



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center, Suite 801
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

BSL PARAMUS, LLC, Petitioner, v PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent. ORDER ADOPTING INITIAL DECISION SETTLEMENT BPU Dkt. No. EC10030189U OAL Dkt. No. PUC5052-10

Gerhard Bacharach, Owner, BSL Paramus, LLC, Englewood Cliffs, New Jersey, appearing pro se

Alexander C. Stern, Esq., Newark, New Jersey, on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On March 11, 2010, Gerhard Bacharach, as the owner of BSL Paramus, LLC ("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") Michael Antoniewicz.

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 August 19, 2010, and submitted to the Board on August 23, 2010, to which the Stipulation was attached and made part thereof, ALJ Antoniewicz 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, in order to fully resolve this matter and while not agreeing with the merits of the allegations, Respondent has agreed to credit the amount of \$21,000.00 to Petitioner's commercial account.

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, the parties have fully resolved all outstanding contested issues in this matter.

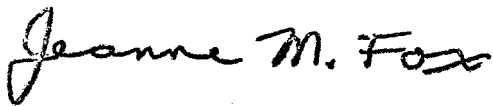
Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.

DATED: 9/16/10

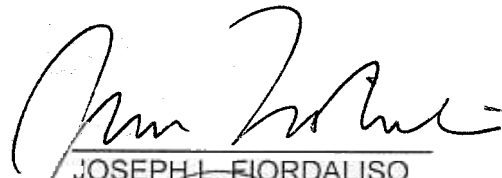
BOARD OF PUBLIC UTILITIES  
BY:



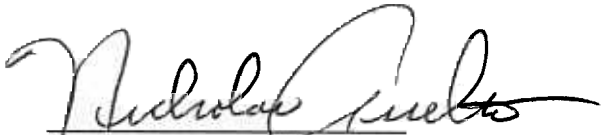
LEE A. SOLOMON  
PRESIDENT



JEANNE M. FOX  
COMMISSIONER



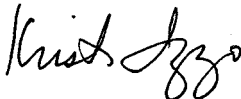
JOSEPH L. FIORDALISO  
COMMISSIONER



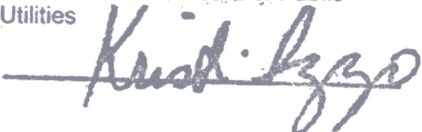
NICHOLAS ASSELTA  
COMMISSIONER



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



BSL PARAMUS, LLC

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10030189U

OAL DOCKET NO. PUC5052-10

SERVICE LIST

Gerhard Bacharach  
BSL Paramus, LLC  
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Englewood Cliffs, New Jersey 07632

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80 Park Plaza – T5G  
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Board of Public Utilities  
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P.O. Box 45029  
Newark, New Jersey 07101

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BSLOW  
RPA  
FORD WILLIAMS  
(2)



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

RECEIVED  
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10 AUG 23 PM 1:16  
BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 5052-10

AGENCY DKT. NO. EC10030189U

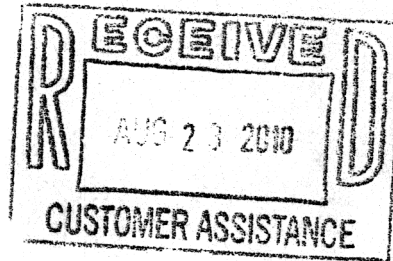
**BSL PARAMUS, LLC,**

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC  
AND GAS COMPANY,**

Respondent.



**Gerhard Bacharach, pro se**

**Alexander C. Stern, Esq., for respondent**

Record Closed: August 17, 2010

Decided: August 19, 2010

**BEFORE MICHAEL ANTONIEWICZ, ALJ:**

This matter concerns a billing dispute by petitioner BSL Paramus, LLC, against respondent Public Service Electric and Gas Company. The Board of Public Utilities transmitted this matter to the Office of Administrative Law, where it was filed on May 12, 2010, for determination as a contested case pursuant to N.J.S.A. 52:14B- to -15 and

N.J.S.A. 52:14F-1 to -13. The hearing scheduled for August 2, 2010, was adjourned at respondent's request because the parties reached an amicable agreement.

Subsequently, respondent submitted the attached Stipulation of Settlement setting forth the terms of agreement.

have reviewed the record and the settlement terms and **FIND**

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

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I approve the settlement and, therefore, **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded.

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


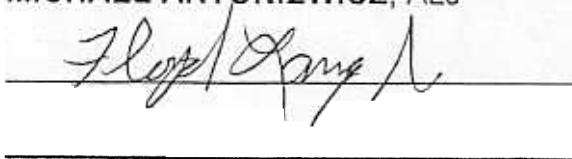
This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

August 17, 2010  
DATE

Date Received at Agency: 8-23-10

Date Mailed to Parties:

ib

  
 \_\_\_\_\_  
 MICHAEL ANTONIEWICZ, ALJ  
  
 \_\_\_\_\_

**STATE OF NEW JERSEY  
OFFICE OF ADMINISTRATIVE LAW**

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<b>BSL Paramus LLC</b>	)	<b>OAL DOCKET NO. PUC 05052-2010N</b>
<b>Petitioner,</b>	)	
	)	
<b>Public Service Electric and Gas Company</b>		<b>STIPULATION OF SETTLEMENT</b>
<b>Respondent.</b>		
<hr style="border: 0.5px solid black;"/>		

On or about April 5, 2010, BSL Paramus LLC (“Petitioner” or “BSL Paramus”) filed the above-referenced billing dispute. Public Service Electric & Gas Company (“PSE&G” or “Respondent”) filed an answer to BSL Paramus’s petition and the New Jersey Board of Public Utilities (“NJBPU” 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. Although not agreeing with the merits of the allegations expressed in the Petition, PSE&G agrees to credit Petitioner’s commercial account \$21,000.00.
2. This agreement is in full settlement of the Petition filed by BSL Paramus on or about April 5, 2010.
3. 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: 8/10/10

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

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 8/10/10

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

BSL PARAMUS LLC

DATED: Aug 5, 2010

By: Gerhard Bacharach  
Gerhard Bacharach, Owner

COPY



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

RECEIVED  
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10 AUG 23 PM 12:14  
BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.

NORTH

Date AUG 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

<u>5052-10</u>	<u>BSL PARAMUS, LLC</u>
<u>5534-10</u>	<u>World's FAIR Properties, LLC</u>

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

Date: 8-23-10

[Signature]  
Board of Public Utilities