



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**44 South Clinton Avenue, 9<sup>th</sup> Floor**  
**Trenton, New Jersey 08625-0350**  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

**SANDRA BRIGNONI,**  
Petitioner )

v. )

**ELIZABETHTOWN GAS COMPANY,**  
Respondent )

ORDER ADOPTING  
INITIAL DECISION

DOCKET NO. GC19030320U  
OAL Docket No. PUC 10231-19

**Parties of Record:**

**Sandra Brignoni, petitioner pro se**  
**Van L. McPherson, III, Esq., for Respondent**

**BY THE BOARD:**

The within matter is a billing dispute between Sandra Brignoni (“Petitioner”) and Elizabethtown Gas Company (“ETG” or “Respondent”). This Order sets forth the background and procedural history of Petitioner’s claims and represents the Final Order in the matter pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13. Having reviewed the record, the Board of Public Utilities (“Board”) now ADOPTS the Initial Decision rendered on October 1, 2019, as follows.

PROCEDURAL HISTORY

On or about March 11, 2019, Petitioner filed a petition with the Board requesting a formal hearing, alleged that respondent was inaccurately billed in the amount of \$11,000 for gas usage from 2009 through 2012. Petitioner further contends that she did not reside at the premises in question. Petitioner requested that the Board provide assistance in resolving this matter with the Respondent.

Respondent filed an Answer to the Petition, dated June 17, 2019. Respondent contended that Petitioner was billed in accordance with terms and conditions and rate schedules set forth in its Board approved Tariff. The Company requested that the relief sought be denied, on the basis that Petitioner failed to set forth a claim upon which relief may be granted.

On July 17, 2019, this matter was transmitted by the Board to the Office of Administrative Law ("OAL") for a 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. This matter was assigned to Administrative Law Judge ("ALJ") Margaret M. Monaco.

A Stipulation of Settlement was agreed to between Respondent and Petitioner dated October 1, 2019 resolving all issues in this matter.

### **DISCUSSION AND FINDINGS**

Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, Respondent has agreed to adjust the \$10,331.71 amount in dispute to \$7,500.00. The Petitioner shall pay \$104.17 per month for 72 months until the \$7,500.00 balance is paid in full. The Respondent will provide the Petitioner with a new account within ten (10) days and Petitioner shall make a payment on the first of every month beginning November 1, 2019, until the balance is paid in full. Payment must be made within ten (10) days of the first of every month. If Petitioner fails to make payment, the Respondent may demand payment for the entire \$10,331.71, less money paid.

By Initial Decision issued on October 1, 2019, and submitted to the Board on October 4, 2019, ALJ Monaco found that the Stipulation was voluntary, its terms fully disposed of all issues in controversy, it was consistent with the law, and that it satisfied the requirements of N.J.A.C. 1:1-19.1.

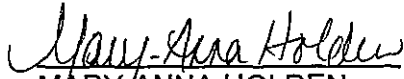
After review of the Initial Decision and the Stipulation, the Board **HEREBY FINDS** that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that, by the terms of the Stipulation, they have fully resolved all outstanding contested issues in this matter. Accordingly,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

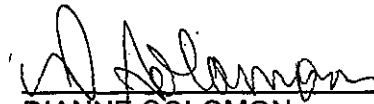
The effective date of this Order is November 23, 2019.

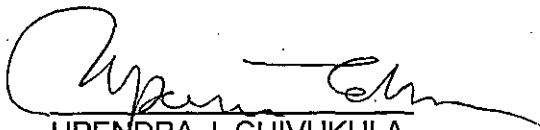
DATED: 11/13/19

BOARD OF PUBLIC UTILITIES  
BY:

  
JOSEPH L. FIORDALISO  
PRESIDENT

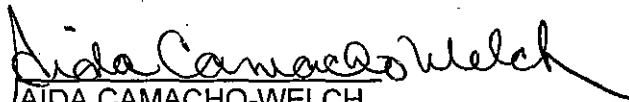
  
MARY-ANNA HOLDEN  
COMMISSIONER

  
DIANNE SOLOMON  
COMMISSIONER

  
UPENDRA J. CHIVUKULA  
COMMISSIONER

  
ROBERT M. GORDON  
COMMISSIONER

ATTEST:

  
AIDA CAMACHO-WELCH  
SECRETARY

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

**SANDRA BRIGNONI  
V.  
ELIZABETHTOWN GAS COMPANY**

**BPU DOCKET NO. GC19030320U  
OAL DOCKET NO. PUC 10231-19**

**SERVICE LIST**

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RECEIVED  
CASE MANAGEMENT

OCT 04 2019  
BOARD OF PUBLIC UTILITIES  
TRENTON, NJ



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

RECEIVED  
MAIL ROOM

OCT 04 2019

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 10231-19

AGENCY DKT. NO. GC19030320U

**SANDRA BRIGNONI,**

Petitioner,

v.

**ELIZABETHTOWN GAS,**

Respondent.

**Sandra Brignoni, petitioner, pro se**

**Van L. McPherson, III, Esq., for respondent**

Record Closed: October 1, 2019

Decided: October 1, 2019

BEFORE **MARGARET M. MONACO, ALJ:**

This matter concerns a billing dispute by petitioner Sandra Brignoni against respondent Elizabethtown Gas. The Board of Public Utilities transmitted this matter to the Office of Administrative Law, where it was filed on July 25, 2019, for determination as a contested case. A settlement conference was held on October 1, 2019. The parties reached an amicable agreement and submitted the attached Settlement Agreement setting forth the terms of agreement.

*Cm*  
*K. Grabe*  
*D. Thompson*  
*J. Ford*  
*R. Lamb*  
*R. Matos*  
*K. Flynn*  
*S. Patra*  
*P. Owen*

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

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

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I approve the settlement and, therefore, **ORDER** that the parties comply with the settlement terms and that these proceedings 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.

DATE

October 1, 2019

Margaret M. Monaco  
MARGARET M. MONACO, ALJ

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

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

jb

# Settlement Agreement

Sandra Brignoni v. Elizabethtown Gas Company  
Docket No. GC19030320U

Whereas, Elizabethtown Gas Company (ETG) states that Ms. Brignoni owes approximately \$10,331.71

Whereas the parties agreed to settle the ~~the~~ matter for \$7,500 to be paid ~~in~~ ~~monthly~~ ~~payments~~

Now, therefore, be it resolved that the parties agree as follows:

## 1. ~~Term~~ Term / Payment

Ms. Brignoni shall pay \$104.17 per month for 72 months until the \$7,500 balance is paid.

Ms. Brignoni can pay online, by phone, or at a payment center. ETG shall provide Ms. Brignoni with a new account within 10 days. Ms. Brignoni

shall make payment on the first of the ~~month~~ month, beginning November 1, 2019. Payment must be made within 10 days of the first of every month.

Ms. Brignoni may make extra payments if she desires. ETG will properly credit Ms. Brignoni's account for extra payments received.

2. Default

IF Ms. Brignoni fails to make a timely payment, ETG may demand payment for the entire \$10,331.71, less money paid.

Sandra Brignoni 10/1/2019  
Sandra Brignoni

V. L. McPherson, III 10/1/2019  
Van L. McPherson, III, Esq.  
Assistant General Counsel  
Elizabethtown Gas Company