



**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/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

ORLY INDUSTRY, INC.,  
Petitioner

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,  
Respondent

ORDER OF EXTENSION

DOCKET NO. EC13060460U  
OAL DOCKET NO. PUC11163-13

(SERVICE LIST ATTACHED)

The Initial Decision of the Administrative Law Judge was received by the Board of Public Utilities (Board) on June 12, 2014; therefore the 45-day statutory period for review and the issuing of a Final Decision will expire on July 28, 2014. Prior to that date, the Board requests an additional 45-day extension of time for issuing the Final Decision in order to fully review the record in this matter.

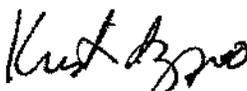
Good cause having been shown, pursuant to N.J.S.A. 52:14B-10(c) and N.J.A.C. 1:1-18.8, **IT IS ORDERED** that the time limit for the Board to issue a Final Decision is extended until September 11, 2014.

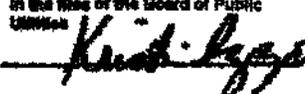
DATED: 7/23/14

BOARD OF PUBLIC UTILITIES  
BY<sup>1</sup>:

  
DIANNE SOLOMON  
PRESIDENT

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.  


<sup>1</sup> Authorized by Board to execute this Order of Extension on its behalf.

Date Board mailed Order to OAL: 7/24/14

cc: Service List Attached

DATED:



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LAURA SANDERS, ACTING  
DIRECTOR & CHIEF  
ADMINISTRATIVE LAW JUDGE

Date OAL mailed executed Order to Board: 7/28/14

Date Board mailed executed Order to Parties: 7/28/14

ORLY INDUSTRY, INC.

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC13060460U

OAL DOCKET NO. PUC11163-13

SERVICE LIST

Mark Vogel, Esq.  
555 Mountain Avenue  
North Caldwell, New Jersey 07006

Orly Industry, Inc.  
106 Lexington Avenue  
Brooklyn, New York 11238

Sheree L. Kelly, Esq.  
PSEG Services Corporation  
80 Park Plaza – T5G  
Newark, New Jersey 07102-4194

Russell Smith, DAG  
Department of Law and Public Safety  
Division of Law  
124 Halsey Street  
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Division of Customer Assistance  
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State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**

**SETTLEMENT**

OAL DKT. NO. PUC 11163-13

AGENCY DKT. NO. E013060460U

**ORLY INDUSTRY INC.,**

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY,**

Respondent.

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Mark Vogel, Esq appearing on behalf of petitioner

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

Record Closed: June 10, 2014

Decided: June 10, 2014

**BEFORE KIMBERLY A. MOSS, ALJ:**

On August 2, 2013, 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. On August 27, 2013 the undersigned advised petitioner that Orly Industry Inc is an entity and must be represented by an attorney. The telephone prehearing scheduled September 6, 2013 was adjourned. The matter was rescheduled and conducted on September 16, 2013. Several status conferences were scheduled and conducted thereafter wherein the parties engaged in settlement discussions.

Hearings were scheduled for February 4 and June 10, 2014. The February hearing date was adjourned to allow counsel time to negotiate settlement. During the pendency of the June 10, 2014 hearing the parties prepared and submitted a Stipulation of Settlement, which is incorporated herein by reference.

I have reviewed the record and terms of the Stipulation of Settlement and **FILED**:

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. 17:27-19.1 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.

6-10-17

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
KIMBERLY A. MOSS, ALJ

Date Received at Agency: \_\_\_\_\_

Date Mailed to Parties: \_\_\_\_\_

ljb

Orly Industries  
vs.  
PSETG

3rd Doct No. EC 130604602  
OAL Doct No. DUE 11103-2013

1. The total amount due and owing on account number 69 639 881 06 is \$79,275.45.
2. PSETG agrees to accept \$61,000.00 in full and final settlement on this account.
3. PSETG agrees to provide bills for the time period 3/8/13 to 5/14/13 representing \$25,175.37 which amount is included in the aforementioned settlement amount of \$61,000.00.
4. PSETG will provide the bills to Petitioner's counsel at Mark Vogel 1706@gmail.com within 10 days (business) from today.
5. Petitioner has 20 business days thereafter to dispute the subject bills through an email to Respondent's counsel at Sherie.Kelly@pseg.com.  
Sherie.Kelly@
6. If <sup>Petitioner</sup> does not dispute within this period the full amount of \$61,000.00 shall be due and owing in accordance with the payment plan set forth below.
7. If Petitioner does dispute the amount of \$25,175.37 or any portion thereof then

shall be a conference between the parties to resolve the dispute.

8. If the dispute regarding the \$25,175.37 can not be resolved, Petitioner reserves the right to bring a case before the BPO/OAL for the \$25,175.37.

9. The \$61,000.00 (or such other amount agreed to between the parties if there is a dispute regarding the \$25,175.37)

10. Said sum shall be paid at \$5,000.00 per month beginning August 10, 2014 and continuing until said sum is paid in full.

11. In addition account no 69 040 624 01 in amount of 109.85 and account no. 69 041 567 08 in the amount of 1626.17 shall be withdrawn from collection and shall no longer be due and owing.

Kevin Walt  
Kevin Walt  
PSET O

June 10, 2014

[Signature]  
JAMES ORL - Elderly  
REARER

June 10, 2014