



**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

EARL GIBBS,  
Petitioner

V

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,  
Respondent

) ORDER ADOPTING INITIAL  
) DECISION SETTLEMENT  
)  
)  
)  
)  
) BPU Dkt. No. EC08121027U  
) OAL Dkt. No. PUC01998-09

Earl Gibbs, Jersey City, New Jersey, appearing *pro se*

Felix M. Khalatnikov, Esq., Newark, New Jersey, on behalf of Respondent, Public Service Electric and Gas Company,

Cynthia L.M. Holland, DAG, Division of Law, Newark, New Jersey, on behalf of the Board of Public Utilities

**BY THE BOARD:**

On December 3, 2008, Earl Gibbs ("Petitioner") filed a petition with the Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with Public Service Electric and Gas Company ("Respondent") for utility services rendered by 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") Richard McGill.

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 May 19, 2010, and submitted to the Board on May 21, 2010, to which the Stipulation was attached and made part thereof, ALJ McGill 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 the Stipulation, Respondent agreed to credit the amount of \$7,926.67 to Petitioner's account, leaving a balance of

\$2,592.00. In return, Petitioner agreed, upon receipt of the credit, to pay Respondent the remaining balance of \$2,592.00 over a period of 36 months in equal monthly installments of \$72.00. In addition, Petitioner agreed to pay all future bills, including the aforementioned installment payments, in a timely manner.

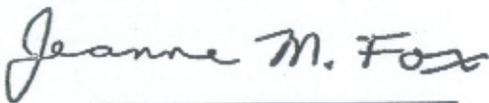
After review of the record and the Stipulation of Settlement of the parties, the Board HEREBY FINDS that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that by the terms of the Stipulation of Settlement, have fully resolved all outstanding contested issues in this matter.

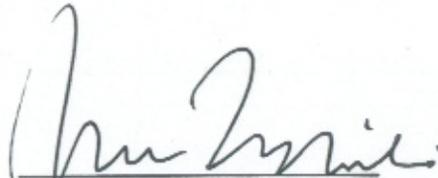
Accordingly, the Board HEREBY ADOPTS the Stipulation of Settlement executed by the parties in its entirety as if fully set forth herein.

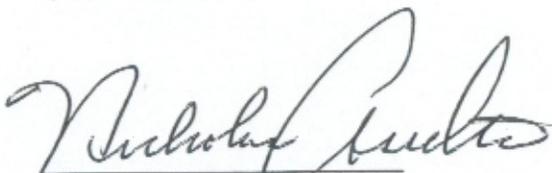
DATED: 6/21/10

BOARD OF PUBLIC UTILITIES  
BY:

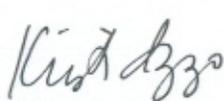
  
LEE A. SOLOMON  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

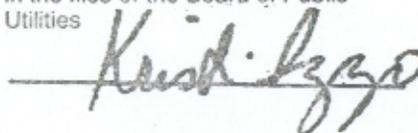
  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
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



EARL GIBBS

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC08121027U  
OAL DOCKET NO. PUC01998-09

SERVICE LIST

Earl Gibbs  
34 Long Street  
Jersey City, New Jersey 07305-2708

Felix M. Khalatnikov, Esq.  
PSEG Services Corporation  
80 Park Plaza – T5  
Newark, New Jersey 07102-4194

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

Julie Ford-Williams  
Division of Customer Assistance  
Board of Public Utilities  
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Newark, New Jersey 07102

Cynthia L.M. Holland, DAG  
Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

CMS  
BESLOW  
JPA  
HOLLAND



State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW



~~FORD WILLIAMS~~  
(2)

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 01998-09

BPU DKT. NO. EC08121027U

EARL GIBBS,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC  
AND GAS COMPANY,

Respondent.

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Earl Gibbs, pro se

Felix M. Khalatnikov, Esq., member of the New York Bar, admitted  
pro hac vice, for respondent

Attorney of Record: Alexander C. Stern, Esq.

Record Closed: May 12, 2010

Decided: May 19, 2010

BEFORE RICHARD MCGILL, ALJ:

This matter is a billing dispute between Earl Gibbs and Public Service Electric and Gas Company. The matter was transmitted to the Office of Administrative Law on February 24, 2009, for determination as a contested case.

On the hearing day, the parties agreed to an amicable resolution of the matter and subsequently submitted a Stipulation of Settlement. Having reviewed the record and the settlement terms, I **FIND** as follows:

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

Therefore, I **CONCLUDE** that the agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. Accordingly, it is **ORDERED** that the parties comply with the terms of the settlement, and it is **FURTHER ORDERED** that the proceedings in this matter 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.

