



Agenda Date: 2/10/11
Agenda Item: VIII E

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

CUSTOMER ASSISTANCE

PILAR DOMINGUEZ,
Petitioner

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,
Respondent

ORDER ADOPTING INITIAL
DECISION SETTLEMENT

BPU Docket No. EC10090654U
OAL Docket No. PUC12118-10

Pilar Dominguez, Bellville, 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 September 9, 2010, Pilar Dominguez ("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 December 23, 2010, and submitted to the Board on December 29, 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 credit \$961.00 to Petitioner's account as of November 23, 2010, leaving a balance due for electric and gas service of \$76.86 as of that date. In return, Petitioner has agreed to continue to timely pay her bills for electric and gas service rendered by Respondent.

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

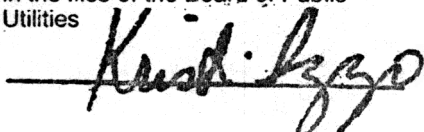

JEANNE M. FOX
COMMISSIONER


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



PILAR DOMINGUEZ

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10090654U

OAL DOCKET NO. PUC12118-10

SERVICE LIST

Pilar Dominguez
115 Floyd Street
Belleville, New Jersey 07109-2713

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

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

ms
Beslow
DAG
RPA

~~J. Ford Williams~~
Customer Assist.



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

RECEIVED
MAIL ROOM
11 JAN -3 AM 10: 52
NEWARK, NJ UTILITIES

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 12118-10

AGENCY DKT. NO. EC10090654U

PILAR DOMINGUEZ,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,

Respondent.

Pilar Dominguez, petitioner appearing pro se

Alexander Stern, Esq. on behalf of respondent (PSE&G Services Corporation)

Record Closed: December 23, 2010

Decided: December 23, 2010

BEFORE KIMBERLY A. MOSS, ALJ

On November 3, 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 December 7, 2010 during which time engaged in vigorous settlement discussions. On December 23, 2010 the parties submitted a Stipulation of Settlement. The 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**:

- 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

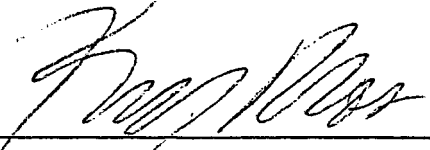
hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.


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.

December 23, 2010
DATE

Date Received at Agency:

Date Mailed to Parties: **DEC 29 2010**
ljb


KIMBERLY A. MOSS, ALJ

December 29, 2010

DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

Alexander C. Stern
Assistant General Regulatory Counsel

Law Department
80 Park Plaza, T5G, Newark, NJ 07102-4194
tel: 973.430.5754 fax: 973.430.5983
email: alexander.stern@pseg.com

RECEIVED
PSEG
11 JAN -3 AM 10:52
Services Corporation
NEW JERSEY PUBLIC UTILITIES
NEWARK, N.J.

December 16, 2010

Honorable Kimberly Moss, ALJ
Office of Administrative Law
33 Washington Street
Newark, NJ 07102-3011

2010 DEC 23 A 9:11
OFFICE OF ADMINISTRATIVE LAW

ED

Re: Pilar Dominguez v. PSE&G
BPU Docket No.: EC10090654U
OAL Docket No.: PUC 12118-2010N

Dear Judge Moss:

Enclosed please find a signed Stipulation of Settlement with reference to the above-captioned matter.

Respectfully submitted,

Alexander C. Stern

ACS/jb
Enclosure

cc: Pilar Dominguez (w/enc.)
Edward B. Sullivan (w/enc.)

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

2010 DEC 23 A 9:11
J. S. ...

_____)
Pilar Dominguez)
)
 Petitioner,)
)
 v.)
)
 Public Service Electric & Gas Company)
)
 _____)
 Respondent.)

BPU DOCKET NO. EC10090654U
OAL DOCKET NO. PUC12118-2010N

STIPULATION OF SETTLEMENT

On or about October 6, 2010, Petitioner filed the above-referenced billing dispute. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to the petition and the New Jersey Board of Public Utilities ("NJBPUC" 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 amicably and to avoid further delay and costs to the parties, 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, in the interests of good customer relations PSE&G agrees to credit \$961 to Petitioner's account at 115 Floyd Street, Belleville, New Jersey.
2. As of Petitioner's November 23, 2010 bill, PSE&G's records reflect Petitioner owing a balance of \$1,037.86. After application of the \$961 credit referenced in paragraph 1, Petitioner will owe PSE&G \$76.86 for electric and gas service through November 23, 2010.
2. Petitioner agrees to continue to timely pay her PSE&G bills for electric and gas service.
3. This agreement is in full settlement of the Petition filed by Petitioner on or about October 6, 2010.
4. 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: 12-15-10

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

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 12/15/10

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

PETITIONER

DATED: 12-10-10

By: Pilar Dominguez
Pilar Dominguez, Petitioner