

Agenda Date: 10/5/10
Agenda Item: VIIC

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center, Suite 801
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

**ZONE SERVICES LLC,
Petitioners,**

V

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,
Respondent.

ORDER ADOPTING INITIAL DECISION SETTLEMENT

BPU Dkt. No. EC10030176U
OAL Dkt. No. PUC5194-10

Dennis L. Usdin, Kenilworth, New Jersey, on behalf of Zone Services LLC, appearing *pro se*

Felix M. Khalatnikov, Esq., Newark, New Jersey, on behalf of Respondent, Public Service
Electric and Gas Company

BY THE BOARD:

On March 4, 2010, Dennis L. Usdin, on behalf of Zone Services LLC ("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") for utility services rendered by Respondent.

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") Evelyn J. Marose.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Stipulation") that was submitted to the ALJ. By Initial Decision issued on September 9, 2010, and submitted to the Board on September 14, 2010, to which the Stipulation was attached and made part thereof, ALJ Marose 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. Pursuant to the terms of the Stipulation, Respondent will credit Petitioner's account in the amount of \$8,314.76. Respondent will submit

a check to Petitioner in the amount of \$7,086.03, which represents the total credit of \$8,314.76, less the outstanding balance on the account which is \$1,228.73.

After review of the record and the Stipulation of Settlement of the parties, the Board HEREBY FINDS that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that by the terms of the Stipulation of Settlement, have fully resolved all outstanding contested issues in this matter.

Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.

DATED: 10/5/10

BOARD OF PUBLIC UTILITIES
BY:



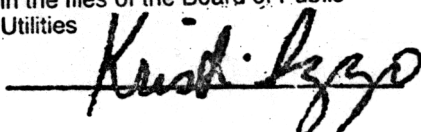
LEE A. SOLOMON
PRESIDENT


JEANNE M. FOX
COMMISSIONER
JOSEPH L. FIORDALISO
COMMISSIONER
NICHOLAS ASSELTA
COMMISSIONER
ELIZABETH RANDALL
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



ZONE SERVICES LLC

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10030176U
OAL DOCKET NO. PUC5194-10

SERVICE LIST

Dennis L. Usdin
Zone Services LLC
760A Fairfield Avenue
Kenilworth, New Jersey 07033

Felix M. Khalatnikov, Esq.
PSEG Services Corporation
80 Park Plaza – T5
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

Kerri Kirschbaum, DAG
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

CML

BBSLW

JLPA

~~F. M. Khalatnikov~~

(2)



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

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BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 5194-10

AGENCY DKT. NO. EC10030176U

ZONE SERVICES, LLC,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,**

Respondent

Dennis L. Usdin, pro se

Felix M. Khalatnikov, Esq. for respondent

Record Closed: August 20, 2010

Decided: September 8, 2010

BEFORE EVELYN J. MAROSE, ALJ:

On May 17, 2010, the above referenced 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 August 9, 2010 and during that time, the parties notified the undersigned that the matter had been settled. A Stipulation of Settlement was signed by the parties and forwarded to the OAL on August 20, 2010 and is attached hereto and made a part hereof.

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

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

I **CONCLUDE** that the agreement meets the safeguard requirements of N.J.A.C. 1:1-19.1 and, accordingly, I approve the settlement and **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.

9/9/10
DATE

Evelyn J. Marose
EVELYN J. MAROSE, ALJ

Date Received at Agency: 9-14-10

Floyd Langford

Date Mailed to Parties:
sej

Felix M. Khalatnikov
Assistant General Regulatory Counsel

Law Department
80 Park Plaza, T5, Newark, NJ 07102-4194
tel: 973.430.6163 fax: 973.430.5983
email: felix.khalatnikov@pseg.com



August 16, 2010

Honorable Evelyn J. Marose
Office of Administrative Law
33 Washington Street
Newark, NJ 07102-3011

Re: Zone Services, LLC v. PSE&G
BPU Docket No.: EC10030176U
OAL Docket No.: PUCCL 05194-2010N

Dear Judge Marose:

Enclosed please find a signed Stipulation of Settlement with reference to the above-captioned matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "FMK" followed by a horizontal line.

Felix M. Khalatnikov

FMK/jb
Enclosure

cc: Dennis I. Usdin (w/enc.)
Edward B. Sullivan (w/enc.)

**STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW**

**Zone Services, LLC
Petitioner**

v.

**Public Service Electric and Gas Company,
Respondent**

BPU Docket No. EC10030176U

STIPULATION OF SETTLEMENT

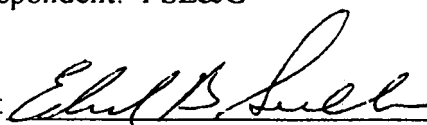
This matter having been brought before the Office of Administrative Law by the Petitioner, Zone Services, LLC ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 760 Fairfield Avenue, Unit A, Kenilworth, NJ (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 credit the account for \$8,314.76 for the property at 760 Fairfield Avenue, Unit A, Kenilworth, NJ.
- 2 The Petitioner has an outstanding balance of \$1,228.73
- 3 The Petitioner will receive a check in the amount of \$7,086.03, which is the total credit of \$8,314.76 less the outstanding balance of \$1,228.73.

Petitioner: Zone Services, LLC

Respondent: PSE&G

By: 
Dennis I. Usdin

By: 
Edward B. Sullivan
Manager Customer Operations

Date: 8/9/10

Date: 8/16/10

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10 SEP 13 PM 1:34

BOARD OF PUBLIC UTILITIES
NEWARK, N.J.



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

NORTH

Date SEP 10 2010

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

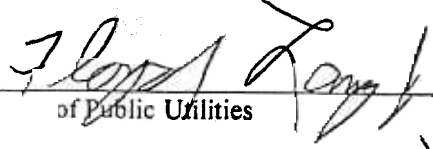
5194-10

ZONE SERVICES, LLC
vs. P.S.E. AND G. Comp.

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

Date:

9-14-10


of Public Utilities