BY THE BOARD:

On July 13, 2011, Usha Panicker, MD ("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") 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 January 27, 2012, and submitted to the Board on February 3, 2012, 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, and in order to fully resolve this matter, the parties have agreed that Respondent will credit Petitioner's account in the amount of $1,762.00 and issue a check to Petitioner in that amount. The parties have further agreed that Petitioner shall continue to pay the full amount of the current monthly charges owed.
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 the terms of the Stipulation of Settlement fully resolve 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: 3/12/2012

BOARD OF PUBLIC UTILITIES
BY:

ROBERT M. HANNA
PRESIDENT

JEANNE M. FOX
COMMISSIONER

JOSEPH L. FIORDALISO
COMMISSIONER

MARY-ANNA HOLDEN
COMMISSIONER

NICHOLAS ASSEITA
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

KRISTI IZZO

BPU DOCKET NO. EC11070421U
OAL DOCKET NO. PUC 10854-11
USHA PANICKER, MD

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC11070421U
OAL DOCKET NO. PUC10854-11

SERVICE LIST

Usha Panicker, MD
2 Maryland Avenue
Edison, New Jersey 08820

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Eric Hartsfield, Director
Julie Ford-Williams
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Board of Public Utilities
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Newark, New Jersey 07102

David Wand, DAG
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 10854-11N
AGENCY DKT. NO. EC11070421U

USHA PANICKER, MD,
Petitioner,

v.
PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,
Respondent.

Usha Panicker, MD, petitioner, pro se

Alexander C. Stern, Esq. on behalf of respondent (PSE&G Services Corporation)

Record Closed: January 27, 2012
Decided: January 27, 2012

BEFORE KIMBERLY A. MOSS, ALJ

On September 9, 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 October 19, 2011. During the pendency of the prehearing the parties engaged in extensive settlement discussions and agreed on a settlement. A hearing was scheduled for January 11, 2012. Prior to the hearing date the parties advised that the matter is settled. On January 27, 2012 the undersigned received the Stipulation of Settlement, which are incorporated herein by reference.
I have reviewed the record and terms of the Stipulation of Settlement and 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 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.

Date Received at Agency:

Date Mailed to Parties:

KIMBERLY A. MOSS, ALJ
In or about July 2011 Usha Panicker ("Petitioner") filed the above-referenced billing dispute. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to Petitioner’s petition and the New Jersey Board of Public Utilities ("NJBPU" or "Board") transmitted the matter to the Office of Administrative Law ("OAL") as a contested case for adjudication. 

In the interests of resolving this matter without further delay, extensive effort and cost, the parties hereto agreed to settle this matter in accordance with the following terms:

1. Although not agreeing with the merits of the allegations expressed in the Petition, PSE&G agrees to credit Petitioner’s account $1,762.00 and issue a check to Petitioner for that amount.

2. Although not agreeing with PSE&G’s stated position in this matter, Petitioner agrees to accept the credit of $1,762.00 referenced in paragraph 1 above in consideration for resolution of this matter.

3. Petitioner’s PSE&G account is current and it is understood that Petitioner will continue to pay the full amount of the current monthly charges owed.

4. This agreement is in full settlement of the Petition filed by Petitioner in or about July 2011.

5. The undersigned agree that this Settlement contains mutually balancing and interdependent provisions and is intended to be accepted and approved in its entirety. In the event any particular aspect of this Settlement is not accepted and approved by the Board or
modified by the Board, the party that is adversely affected by the modification can either accept
the modification or declare this Settlement to be null and void, and the parties shall be placed in
the same position that they were in immediately prior to its execution.

PSEG SERVICES CORPORATION
Attorneys for PSE&G
By: Alexander C. Stern, Esq.
Assistant General Regulatory Counsel

DATED: 1/23/12

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 1/23/12

PETITIONER

DATED: 1/23/12

By: Patricia Esler
Manager Customer Assessment

DATED: 1/23/12

By: Usha Panicker, MD

Usha Panicker, MD