



Agenda Date: 8/1/07
Agenda Item: VII-B

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

CUSTOMER ASSISTANCE

KATHLEEN IANNAcone,)	ORDER ADOPTING INITIAL DECISION
Petitioner)	SETTLEMENT
)	
V.)	
)	
ATLANTIC CITY ELECTRIC COMPANY,)	BPU DOCKET NO. EC07030164U
Respondent)	OAL DOCKET NO. PUC 2996-07

(SERVICE LIST ATTACHED)

BY THE BOARD:

On March 9, 2007, Kathleen Iannacone (Petitioner) filed a petition with the Board disputing the bill of Atlantic City Electric Company (Respondent) related to a switched meter adjustment in the amount of \$3,541.59 on Petitioner's account at 1196 N. Main Street, Williamston, New Jersey, that covered the period of July 2004 through October 2006.

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) Bruce M. Gorman.

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 issued July 16, 2007, to which the settlement was attached and made part thereof, ALJ Gorman 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.

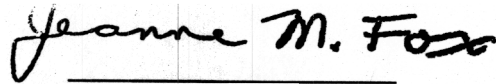
Pursuant to the terms of the settlement, Respondent will credit Petitioner's account 25% of the switched meter adjustment, or \$885.39, and divide the remaining balance of \$2,656.20 into sixty (60) installments of \$44.00 with a final installment of \$16.20 in addition to current charges.

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:

8/1/07

BOARD OF PUBLIC UTILITIES
BY:



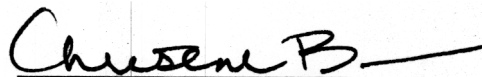
JEANNE M. FOX
PRESIDENT



FREDERICK F. BUTLER
COMMISSIONER

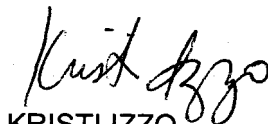


JOSEPH L. FIORDALISO
COMMISSIONER



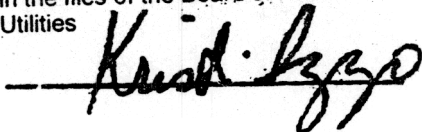
CHRISTINE V. BATOR
COMMISSIONER

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



**Kathleen Iannacone
v.
Atlantic City Electric Company
BPU Docket No. EC07030164U
OAL Docket No. PUC 2996-07**



SERVICE LIST

Kathleen Iannacone
1196 N. Maine Street
Williamstown, New Jersey 08094

Renee E. Suglia, Esq.
Atlantic City Electric Company
P.O. Box 231
Wilmington, Delaware 19899-0231

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

RECEIVED
MAIL ROOM

07 JUL 16 AM 11:15
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

07 JUL 16 AM 11:22

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 2996-07

AGENCY DKT. NO. EC07030164U

KATHLEEN IANNAcone,

Petitioner,

v.

ATLANTIC CITY ELECTRIC COMPANY,

Respondent.

Kathleen Iannacone, petitioner, pro se

Renee E. Suglia, Esq., for respondent

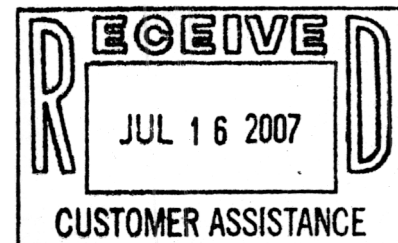
Record Closed: July 6, 2007

Decided: July 6, 2007

BEFORE BRUCE M. GORMAN, ALJ:

This matter was transmitted to the Office of Administrative Law on May 16, 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 Settlement Agreement indicating the terms thereof, which is attached and fully incorporated herein.



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.

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.

7/6/07
DATE


BRUCE M. GORMAN, ALJ

Date Received at Agency: 7/6/07

Mailed to Parties:

DATE

OFFICE OF ADMINISTRATIVE LAW

/sd



A PHI Company

Renee E. Suglia
Assistant Counsel
Renee.Suglia@pepcoholdings.com

RECEIVED

2007 JUL -6 A 11: 00

STATE OF NEW JERSEY
OFFICE OF ADMIN LAW

June 28, 2007

7-17-07
P.O. Box 231
Wilmington, DE 19899-0231

800 N. King St.
Wilmington, DE 19801

302-429-3765
302-429-3801 (fax)

Clerk
Office of Administrative Law
Quakerbridge Plaza, Building 9
Quakerbridge Road
P. O. Box 049
Mercerville, NJ 08625-0049

Re: Kathleen Iannacone v. Atlantic City Electric Co.
Billing Dispute
OAL Docket No. PUCCC 02996-2007S

FILED
STATE OF N.J.
OFFICE OF ADMIN LAW
2007 JUN 29 P 2:58

Dear Sir/Madam:

Please be advised that a settlement has been reached by the parties in the above referenced matter. Enclosed please find the executed settlement agreement. The agreement has also been transmitted to the Board of Public Utilities.

