

Agenda Date: 10/5/10 Agenda Item: VIID

STATE OF NEW JERSEY

Board of Public Utilities Two Gateway Center – Suite 801 Newark, NJ 07102 www.nj.gov/bpu/

		CUSTOMER ASSISTANCE
GEORGE BOINIDES, Petitioner.)	ORDER ADOPTING INITIAL DECISION SETTLEMENT
V) }	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent.)))	BPU Dkt. No. GC08121080U OAL Dkt. No. PUC01649-09

George Boinides, Bloomfield, New Jersey, Petitioner, appearing pro se

Sheree L. Kelly, Esq., Newark, New Jersey, on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On December 18, 2008, George Boinides ("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") Walter M. Braswell.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Settlement that was submitted to the ALJ. By Initial Decision issued on July 14, 2010, and submitted to the Board on July 16, 2010, to which the Settlement was attached and made part thereof, ALJ Braswell found that the Settlement 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 Settlement, which was signed and executed on July 14, 2010, the parties indicated that, on or about October 2, 2009, the parties agreed to hold in abeyance a total of \$6,543.25 related to two different accounts until meter reading devices could be installed and a subsequent comparison of usage could be conducted. The settlement goes on

to state that Respondent has agreed to credit the entire amount held in abeyance, or \$6,543.25 to Petitioner's accounts. After the credit, Petitioner will be left with a \$0.00 balance on one account and a balance of \$1,628.26 on the second floor apartment account. In addition, the Settlement provides that Respondent has advised Petitioner that its records reflect missed payments on the second floor account totaling \$1,941.15, and that if Petitioner can provide proof of payment for all or part of this amount, Respondent will credit the account in a commensurate amount. Respondent has also agreed to forward to Petitioner the forms necessary to request that a member of the Board's Staff be present to witness the testing of his meters.

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

Accordingly, the Board <u>HEREBY ADOPTS</u> the Settlement executed by the parties in its entirety as if fully set forth herein.

DATED: (6/5/10

BOARD OF PUBLIC UTILITIES BY:

LEE A. SOLOMON PRESIDENT

JEANNE M. FOX

COMMISSIONER

NICHOLAS ASSECTA COMMISSIONER OSEPH L. FIORDALISO

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

GEORGE BOINIDES

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. GC08121080U OAL DOCKET NO. PUC01649-09

SERVICE LIST

George Boinides 106 Sadler Road Bloomfield, New Jersey 07003

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

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





State of New Jersey OFFICE OF ADMINISTRATIVE LAW

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SUARD OF PUBLIC UTILITIES NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT, NO. PUC 01649-09 AGENCY DKT, NO. GC08121080U

GEORGE BOINIDES,

Petitioner.

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PUBLIC SERVICE ELECTRIC AND GAS COMPANY,

Respondent.

George Boinides, petitioner appearing on pro se

Sheree L. Kelly, Esq. appearing on behalf of respondent (PSEG Services Corporation)

Record Closed: July 14, 2010 Decided: July 14, 2010

BEFORE WALTER M. BRASWELL, ALJ:

On February 6, 2009 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. 52:14F 1 to-13. A hearing was scheduled for August 6, 2009 at which time the parties agreed and scheduled an in person status conference on September 16, 2009. Several conferences and hearings were conducted wherein the parties engaged in settlement discussions. On October 5, 2009 the matter was placed on inactive status in order to compare the actual gas and electric consumption to the three years prior to October 2009.



The matter was scheduled for hearing on July 14, 2010 at which time the parties prepared and submitted a settlement, which is incorporated herein by reference.

I have reviewed the record and terms of the Stipulation of 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 requirements of N.J.A.C. 1:1-19.1 and therefore, it is ORDERED that the parties comply with the settlement terms and that

these proceedings be and are hereby 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 (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.

DATE

Date Received at Agency

Date Mailed to Parties:

JUL 1 6 2010

DIRECTOR ANI

CHIEF ADMINISTRATIVE LAW JUDGE

ljb

Gellement Barr des Dalit No. 01649-2009 N TPSET G-1. On an about October 2,2009, He parties agreed to hold \$ 6, 139.75 in aboyance on acct no 67 392.055 64 and "403 49 in abeyonce an account 10. 65 659 109 01, intil unate mili reading devices eacied be installed and a subsequent ampaisin of usage Conducted. 2. 15E+6 agrees to aredd Mr Boindes

9. Iset 6 agrees to accept the Bondes

accounts in the total amount of

8 6543.25, representing the amounts

held in abeyonce.

3. Ofter the wridet, HI Bender uill
be left with a O balance on
account 67 392 055 07 and a bulance
af \$1688 26 on FI2 account

4. PSE+G has adused Mr. Bundes That its woods reflect missed payravation the FI. 2 acar als totaling 18 1941.15. If Mr. Boundes provides group of paryment for all as part of this armust, PSE+6 will order his acaral un à ammensurale amount. 5. Ed Sillivan will request that the BPU Yorward Bobor Joins lo meter had af his medino Bothe Premise Destitioner Ed Silliver 7/14/10

BOARD OF PUBLIC UTILITIES



State of New Jersey OFFICE OF ADMINISTRATIVE LAW

33 Washington Street Newark, NJ 07102 (973) 648-6008

A copy of the administrative law judge's decision is enclosed.

This decision was mailed to the parties on ______ JUL 16 2010