

Agenda Date: 12/19/12 Agenda Item: VIIC

## STATE OF NEW JERSEY

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

		CUSTOMER ASSISTANCE
PATRICIA GILLESPIE, Petitioner	)	ORDER ADOPTING INITIAL DECISION SETTLEMENT
V.	)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent	)	BPU DKT. NO. EC12060481U OAL DKT. NO. PUC 08807-2012N

Parties of Record:

Victoria M. Brown, Esq., appearing on behalf of Petitioner, Patricia Gillespie Sheree L. Kelly, Esq., on behalf of Respondent, Public Service Electric and Gas Company

#### BY THE BOARD:

On June 1, 2012, Patricia Gillespie ("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.

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 the matter was at the OAL, an amended petition and amended answer was submitted.

Thereafter, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Stipulation") that was submitted to the ALJ prior to the hearing. To fully resolve this matter, the parties have stipulated to settlement terms showing that: (1) PSE&G will credit the account in the amount of \$2,971.59, leaving a balance of \$164.69 reflecting the November 13, 2012 bill; (2) respondent's payment assistance coordinator will provide information regarding payment assistance programs available to Petitioner; and (3) both parties will treat a faxed or scanned/e-mailed copy of the Settlement as an original. By Initial Decision filed on November 19, 2012, to which the Stipulation was attached and made a 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.

After review of the record and Stipulation, the Board <u>HEREBY FINDS</u> 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 <u>HEREBY ADOPTS</u> the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.

DATED:

12/19/12-

BOARD OF PUBLIC UTILITIES BY:

ROBERT M. HANNA

**PRESIDENT** 

JEANNE M. FOX COMMISSIONER

NICHOLAS ASSELTA COMMISSIONER JOSEPH L. FIORDALISO COMMISSIONER

MARY ANNA HOLDEN COMMISSIONER

ATTEST:

KRISTI IZZO SECRETARY

HEREBY CERTIFY that the within docume at a strue copy of the original in the files of the Board of Public

2

### PATRICIA & WILLIE GILLESPIE

V.

#### PUBLIC SERVICE ELECTRIC AND GAS COMPANY BPU DOCKET NO. EC12060481U OAL DOCKET NO. PUC 08807-12N

#### SERVICE LIST

Victoria M. Brown, Esq. 342 Grand Avenue Englewood, New Jersey 07631

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
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

Veronica Beke, DAG Division of Law 124 Halsey Street P.O. Box 45029 Newark, New Jersey 07101 1/20/12

REC'D



NU DVU CASE MANAGEMERT

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 08807-12N AGENCY DKT. NO. EC12060481U

PATRICIA WILLIE GILLESPIE,

Petitioner.

٧.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,

Respondent.

Victoria M. Brown, Esq appearing on behalf of petitioner

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

Record Closed: November 15, 2012

Decided: November 15, 2012

# BEFORE KIMBERLY A. MOSS, ALJ:

On July 2, 2012, 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 July 23, 2012 during which time a follow-up telephone status conference was agreed to be held on August 9, 2012. During the pendency of the status conference the parties agreed on a hearing date of November 15, 2012. Prior to the hearing respondent advised that the parties have reached a settlement and there was no need for a hearing. On November

OAL DKT. NO. PUC 08807-12N

15, 2012 the undersigned received a copy of the signed Stipulation of Settlement, which is incorporated herein by reference.

I have reviewed the record and terms of the Stipulation of Settlement and FIND:

The parties have voluntarily agreed to the settlement as evidenced by the 1.

signatures of the parties or their representatives.

The settlement fully disposes of all issues in controversy and is consistent 2.

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.

KIMBÉRLY A. MOSS, ALJ

Date Received at Agency:

Date Mailed to Parties:

ljb.

#### STATE OF NEW JERSEY "!VED OFFICE OF ADMINISTRATIVE LAW

LUIZ NOV 15 A 10: 56

WE WE'W JERSEY FICE OF ADMIN LAW

Patricia Gillespie Petitioner

OAL Docket No. PUC 08807-2012N BPU Docket No. EC12060481U

٧.

STIPULATION OF SETTLEMENT

Public Service Electric and Gas Company, Respondent

This matter having been brought before the Office of Administrative Law by the Petitioner, Patricia Gillespie ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 369 E. 38th Street, Paterson, NJ, 07504 (the "Property") and the Parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

- PSE&G agrees to credit account ending in 716 18 in the amount of \$2,971.59, 1. leaving a balance of \$164.69, which represents the November 13, 2012 bill.
- PSE&G's payment assistance coordinator will provide information regarding 2. payment assistance programs available to Petitioner.
- A faxed or scanned/emailed copy of this Agreement shall be treated by the parties 3.

Petitioner: Patricia Gillespie

Respondent: PSE&G

Edward B. Sullivan

Manager, Regulatory Services