

Agenda Date: 6/15/11 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
MICHAEL E. SCHWARTZ, Petitioner,)	ORDER ADOPTING INITIAL DECISION SETTLEMENT
V)	•
PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent.)))	BPU Dkt. No. EC10060431U OAL Dkt. No. PUC10961-10

Michael E. Schwartz, Hillsborough, 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 June 28, 2010, Michael E. Schwartz ("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 on October 7, 2010 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") John J. Spence, Jr.

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 21, 2011 submitted to the Board on May 3, 2011, to which the Stipulation was attached and made part thereof, ALJ Spence 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, the parties have agreed that the current balance on Petitioner's subject account is \$2,984.45 to which Respondent will apply a credit in the amount of \$2,400.00. In return, Petitioner has agreed to pay the balance of \$584.45 by May 8, 2011. In addition, Respondent scheduled a field visit on April 13, 2011, to confirm that the electric meter is registering the correct amount of energy being consumed by Petitioner.

After review of the record and the Stipulation of 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 Stipulation of Settlement have fully resolved all outstanding contested issues in this matter.

Accordingly, the Board <u>HEREBY ADOPTS</u> the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.

DATED: 6/15/11

BOARD OF PUBLIC UTILITIES BY:

E A. SOLOMON

PRESIDENT

JEANNE M. FOX COMMISSIONER OSEPH L. FIORDALISO

COMMISSIONER

NICHOLAS ASSELTA COMMISSIONER

ATTEST:

SECRETARY

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

Utilities

MICHAEL E. SCHWARTZ

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10060431U OAL DOCKET NO. PUC10961-10

SERVICE LIST

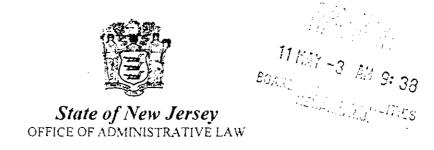
Michael E. Schwartz 31 Ditmars Circle Hillsborough, New Jersey 08844

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, Suite 801 Two Gateway Center Newark, New Jersey 07102

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





INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 10961-10
AGENCY DKT. NO. EC10060431U

MICHAEL E. SCHWARTZ,

Petitioner.

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY.

Respondent.

Michael E. Schwartz, petitioner, pro se

Sheree L. Kelly, Esq., for respondent

Record Closed: April 21, 2011

Decided: April 21, 2011

BEFORE JOHN J. SPENCE, JR., ALJ:

This matter was transmitted to the Office of Administrative Law (OAL) on October 7, 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.

OAL DKT. NO. PUC 10961-10

The parties have agreed to a settlement and have prepared a settlement agreement indicating the terms thereof, which is attached and fully incorporated herein.

I have reviewed the record and the settlement terms and I 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.

4/21/11	De Done A.
DATE	JOHN J. SPENCE, JR., ALJ
Date Received at Agency:	APPINE TO THE
Date Mailed to Parties:	
/cad	

Sherce L. Kelly Assistant General Regulatory Counsel **Law Department** 80 Park Plaza, T5G, Newark, NJ 07102-4194 tel: 973.430.6468 fax: 973.430.5983 email: sheree.kellv@pseg.com



April 15, 2011

Honorable John J. Spence Office of Administrative Law PO Box 049 Mercerville, NJ 08625-0049

Re:

Michael E. Schwartz v. PSE&G

BPU Docket No.: EC10060431U OAL Docket No.: PUC 10961-2010S

Dear Judge Spence:

Enclosed please find a signed Stipulation of Settlement with reference to the above-captioned matter.

Respectfully submitted,

Sheree L. Kelly

SLK/jb Enclosure

cc:

Michael E. Schwartz (w/enc.)

Edward B. Sullivan (w/enc.)

STATE OF NEW JERSEY OFFICE OF ADMINISTRATIVE LAW

	OF FIRE OF ACREE .
Michael E. Schwartz	OAL Docket No. PUC 10961-2010S
Petitioner	BPU Docket No. EC10060431U
v.)))
Public Service Electric and Gas Company, Respondent)))
)

This matter having been brought before the Office of Administrative Law by the Petitioner, Michael E. Schwartz ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 31 Ditmars Circle, Hillsborough NJ, 08844 (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. Petitioner's current balance on account no. 66 is \$2,984.45.
- 2. PSE&G agrees to credit Petitioner's account in the amount of \$2,400.00.
- 3. Petitioner agrees to pay the balance of \$584.45 by May 8, 2011 by May 8, 2011.
- 4. PSE&G has scheduled a field visit on April 13, 2011 to confirm that the electric meter is registering the correct amount of energy being consumed by the Petitioner.

Petitioner: Michael E. Schwartz

Edward B. Sullivan

Respondent: PSE&G

Manager, Customer Operations

Date: