



Agenda Date: 10/3/07
Agenda Item: VII A

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

CUSTOMER ASSISTANCE

BARBARA EINHORN, PETITIONER)	ORDER ADOPTING INITIAL DECISION
)	SETTLEMENT
V.)	
)	
PUBLIC SERVICE ELECTRIC AND GAS)	BPU DOCKET NO. EC06040320U
COMPANY, RESPONDENT)	OAL DOCKET NO. PUC 7246-06

(SERVICE LIST ATTACHED)

BY THE BOARD:

On April 25, 2006, Barbara Einhorn (Petitioner) filed a petition with the Board disputing the bill of Public Service Electric and Gas Company (Respondent) for utility services.

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. 52:14-B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Jeffrey A. Gerson.

While this matter was pending at the OAL, the parties engaged in negotiations and reached a settlement that was submitted to the ALJ. By Initial Decision submitted to the Board on August 24, 2007, to which the settlement was attached and made part thereof, ALJ Gerson found that the agreement was voluntary, that its terms fully disposed of all issues in controversy and that it met the requirements of N.J.A.C. 1:1-19.1.

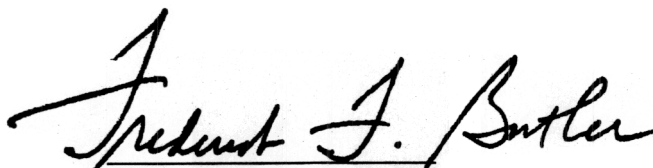
Pursuant to the terms of the agreement, Respondent agreed to issue a credit of \$558.38 to the balance of Petitioner's account as of August 6, 2007, which was in the amount of \$958.38, leaving an unpaid balance of \$400.00. In addition, Respondent further agreed to change and test Petitioner's meter. In return, Petitioner agreed to pay \$50.00 per month plus current bills beginning in September 2007, and continuing for 8 months thereafter until the past due amount of \$400.00 is paid in full.

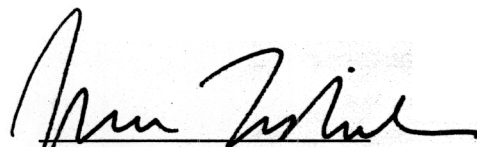
After review and consideration, the Board FINDS that the terms of the settlement are fair and reasonable. Therefore, the Board HEREBY ADOPTS the Initial Decision and the Settlement Agreement in their entirety, incorporating the terms thereof into this final decision as if fully set forth at length herein.

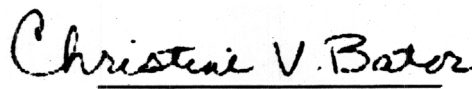
DATED: 10/3/07

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER

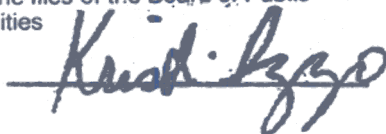

JOSEPH L. FIORDALISO
COMMISSIONER


CHRISTINE V. BATOR
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



**BARBARA EINHORN
v.
PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

**BPU DOCKET NO. EC06040320U
OAL DOCKET NO. PUC 7246-06**

SERVICE LIST

Barbara Einhorn
1018 Lakeview Drive
Basking Ridge, New Jersey 07920

Sheree L. Kelly, 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
Newark, New Jersey 07102

Arlene Pasko, DAG
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

CMS
JBSLOW
RPA
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RECEIVED
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07 AUG 21, PM 4:08
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 7246-06

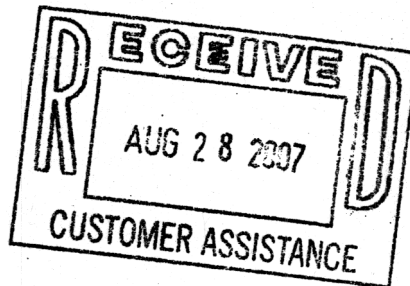
AGENCY DKT. NO. EC06040320U

BARBARA EINHORN,
Petitioner,

v.

PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,

Respondent.



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CASE MANAGEMENT
2007 AUG 27 PM 2:06
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

Barbara Einhorn, petitioner, pro se

Sharee Kelly, Esq., for respondent Public Service Electric & Gas Company

Record Closed: August 17, 2007

Decided: August 21, 2007

BEFORE JEFFREY A. GERSON, ALJ:

On June 23, 2006 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. The matter was scheduled for a settlement conference on August 20, 2007, but was adjourned because the parties had reached a settlement. A Settlement Agreement indicating the terms of settlement was signed by the parties and submitted

to the undersigned on August 17, 2007. A copy of the Settlement Agreement is attached hereto and made a part hereof.

have reviewed the record and terms of the settlement and **FIND:**

The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties and their representatives.

The settlement fully disposes of issues in controversy and is consistent with law.

CONCLUDE that the agreement meets the safeguard requirements of N.J.A.C. 11:9 and, accordingly, I approve the settlement and **ORDER** that the parties comply with the settlement terms.

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.

8/21/07
DATE

Date Received at Agency:

JEFFREY A. GERSON, ALJ

Receipt Acknowledged:

Mailed to Parties:

DATE

sej

OFFICE OF ADMINISTRATIVE LAW

RECEIVED
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BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

State of New Jersey
Board of Public Utilities

Barbara Einhorn

Petitioner

v.

Public Service Electric and Gas Company,
Respondent

OAL DKT NO: PUC 7246-06
BPU Docket No. EC06040320U

STIPULATION OF SETTLEMENT

This matter having been brought before the New Jersey Board of Public Utilities by the Petitioner, Barbara Einhorn ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") and having been transferred to the Office of Administrative Law before the Honorable Gerson A.L.J., for utility service rendered by PSE&G to the Petitioner at 1018 Lakeview Drive, Bridgewater, New Jersey 08807, and the Parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

1. As of August 6, 2007, balance on account number 52 943 189 11 was \$958.38.
2. PSE&G will credit Petitioner's account number 52 943 189 11 in the amount of \$558.38, leaving a past due amount of \$400.00, on the subject account.
3. Petitioner agrees to pay \$50.00 per month plus current bills beginning September, 2007 and continuing for eight months thereafter until the past due amount is paid in full.
4. PSE&G will change and test Petitioner's meter. The appointment to change the meter is currently scheduled for August 21, 2007.

Petitioner Barbara Einhorn

By: 

Barbara Einhorn

Date: 8/16/07

Respondent PSE&G

By: 

Edward B. Sullivan

Manager Customer Operations

Date: 8-17-07



FACSIMILE TRANSMITTAL SHEET

To: <u>Judge Jeffrey Gerson</u>	From: <u>Shawn L. Kelly, Esq.</u>
Company: <u>OHL</u>	Date: <u>8/17/07</u>
Fax Number: <u>(973) 648-2358</u>	Total number of pages: <u>3</u>
Phone number: <u>(973) 648-6027</u>	Phone Number: <u>(973) 430-6468</u>

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

Notes/Comments:

COPY



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW
33 Washington Street
Newark, New Jersey 07102
(973) 648-6008
(973-648-6058)

Robert J. Giordano, ALJ &
Manager of Organizational Development

COPY

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NEWARK, N.J.

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CASE MANAGEMENT
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BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

NORTH

Date AUG 23 2007

Re: Initial Decisions for Receipt

We are hereby forwarding to you the following decisions from the office of Administrative Law. **Receipt is acknowledged as of the next business day of the date indicated below.** Should a listed decision not be included in this batch, please call 973-648-6008.

OAL Docket No. PUC

Case Name

7246-06

Barbara EINHORN

Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Date: _____

Board of Public Utilities