



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

CUSTOMER ASSISTANCE

DENNIS R. McKENZIE,)	ORDER ADOPTING INITIAL DECISION
)	
PETITIONER)	SETTLEMENT
)	
V.)	
)	
PUBLIC SERVICE ELECTRIC AND GAS)	
COMPANY,)	BPU DOCKET NO. GC07080613U
)	OAL DOCKET NO. PUC11173-07
RESPONDENT)	

(SERVICE LIST ATTACHED)

BY THE BOARD:

On August 15, 2007, Dennis R. McKenzie (Petitioner) filed a petition with the Board requesting a hearing regarding the charges of Public Service Electric and Gas Company (Respondent) for gas utility services.

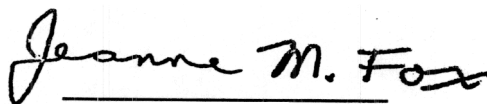
After the filing of Respondent's answer on October 5, 2007, the Board transmitted this matter to the Office of Administrative Law (OAL) for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law (ALJ) Judge Mumtaz Bari-Brown.


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 on May 15, 2008, and submitted to the Board on May 19, 2008, to which the settlement was attached and made part thereof, ALJ Bari-Brown 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 their settlement, the Respondent will credit the account of the Petitioner in the amount of \$1,172.21. In addition, the Respondent was to obtain an actual gas meter reading for

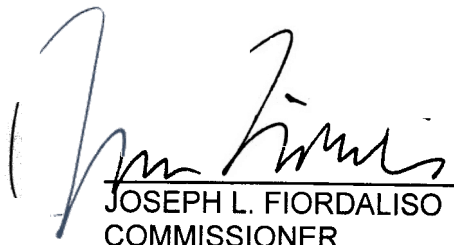
Petitioner's account on May 12, 2008, provided that Petitioner provided access to his property. The parties also agreed that should Petitioner abide by all terms and conditions of the USF assistance program, the arrearage balance of \$12,091.94 shall be eliminated from his account. After review of the Initial Decision and the agreement of the parties, the Board HEREBY FINDS that the terms of the agreement represent a fair and reasonable resolution of all outstanding contested issues. Accordingly, the Board HEREBY ADOPTS the Initial Decision and agreement of the parties in their entirety as if fully set out herein.

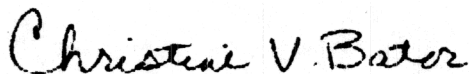
DATED: 6/16/08

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

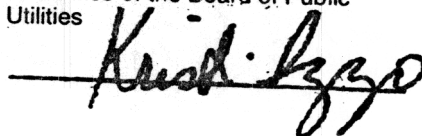

CHRISTINE V. BATOR
COMMISSIONER


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



DENNIS R. McKENZIE

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU Docket No. GC07080613U

OAL Docket No. PUC 11173-70

SERVICE LIST

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Plainfield, New Jersey 07060

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Newark, New Jersey 07102-4194

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Division of Customer Assistance
Board of Public Utilities
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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

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CASE MANAGE
2008 MAY 19 PM 2:28
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

CMS
BESLOW
RPA

PASKO, A

~~FORD WILLIAMS~~

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 11173-07

AGENCY DKT. NO. GC07080613U

DENNIS R. MCKENZIE,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,

Respondent.

Dennis R. McKenzie, pro se

Sheree L. Kelly, Esq., for respondent

Record Closed: May 8, 2008

Decided: May 14, 2008

BEFORE MUMTAZ BARI-BROWN, ALJ:

This matter was transmitted to the Office of Administrative Law (OAL) on October 15, 2007, for resolution 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 hearing was scheduled for May 8, 2008. During the hearing the parties settled the matter. The attached Stipulation of Settlement was submitted on May 8, 2008, indicating the terms of agreement which are incorporated herein by reference.

Having reviewed the record and the settlement terms, I **FIND**:

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

May 15, 2008
DATE

Mumtaz Bari Brown
MUMTAZ BARI-BROWN, ALJ

Receipt Acknowledged:

5-19-08
DATE

Floyd Zang
BOARD OF PUBLIC UTILITIES

Mailed to Parties:

DATE
lr

OFFICE OF ADMINISTRATIVE LAW

McKenzie

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vs

OAL Doctet No Duccc 11173 2008

PSEG

The parties agree that this matter is settled upon the following terms.

1. PSEG shall credit Petitioner's Account No. [REDACTED] in the amount of \$1172.21.

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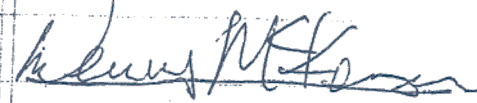
2. PSEG shall obtain an actual gas meter reading for Petitioner's utility account on May 13, 2008, provided Petitioner provides access to his Property.

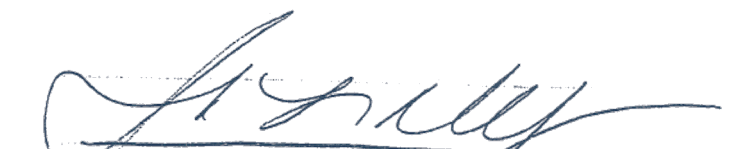
3. If Petitioner abides by all terms and conditions of the USF assistance program the arrearage balance of \$12,091.94 shall be eliminated from his account.

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Dennis McKenzie
5/8/08


Sherree L. Kelly
PSEG
5/8/08



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CASE MANAGEMENT

2008 MAY 19 PM 2:03

BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

Robert J. Giordano, ALJ &
Manager of Organizational Development

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

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BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

NORTH

Date 5/15/08

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

11173-07 Dennis R. McKenzie
vs PSE&G

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

Date: 5/15/08

Board of Public Utilities