



Agenda Date: 4/11/12
Agenda Item: VIIA

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

CUSTOMER ASSISTANCE

FIRST CLASS CHAMPIONSHIP DEVELOPMENT CENTER, INC. Petitioner)	ORDER ADOPTING INITIAL DECISION SETTLEMENT
)	
v.)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent)	BPU DOCKET NO. EC11050307U OAL DOCKET NO. PUC 08119-11

Parties of Record:

J. Edward Waller, Esq., on behalf of Petitioner, LDR Equities, LLC
Sheree L. Kelly, Esq., on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On May 18, 2011, First Class Championship Development Center, Inc. ("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 ("Settlement") that was submitted to the ALJ. By Initial Decision issued on February 27, 2012, and received by the Board on March 2, 2012, to which the Settlement was attached and made part thereof, ALJ Moss 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, the parties have agreed that the current balance on Petitioner's account with Respondent is \$5,030.81. Respondent has agreed to credit Petitioner's account in the amount of \$2,500.00 leaving a balance of \$2,530.81. In return, commencing with its March 2012 bill for electric and gas service, Petitioner has agreed to pay the balance at \$100.00 per

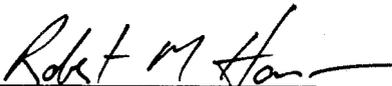
month until the balance is fully paid and to pay bills on time by the due date on the bill. In addition, should Petitioner like Respondent to make a field visit to the subject property, said request should be made by a call to Respondent's attorney, Ms. Kelly.

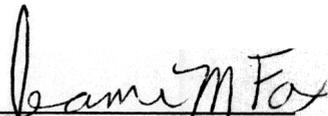
After review of the record and the Settlement of the parties, the Board HEREBY FINDS that the parties have voluntarily agreed to the Settlement as evidenced by their signatures and that by the terms of the Settlement, have fully resolved all outstanding contested issues in this matter.

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: 4/12/12

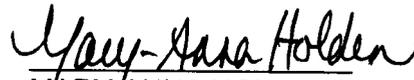
BOARD OF PUBLIC UTILITIES
BY:


ROBERT M. HANNA
PRESIDENT


JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

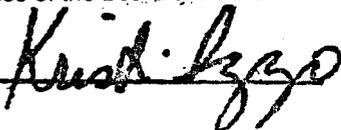

NICHOLAS ASSELTA
COMMISSIONER


MARYANNA 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



FIRST CLASS CHAMPIONSHIP DEVELOPMENT CENTER, INC.

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC11050307U

OAL DOCKET NO. PUC08119-11

SERVICE LIST

J. Edward Waller, Esq.
1001-1013 Springfield Avenue – Room 215
Irvington, New Jersey 07111

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

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



DOVE

7:47

2012

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

001 20120227

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 08119-11N

AGENCY DKT. NO. EC11050307U

**FIRST CLASS CHAMPIONSHIP DEVELOPMENT
CENTER, INC,**

Petitioner,

v

**PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,**

Respondent.

*CMS
Legal E. Baslow
V. Haynes
D. Lee - Thomas
J. Ford - Williams
R. Lambert
DAG
RPA
C. Vecchioni*

J. Edward Waller, Esq. on behalf of petitioner

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

Record Closed: February 24, 2012

Decided: February 27, 2012

BEFORE KIMBERLY A. MOSS, ALJ:

On July 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 telephone prehearing was scheduled and conducted during which time the parties agreed on a hearing date. Several conferences and hearings were scheduled and adjourned due to the parties discussing settlement. On February 24, 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.

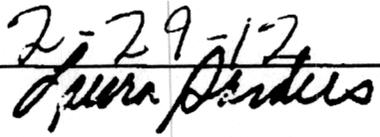
I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

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.

2-27-12
DATE


KIMBERLY A. MOSS, ALJ

Date Received at Agency:

2-29-12

DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

Date Mailed to Parties:
ljb

FEB 29 2012

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

First Class Championship Development
Center, Inc. c/o Carolyn Kelley
Petitioner

v.

Public Service Electric and Gas Company,
Respondent

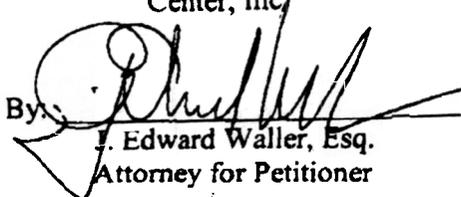
24 P 21
OAL Docket No. PUC 08119-2011N
BPU Docket No. EC11050307U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, First Class Championship Development Center, Inc. ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 936-938 Bergen Street, Newark, NJ, 07112 (the "Property") and the Parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

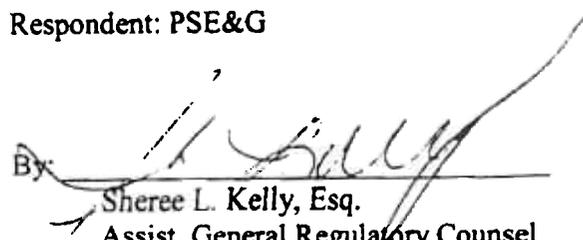
1. As of February 14, 2012, Petitioner has a balance of \$5,030.81 on the active account at the Property.
2. Respondent agrees to credit Petitioner's account in the amount of \$2,500.00.
3. Petitioner agrees to pay current bills, plus the balance of \$2,530.81 at \$100.00 per month until said balance is completed beginning with March 2012 PSE&G gas and electric bill.
4. Petitioner agrees to pay bills on time by the due date on the bill.
5. If Petitioner would like a field visit to the Property by PSE&G, she will call Sheree L. Kelly, Esq.

Petitioner: First Championship Development
Center, Inc.

By: 
J. Edward Waller, Esq.
Attorney for Petitioner

Date: 2/16/12

Respondent: PSE&G

By: 
Sheree L. Kelly, Esq.
Assist. General Regulatory Counsel

Date: 2/22/12