



Agenda Date: 12/19/07
Agenda Item: VII_B

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

CUSTOMER ASSISTANCE

JAMES M. MARGOLIS,
Petitioner

v.

NEW JERSEY NATURAL GAS COMPANY,
Respondent

) ORDER ADOPTING INITIAL DECISION
) SETTLEMENT
)
)
)

) BPU DOCKET NO. GC07020094U
) OAL DOCKET NO. PUC 2698-07S
)

(SERVICE LIST ATTACHED)

BY THE BOARD:

On February 13, 2007, James M. Margolis (Petitioner) filed a petition with the Board disputing the bill of New Jersey Natural Gas Company (Respondent) for natural gas services.

After the filing of Respondent's answer, the Board, on April 16, 2007, 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 (ALJ) Judge Donald J. Stein.

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 November 5, 2007, to which the settlement was attached and made part thereof, ALJ Stein 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 agreement of the parties, Respondent will credit Petitioner's account in the amount of \$1,541.06 and Petitioner will release Respondent from all claims.

After review of the Initial Decision and the Stipulation, the Board HEREBY FINDS that the terms of the Stipulation represent a fair and reasonable resolution of all outstanding contested issues.

Accordingly, the Board HEREBY ADOPTS the Initial Decision and Stipulation in their entirety and, as a result of the agreement of the parties, HEREBY DISMISSES the petition in this matter.

DATED: 12/21/07

BOARD OF PUBLIC UTILITIES
BY:

Jeanne M. Fox

JEANNE M. FOX
PRESIDENT

Frederick F. Butler

FREDERICK F. BUTLER
COMMISSIONER

Joseph L. Fiordaliso

JOSEPH L. FIORDALISO
COMMISSIONER

Christine V. Bator

CHRISTINE V. BATOR
COMMISSIONER

ATTEST:

Kristi Izzo

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

Kristi Izzo

**JAMES M. MARGOLIS
v.
NEW JERSEY NATURAL GAS COMPANY**

**BPU DOCKET NO. GC07020094U
OAL DOCKET NO. PUC 2698-07S**

SERVICE LIST

James M. Margolis
40 Twilight Avenue
Keansburg, New Jersey 07734

Eileen F. Quinn, Esq.
NJVR Service Corporation
1415 Wyckoff Avenue – P.O. Box 1468
Wall, New Jersey 07719

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
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P.O. Box 45029
Newark, New Jersey 07102

CMS
BESLOW
RPH
TRASKO
FERD WILLIAMS



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

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07 NOV -5 AM 11:02
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 2698-07

AGENCY DKT. NO. GC07020094U

JAMES M. MARGOLIS,

Petitioner,

v.

NEW JERSEY NATURAL GAS COMPANY,

Respondent.

James M. Margolis, petitioner pro se

Eileen F. Quinn, Esq., for respondent

Record Closed: October 25, 2007

Decided: October 25, 2007

BEFORE DONALD J. STEIN, ALJ.

This matter was transmitted to the Office of Administrative Law on May 2, 2007, 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.

The parties have agreed to a settlement and have prepared a indicating the terms thereof, which is attached and fully incorporated herein.

have reviewed the record and the terms of settlement and

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- 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.

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NEWARK, N.J.

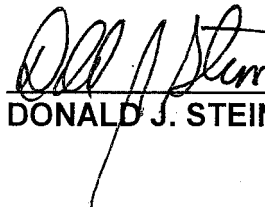
I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I approve the settlement and therefore **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded

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.

October 25, 2007

DATE



DONALD J. STEIN, ALJ


Date Received at Agency: 11-5-07

NOV 1 2007

DATE

/bdt

Mailed to Parties


DEBORAH A. DEMARCO
CHIEF ADMINISTRATIVE LAW JUDGE

OFFICE OF ADMINISTRATIVE LAW

EILEEN F. QUINN, ESQ.
1415 Wyckoff Road
P.O. Box 1468
Wall, New Jersey 07719
(732) 938-1018
Attorneys for Respondent,
New Jersey Natural Gas Company

JAMES M. MARGOLIS,

Petitioner,

vs.

NEW JERSEY NATURAL GAS COMPANY,

Respondent.

