



Agenda Date: 6/7/10
Agenda Item: VIII E

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

CUSTOMER ASSISTANCE

ADENAH BAYOH/IHOP,
Petitioner,

V

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,
Respondent.

) ORDER ADOPTING INITIAL DECISION
) SETTLEMENT
)
)
)
)

BPU Dkt. No. EC08100935U
OAL Dkt. No. PUC1286-09N

Adenah Bayoh, Irvington, 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 October 17, 2008, Adenah Bayoh ("Petitioner") filed a petition with the New Jersey Board of Public Utilities ("Board") on behalf of Petitioner and the Irvington International House of Pancakes, 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 Stipulation of Settlement ("Stipulation") that was submitted to the ALJ. By Initial Decision issued on April 28, 2010, and submitted to the Board on May 4, 2010, to which the Stipulation was attached and made part thereof, ALJ Braswell 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 agreed to credit the amount of \$8,408.08 to Petitioner's account. In return, Petitioner agreed to pay Respondent the amount \$1,700.00 within 10 days of April 12, 2010 and to pay their bills for electric and gas service provided by Respondent in a timely manner.

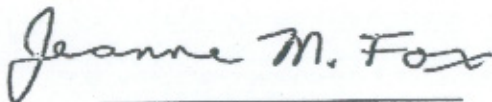
After review of the record and the Stipulation of Settlement of the parties, the Board HEREBY FINDS that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that by the terms of the Stipulation of Settlement, have fully resolved all outstanding contested issues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

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

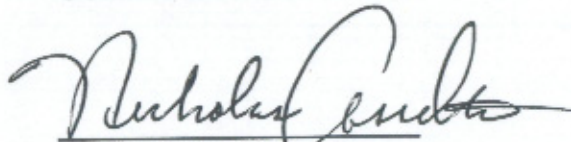
DATED: 6/7/10

BOARD OF PUBLIC UTILITIES
BY:

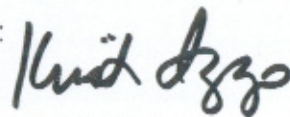

LEE A. SOLOMON
PRESIDENT


JEANNE M. FOX
COMMISSIONER

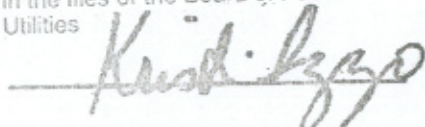

JOSEPH L. FIORDALISO
COMMISSIONER


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



ADENAH BAYOH/IHOP

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC08100935U
OAL DOCKET NO. PUC1286-09N

SERVICE LIST

Adenah Bayoh
Irvington International House of Pancakes
1212 Springfield Avenue
Irvington, NJ 07111

Sheree L. Kelly, Esq.
Public Service Electric and Gas Company
80 Park Plaza – T5
Newark, NJ 07102

Eric Hartsfield, Director
Julie Ford-Williams
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

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

CMS
BESLOW

RPA

KIRSCHBAUM

FORD WILLIAMS

(7)



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW



INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 01286-09

AGENCY DKT. NO. EC08100935U

ADENAH BAYOH/IHOP,

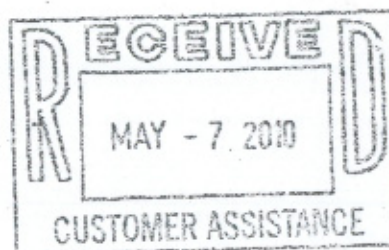
Petitioner,

v.

PUBLIC SERVICE ELECTRIC AND GAS

COMPANY,

Respondent.



Adenah Bayoh, petitioner, appearing pro se

Sheree Kelly, Esq. appearing on behalf of respondent (PSE&G Services Corporation)

Record Closed: April 27, 2010

Decided: April 28, 2010

BEFORE WALTER M. BRASWELL, ALJ:

On January 16, 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 telephone prehearing was conducted on March 5, 2009 at which time the hearing was scheduled for October 7, 2009 which continued on April 12, 2010. During the pendency of the April hearing, the parties reached a tentative settlement. On April 27, 2010 the parties submitted the Stipulation of Settlement.

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.

April 28, 2010
DATE

Date Received at Agency: 5-4-2010
tel

Date Mailed to Parties: APR 30 2010
ljb

Walter M. Braswell
WALTER M. BRASWELL, ALJ

4-30-10
Leura Sanders
DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

2010 APR 27 A 8:55

OFFICE OF ADMINISTRATIVE LAW

Adenah Bayoh/IHOP,
Petitioner

v.

Public Service Electric and Gas Company,
Respondent

OAL Docket No. PUGCC 01286-2009N
BPU Docket No. EC08100935U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Adenah Bayoh/IHOP ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 1212 Springfield Avenue, Irvington, New Jersey (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 amount of \$8,408.08 to Petitioner's account no. 67 131 788 04.
2. Petitioner agrees to pay PSE&G \$1,700.00 within ten (10) days of April 12, 2010.
3. Going forward, Petitioner agrees to pay their PSE&G bill for electric and gas service in a timely manner.

Petitioner: Adenah Bayoh/IHOP

Respondent: PSE&G

By: 

By: 

Edward B. Sullivan

Manager Customer Operations

Date: 4/16/10

Date: 4/14/10



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 APR 30 2010**