



Agenda Date: 11/9/11  
Agenda Item: VIIF

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 So. Clinton Ave., P.O. Box 350  
Trenton, NJ 07625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

DOMENICK F. D'AMICO,	)	ORDER ADOPTING INITIAL
	Petitioner )	DECISION SETTLEMENT
v.	)	
	)	BPU Docket No. EC11010017U
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,	)	OAL Docket No. PUC04191-11
Respondent	)	

Parties of Record:

**Domenick F. D'Amico, Petitioner**

**Alexander C. Stern, Esq., PSEG Services Corporation**

BY THE BOARD:

On January 8, 2011, Domenick F. D'Amico ("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 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") Mumtaz Bari-Brown.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Stipulation")<sup>1</sup> that was submitted to the ALJ. By Initial Decision issued on September 28, 2011, and submitted to the Board on October 3, 2011, to which the Stipulation was attached and made part thereof, ALJ Bari-Brown found that the Stipulation was voluntary, that its terms fully disposed of all issues in controversy and that it

<sup>1</sup> Although the Docket No. EC11010017U upon the Stipulation references the Petition filed on or about February 16, 2011, the subject Petition was dated January 8, 2011 and received by the Board on or about January 20, 2011.

satisfied the requirements of N.J.A.C. 1:1-19.1. Pursuant to the terms of the Stipulation, and in order to fully resolve this matter as well as to fully dispose of any and all matters arising out of the same issues raised in this proceeding, Respondent will credit Petitioner's account in the amount of \$2,110.59. In return, Petitioner has agreed to timely pay his bills for electric and gas service going forward. He further agreed to pay his overdue August 2011 charges which, having elected Respondent's equal payment plan, were billed at \$428.00. 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: 11/9/11

BOARD OF PUBLIC UTILITIES  
BY:



LEE A. SOLOMON  
PRESIDENT



JEANNE M. FOX  
COMMISSIONER



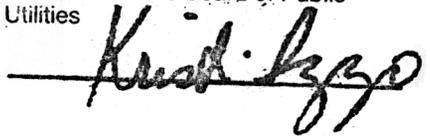
JOSEPH L. FIORDALISO  
COMMISSIONER



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



**DOMENICK F. D'AMICO**

**V.**

**PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

**BPU DOCKET NO. EC11010017U**

**OAL DOCKET NO. PUC04191-11**

**SERVICE LIST**

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Beslow  
DAG (2)  
RPA  
Lee-Thomas  
Ford-Williams



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

BPU MAILROOM  
OCT 03 2011  
RECEIVED

**INITIAL DECISION**

**SETTLEMENT**

OAL DKT. NO. PUC 04191-2011

AGENCY DKT. NO. EC11010017U

**DOMENICK F. D'AMICO,**

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND  
GAS COMPANY,**

Respondent.

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**Domenick F. D'Amico, pro se**

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

Record Closed: September 28, 2011

Decided: September 28, 2011

**BEFORE MUMTAZ BARI-BROWN, ALJ**

This matter was transmitted to the Office of Administrative Law (OAL) on April 8, 2011, for resolution as a contested case pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F1 to -13.

A hearing was scheduled on February 1, 2012. Prior to the date of hearing the parties settled the matter. The attached Stipulation of Settlement was submitted on

September 28, 2011, indicating the terms of agreement which are incorporated herein by reference.

Having reviewed the record and the settlement terms, I **FIND**:

The parties have voluntarily agreed to the settlement as evidenced by their signatures and/or the signatures of their representatives.

- 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

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.

Sept 28, 2011  
DATE

Mumtaz Baric Brown  
MUMTAZ BARIC BROWN, ALJ

Date Received at Agency:

\_\_\_\_\_

Date Mailed to Parties

\_\_\_\_\_

dr



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: 9/22/11

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

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 9/22/2011

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

PETITIONER

DATED: 9/19/2011

By: Domenick F. D'Amico  
Domenick F. D'Amico