



Agenda Date: 08/23/17
Agenda Item: VIIB

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

JDM GROUP, LLC,)	ORDER ADOPTING INITIAL
PETITIONER)	DECISION SETTLEMENT
)	
V.)	
)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	BPU DOCKET NO. EC15040478U
RESPONDENT)	OAL DOCKET NO. PUC 03310-16

Parties of Record:

Richard A. Murray, for Petitioner
Alexander C. Stern, Esq., for Respondent, Public Service Electric & Gas

BY THE BOARD:

On April 17, 2015, JDM Group, LLC ("Petitioner") filed a petition with the Board of Public Utilities ("Board") related to a billing dispute with Public Service Electric and Gas ("PSE&G" or "Respondent") for service rendered by Respondent to the Petitioner.

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") Michael Antoniewicz.

The parties subsequently voluntarily agreed to resolve the matter and entered into a signed Stipulation of Settlement ("Stipulation") that was submitted to the ALJ. By Initial Decision issued on July 11, 2017, and submitted to the Board on July 12, 2017, to which the Stipulation was attached and made part thereof, ALJ Antoniewicz 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 agreed to an outstanding balance of \$139,000 on several accounts. Respondent has agreed to credit \$109,055.66 to Petitioner on the account ending in 0204, thereby reducing the balance due on that account to \$7,336.14. After application of the credit, Petitioner has agreed to pay \$75,000.00 within 45 days of settlement execution. As the account number ending in 2306

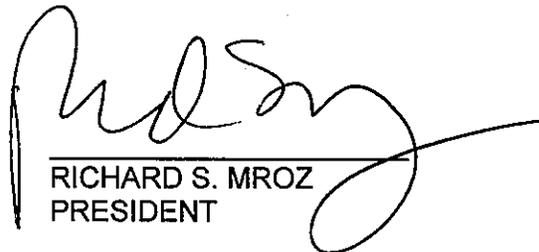
reflects a \$90.07 credit, the \$75,000.00 payment is to be made in the following amounts on the account numbers noted: \$32,203.85 on the account number ending in 3300; \$7336.14 on the account number ending in 0204; and \$35,470.98 on the account number ending in 1018; and \$79.10 on the account number ending in 0804. Petitioner has also agreed to submit 23 consecutive monthly payments of \$2,700.00 and a final \$1,900.00 monthly payment to clear the remaining balance due of \$64,000.00 on the account number ending in 3300.

After review of the Initial Decision and the Stipulation, 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 Stipulation, they have fully resolved all outstanding contested issues in this matter. Accordingly, the Board **HEREBY ADOPTS** the Initial Decision and the Stipulation executed by the parties in their entirety as if fully set forth herein.

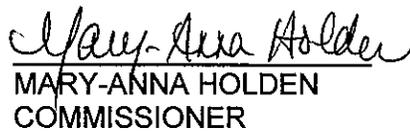
The effective date of this Order is September 2, 2017.

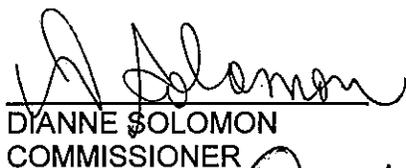
DATED: 8/23/17

BOARD OF PUBLIC UTILITIES
BY:

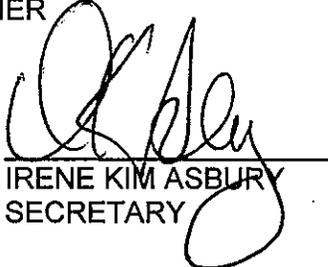

RICHARD S. MROZ
PRESIDENT


JOSEPH L. FIORDALISO
COMMISSIONER

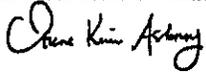

MARY-ANNA HOLDEN
COMMISSIONER


DIANNE SOLOMON
COMMISSIONER


UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST: 
IRENE KIM ASBURY
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities



JDM GROUP, LLC

v.

PUBLIC SERVICE ELECTRIC & GAS

**BPU Dkt. No. EC15040478U
OAL Dkt. No. PUC 03310-16**

SERVICE LIST

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JUL 12 2017

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 03310-16

AGENCY REF. NO. EC15040478U

JDM GROUP, LLC,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC & GAS

COMPANY BILLING DISPUTE,

Respondent.