May 19, 2010

\_\_\_\_\_  
DATE

Date Received at Agency: 5-21-10

*Richard McGill*

\_\_\_\_\_  
RICHARD MCGILL, ALJ

*Floyd G. ...*

\_\_\_\_\_  
Mailed to Parties:

\_\_\_\_\_  
DATE

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

cml

STATE OF NEW JERSEY  
OFFICE OF ADMINISTRATIVE LAW

Earl Gibbs

Petitioner

v.

Public Service Electric and Gas Company,  
Respondent

OAL Docket No. PUCCC 01998-2009N

BPU Docket No. EC08121027U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Earl Gibbs ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 34 Long Street, Jersey City, NJ (the "Property") and the Parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

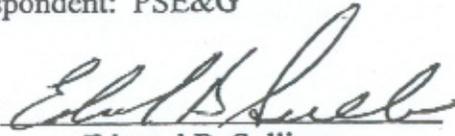
1. Petitioner's balance as of February 2010 on account no. 66 749 762 02 is \$10,512.14.
2. PSE&G agrees to credit the amount of \$7,926.67 to the above account no., which leaves a balance of \$2,592.00 for electric service.
3. Upon receiving the bill with the credit of \$7,926.67, Petitioner agrees to pay PSE&G the balance due of \$2,592.00 over a period of thirty-six (36) month installments of \$72.00 per month for thirty-six (36) months.
4. Petitioner agrees to pay all future bills, which will include the \$72.00 installments, on a timely basis.

Petitioner: Earl Gibbs

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

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

Respondent: PSE&G

By:   
Edward B. Sullivan  
Manager Customer Operations

Date: 4/2/10

By:   
Felix M. Khalatnikov  
Attorney for PSE&G

Date: 4.5.2010

Copy Letter to PSE&G Law Dept

April 19, 2010

To: Felix M Khalatnikov

Assistant General Regulatory Counsel

Here are copies of what I signed at the hearing which I printed and what I will sign. Please review and sign if agreed and forward to the court if you will.

Thank You

---

Earl Gibbs

cc: Office of Administrative Law

att: Judge Richard McGill  
OAL Docket No: PUCCC 01998-2009N  
BPU Docket No: ECo8121027U

PSE&G Settlement

State of New Jersey  
Office of Administrative Law

OFFICE OF ADMINISTRATIVE LAW  
33 WASHINGTON STREET  
NEWARK, NJ 07102

MAY 12 2010

Earl Gibbs

Petitioner

v.

Public Service Electric & Gas Co

Respondent

OAL Docket No. - PUCCC 01998-2009N

BPU Docket No. - EC08121027U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by Earl Gibbs [Petitioner] , against Public Service Electric and Gas Co. [ PSE&G Respondent] for utility service rendered to the premises 34 Long St, Jersey City, NJ. having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

1. PSE&G agree's to credit Mr Gibbs \$7926.67 for electric service
2. Upon receiving the bill with the credit of \$7926.67, Mr Gibbs will pay off the remaining balance due [ \$ 2592.00 ] over a 36 month period
3. The balance due will be paid at \$ 72.00 a month for 36 months
4. In addition, Mr Gibbs agreed to pay his current bills as they come due

PSE&G Settlement

Oa1 Docket No: PUCC 01998 - 2009N

BPU Docket No: EC08121027U

STIPULATION OF SETTLEMENT [Signature page]

Petitioner: Earl Gibbs

By:



Respondent: PSE&G

By:



Edward B Sullivan

Manager Customer Relations

Date: 4-19-10

Date: 5/10/2010

By:



Felix M. Khalatnikov

Attorney for PSE&G

Date: 5.10.2010

Earl Gibbs v. PSE&G  
OAL Docket No: PUC 01998-2009N  
Agency No: EC08121027U Settlement Agreement

PSE&G & Mr. Earl Gibbs agree to the following settlement in principal, to be formalized in a formal settlement agreement:

- PSE&G agree to credit Mr. Gibbs \$7,926.67 for electric service.
- Upon receiving the bill ~~with~~ with the credit of \$7,926.67 Mr. Gibbs will pay of the remaining balance due, \$2,592 over a 36 month period.
- The balance due will be paid \$72 a month for 36 months.
- In addition, Mr. Gibbs agreed to pay his current bills as they come due.

03/26/2010

Felix M. Khachatryan  
Felix M. Khachatryan  
PSE&G

Earl Gibbs  
Mr. Earl Gibbs

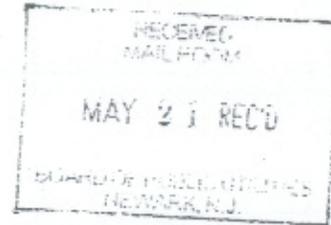
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COPY

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



NORTH

Date MAY 20 2010

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

1998-09

EARL Gibbs

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

Date: 5/21/10

F. J. J.  
Board of Public Utilities