



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

**CUSTOMER ASSISTANCE**

FERNANDO COSTA,	)	ORDER ADOPTING INITIAL DECISION
Petitioner	)	SETTLEMENT
v.	)	
	)	
PUBLIC SERVICE ELECTRIC AND GAS	)	BPU DOCKET NO. EC09030184U
COMPANY	)	OAL DOCKET NO. PUC05370-2009N
Respondent	)	

Fernando Costa, Cliffside Park, New Jersey, pro se

Alexander C. Stern, Esq., PSEG Services Corporation, Newark, New Jersey, on  
behalf of the Respondent

**BY THE BOARD:**

On March 4, 2009, Fernando Costa ("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" or "PSE&G") regarding a bill for utility service provided 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") Richard McGill.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Settlement") that was submitted to the ALJ. By Initial Decision issued on February 5, 2010, and submitted to the Board on February 18, 2010, to which the Settlement was attached and made part thereof, ALJ McGill 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, Respondent has agreed to credit the Respondent's account in the amount of \$250.00 in full settlement of the petition filed by Petitioner. In return, Petitioner has agreed to timely pay his PSE&G utility bills.

After review of the Initial Decision and the Settlement of the parties, the Board HEREBY FINDS that, by the terms of the Stipulation of Settlement the parties have 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: 3/24/10

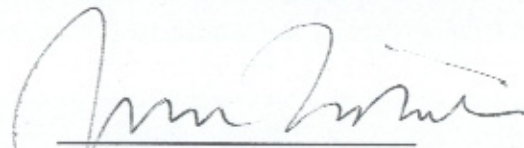
BOARD OF PUBLIC UTILITIES  
BY:



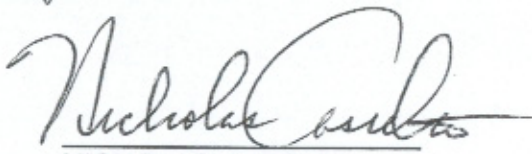
LEE A. SOLOMON  
PRESIDENT



JEANNE M. FOX  
COMMISSIONER



JOSEPH L. FIORDALISO  
COMMISSIONER

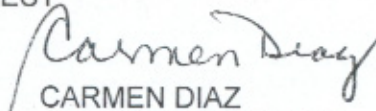


NICHOLAS ASSELTA  
COMMISSIONER



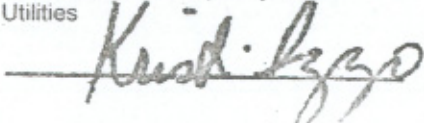
ELIZABETH RANDALL  
COMMISSIONER

ATTEST:



CARMEN DIAZ  
ACTING SECRETARY

I HEREBY CERTIFY that the within  
document is a true copy of the original  
in the files of the Board of Public  
Utilities





FERNANDO COSTA

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC09030184U  
OAL DOCKET NO. PUC5370-2009N

SERVICE LIST

Fernando Costa  
341 Palisade Avenue  
Cliffside Park, New Jersey 07010-2725

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PSEG Services Corporation  
80 Park Plaza – T5G  
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Two Gateway Center  
Newark, New Jersey 07102

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

CMS  
BESLOW

DAG.

JLPA

~~FOR [illegible]~~  
(2)



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

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**INITIAL DECISION**

**SETTLEMENT**

OAL DKT. NO. PUC 5370-09

BPU DKT. NO. EC09030184U

**FERNANDO COSTA,**

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC**

**AND GAS COMPANY,**

Respondent.

---

**Fernando Costa, pro se**

**Alexander C. Stern, Esq., for respondent**

Record Closed: January 22, 2010

Decided: February 5, 2010

**BEFORE RICHARD MCGILL, ALJ:**

This matter is a billing dispute between Fernando Costa and Public Service Electric and Gas Company. The matter was transmitted to the Office of Administrative Law on May 7, 2009, for determination as a contested case.

Prior to hearing, the parties agreed to an amicable resolution of the matter and submitted a Stipulation of Settlement. Having reviewed the record and the settlement terms, I **FIND** as follows:

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

Therefore, I **CONCLUDE** that the agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. Accordingly, it is **ORDERED** that the parties comply with the terms of the settlement, and it is **FURTHER ORDERED** that the proceedings in this matter be 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 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.

February 5, 2010

DATE

Date Received at Agency:

2/18/10  
JAL

FEB 9 2010

DATE

cml

*Richard McGill*

RICHARD MCGILL, ALJ

2-9-10

Mailed to Parties:

*Debra Sanders*

DIRECTOR AND  
CHIEF ADMINISTRATIVE LAW JUDGE

OFFICE OF ADMINISTRATIVE LAW



STATE OF NEW JERSEY  
OFFICE OF ADMINISTRATIVE LAW

JAN 22 2010

Fernando Costa

Petitioner,

v.

Public Service Electric & Gas Company

Respondent.

)  
) BPU DOCKET NO. EC09030184U  
) OAL DOCKET NO. PUC05370-2009N  
)  
)  
) **STIPULATION OF SETTLEMENT**  
)  
)  
)

On or about March 4, 2009 Petitioner filed the above-referenced billing dispute. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to Petitioner's petition and the New Jersey Board of Public Utilities ("NJBPU" or "Board") transmitted the matter to the Office of Administrative Law ("OAL") as a contested case for adjudication.

In the interests of resolving this matter without further delay, extensive effort and cost, the parties hereto agreed to settle this matter in accordance with the following terms:

1. PSE&G agrees to credit Petitioner's account \$250.00.
2. Petitioner agrees to continue to timely pay his PSE&G utility bills.
3. This agreement is in settlement of the Petition filed by Petitioner on or about March 4, 2009.
4. The undersigned agree that this Settlement contains mutually balancing and interdependent provisions and is intended to be accepted and approved in its entirety. In the event any particular aspect of this Settlement is not accepted and approved by the Board or modified by the Board, the party that is adversely affected by the modification

can either accept the modification or declare this Settlement to be null and void, and the parties shall be placed in the same position that they were in immediately prior to its execution.

PSEG SERVICES CORPORATION  
Attorneys for PSE&G

DATED: 1-18-2010

By: Alexander C. Stern  
Alexander C. Stern, Esq.  
Assistant General Regulatory Counsel

PSE&G

DATED:

By: Edward B. Sullivan  
Edward B. Sullivan  
Manager of Customer Operations

DATED: 1/14/2010

By: Fernando Costa  
Fernando Costa, Petitioner



*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 FEB 9 2010