



Agenda Date: 9/16/10

Agenda Item: VIII E

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

CUSTOMER ASSISTANCE

WORLDS FAIR PROPERTIES, LLC,)	ORDER ADOPTING INITIAL
Petitioner)	DECISION SETTLEMENT
)	
V)	
)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	
Respondent)	BPU Dkt. No. EC10030207U
)	OAL Dkt. No. PUC5534-10

Jules Marx, Ph.D., Worlds Fair Properties, LLC, West Orange, New Jersey, appearing *pro se*

David K. Richter, Esq., Newark, New Jersey, on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On March 19, 2010, Jules Marx, Ph.D., filed a petition on behalf of Worlds Fair Properties, LLC ("Petitioner") 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") Michael Antoniewicz.

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 August 19, 2010, and submitted to the Board on August 23, 2010, to which the Stipulation was attached and made part thereof, ALJ Antoniewicz 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, in order to fully resolve this matter and while not agreeing with the merits of the allegations, Respondent has


agreed to waive \$11,364.00 of the total amount due on Petitioner's account. As of the date of the Stipulation, the total amount remaining and owed by Petitioner to Respondent for electric and gas service is \$20,727.71. In return, Petitioner has agreed to dismiss with prejudice the petition it filed in this matter.

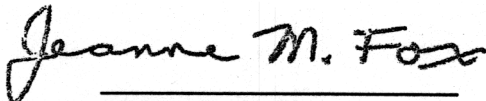
After review of the record and the Stipulation of Settlement of the parties, the Board HEREBY FINDS that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that by the terms of the Stipulation of Settlement, have fully resolved all outstanding contested issues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

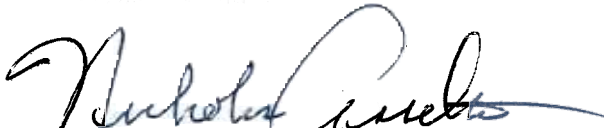
DATED: 9/16/10

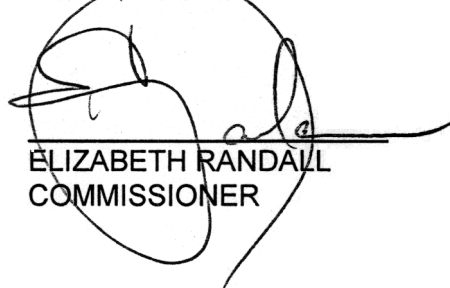
BOARD OF PUBLIC UTILITIES
BY:

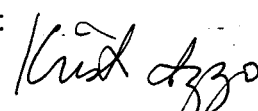

LEE A. SOLOMON
PRESIDENT


JEANNE M. FOX
COMMISSIONER

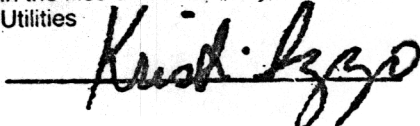

JOSEPH L. FIORDALISO
COMMISSIONER


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



WORLDS FAIR PROPERTIES, LLC

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10030207U

OAL DOCKET NO. PUC5534-10

SERVICE LIST

Jules Marx, Ph.D.
Worlds Fair Properties, LLC
8 Ash Avenue
West Orange, New Jersey 07052

David K. Richter, Esq.
PSEG Services Corporation
80 Park Plaza – T5C
Newark, New Jersey 07102-4194

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Newark, New Jersey 07101

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BBSLOW
TUPA
FOR WILLIAMS
(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 5534-10

AGENCY DKT. NO. EC10030207U

WORLDS FAIR PROPERTIES, LLC,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND
GAS COMPANY,**

Respondent.



Jules Marx, Ph.D., pro se

David K. Richter, Esq., for respondent

Record Closed August 18, 2010

Decided: August 19, 2010

BEFORE MICHAEL ANTONIEWICZ, ALJ:

This matter concerns a billing dispute by petitioner Worlds Fair Properties, LLC, against respondent Public Service Electric and Gas Company. The Board of Public Utilities transmitted this matter to the Office of Administrative Law, where it was filed on June 1, 2010, for determination 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. By letter dated July 22, 2010, respondent requested

that the telephone prehearing conference scheduled for July 23, 2010, be adjourned because the parties had reached an amicable agreement.

Under letter dated August 16, 2010, respondent submitted the attached Stipulation of Settlement setting forth the terms of agreement.

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

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

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I approve the settlement and, therefore, **ORDER** that the parties comply with the settlement terms and that these proceedings 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.

8/19/10

DATE

Date Received at Agency: 8-23-10

Date Mailed to Parties:

jb



MICHAEL ANTONIEWICZ, ALJ

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

**Worlds Fair Properties LLC
Petitioner,**

v.

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

) **OAL Docket No. PUC05534-2010N**
) **BPU Docket No. EC10030207U**

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Worlds Fair Properties LLC ("Petitioner"), against Respondent, Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 25 Worlds Fair Drive, Somerset, N.J. (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 Consideration. As consideration for the settlement, PSE&G agrees to waive \$11,364.00 of the total amount due on Account No. 42 037 003 02 (the "Account"). As of the date hereof and after the waiver, the total amount remaining and owed by Petitioner to PSE&G for gas and electric service is \$20,727.71.
- 2 Dismissal. Petitioner agrees to dismiss with prejudice the above-referenced docketed matter.
- 3 No Admission of Liability. It is hereby understood and agreed that agreeing to provide the Consideration set forth in Paragraph 3 or accepting of this Release shall not be construed as an admission of liability or responsibility by PSE&G, of any nature.
- 4 Signature. The parties understand and agree to the terms of this Release and Waiver and execute it as of the date first set forth above.

Respondent
Worlds Fair Properties, LLC

By: Jules Marx
Jules Marx, Ph.D.

Date: 8/7/10

Petitioner
Public Service Electric and Gas
Company

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

Date: 8/12/10

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

COPY

RECEIVED
MAIL ROOM
10 AUG 23 PM 12:14
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

NORTH

Date AUG 20 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

5052-10

BSL PARAMUS, LLC

5534-10

World's FAIR
Properties, LLC

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

Date: 8-23-10

Robert J. Giordano
Board of Public Utilities