



Agenda Date: 3/19/14

Agenda Item: VIIB

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

MICHAEL A. ROSERO,
Petitioner

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,
Respondent

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)
)
)
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)

ORDER ADOPTING INITIAL
DECISION SETTLEMENT

BPU Docket No. GC12110982U
OAL Docket No. PUC 01334-13

Parties of Record:

Thomas Wall, Esq., appearing on behalf of Petitioner

Sheree L. Kelly, Esq., appearing on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On November 7, 2012, Michael A. Rosero, ("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" or "Company") for utility services rendered by Respondent. Petitioner claimed that he was incorrectly billed by Respondent for gas usage when the Company transferred \$2,100.42 to his account from an unknown account, and that he was required to deposit \$1,500.00 to maintain service. The Company filed an Answer denying that the Respondent was incorrectly billed and asserting that services were supplied and billed in accordance with the terms, conditions and rate schedules set forth in the Company's Board approved Tariff. The Company further requested that the relief sought by Petitioner be denied on the basis that he failed to set forth a claim upon which relief could be granted.

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") Irene Jones.

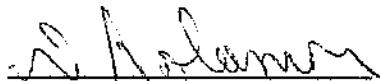
A hearing was scheduled for January 27, 2014, but was adjourned because the parties agreed to settle the matter. The parties entered into and signed a Stipulation of Settlement ("Stipulation") that was submitted to ALJ Jones on February 10, 2014. Pursuant to the Stipulation, Respondent has agreed to remove the transfer in the amount of \$2,100.42 from Petitioner's account ending in 077 04 and credit that account in the amount of \$1,500.00.

By Initial Decision issued on February 17, 2014 and submitted to the Board on February 27, 2014, to which the Agreement was attached and made a part thereof, ALJ Jones 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.

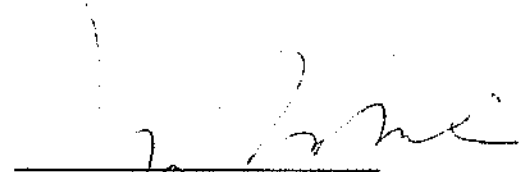
After review of the Initial Decision, the Stipulation of Settlement of the parties, and the entire record, the Board **HEREBY FINDS** that the parties have voluntarily agreed to the Stipulation as evidenced by their signatures and that by the terms of the Stipulation agreement, have fully resolved all outstanding contested issues in this matter. Accordingly, the Board **HEREBY ADOPTS** the Initial Decision and Stipulation of Settlement executed by the parties in their entirety as if set forth at length herein.

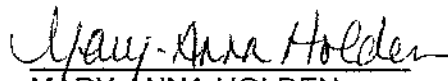
DATED: 3/19/2014

BOARD OF PUBLIC UTILITIES
BY:

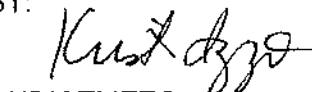

DIANNE SOLOMON
PRESIDENT


JEANNE M. FOX
COMMISSIONER

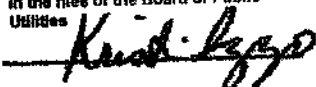

JOSEPH L. FIORDALISO
COMMISSIONER


MARY-ANNA HOLDEN
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



MICHAEL A. ROSERO

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU Docket No. GC12110982U

OAL Docket No. PUC 01334-13

SERVICE LIST

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NJ BPU
OFFICE OF
CASE MANAGEMENT
FORWARDING

2014 FEB 27 AM 2 34



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 01334-13

AGENCY DKT. NO. GC12110982U

MICHAEL A. ROSERO,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND GAS
COMPANY**

Respondent.

Thomas Wall, Esq., for petitioner, (Thomas J. Wall, LLC, attorneys)

Sharee L. Kelly, Esq., for respondent (PSEG Services Corporation)

Record Closed: February 10, 2014

Decided: February 17, 2014

BEFORE IRENE JONES, ALJ:

STATEMENT OF THE CASE

On February 4, 2013, 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. 52:14F1 to -13.

A hearing was scheduled for January 27, 2014, but was adjourned because the parties agreed to settle the matter. A Stipulation of Settlement was signed by the parties and forwarded to the undersigned on January February 10, 2014. A copy of the Stipulation of Settlement is attached hereto.

After reviewing the record and the settlement, I **FIND**:

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

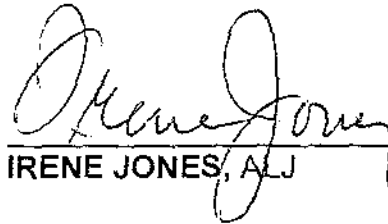
Therefore, I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1(d) and should be approved. It is further **ORDERED** that the parties comply with the settlement terms and the proceedings be **CONCLUDED**.

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 (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.

February 17, 2014

DATE



IRENE JONES, ALJ

Date Received at Agency:

Date Mailed to Parties:

sej

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

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Michael A. Rosero	STATE OF NEW JERSEY OFFICE OF ADMINISTRATIVE LAW)	OAL Docket No. PUC 01334-2013N
Petitioner)	BPU Docket No. GC12110982U
v.)	
Public Service Electric and Gas Company,)	STIPULATION OF SETTLEMENT
Respondent)	

This matter having been brought before the Office of Administrative Law by the Petitioner, Michael A. Rosero ("Petitioner"), against Respondent, Public Service Electric and Gas Company ("PSE&G" or "Respondent"), for utility service rendered by PSE&G to the premises 509 41st Street, Floor 1, Union City, NJ, 07087 (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 to remove the transfer in the amount of \$2,100.42 from Petitioner's account ending in 077 04.
2. PSE&G will credit Petitioner's account ending in 077 04 in the amount of \$1,500.00.

Petitioner: Michael A. Rosero

Respondent: PSE&G

By: Thomas J. Wall, Esq.
Thomas J. Wall, Esq.
Attorney for Petitioner

By: James T. Walsh
James T. Walsh
Customer Relations

Date: 1/23/14

Date: 2-4-14