Kindly mark the matter as resolved and let us know if you need any further documentation to have the matter dismissed.

Thank you for your assistance.

Respectfully Yours,

Renee E. Suglia
RES/ram

Enc.

cc: Maureen Coyne Greto
Charlotte DeVault
Kristi Izzo, Secretary, NJ Board of Public Utilities
Edward Beslow, Esq., NJ Board of Public Utilities
Kathleen Iannacone



A PHI Company

Renee E. Suglia
Assistant Counsel
Renee.Suglia@pepcoholdings.com

RECEIVED
JUN 27 2007
RENEE ETTORE SUGLIA

P.O. Box 231
Wilmington, DE 19899-0231

800 N. King St.
Wilmington, DE 19801

302-429-3765
302-429-3801 (fax)

June 20, 2007

FILED
STATE OF N.J.
OFFICE OF ADMIN. LAW
2007 JUN 29 P 2:58

Kathleen Iannacone
Charles Folker
1196 N. Main Street
Williamstown, NJ 08094

Re: BPU Docket No. EC07030164U
Account No. 0137 4049 9994

Dear Ms. Iannacone and Mr. Folker:

On behalf of Atlantic City Electric and, pursuant to your discussion with Charlotte DeVault, this letter agreement will set forth the agreed upon terms of settlement in regard to the above referenced matter. This matter arises as a result of charges posted to your account from an October 2, 2006 switched meter adjustment. This adjustment resulted in a debit of \$3,541.59 to your account at 1196 N. Main Street Williamstown, New Jersey, and covered the time-period of July 2004 through October 2006. You have disputed these charges.

As a good faith gesture to close this dispute and forbear from further litigation, a one-time settlement offer was discussed with you on April 5, 2007. As a courtesy to you, we have extended this settlement offer beyond our April meeting and you have now agreed to accept it.

We will be crediting your account 25% of the debit adjustment, or \$885.39, and dividing the remaining adjusted balance of \$2,656.20 into sixty (60) installments of \$44.00, with a final installment of \$16.20 in addition to your monthly charges. Please note that this arrangement only includes the adjusted balance and does not include any current charges that may be due on your account or on the 1200 N. Main Street Williamstown, New Jersey. Please also note that both current monthly charges and settlement installment must be timely paid by your monthly due date or else the arrangement will be dishonored and the entire debit will be considering due and owing immediately.

This letter agreement is being executed for the sole purpose of compromising and settling this dispute, and it is expressly understood and agreed, as a condition of this compromise, that this agreement shall not constitute or be construed to be an admission on any part of Atlantic City Electric or as evidencing or indicating in any degree an admission of the truth or correctness

of any claims asserted. You have further agreed that this fully executed and acknowledged letter agreement can be submitted to the New Jersey Board of Public Utilities and/or the New Jersey Office of Administrative Law as notification of settlement and request for withdrawal of the pending matter.

Kindly indicate your agreement by signing below and returning a fully executed copy to me by July 9th, 2007. A copy of this letter has been included for your records. Thank you for your cooperation in this matter.

Very truly yours,



Renee E. Suglia


RES/

cc: Maureen CoyneGreto
Charlotte DeVault

Acknowledged and agreed by:


Kathleen Iannacone

DATED: 22 June 2007


Charles Folker

DATED: 6/22/07



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW
Quakerbridge Plaza, Building #9
Quakerbridge Road, PO Box 049
Trenton, New Jersey 08625-0049
(609) 588-6584

RECEIVED
MAIL ROOM

07 JUL 16 AM 11:15
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

2007 JUL 16 AM 11:23

SOUTH

Date: 7/12/07

Re: Initial Decisions for Receipt

Receipt of the following decisions from the Office of Administrative Law (as well as a copy of this form) is acknowledged as of the date indicated below:

OAL Docket No. PUC

Case Name

PUC 2996-07

Lannacore

Date: 7/12/07

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

7-16-07
Board of Public Utilities