



Agenda Date: 8/4/10  
Agenda Item: VIIB

**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

STEVEN SUSSMAN,  
Petitioner

)  
)

ORDER ADOPTING INITIAL  
DECISION SETTLEMENT

v.

)  
)

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,  
Respondent

)  
)

BPU Dkt. No. EC09120974U  
OAL Dkt. No. PUC01441-10

Steven Sussman, Cliffside Park, New Jersey, appearing *pro se*

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

BY THE BOARD

On December 7, 2009, Steven Sussman ("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") Walter M. Braswell.

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 June 16, 2010 and submitted to the Board on June 21, 2010, to which the Stipulation was attached and made part thereof, ALJ Braswell 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 \$337.39 to Petitioner's account. In return, Petitioner agreed to pay bills for electric and gas service provided by Respondent 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.

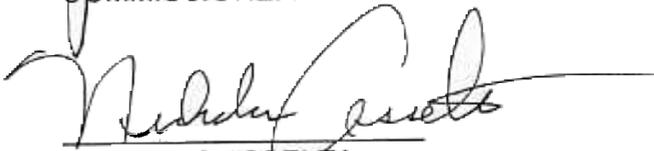
Accordingly, the Board HEREBY ADOPTS the Stipulation of Settlement executed by the parties in its entirety as if fully set forth herein.

DATED: 8/4/10

BOARD OF PUBLIC UTILITIES  
BY:

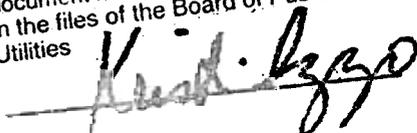


LEE A. SOLOMON  
PRESIDENT

  
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



STEVEN SUSSMAN

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC09120974U

OAL DOCKET NO. PUC01441-10

SERVICE LIST

Steven Sussman  
438a Nelson Avenue  
Cliffside Park, New Jersey 07010

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

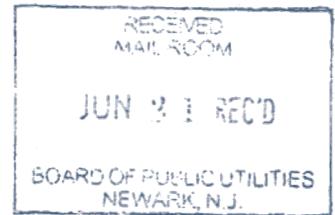
Eric Hartsfield, Director  
Julie Ford-Williams  
Division of Customer Assistance  
Board of Public Utilities  
Two Gateway Center  
Newark, New Jersey 07102

Jessica Campbell, DAG  
Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

CMS  
Beslow  
RPA  
CAMPBELL (DAG)  
FORD-WILLIAMS (2)



*State of New Jersey*  
OFFICE OF ADMINISTRATIVE LAW



**INITIAL DECISION**

**SETTLEMENT**

OAL DKT. NO. PUC 01441-10

AGENCY DKT. NO. EC09120974U

**STEVEN SUSSMAN,**

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND GAS**

**COMPANY,**

Respondent.

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Steven Sussman, petitioner, pro se

Felix Khalatnikov, Esq. appearing on behalf of respondent (PSE&G Services Corporation)

Record Closed: June 15, 2010

Decided: June 16, 2010

**BEFORE WALTER M. BRASWELL, ALJ:**

On February 2, 2010, 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 hearing was scheduled for March 29, 2010 which was adjourned due to delay in discovery. The hearing was rescheduled for June 18, 2010. Prior to the hearing date the parties reached a settlement. The Settlement Agreement was prepared and executed indicating the terms of the agreement, which are incorporated herein by reference.

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.

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 16, 2010  
DATE

Walter M. Braswell  
M. BRASWELL, ALJ

Date Received at Agency:

6/21/2010 Sonnia Thomas

Date Mailed to Parties:

\_\_\_\_\_

ljb

STATE OF NEW JERSEY  
OFFICE OF ADMINISTRATIVE LAW

Steven Sussman  
Petitioner

v.

Public Service Electric and Gas Company,  
Respondent

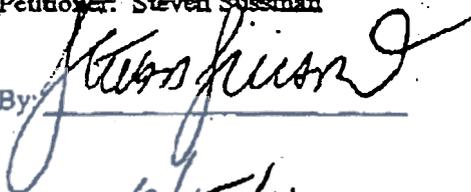
OAL Docket No. PUCCC 01441-2010N  
BPU Docket No. EC09120974U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Steven Sussman ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 438A Nelson Avenue, Cliffside Park, 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:

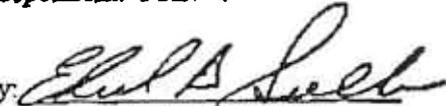
1. PSE&G agrees to credit \$337.39 on Petitioner's account no. 67 236 949 02.
2. Going forward, Petitioner agrees to pay his PSE&G bill for electric and gas service in a timely manner.

Petitioner: Steven Sussman

By: 

Date: 6/15/10

Respondent: PSE&G

By:   
Edward B. Sullivan  
Manager Customer Operations

Date: 6/15/10