Richard A. Murray, Esq., for Petitioner

Alex C. Stern, Esq., for Respondent and

James Walsh, PSE&G Customer Operations Representative, for Respondent

CMS
V. Haynes
D. Lee Thomas
E. Hartsfield
J. Ford
R. Lambert
R. Matos
D. Brantley
B. Agee
C. Vachier

Record Closed: June 22, 2017

Decided: July 11, 2017

BEFORE MICHAEL ANTONIEWICZ, ALJ:

The Board of Public Utilities transmitted this matter to the Office of Administrative Law (OAL) where it was received and filed on March 3, 2016 for hearing as a contested case pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F1 to -13. Several telephone conferences were held wherein the parties discussed with the undersigned

the possibility of working towards an amicable resolution of the within matter. By e-mail correspondence dated May 31, 2017, Alexander C. Stern, Esq., forwarded to the Court a Stipulation of Settlement that had been verbally agreed upon and was going to be circulated for execution. On June 22, 2017 A Stipulation of Settlement was received by the undersigned indicating the terms of settlement which is attached hereto and made a part hereof.

I have reviewed the record and terms of the settlement and **FIND**:

1. The parties have voluntarily agreed to the resolution of the within matter as evidenced by their signatures or the signatures of their representatives.
2. The Settlement fully disposes of all issues in controversy and is consistent with the law.

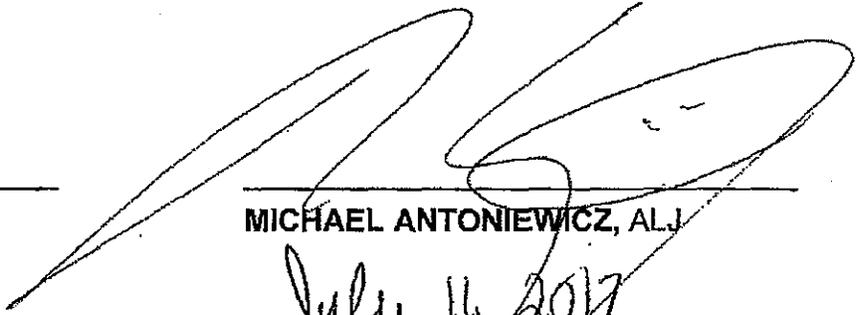
Therefore, I **CONCLUDE** that this Stipulation of Settlement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. Accordingly, it is **ORDERED** that the parties comply with the terms, and it is **FURTHER ORDERED** that the proceedings in this matter be concluded.

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.

July 11, 2017

DATE



MICHAEL ANTONIEWICZ, ALJ

Date Received at Agency:

July 14, 2017

Date Mailed to Parties:

July 11, 2017

db

2. Within forty-five (45) days of the execution of this Stipulation of Settlement, Petitioner agrees to make a \$75,000.00 payment associated with the outstanding balances owed on the accounts as follows:

Acct Number	Outstanding Balance Owed	Payment w/in 45 days of Settlement Execution	New Outstanding Balance Owed After 45-day payment	Meter #
4227903300	\$ 96,203.85	\$ 32,203.85	\$ 64,000.00	9204511
4229300204	\$ 7,336.14	\$ 7,336.14	\$ 0.00	9204500
4228351018	\$ 35,470.98	\$ 35,470.98	\$ 0.00	2348965
7148942306	(90.07)	(90.07)	\$ N/A	1806219
7149190804	\$ 79.10	\$ 79.10	\$ 0.00	unmetered
			\$ 64,000.00	

3. In addition to timely paying monthly PSE&G utility bills owed on all accounts, commencing with Petitioner's August 2017 PSE&G utility bill for account # [REDACTED], to satisfy the \$64,000.00 outstanding overdue balances due, Petitioner shall commence submitting supplemental monthly payments to PSE&G of \$2,700 per month for twenty-three months and \$1,900.00 for the twenty-fourth (24th) month.

4. If Petitioner fails to keep the agreement as set forth in the arrangement established in paragraphs 2 and 3 above, it is understood by Petitioner that PSE&G may exercise its authority in accordance with its tariffs and the provisions of N.J.A.C. 14:3-3A.1 et seq.

5. This agreement is in settlement of the Petition filed by Petitioner on or about April 17, 2015.

6. 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

DATED: 6-19-17 By: Alexander C. Stern
Alexander C. Stern, Esq.
Associate General Regulatory Counsel

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

DATED: 6-19-17 By: James T. Walsh
James T. Walsh, Sr. Customer Relations Consultant

RICHARD A. MURRAY, ESQ.
ATTORNEY AT LAW

DATED: 6/13/17 By: Richard A. Murray
Richard A. Murray, Esq.
Attorney for Petitioner

JDM GROUP, LLC

DATED: 6/7/17 By: Jacob Binson
Jacob Binson, President, JDM Group LLC