



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

CUSTOMER ASSISTANCE

GLICKMAN FUERST CO, Petitioner v PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent
ORDER ADOPTING INITIAL DECISION SETTLEMENT
BPU Dkt. No. EC10010064U
OAL Dkt. No. PUC03601-10

Howard A. Miller, Esq., Fort Lee, New Jersey, appearing on behalf of Petitioner, Glickman Fuerst Co.

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

BY THE BOARD:

On January 27, 2010, Glickman Fuerst Co. ("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") Kimberly A. Moss.

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 11, 2010, and submitted to the Board on August 16, 2010, to which the Stipulation was attached and made part thereof, ALJ Moss 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, Petitioner agrees to pay current usage on its account with Respondent plus \$6,000.00 toward the amount due as set forth in the accounts April 2010 monthly statement, attached to the Stipulation as Exhibits P1 to

P1 to P3. The first payment by Petitioner is to be in the amount of \$16,862.13 made simultaneously with the filed Stipulation which was signed and executed by the parties on May 10, 2010. In addition to current bills, subsequent payments on the past due amount shall be made in \$6,000.00 monthly installments, due the same day as the current bills, although the last payment on the past due amount may be less than \$6,000.00 but sufficient to cover the balance of the remaining past due amount. In return, Respondent has agreed that Petitioner's service will not be discontinued if the agreed upon payment terms are satisfied.

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.

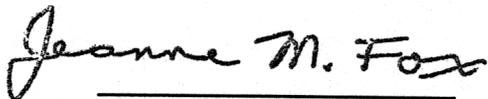
Accordingly, the Board HEREBY ADOPTS the Stipulation of Settlement executed by the parties in its entirety as if fully set forth herein.

DATED: 9/16/10

BOARD OF PUBLIC UTILITIES
BY:



LEE A. SOLOMON
PRESIDENT



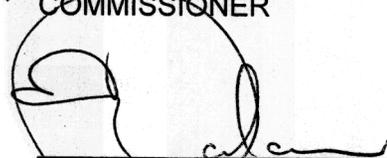
JEANNE M. FOX
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER

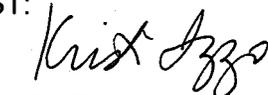


NICHOLAS ASSELTA
COMMISSIONER



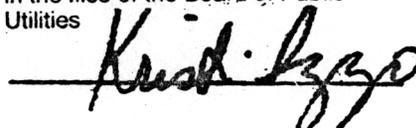
ELIZABETH RANDALL
COMMISSIONER

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



GLICKMAN FUERST CO.

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10010064U

OAL DOCKET NO. PUC03601-10

SERVICE LIST

Howard A. Miller, Esq.
400 West Street
Fort Lee, New Jersey 07024-5028

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

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

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OF PUBLIC UTILITIES
NEWARK, N. J.



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

CMS
BROWN
RPS
FORN. W. A. M. S.
(2)

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 03601-10

AGENCY DKT. NO. EC10010064U

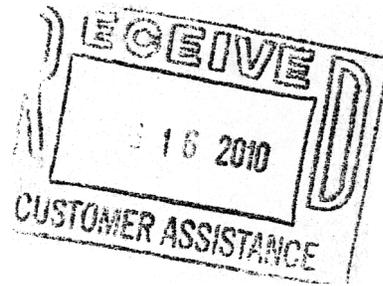
GLICKMAN FUERST CO.,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,**

Respondent.



Howard A. Miller, Esq. on behalf of petitioner

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

Record Closed: August 6, 2010

Decided: August 11, 2010

BEFORE KIMBERLY A. MOSS, ALJ:

On April 14, 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. An In Person Prehearing was scheduled for May 11, 2010. Prior to the prehearing petitioner's counsel advised that the parties reached a settlement. A Settlement Agreement was prepared and executed indicating the terms of the agreement, which are incorporated herein by reference.

have reviewed the record and terms of the Stipulation of Settlement and **FIND:**

The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties or their representatives.

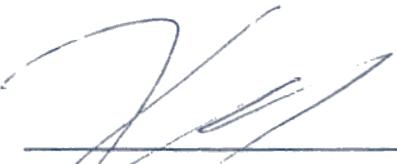
- 2. The settlement fully disposes of all issues in controversy and is consistent with law

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.

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.

8/11/10
DATE


KIMBERLY A. MOSS, ALJ

Date Received at Agency: 8-16-10



Date Mailed to Parties:

ljb

HOWARD A. MILLER, ESQ.
400 WEST STREET
FORT LEE, NEW JERSEY 07024-5028
Telephone: (201) 530-9100
Facsimile: (201) 530-9200
E-mail: hamesq@hamesq.net
Attorney for Petitioner

Account Holder 300 Sylvan Avenue, LLC;
formerly under the name of Glickman-Fuerst,
Co.;

Petitioner;

v.

Public Service Electric and Gas Company,

Respondent.

