



Agenda Date: 2/10/11
Agenda Item: VIIA

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

CUSTOMER ASSISTANCE

DELORES THOMAS,
Petitioner

ORDER ADOPTING INITIAL
DECISION SETTLEMENT

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)
Respondent

BPU Docket No. EC10060407U
OAL Docket No. PUC8518-10

Charles Bowers, MD, on behalf of his mother, Delores Thomas, Springfield, 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 June 16, 2010, Delores Thomas ("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 January 5, 2011, and submitted to the Board on January 7, 2011, 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, and in order to fully resolve this matter, Respondent will install remotely read meters. Petitioner has agreed to pay \$1,500.00 against the outstanding balance due, as of October 22, 2010, which is \$11,203.94, and has further agreed to pay \$333.33 for eighteen (18) months for a total of \$6,000.00 against the outstanding amount due of \$9,703.94 (\$11,203.94 less the \$1,500.00

payment). In return, Respondent will credit the account for the remaining \$3,703.94. Petitioner has also agreed to terminate service in the name of Delores Thomas and reinstate that service in the name of Janine Augustus, who agreed to stay current on all new bills as they become due.

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: 2/10/11

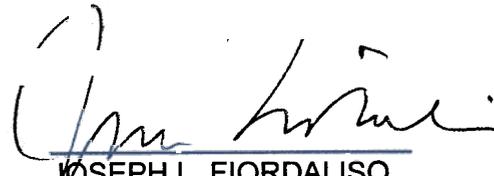
BOARD OF PUBLIC UTILITIES
BY:



LEE A. SOLOMON
PRESIDENT



JEANNE M. FOX
COMMISSIONER



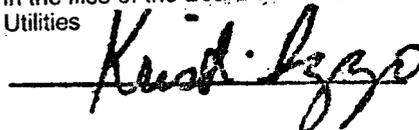
JOSEPH L. FIORDALISO
COMMISSIONER



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



DELORES THOMAS

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10060407U

OAL DOCKET NO. PUC8518-10

SERVICE LIST

Delores Thomas
c/o Charles Bowers, MD
312 Briant Park Avenue
Springfield, New Jersey 07081

Alexander C. Stern, Esq.
PSEG Services Corporation
80 Park Plaza – T5G
Newark, New Jersey 07102-4194

Eric Hartsfield, Director
Julie Ford-Williams
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center – Suite 801
Newark, New Jersey 07102

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



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

RECEIVED
MAIL ROOM
11 JAN 13 AM 9:45
OFFICE OF PUBLIC UTILITIES
NEWARK, N.J.

*CMS
Beslow
Vachin
DAB
RPA
Lee-Thomas
Customer Asst
Jrd-Williams*

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 8518-10

AGENCY DKT. NO. EC10060407U

DOLORES THOMAS,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC

AND GAS COMPANY,

Respondent.

Charles Bowers, M.D., son of Dolores Thomas, appearing pro se

Alexander C. Stern, Esq., appearing for respondent

Record Closed: January 4, 2011

Decided: January 5, 2011

BEFORE MICHAEL ANTONIEWICZ, ALJ:

This matter concerns a billing dispute by petitioner Dolores Thomas 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 August 13, 2010, for determination 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 conference was held on September 23, 2010, with Felix M. Khalatnikov, Esq. and Ethelyn Bowers. During the conference, Ms.

Bowers indicated that Ms. Thomas appointed Charles Bowers, M.D., Power of Attorney and would forward a copy of that document to this office, which was received on November 3, 2010. The matter was scheduled for hearing on December 20, 2010. Prior to the hearing, the parties engaged in settlement discussions toward an amicable resolution of this matter. Subsequently, under letter dated December 30, 2010, counsel for respondent submitted the attached Stipulation of Settlement setting forth the terms of agreement.

I 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.

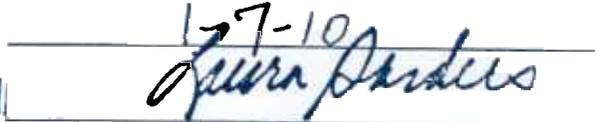
hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

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.

1/5/11
DATE


MICHAEL ANTONIEWICZ, ALJ

Date Received at Agency:

1-7-10


Date Mailed to Parties:
jb

JAN - 7 2011

DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

RECEIVED

2011 JAN -4 P 4:21

Dolores Thomas)
) Petitioner)
))
v.)
))
Public Service Electric and Gas Company,)
) Respondent)

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW
OAL Docket No. EC10060407U
BPU Docket No. EC10060407U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Dolores Thomas ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 175 Forest Hill Road, West Orange, 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 will install remotely read meters;
2. Petitioners will pay \$1,500 against the outstanding amount due, as of October 22, 2010 which is \$11,203.94;
3. Petitioners agree to pay \$333.33 for 18 months for a total of \$6,000 against the outstanding amount due of \$9,703.94 (\$11,203.94 less \$1500.00 payment);
4. Petitioners agree to terminate service in Dolores Thomas' name and reinstate service in Janine Augustus' name. Janine Augustus agrees to stay current on all new bills as they come due; and
5. PSE&G agrees to credit account # 66 18 [REDACTED], in the amount of \$3,703.94.

Petitioner: Dolores Thomas
By: Charles R. Byer POA

Respondent: PSE&G
By: Edward B. Sullivan
 Edward B. Sullivan
 Manager Customer Operations

Date: 12/19/2010

Date: 12/29/10

Janine Augustus
By: Janine Augustus
Date: 12/19/2010