



Agenda Date: 11/10/10  
Agenda Item: VIIA

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
Two Gateway Center, Suite 801  
Newark, NJ 07102  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

JUAN CARLOS UGARTE,	)	ORDER ADOPTING INITIAL
Petitioner,	)	DECISION SETTLEMENT
	)	
V	)	
	)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,	)	
Respondent.	)	BPU Dkt. No. EC10050318U
	)	OAL Dkt. No. PUC6844-10

Juan Carlos Ugarte, Union City, New Jersey, appearing *pro se*

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

**BY THE BOARD:**

On May 7, 2010, Juan Carlos Ugarte ("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") Jeffrey A. Gerson.


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 October 4, 2010, and submitted to the Board on October 8, 2010, to which the Stipulation was attached and made part thereof, ALJ Gerson 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. 17:27-19.1. Pursuant to the terms of the Stipulation, Respondent has agreed to waive a debit to Petitioner's account in the amount of \$24.05 that arose out of a crossed-meter condition. In addition, Respondent agreed to credit Petitioner's account in the amount of \$250.00 prior to the October, 2010 bill.

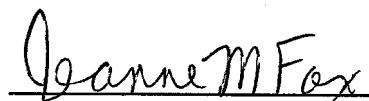
After review of the record and the Stipulation of Settlement of the parties, the Board HEREBY FINDS that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that by the terms of the Stipulation of Settlement, have fully resolved all outstanding contested issues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

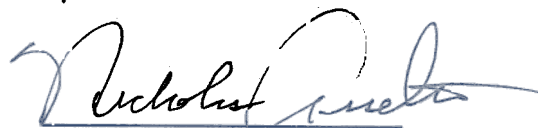
DATED: 11/10/10

BOARD OF PUBLIC UTILITIES  
BY:

  
LEE A. SOLOMON  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

  
JOSEPH L. FIORDALISO  
COMMISSIONER

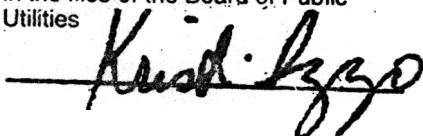
  
NICHOLAS ASSELTA  
COMMISSIONER

  
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



JUAN CARLOS UGARTE

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10050318U

OAL DOCKET NO. PUC6844-10

SERVICE LIST

Juan Carlos Ugarte  
2902 Jeannette Street, Unit 2B  
Union City, New Jersey 07087

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

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

CMS  
TB86W  
RPA  
FORA-WILLIAMS  
(7)



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**

**SETTLEMENT**

OAL DKT. NO. PUC 6844-10

AGENCY DKT. NO. EC10050318U

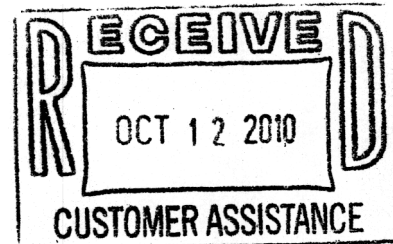
**JUAN CARLOS UGARTE,**

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC & GAS,**

Respondent.



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**Juan Carlos Ugarte, pro se**

**Sheree L. Kelly, Esq., for respondent (Public Service Electric & Gas Company)**

Record Closed: September 23, 2010

Decided: October 4, 2010

**BEFORE JEFFREY A. GERSON, ALJ:**

On June 28, 2010 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. 52:14F1 to -13. The matter was scheduled for a settlement conference on September 13, 2010 but was adjourned because the parties agreed to settle the matter. A

Stipulation of Settlement indicating the terms of settlement was signed by the parties and is attached hereto and made a part hereof.

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

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

2. The settlement fully disposes 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.

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.

OCT 9 10  
DATE

Date Received Agency 10-8 IG

Date Mailed Parties  
sej

JEFFREY A. GERSON, ALJ

Jeffrey A. Gerson

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

2010 SEP 23 P 3:50

**Juan Carlos Ugarte**  
Petitioner

v.

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

**OAL Docket No. PUCCC 06844-2010N**  
**BPU Docket No. EC10050318U**

**STIPULATION OF SETTLEMENT**

This matter having been brought before the Office of Administrative Law by the Petitioner, Juan Carlos Ugarte ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 2902 Jeannette Street – Unit 2-B, Union City, 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:

The complaint arises from a "crossed-meter" condition at Petitioner's residence occurring from August 5, 2005 through June 4, 2010, which necessitated a re-billing of Petitioner's electric consumption and resulted in a debit to Petitioner of \$24.05.

2. PSE&G has waived payment of the \$24.05, as such, Petitioner is not responsible for any payment to PSE&G in connection with the "crossed-meter" condition referenced in the aforementioned paragraph.
3. In the interest of good customer relations, PSE&G will credit Petitioner's account no: 660 578 26 07 in the amount of \$250.00, prior to the October, 2010 bill.

Petitioner: Juan Carlos Ugarte

Respondent: PSE&G

By: 

By: 

Edward B. Sullivan

Manager Customer Operations

Date: 9/15/10

Date: 9/21/10

COPY



COPY

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 OCT 7 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

6844-10

JUAN CARLOS UGARTE

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

Date: 10-8-10

Floyd J. Payne  
Board of Public Utilities