



Agenda Date: 7/14/11
Agenda Item: VIIF

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

CUSTOMER ASSISTANCE

CLINT & MASSAREE MARSHALL,

Petitioners,

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,

Respondent.

Parties of Record

Clint & Massaree Marshall, *pro se*

Sheree L. Kelly, Esq., Public Service Electric and Gas Company

ORDER ADOPTING INITIAL
DECISION SETTLEMENT

BPU Dkt. No. GC11010043U
OAL Dkt. No. PUC3871-11

BY THE BOARD:

On January 28, 2011, Clint & Massaree Marshall ("Petitioners") 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") Kimberly A. Moss.

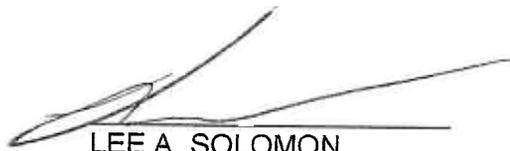
While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Stipulation") that was submitted to the ALJ. By Initial Decision issued on June 23, 2011, and submitted to the Board on June 30, 2011, to which the Stipulation was attached and made part thereof, ALJ Moss 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, which was intended to resolve all outstanding issues, Respondent agreed to credit Petitioners' account in the amount of \$2,300.00 toward the balance of \$4,069.52. In return, Petitioners agreed to pay

the balance of \$1,769.52 at \$55.00 per month plus current bills, to begin on June 1, 2011. 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 ORDERS adoption of the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as set forth herein.

DATED: 7/14/11

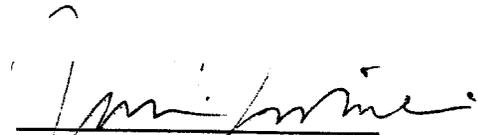
BOARD OF PUBLIC UTILITIES
BY:



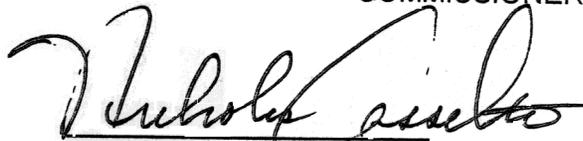
LEE A. SOLOMON
PRESIDENT



JEANNE M. FOX
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER



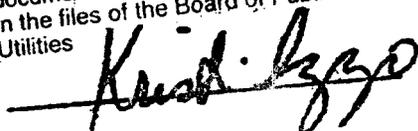
NICHOLAS ASSELTA
COMMISSIONER

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



CLINT & MASSAREE MARSHALL

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. GC11010043U

OAL DOCKET NO. PUC3871-11

SERVICE LIST

Clint & Massaree Marshall
31 Cedar Lane
Hillsdale, New Jersey 07642

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, Suite 801
Newark, New Jersey 07102

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



00 12:07

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 03871-11

AGENCY DKT. NO. GC11010043U

CLINT & MASSAREE MARSHALL,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,**

Respondent.

*CMS
Deslow
DAB (2)
RPA
Lee-Thomas
Sambert
Ford-Williams*

Clint & Massaree Marshall, petitioners appearing pro se

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

Record Closed: June 23, 2011

Decided: June 23, 2011

BEFORE **KIMBERLY A. MOSS, ALJ**

On April 5, 2011, 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 scheduled and conducted on May 17, 2011. During the pendency of the prehearing the parties reached a settlement. On June 23, 2011 PSE&G submitted the fully executed Stipulation of Settlement, which is incorporated herein by reference.

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

Clint & Massaree Marshall Petitioner)	OAL Docket No. PUC 03871-2011N BPU Docket No. GC11010043U
)	
v.)	
Public Service Electric and Gas Company, Respondent)	STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioners, Clint & Massaree Marshall ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 31 Cedar Lane, Hillsdale, NJ, 07642 (the "Property") and the Parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

PSE&G agrees to credit Petitioners' account no. 66 860 032 04 in the amount of \$2300.00 toward the \$4,069.52 balance.

- 2 The balance of \$1,769.52 will be paid at \$55.00 per month plus current bill, which will begin on June 1, 2011.

Petitioner: Clint Marshall

By: Clint Marshall

Respondent: PSE&G

By: Sheree L. Kelly
Assist. General Regulatory Counsel

Petitioner: Massaree Marshall

By: Massaree Marshall

Date: 5/19/11

Date: 6/20/11

have reviewed the record and terms of the Stipulation of 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 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.

6/23/11

DATE



KIMBERLY A. MOSS, ALJ

Date Received at Agency

Date Mailed to Parties

ljb

11