



Agenda Date: 1/18/12
Agenda Item: VIIB

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

WILLIAM SPAHR.)	ORDER ADOPTING INITIAL
Petitioner)	DECISION SETTLEMENT
v.)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	BPU DKT. NO. GC10120954U
Respondent)	OAL DKT. NO. PUC4190-11

Parties of Record:

William Spahr, Petitioner, *pro se*
David K. Richter, Esq., on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

William Spahr ("Petitioner") filed a petition received on December 21, 2010 by 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.

Respondent's answer, received on December 8, 2011 by the Board, denied all allegations. On April 1, 2011, 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 a signed Settlement ("Settlement") dated November 10, 2011 that was submitted to the ALJ. By Initial Decision issued on December 8, 2011, to which the Settlement was attached and made a part thereof, ALJ Way found that the Settlement 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 Settlement and in order to fully resolve this matter, Respondent has agreed to credit Petitioner's residential account in the amount of \$3,972.18. In return, Petitioner has agreed to continue to pay the full amount of the current monthly charges owed to Respondent for electric and gas service to Petitioner's various accounts.

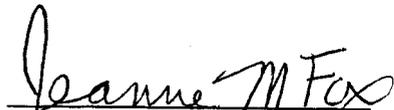
After review of the record and review of the Initial Decision by Settlement, the Board HEREBY FINDS that the parties have stipulated to fully dispose of all issues in controversy between them with regard to this matter as evidenced by their signatures upon the Settlement.

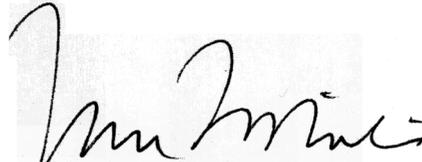
Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Settlement executed by the parties in their entirety as if fully set forth herein.

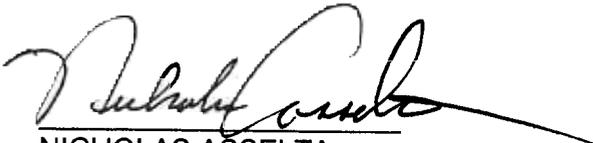
DATED: 1/18/12

BOARD OF PUBLIC UTILITIES
BY:


ROBERT M. HANNA
PRESIDENT


JEANNE M. FOX
COMMISSIONER

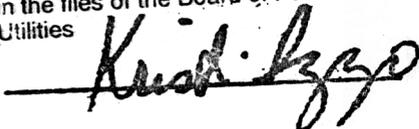

JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER


MARY-ANNA HOLDEN
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



WILLIAM SPAHR

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10120954U

OAL DOCKET NO. PUC4190-11

SERVICE LIST

William Spahr
67 West Palisades Boulevard
Palisades Park, New Jersey 07650

David K. Richter, Esq.
PSEG Services Corporation
80 Park Plaza – T5C
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

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

CMS
Beslow
DAG(2)
RPA

Ford-Williams
Haynes

RECEIVED
MANAGEMENT

2011 DEC 14 AM 10:39

BOARD OF PUBLIC UTILITIES
NEWARK, N.J.



BPU MAILROOM

DEC 13 2011

RECEIVED

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 4190-11

AGENCY DKT. NO. GC10120954U

IN THE MATTER OF WILLIAM SPAHR

Petitioner

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

Respondent.

William Sparh, petitioner pro se

David K. Richter, Esq., for respondent PSE&G

Record Closed: December 8, 2011

Decided: December 8, 2011

BEFORE TAHESHA L. WAY, ALJ:

On April 8, 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 31, 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.

71
100
CUSTOMER SERVICE

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.

December 8, 2011

DATE

Date Received at Agency:

Date Mailed to Parties:



TAHESHA L. WAY, ALJ

December 8, 2011

David K. Richter
Assistant General Regulatory Counsel

Regulatory Department
80 Park Plaza, T5C, Newark, NJ 07102-4194
tel: 973.430.6451 fax: 973.802.1267
email: david.richter@pseg.com



October 27, 2011

VIA FEDERAL EXPRESS

William Spahr
67 West Palisades Blvd.
Palisades Park, New Jersey 07650

Re: Spahr v. PSE&G
BPU Docket No. GC10120954U

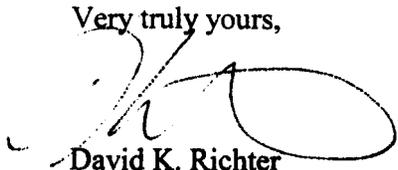
Dear Mr. Spahr:

This letter is a follow with your conversation with Mr. Edward Sullivan and your agreement with respect to the above-referenced matter. As discussed, in the interests of good customer relations and in full settlement of this matter, PSE&G will credit your residential account (account number #65-
[REDACTED]) at the above-referenced address in the amount of \$3,972.18. As of the date hereof, PSE&G is now billing you the correct amount for your utility usage per month.

It is understood that after the credit to your account, you will continue to pay the full amount of the current monthly charges owed for electric and gas service to your various accounts. Obviously, once this settlement is signed, if you receive your next set of bills and there is a problem or concern, feel free to contact me at the number above or Ed Sullivan at (973) 430-6170.

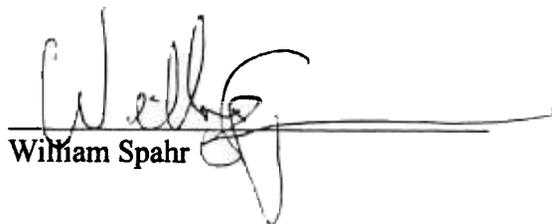
Please execute this document, sign both copies of this letter, retain one for your records and return one original to me in the enclosed self-addressed stamped envelope. Should you have any questions or concerns, please feel free to contact me at the number above.

Very truly yours,


David K. Richter

I hereby agree to the terms of the settlement referred above and to the withdrawal of the petition in this matter with prejudice.

Date: 11/10/2011


William Spahr