



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

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

CUSTOMER ASSISTANCE

LORETTA HICKS,
Petitioner

)
)

ORDER ADOPTING INITIAL
DECISION SETTLEMENT

V

)
)

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,
Respondent

)
)
)

BPU Dkt. No. EC10070492U
OAL Dkt. No. PUC10090-10

Loretta Hicks, Trenton, 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 July 23 2010, Loretta Hicks ("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") Lisa James-Beavers

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 19, 2010, and submitted to the Board on November 23, 2010, to which the Stipulation was attached and made part thereof, ALJ James-Beavers 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 indicated its agreement with Petitioner's complaint related to estimated charges and, therefore, eliminated such charges. This action led to a balance of \$1,775.04 after September 8, 2010 monthly charges were deducted. In addition, the parties agreed that after

the October 8, 2010 bill consisting of \$31.54 for gas service, \$44.15 for electric service and \$12.08 for the Worry Free Contract, Petitioner's account has a current credit balance of \$1,687.27.

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.

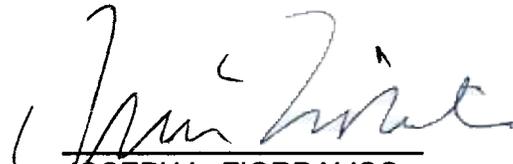
Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.

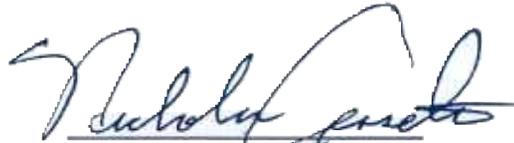
DATED: 2/10/11

BOARD OF PUBLIC UTILITIES
BY:


LEE A. SOLOMON
PRESIDENT

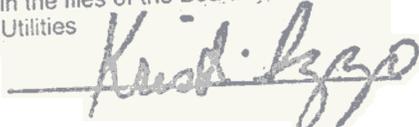

JEANNE M. FOX
COMMISSIONER


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



LORETTA HICKS

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10070492U

OAL DOCKET NO. PUC10090-10

SERVICE LIST

Loretta Hicks
228 Tyler Street
Trenton, New Jersey 08609

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
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Newark, New Jersey 07102

Anne M. Shatto, DAG
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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW



INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 10090-2010

AGENCY DKT. NO. EC10070492U

LORETTA HICKS,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC AND

GAS COMPANY,

Respondent.

Peter Fless, Jr., Esq., for petitioner

Felix M. Khalatnikov, Esq., for respondent

Record Closed: November 3, 2010

Decided: November 19, 2010

BEFORE LISA JAMES-BEAVERS, ALJ:

STATEMENT OF THE CASE

This case concerns a billing dispute between petitioner Loretta Hicks and respondent Public Service Electric and Gas Company. The parties agreed to a settlement of all issues in dispute and prepared a settlement agreement, which I have

attached and fully incorporated herein.

PROCEDURAL HISTORY

On or about July 23, 2010, Hicks filed a Petition with the Board of Public Utilities (BPU) for a Formal Hearing pursuant to N.J.A.C. 14:1-1 et seq. contending that the charges attributed to her by respondent PSE&G were incorrect.

The Board transmitted the matter to the Office of Administrative Law for a formal hearing. It was filed on September 20, 2010. Prior to the scheduling of a hearing, counsel informed me that the case had been settled and forwarded the attached Stipulation of Settlement.

FINDINGS OF FACT

I have reviewed the record and the terms of settlement 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.

I 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.

November 19, 2010
DATE


LISA JAMES-BEAVERS, ALJ

NOV 23 2010

Date Received at Agency: _____

Date Mailed to Parties: _____

cmo

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

_____)
Loretta Hicks)
Petitioner)
)
v.)
)
Public Service Electric and Gas Company,)
Respondent)
_____)

OAL Docket No. PUC 10090-2010S
BPU Docket No. EC10070492U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Loretta Hicks ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 228 Tyler Street, Trenton, NJ 08609 (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 with Petitioner's Complaint of estimated charges on account no. [REDACTED]. All estimated charges were eliminated.
2. Petitioner's balance after September 8, 2010 monthly charges were deducted was a credit balance of \$1,775.04.
3. After October 8, 2010 bill, of \$31.54 for gas, \$44.15 for electric and \$12.08 for the Worry Free Contract, the account has a current credit balance of \$1,687.27.

Petitioner: Loretta Hicks

Respondent: PSE&G

By: Loretta Hicks

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

Date: 10/25/10

Date: 11/2/10

