



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

CUSTOMER ASSISTANCE

MARTIN ROSENBLUM,)	ORDER ADOPTING INITIAL
Petitioner,)	DECISION SETTLEMENT
)	
V.)	
)	
ELIZABETHTOWN GAS,)	
Respondent.)	BPU Dkt. No. GC09040313U
)	OAL Dkt. No. PUC08514-10

Martin Rosenblum, Edison, New Jersey, appearing *pro se*

Deborah M. Franco, Esq., Garden City, New York, and Mary Patricia Keefe, Esq., Berkeley Heights, New Jersey, on behalf of Respondent, Elizabethtown Gas

BY THE BOARD:

On April 14 2009, Martin Rosenblum (“Petitioner”) filed a petition with the New Jersey Board of Public Utilities (“Board”) requesting a formal hearing related to a billing dispute with Elizabethtown Gas (“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 November 29, 2010, and submitted to the Board on December 2, 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, and in order to resolve this matter without the need for future litigation and without agreeing to the merits of the allegations expressed in the petition, Respondent agreed to reduce the disputed amount by approximately fifty (50) percent resulting in an outstanding balance of \$1,250.00. In return, Petitioner has agreed to pay said balance under a two-year deferred payment agreement.

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

DATED: 1/19/11

BOARD OF PUBLIC UTILITIES
BY:

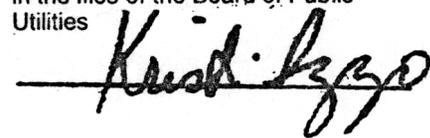

LEE A. SOLOMON
PRESIDENT


JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
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


MARTIN ROSENBLUM

V.

ELIZABETHTOWN GAS

BPU DOCKET NO. GC09040313U

OAL DOCKET NO. PUC8514-10

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

10 DEC -2, 11:15
BOARD

CMS
E. BESLOW
DAG(2)
RPA
J. FORD-Williams
Cust. ASST.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 08514-10

AGENCY DKT. NO. GC09040313U

MARTIN ROSENBLUM,

Petitioner,

v.

ELIZABETHTOWN GAS,

Respondent.

Martin Rosenblum, petitioner, pro se

Deborah Franco, Esq. and Mary Patricia Keefe, Vice President and Assistant
Corporate Secretary on behalf of respondent (Elizabethtown Gas)

Record Closed: November 29, 2010

Decided: November 29, 2010

BEFORE KIMBERLY A. MOSS, ALJ:

On August 13, 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 telephone prehearing was scheduled for October 7, 2010. Prior to the prehearing the parties resolved the matter and requested an adjournment. On November 29, 2010 the parties submitted the fully executed Stipulation of Settlement 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**:

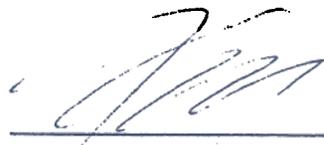
- 1 The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties or their representatives.
2. The settlement fully disposes of all issues in controversy and is consistent with law.

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.

11/29/10
DATE


KIMBERLY A. MOSS, ALJ

Date Received at Agency:

12-2-2010

Date Mailed to Parties

ljb

in its entirety. In the event any particular aspect of this Stipulation 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 Stipulation to be null and void, and the parties shall be placed in the same position that they were in immediately prior to its execution.

**PIVOTAL UTILITY HOLDINGS, INC.
D/B/A ELIZABETHTOWN GAS**

By: Mary Patricia Keefe
Mary Patricia Keefe
Vice President and Assistant
Corporate Secretary

Dated: November 18, 2010

By: _____
Martin Rosenblum
Dated: November __, 2010