In re PSE&G Account № 42 008 937 03

STATE OF NEW JERSEY
Office of Administrative Law
33 Washington Street
Newark, NJ 07102
Tel: (973) 648-6003

OAL Docket № PUCC 03601-2010N
Agency Ref. № EC10010064U

**STIPULATION OF SETTLEMENT OF
BILLING DISPUTE**

As indicated by the signatures of their respective attorneys which are affixed below, Howard A. Miller, Esq.; for the Petitioner and Felix M. Khalatnikov, Esq. for the Respondent; the parties have reached an amicable solution to their differences in the matter above captioned along the following terms:

1. The Petitioner agrees to pay current usage on its account with Respondent plus \$6,000.00 toward the amount past due as set forth in the account's April 2010 monthly statement, a copy of which is annexed hereto as Exhibit P1 to P3;
2. The first payment from Petitioner to Respondent pursuant to the terms set forth in ¶1 shall be \$16,862.13 and which shall be made simultaneously with this Stipulation being filed;
3. All subsequent monthly payments as required until the amount past due is paid will be made in \$6,000.00 monthly installments except for the last payment which shall be in an amount less than \$6,000.00 but sufficient to pay the balance of the past due which remains;

OAL Docket № PUECC 03601-2010N
Agency Ref. № EC10010064U
STIPULATION OF SETTLEMENT OF BILLING DISPUTE

- 4 The payments described in ¶3 shall be due no later than the date payment is due as set forth on the account's monthly bills;
- 5 The Petitioner must also pay the current usage for each month which shall also be due no later than the date payment is due as set forth on the account's monthly bills;
- 6 As long as Petitioner maintains payments pursuant to the terms set forth in this Stipulation of Settlement, Respondent agrees not to discontinue service to the property owned by Petitioner and located at 300 Sylvan Avenue, Englewood Cliffs, New Jersey.

May 10, 2010
DATED: April , 2010

FMK

 Felix M. Khalatnikov, Esq.
 Attorney for Respondent Public Service Electric and Gas
 PSE&G SERVICES CORP.
 80 Park Plaza
 Newark, NJ 07102-4194
 Tel: (973) 430-6163
 Fmail: Felix.Khalatnikov@PSEG.com

May 10, 2010
DATED: April , 2010

Howard A. Miller

 Howard A. Miller, Esq.
 Attorney for Petitioner
 400 West Street
 Fort Lee, NJ 07024-5028
 Telephone: (201) 530-9100
 Facsimile: (201) 530-9200
 E-mail: hamesq@hamesq.net

DATED: May 10, 2010

Edward B. Sullivan

 Edward B. Sullivan
 Mgr. Customer Operations Regulatory
 PSEG Services Corporation
 80 Park Plaza
 Newark, NJ 07102
 Tel: (973) 430-6170
 Email: Edward.Sullivan@pseg.com

Monthly Statement
APRIL 2010

Account number 42 008 937 03

Invoice number: 600800676854

For service at
300 SYLVAN AVE
ENGLEWOOD CLIFFS BORO NJ
07632-2525

42 008 937 03

300 SYLVAN AVENUE LLC
440 WEST ST
FORT LEE NJ 07024-5028

24-hour customer service
1 800 436-PSEG(7734)

Visit our website
www.pseg.com

Inquiries by mail
PSE&G
PO Box 14444
New Brunswick NJ 08906-4444

Important Dates
Your payment is due
April 29, 2010

Your meter(s) are scheduled to be
read on or about May 11.

Account Summary

PSE&G balance from last bill	\$71,284.45
Payment received Mar 30 - Thank You!	-10,000.00
Current PSE&G - Electric charges for 1 meter	10,862.13
Total Amount Due On Apr 29, 2010	\$72,146.58

Save time and paper. Manage your PSE&G account online. View and pay your bill, sign up for Paperless Billing, schedule service appointments, analyze your home energy use and more. Register for My Account at pseg.com.

Help keep our employees safe. Please put dogs and other animals behind closed doors when our employees visit your home.

PSE&G reports payment history information to credit reporting agencies for commercial and industrial customer accounts.

4200893703 0072146583 00612844593



To help us make things work for you... Please... Return this portion with your payment. Make checks payable to PSE&G. Do not write on, staple, paper clip or tape payment to the coupon. Be sure payment address shows through window.

300 SYLVAN AVENUE LLC
440 WEST ST
FORT LEE NJ 07024-5028

42 008 937 03

Total Amount Due On Apr 29, 2010 \$72,146.58

PSE&G CO
PO BOX 14101
NEW BRUNSWICK NJ 08906-4101



\$

Amount enclosed

April 2010

Page 2 of 3

Account number 42 008 937 03

Invoice number: 600800676854

24-hour customer service and emergencies 1 800 436-PSEG (7734)

Electronic Check Conversion

When you pay by check, you authorize PSE&G to either use your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction. Funds may be withdrawn from your account the same day we receive your payment. Your check will not be returned from your financial institution. If you do not wish to participate, call 1-800-436-PSEG.

Customer Service Centers

Open Monday through Friday, during the hours noted.

