for petitioner Ironman Management, LLC, appearing pursuant to  
N.J.A.C. 1:1-5.4(a)(5)

Sheree L. Kelly, Esq., for respondent Public Service Electric & Gas Company  
(PSE&G Services Corporate Counsel)

Record Closed: June 6, 2008

Decided: June 6, 2008

BEFORE GAIL M. COOKSON, ALJ.

On February 27, 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. The matter was scheduled to be heard on June 10, 2008. On June 2, 2008, the parties reported that they had reached a settlement and requested that an in-person settlement conference scheduled for that date and the hearing be cancelled. The parties subsequently submitted a fully executed settlement document which is

attached hereto and made part hereof. I have reviewed the record and terms of the Stipulation of Settlement and **FIND**:

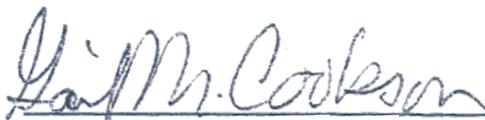
1. The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties or their representatives.
2. The settlement fully disposes of all issues in controversy and is consistent with law.

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

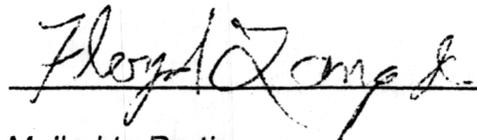
I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

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.

June 6, 2008  
DATE

  
GAIL M. COOKSON, ALJ

Date Received at Agency: 6/10/08

  
Mailed to Parties:

DATE  
jb

OFFICE OF ADMINISTRATIVE LAW

STATE OF NEW JERSEY  
OFFICE OF ADMINISTRATIVE LAW

Ironman Management, LLC  
Petitioner

v.

Public Service Electric and Gas Company,  
Respondent

OAL Docket No. PUCCC 03224-2008N  
BPU Docket No. EC07120954U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Ironman Management, LLC ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the Sky Club Fitness and Spa, located at 700 1<sup>st</sup> Street, Hoboken, NJ and the Parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

1. PSE&G will credit the Petitioner's account number [REDACTED] 26 the sum of fifty-five thousand dollars (\$55,000.00), based on Petitioner's August 8, 2007 payment of this amount on account number [REDACTED] 18.
2. All late payment charges and field collection charges on account numbers [REDACTED] 26 and account number [REDACTED] 38 shall be reversed and credited to Petitioner's account and shall not be required to be paid by Petitioner. The current total of such charges is four thousand ninety and 41/100 dollars (\$4,090.41).
3. The remaining balance on account number [REDACTED] 26 shall be paid on or before June 20, 2008 and all future bills shall be paid on a timely basis.

Petitioner: Ironman Management, LLC

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

Jason Lembo  
Managing Shareholder

Date: \_\_\_\_\_

6/3/08

Respondent: PSE&G

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

Edward B. Sullivan  
Manager Customer Operations

Date: \_\_\_\_\_

6/5/08

OPY



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

OPY

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BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.

NORTH

Date JUN 9 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

5085-08

BARBARA MONGIEMI

3224-08

IRONMAN MANAGEMENT, LLC

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

Date:

6/10/08

Board of Public Utilities