



regular collection activity pursuant to N.J.A.C. 14:3-7.7. The parties agreed that the Stipulation fully disposes of all issues in controversy.

By Initial Decision dated January 7, 2019, and submitted to the Board on January 8, 2019, ALJ Caliguire found that the Stipulation was voluntary, that its terms fully disposed of all issues in controversy, it was consistent with law and that it satisfied the requirements of N.J.A.C. 1:1-19.1.

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 January 27, 2019.

DATED:

BOARD OF PUBLIC UTILITIES  
BY:

\_\_\_\_\_  
JOSEPH L. FIORDALISO  
PRESIDENT

\_\_\_\_\_  
MARY-ANNA HOLDEN  
COMMISSIONER

\_\_\_\_\_  
DIANNE SOLOMON  
COMMISSIONER

\_\_\_\_\_  
UPENDRA J. CHIVUKULA  
COMMISSIONER

\_\_\_\_\_  
ROBERT M. GORDON  
COMMISSIONER

ATTEST:

\_\_\_\_\_  
AIDA CAMACHO-WELCH  
SECRETARY

**KURT P. SCHWARTZ**

**V.**

**PUBLIC SERVICE ELECTRIC AND GAS COMPANY  
BPU DOCKET NO. EC18060651U  
OAL DOCKET NO. PUC 10899-18**

**SERVICE LIST**

Kurt P. Schwartz  
53 Center Avenue  
Little Falls, NJ 07424

Justin B. Incardone, Esq.  
PSEG Services Corporation  
80 Park Plaza – T5G  
Newark, New Jersey 07102

Eric Hartsfield, Director  
Julie Ford-Williams, Chief  
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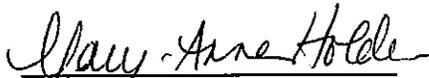
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The effective date of this Order is January 27, 2019.

DATED: 1/17/19

BOARD OF PUBLIC UTILITIES  
BY:

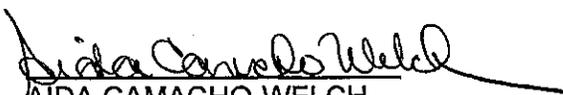
  
\_\_\_\_\_  
JOSEPH L. FIORDALISO  
PRESIDENT

  
\_\_\_\_\_  
MARY-ANNA HOLDEN  
COMMISSIONER

  
\_\_\_\_\_  
DIANNE SOLOMON  
COMMISSIONER

  
\_\_\_\_\_  
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COMMISSIONER

  
\_\_\_\_\_  
ROBERT M. GORDON  
COMMISSIONER

ATTEST:   
\_\_\_\_\_  
AIDA CAMACHO-WELCH  
SECRETARY

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

**KURT P. SCHWARTZ**

**V.**

**PUBLIC SERVICE ELECTRIC AND GAS COMPANY  
BPU DOCKET NO. EC18060651U  
OAL DOCKET NO. PUC 10899-18**

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CASE MANAGEMENT

JAN - 8 2019

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ



State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW

BOARD OF PUBLIC UTILITIES

JAN 08 2019

MAIL RECEIVED

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 10899-18

AGENCY DKT. NO. EC1806065 1U

**KURT P. SCHWARTZ,**

Petitioner,

v.

**PUBLIC SERVICE**

**ELECTRIC AND GAS COMPANY,**

Respondent.

Kurt P. Schwartz, petitioner, pro se

Justin B. Incardone, Associate General Regulatory Counsel, for respondent  
(Tamara L. Linde, Executive Vice-President and General Counsel)

Record Closed: January 4, 2019

Decided: January 7, 2019

BEFORE TRICIA M. CALIGUIRE, ALJ:

STATEMENT OF CASE

Petitioner Kurt P. Schwartz (Schwartz) challenges the alleged refusal of respondent Public Service Electric and Gas Company (PSE&G, the Company) to offer him a deferred payment arrangement (DPA) in violation of applicable law and regulations.

Cms  
K. Greko  
D. Thomas  
E. Hartsh  
J. Ford  
R. Lambert  
R. Matus  
D. Brantley  
K. Flynn  
S. Patnarde  
C. Vechar

OAL DKT. NO. PUC 10899-18

**PROCEDURAL HISTORY**

On June 19, 2018, Schwartz filed a petition against respondent with the New Jersey Board of Public Utilities (NJBPU, Board). On July 19, 2018, filed an answer and the Board transmitted Schwartz's petition to the Office of Administrative Law on August 1, 2018, for determination as a contested case. N.J.S.A. 52:14B-1 to -15; N.J.S.A. 52:14F-1 to -13; N.J.A.C. 17:14-8.1.

