



Agenda Date: 11/30/11
Agenda Item: VIII

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue
Post Office Box 350
Trenton, NJ 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

ERNEST C. PHILLIPS,)	ORDER ADOPTING INITIAL
Petitioner)	DECISION AND
V.)	SETTLEMENT
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	
Respondent)	BPU DKT. NO. GC10120955U
)	OAL DKT. NO. PUC1890-11

Michael E. Phillips, Executor for Ernest C. Phillips, appearing *pro se*

Mally Becker, Esq., on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On December 21, 2010, Michael E. Phillips, Executor on behalf of the Estate of Ernest C. Phillips, ("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") Tahesha L. Way.

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 and submitted to the Board on November 9, 2011, to which the Stipulation was attached and made part thereof, ALJ Way 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, and in order to

fully resolve this matter, the parties have agreed that: (1) as of October 26, 2011, Petitioner had a balance of \$5,588.21 on the account with Respondent; and (2) Respondent will credit Petitioner's account in the amount of \$5,830.49.

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, in its entirety, and the Stipulation of Settlement executed by the parties in its entirety as if fully set forth herein.

DATED: 12/15/11

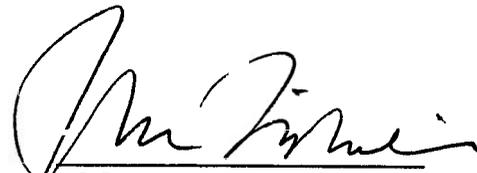
BOARD OF PUBLIC UTILITIES
BY:



LEE A. SOLOMON
PRESIDENT



JEANNE M. FOX
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER



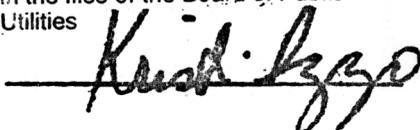
NICHOLAS ASSELTA
COMMISSIONER

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



ERNEST C. PHILLIPS
V.
PUBLIC SERVICE ELECTRIC AND GAS COMPANY
BPU DOCKET NO. GC10120955U
OAL DOCKET NO. PUC1890-11

SERVICE LIST

Michael E. Phillips
Executor for Ernest C. Phillips
10 North 20th Street
East Orange, New Jersey 07017

Mally Becker, Esq.
PSEG Services Corporation
80 Park Plaza – T5G
Newark, New Jersey 07102-4194

Eric Hartsfield, Director
Julie Ford Williams
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Board of Public Utilities
44 South Clinton Avenue – P.O. Box 350
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Veronica Beke, DAG
Division of Law
124 Halsey Street – P.O. Box 45029
Newark, New Jersey 07101

FWO 11/19/11
RECEIVED
CASE MANAGEMENT

2011 NOV 17 AM 9:49

BOARD OF PUBLIC UTILITIES
NEWARK, N.J.



BPU MAILROOM

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 1890-11

AGENCY DKT. NO. GC10120955U

IN THE MATTER OF ERNEST C. PHILLIPS

Petitioner

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

Respondent.

*CMS
Beslow
DAG
Veecher
RPA
See - Thomas
Haynes
Lombard
Ford - Williams*

Michael E. Phillips, Executor, for petitioner Ernest C. Phillips

Mally Becker, Esq., for respondent PSE&G

Record Closed: November 9, 2011

Decided: November 9, 2011

BEFORE TAHESHA L. WAY, ALJ:

On February 16, 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 hearing date was scheduled for October 27, 2011 but adjourned because the parties agreed to settle the matter. The Stipulation of Settlement indicating the terms of settlement was signed by the parties and is attached hereto.

have reviewed the record and the terms of settlement and I **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 the law.

I **CONCLUDE** that this matter is no longer a contested case before the Office of Administrative Law. It is **ORDERED** 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.

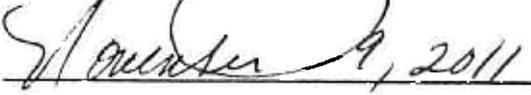
This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

November 9, 2011
DATE

Date Received at Agency:

Date Mailed to Parties:



TAHESHA L. WAY, ALJ


November 9, 2011

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

P 02

OFFICE OF ADMINISTRATIVE LAW

Ernest C. Phillips,
Petitioner

v.

Public Service Electric and Gas Company,
Respondent

OAL Docket No. PUC 01890-2011 N
BPU Docket No. GC10120955U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, the Executor of the Estate of Ernest C. Phillips, Michael Phillips, ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 10 N. 20th Street, East Orange, 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 As of October 26, 2011, Petitioner had a balance of \$5,588.21 on the PSE&G account located at the Property.
2. Respondent agrees to credit Petitioner's PSE&G account for \$5,830.49.

Petitioner: Michael Phillips, Executor
Of the Estate of Ernest C. Phillips
Date: November 01, 2011
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Respondent: PSE&G

By: Michael Phillips

By: Mally Becker
Mally Becker, Esq.
Assist. General Regulatory Counsel

Date: 11-01-2011

Date: 10/27/11