



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

| | | |
|----------------------------------|---|-----------------------------|
| F: CRAIG LA ROCCA, |) | ORDER ADOPTING |
| Petitioner, |) | INITIAL DECISION |
| |) | |
| v. |) | |
| |) | BPU Docket No. GC19060709U |
| SOUTH JERSEY GAS COMPANY, |) | OAL Docket No. PUC 09982-19 |
| Respondent. |) | |

Parties of Record:

F. Craig La Rocca, Petitioner *pro se*
Van L. McPherson, III, Esq., Assistant General Counsel, for Respondent

BY THE BOARD:

The within matter is a billing dispute between F. Craig La Rocca ("Petitioner") and South Jersey Gas Company ("SJG" 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 November 7, 2019, as follows.

PROCEDURAL HISTORY

On or about June 10, 2019, Petitioner filed a petition with the Board requesting a formal hearing, and he alleged that Respondent inaccurately billed his account and turned off his gas service while the matter was in dispute. Petitioner requested that the Board provide assistance in resolving this matter with Respondent.

Respondent filed an Answer to the Petition, dated June 20, 2019. Respondent contended that at the time Petitioner's account was opened he was advised that the meter was not showing usage for quite some time, and the meter needed to be replaced. Respondent attempted on several occasions to schedule a meter exchange appointment. Due to receiving no response from Petitioner, Respondent exchanged the meter on June 29, 2018, and a card was left for Petitioner to contact Respondent. The meter was tested and confirmed that it had stopped registering gas usage. Respondent claimed that due to Petitioner's failure to contact Respondent for the meter exchange, Respondent was not willing to remove any gas charges.

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") Kathleen M. Calemno.

At the November 7, 2019 hearing at the Office of Administrative Law, the parties agreed to a settlement as confirmed on record.

DISCUSSION AND FINDINGS

Pursuant to the terms of settlement agreement, as confirmed on record, Respondent agreed to reduce the total amount due by \$204.00 for the period covering May 4, 2017, through June 29, 2018, and credit Petitioner's gas bill \$204.00.

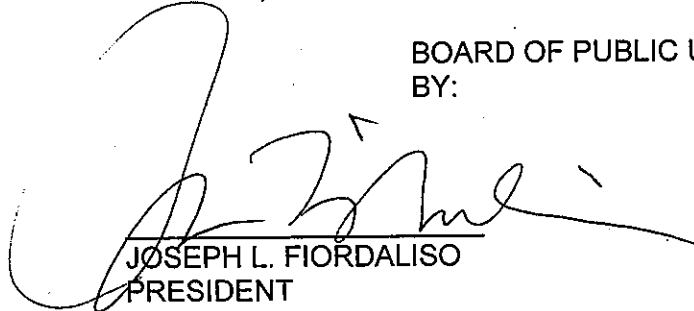
By Initial Decision issued on November 8, 2019, and submitted to the Board on November 8, 2019, ALJ Calemmo found that the settlement was voluntary, its terms fully disposed of all issues in controversy, it was consistent with the law, and it satisfied the requirements of N.J.A.C. 1:1-19.1.

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 December 16, 2019.

DATED: 12/6/19

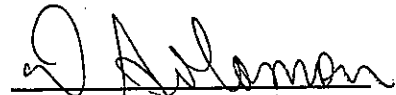
BOARD OF PUBLIC UTILITIES
BY:



JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



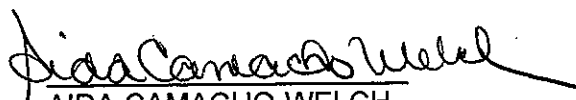
DIANNE SOLOMON
COMMISSIONER



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

F. CRAIG LA ROCCA, PETITIONER

V.

SOUTH JERSEY GAS COMPANY, RESPONDENT

**BPU DOCKET NO. GC19060709U
OAL DOCKET NO. PUC 09982-19**

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 09982-19

AGENCY DKT. NO. GC19060709U

F. CRAIG LA ROCCA,

Petitioner,

v.

SOUTH JERSEY GAS COMPANY,

Respondent.

F. Craig La Rocca, petitioner, pro se

Emma Yao Xiao, Deputy Attorneys General, for Staff of the Board of Public Utilities (Gurbir S. Grewal, Attorney General of New Jersey, attorney)

Van L. McPherson, III., Esq., Assistant General Counsel, for respondent

Record Closed: November 7, 2019

Decided: November 8, 2019

BEFORE **KATHLEEN M. CALEMMO**, ALJ:

This matter was filed with the Office of Administrative Law (OAL) on August 13, 2019, for a determination as a contested case, pursuant to N.J.S.A. 52:14B-1 to B-15 and N.J.S.A. 52:14F-1 to F-13.

The hearing was held on November 7, 2019. At the close of respondent's case, petitioner advised this tribunal that after hearing the testimony, he was only contesting \$408 of the total amount in dispute and withdrawing all other claims set forth in his petition.

As a result of petitioner's statement, on the record, at the hearing, respondent agreed to reduce the total amount in dispute by \$204 for the period covering May 4, 2017, through June 29, 2018, and credit petitioner's gas bill \$204. The parties agreed that this settlement memorialized on the record, at the hearing, resolved all issues in dispute and ended the matter.

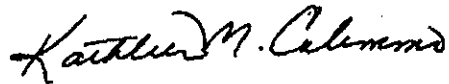
I heard testimony from the parties and/or their representatives, who confirmed the terms of settlement upon the record on November 7, 2019, and confirmed their intent to comply with same. I therefore **FIND** as **FACTS** the following:

1. The parties have voluntarily agreed to the settlement as confirmed on the record on November 7, 2019.
2. The settlement fully disposes of all issues in controversy and is consistent with the law.

I **CONCLUDE** that the oral agreement meets the requirements of N.J.A.C. 1:1-19.1(a)(2). Thus, I **CONCLUDE** the settlement should be approved. I 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.



November 8, 2019
DATE

KATHLEEN M. CALEMMO, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____

KMC/tat