Bayonne, 608 Broadway	8am to 4:00pm
Burlington, 501 High Street	8am to 4:00pm
Camden, 1 Port Center	8am to 4:00pm
Elizabeth, 550 N. Broad Street	8am to 4:00pm
Hackensack, 214 Hudson Street	8am to 4:00pm
Hoboken, 615 Washington Street	8am to 4:00pm
Jersey City, 3 Poth Plaza	8am to 4:00pm
Newark, 80 Park Plaza	8am to 4:00pm
New Brunswick, 1 Penn Plaza (Rt.27)	8am to 4:00pm
West Orange, 59 Main St	8am to 4:00pm
Passaic, 651 Main Ave	8am to 4:00pm
Paterson, 301 Main St (30 Clark St)	8am to 4:00pm
Perth Amboy, 313 Madison Ave.	8am to 4:00pm
Plainfield, 120 West Seventh Street	8am to 4:00pm
Trenton, 15 West State Street	8am to 4:00pm
Union City, 4808 Bergenline Avenue	8am to 4:00pm

TDD number for the hearing impaired 1 800 225-0072

Bill Form Definitions

Service Charge: A fixed monthly charge related to metering, billing and account maintenance.

Distribution Charges (Gas): Charges related to delivering gas through pipes from supply sources to the customer. These charges include a therm component, and in November through March on certain rate schedules, also include a demand component.

Bill Form Definitions (continued)

Balancing Charge (Gas): This charge reflects storage related costs associated with winter gas use. This charge is only applicable in the billing months of November through March.

Demand (Gas): The highest average daily use of gas over the most recent billing months of November to March.

Supply (Gas): Charges for customers who do not choose a competitive gas supplier are called Basic Gas Supply Service (BGSS). The charges include the cost of the natural gas as well as the cost of interstate delivery of the gas to New Jersey.

Distribution Charges (Electric): Charges related to delivering electricity through wires from supply sources to the customer. These charges include both kilowatthour (kWh) and demand (kW) components.

Measured Demand (Electric): The maximum use of electricity at any time during a month or monthly time period (on or off-peak).

Annual Demand (Electric):
(For Rate HTS): The highest Measured Demand over the most recent 12 months.
(For Rates MD, ED, LPLS, LPLP): The highest Measured Demand in any time period in the current month.

Summer Demand (Electric): The Measured Demand (excluding off-peak) in each billing month of June through September.

Societal Benefits: This charge recovers the cost of government mandated programs designed to achieve public policy goals, such as energy conservation.

Securitization Transition: This charge recovers costs and associated taxes for transition bonds and for BGS transition bonds collected by PSE&G as servicer on behalf of PSE&G Transition Funding LLC and PSE&G Transition Funding II LLC, respectively.

Supply Capacity (Electric): A customer's share of the generation and transmission facilities, measured in kilowatts (kW), which must be procured to serve the system annual peak usage. The customer's share is calculated from the customer's peak usage in the prior year's summer. For new customers without prior summer usage the share is calculated from connected load.

Supply (Electric): Charges for customers who do not choose a competitive electric supplier are called Basic Generation Service (BGS). The charges include the energy as well as the generation and transmission facilities necessary to produce and transmit the energy.

April 2010
 Account number 42 008 937 03 Invoice number: 600800676854
 24-hour customer service and emergencies 1 800 436-PSEG (7734) Page 3 of 3

PSE&G Electric

Usage	Meter 778011386	Charges	PoD ID: PE000009414894756234	Rate - LPLS
Reading Apr 12				
Actual On-Peak	12752	Delivery		
Actual Off-Peak1	1934	Service charge		
Actual Off-Peak2	9712	Distribution charges		
Reading Mar 11				
Actual On-Peak	12576	Annual Demand	200.00 kW @ \$3.34100000	668.20
Actual Off-Peak1	1898	kWh - On-peak	35200 kWh @ \$0.005105114	179.70
Actual Off-Peak2	9536	kWh - Off-peak	42400 kWh @ \$0.005104953	216.45
Multiplier	200	Societal Benefits	77600 kWh @ \$0.007568041	587.28
On-peak kWh	35200	Securitization Transition	77600 kWh @ \$0.012068041	936.48
Off-peak kWh	42400	Sub-Total Delivery		
Total kWh	77600	Supply*		
Distribution Demands				
Annual Demand kW	200.00	BGS Capacity		
Measured Demands				
On-Peak kW	200.00	Generation	168.98 kW @ \$5.123209847	866.72
Off-Peak1 kW	176.00	Transmission	152.08 kW @ \$1.963048195	298.56
Off-Peak2 kW	184.00	BGS Energy		
Constant	200	On-peak	22000 kWh @ \$0.102810000	2,261.82
Supply Capacity				
Generation kW	168.98	Next	13200 kWh @ \$0.102740909	1,356.18
Transmission kW	152.08	Off-peak	26400 kWh @ \$0.073287879	1,934.80
Total electric charges				
				\$10,862.13
*The total supply amount (\$7,888.58) is your Price to Compare for this month should you consider another electric supplier for these services. Your Price to Compare varies each month depending upon your usage pattern.				

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

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10 AUG 13 PM 12:59
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

NORTH

Date AUG 12 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

3601-10

Glickman Fuerst Co.

1794-10

CHARMANE L. DAVIS

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

Date:

8-16-10

Board of Public Utilities

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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 &
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