A prehearing conference scheduled for September 4, 2018, was adjourned at petitioner's request. On October 3, 2018, the prehearing conference was held, and the hearing scheduled for January 15, 2019.

On January 4, 2019, the parties filed a Stipulation of Settlement (Stipulation) which is attached and fully incorporated herein. (J-1.)

Pursuant to the terms of the Stipulation, and in order to fully resolve this dispute, the parties agreed that petitioner owes past due charges on his energy account with PSE&G (account number ending in 818) of \$4,549.18. Petitioner agrees to pay the past due charges under a DPA beginning with the PSE&G monthly bill dated November 28, 2018, with the following terms: (1) petitioner shall pay the amount of \$252.00/month DPA plus current monthly charges for seventeen consecutive months; and (2) petitioner shall pay the amount of \$265.18 DPA plus current monthly charges in the eighteenth month, after which the past due amount of \$4,549.18, will be paid in full.

The parties also agree that if petitioner breaches the DPA, PSE&G can proceed with regular collection activity pursuant to N.J.A.C. 14:3-7.7. Finally, the parties agree that the Stipulation resolves all issues in controversy between them.

I have reviewed the terms of settlement and I FIND:

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures or their representatives' signatures on the attached Stipulation.

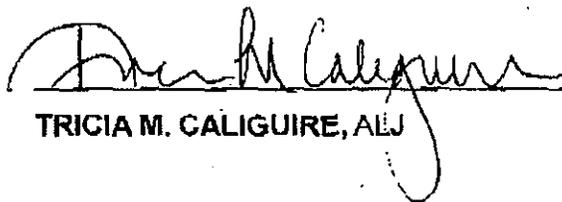
OAL DKT NO. PUC 10899-18

- 2. The settlement fully disposes of all issues in controversy between the parties and is consistent with the law.

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.

January 7, 2019  
DATE

  
TRICIA M. CALIGUIRE, ALJ

Date Received at Agency:

1-8-19

Date Mailed to Parties:

1-8-19

nd

OAL DKT. NO. PUC 10899-18

**APPENDIX**

**EXHIBITS**

**Jointly Submitted:**

J-1 Stipulation of Settlement

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2019 JAN -4 A 2:41

STATE OF NEW JERSEY  
OFFICE OF ADMINISTRATIVE LAW

Kurt P. Schwartz

Petitioner,

v.

Public Service Electric and Gas Company )

Respondent.

STIPULATION OF SETTLEMENT

OAL Docket No. PUC 10899-2018N

BPU Docket No. EC18060651U

On or about June 19, 2018, Petitioner filed a petition in the above-referenced billing dispute. This matter having been brought before the Office of Administrative Law by the petitioner Kurt P. Schwartz ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G or "Respondent") for utility service rendered by PSE&G to the premise of 53 Center Avenue, Little Falls, New Jersey, account number ending 818. (the "Property") and the parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows.

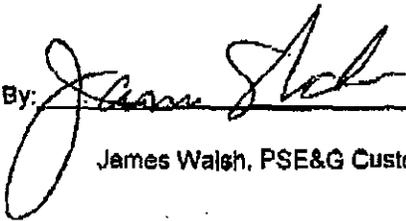
- 1) The current past due energy charges on account number ending 818 is \$4,549.18.
- 2) With respect to the past due charges of \$4,549.18 for energy charges. The petitioner has entered into a deferred payment arrangement (DPA) for 18 consecutive months, beginning December 2018 and concluding in June 2020. Terms on the arrangement are for 17 consecutive monthly payments on current charges, plus \$252 DPA. The 18<sup>th</sup> and final DPA payment will be \$266.18 plus the current monthly charges.
- 3) The payment arrangement will begin on the November 28, 2018 bill.
- 4) The last payment made by petitioner was for \$601.60 on March 20, 2018.
- 5) If the DPA is broken, PSE&G can proceed with regular collection activity as noted in New Jersey Administrative Code N.J.A.C. 14:3-7.7.

6) This Agreement resolves and settles the dispute captioned above; Respondent and Petitioner agree that no claims or grievances can be later adjudicated relating thereto.

7) The undersigned agree that this Settlement contains mutually balancing and interdependent provisions and is intended to be accepted and approved in its entirety.

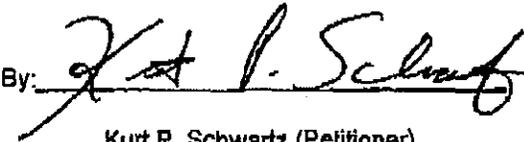
PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 12/14/18

By: 

James Walsh, PSE&G Customer Operations

DATED: 12/17/18

By: 

Kurt P. Schwartz (Petitioner)

Signed copies on file