STATE OF NEW JERSEY – OFFICE OF
ADMINISTRATIVE LAW

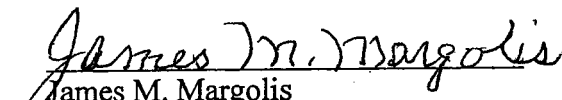
OAL DOCKET NO.: PUCC 02698-2007S
AGENCY REFERENCE NO.: GC07020094U

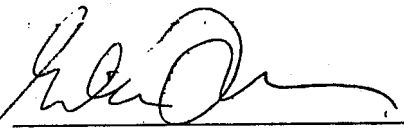
STIPULATION OF SETTLEMENT

The matter in difference in the above-entitled action having been amicably adjusted by
and between the parties, it is hereby stipulated and agreed that the same be and is hereby settled
as follows:

Respondent, New Jersey Natural Gas Company, will credit
\$1,541.06 (fifteen hundred forty-one dollars and six cents) to
petitioner, James A. Margolis' gas account 220010840425.

Dated: 10-20-07


James M. Margolis
Petitioner


Eileen F. Quinn, Esq.
Attorney for Respondent, New Jersey
Natural Gas Company

EILEEN F. QUINN, ESQ.
1415 Wyckoff Road
P.O. Box 1468
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Attorneys for Respondent,
New Jersey Natural Gas Company

NEW JERSEY NATURAL GAS COMPANY
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BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

JAMES M. MARGOLIS,

Petitioner,

vs.

NEW JERSEY NATURAL GAS COMPANY,

Respondent.

STATE OF NEW JERSEY – OFFICE OF
ADMINISTRATIVE LAW

OAL DOCKET NO.: PUCC 02698-2007S
Agency Reference No.: GC070200945

SETTLEMENT AGREEMENT
AND RELEASE

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STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

OCT -9 P 12:56

THIS SETTLEMENT AGREEMENT AND RELEASE ("Settlement Agreement") is made and entered into this _____ day of September 2007, by and between Petitioner, **James M. Margolis** (hereinafter referred to as "**I**" or "**Releasor**"), and Respondent, **New Jersey Natural Gas Company** (hereinafter referred to as "**Respondent** or "**NJNG**").

1. **Release.** In consideration for the Payment described in paragraph 2, I forever release, give up and irrevocably discharge any and all claims, causes of action, suits or demands which I may have against NJNG, including those of which I am not aware and those not mentioned in this Release. This Release applies to claims resulting from anything which has happened from the beginning of time until the date of this Release. I specifically release the claims arising out of, incident to, or in any way related to a billing dispute for natural gas services provided through meter number 744297 and meter number 767150 located at 40 Twilight Avenue, Keansburg, New Jersey, which is the subject of the above-referenced complaint (hereinafter referred to as the "**Billing Dispute**").

2. **Payment.** In consideration of this Release, I have agreed to receipt of a credit of \$1,541.06 to my gas account 220010840425 and other good and valuable consideration in full payment for making this Release. Accordingly, NJNG will credit **\$1,541.06 (fifteen hundred forty-one dollars and six cents)** to my gas account 220010840425 within fifteen (15) days. I agree that I will not seek anything further including any payment from NJNG. In addition, I understand that upon NJNG crediting my account \$1,541.06 and the execution of this Settlement and Release, the action pending before the Office of Administrative Law will be dismissed.

3. **Who is bound.** I am bound by this Release. Anyone who succeeds to my rights and responsibilities, such as my administrators, agents, beneficiaries, devisees, distributees, executors, heirs, permitted assigns, personal representatives, and corporate successors, whether created by merger, stock sale or asset acquisition, is also bound. This Release is made for Your benefit and all who succeed to Your rights and responsibilities, such as Your heirs or the executor of Your estate.

4. **Authority to Settle.** In further consideration of the foregoing, I warrant and represent that I have the sole and complete right and authority to settle, compromise, release and discharge all claims, causes of action, suits or demands covered by this Release, that I have made no assignment of any claim, cause of actions, suit or demand covered by this Release, and that no person, firm, corporation, estate or any other entity has been subrogated to any such claims, causes of actions, suits or demands.

5. **Signatures.** I understand and agree to the terms of this Release. This Release is confidential and shall not be disclosed by either party.

Witnessed or Attested by:
Steven Greenberg

James M. Margolis (Seal)
James M. Margolis

STATE OF NEW JERSEY
COUNTY OF MUNMOUTH

I CERTIFY that on September 28, 2007,
James M. Margolis personally came before me and acknowledged under oath to my satisfaction that he executed this instrument as his or her own act.

[Signature]
Notary Public

