



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

| | | |
|--|---|-----------------------------|
| STEVEN E. CARPINETA, |) | ORDER ADOPTING |
| Petitioner |) | INITIAL DECISION |
| |) | |
| v. |) | |
| |) | BPU Docket No. EC19050601U |
| PUBLIC SERVICE ELECTRIC AND GAS COMPANY |) | OAL Docket No. PUC 08926-19 |
| Respondent |) | |

Parties of Record:

Steven E. Carpineta, petitioner *pro se*
Adrian D. Newell, Esq., Assistant General Regulatory Counsel for respondent

BY THE BOARD:

The within matter is a billing dispute between Steven E. Carpineta ("Petitioner") and Public Service Electric and Gas Company ("PSE&G" 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 December 12, 2019, as follows.

PROCEDURAL HISTORY

On or about May 16, 2019, petitioner filed a Petition with the Board requesting a formal hearing, alleged that respondent inaccurately billed his account and claimed that the company was billing him based on false meter readings. Petitioner requested that the Board provide assistance in resolving this matter with the respondent.

Respondent filed an Answer to the Petition on June 5, 2019, contending that services were supplied and billed in accordance with the terms and conditions and rate schedules set forth in its Board approved Tariff and that the relief sought by Petitioner should be denied, for failure to set for a claim upon which relief may be granted. This matter was transmitted by the Board to the Office of Administrative Law ("OAL"), on July 1, 2019, 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") Elaine B. Frick.

A Stipulation of Settlement was agreed to between respondent and petitioner dated December 11, 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, parties have agreed that the total balance due as of December 6, 2019 was \$840.52. The petitioner will enter into a twelve (12) month deferred payment arrangement (DPA). Petitioner's payment under the DPA will start with the December 27, 2019 billing statement. Petitioner shall pay the monthly charges plus \$70 for twelve (12) consecutive months, with the final payment of \$70.52 being due by December 20, 2020. If the DPA is broken, respondent can proceed with regular collection activity as noted in New Jersey Administrative Code N.J.A.C. 14:3-7.7.

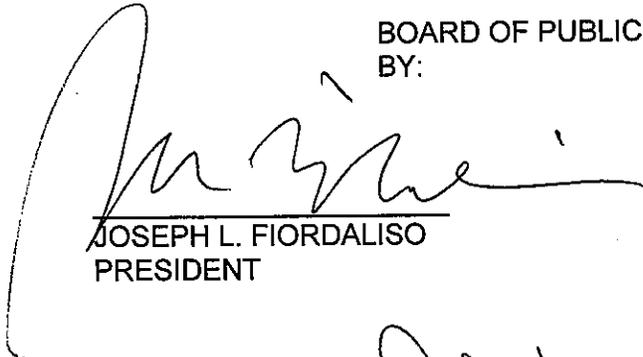
By Initial Decision issued on December 12, 2019, and submitted to the Board on December 17, 2019, ALJ Frick found that the Stipulation was voluntary, its terms fully disposed of all issues in controversy, it was consistent with the law, and that it satisfied the requirements of N.J.A.C. 1:1-19.1.

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.

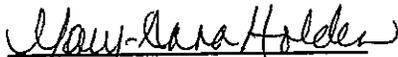
The effective date of this Order is February 1, 2020.

DATED: 1/22/20

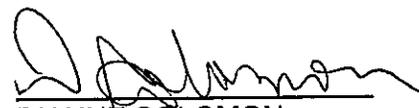
BOARD OF PUBLIC UTILITIES
BY:



JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



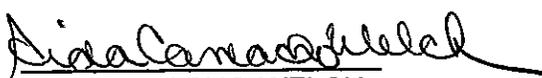
DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST: 
AIDA CAMACHO-WELCH
SECRETARY

STEVEN E. CARPINETA, PETITIONER

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY, RESPONDENT

**BPU DOCKET NO. EC19050601U
OAL DOCKET NO. PUC 08926-19**

SERVICE LIST

Steven E. Carpineta
320 Warren Avenue
Bellmawr, NJ 08031

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Public Service Electric & Gas Company
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Newark, NJ 07104

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 08926-19

AGENCY DKT. NO. EC19050601U

STEVEN E. CARPINETA,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC & GAS
COMPANY,**

Respondent.

Steven E. Carpineta, petitioner, pro se

Adrian D. Newell, Esq., Senior Counsel, Public Service Electric & Gas
Company, for respondent

Record Closed: December 12, 2019

Decided: December 12, 2019

BEFORE ELAINE B. FRICK, ALJ:

This matter was filed with the Office of Administrative Law (OAL) on July 2, 2019, for a determination as a contested case, regarding a billing dispute. N.J.S.A. 52:14B-1 to B-15 and N.J.S.A. 52:14F-1 to F-13.

The parties have reported to this tribunal that the matter was resolved, as per a Stipulation of Settlement executed by the parties, which was received at the OAL on December 11, 2019. The Stipulation of Settlement (J-1) is attached hereto and fully incorporated herein.

I have reviewed the record and the terms of the settlement. I **FIND** as **FACTS** the following:

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

I **CONCLUDE** that the agreement (J-1) meets the requirements of N.J.A.C. 1:1-19.1. 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.

December 12, 2019
DATE


ELAINE B. FRICK, ALJ

Date Received at Agency:

12-17-19

Date Mailed to Parties:

12-17-19

EBF/dm

Attachment



Steven Carpineta
320 Warren Ave
Bellmawr NJ 08031

Date: December 11, 2019

RE: BPU Docket #EC19050601U
OAL Docket # PUC-08296-2019N

Attn: Judge Frick,

Your Honor,

I am informing you of my settlement with PSEG in the above docket numbers. Attached is the stipulation agreed upon. We came to this agreement on or about December 6, 2019.

Any questions, feel free to reach out to me

Regards,
Steven Carpineta

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J-1
 Evidence
 12/11/2019
 ECF

**STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW**

| | | |
|---------------------------------------|---|------------------------------------|
| Steven E. Carpineta |) | |
| |) |) BPU DOCKET NO. EC19050601U |
| |) |) OAL DOCKET NO. PUC 08926--2019N |
| Petitioner, |) | |
| |) | |
| v. |) | |
| |) |) STIPULATION OF SETTLEMENT |
| Public Service Electric & Gas Company |) | |
| |) | |
| Respondent. |) | |

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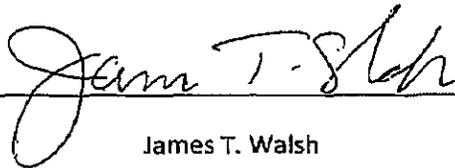
On or about May 2019, Petitioner filed the above-referenced Billing Dispute. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to the petition and the New Jersey Board of Public Utilities ("NJBP" or "Board") transmitted the matter to the Office of Administrative Law ("OAL") as a contested case for adjudication.

In the interest of resolving this matter amicably and to avoid further delay and costs to Petitioner and Respondent (the "Parties"), the Parties hereto agreed to settle this matter in accordance with the following terms:

1. This Settlement Agreement represents the entire agreement between the Parties relating to the subject matter of the Dispute.
2. The Parties acknowledge and agree that the settlement of the Dispute, the consideration referenced herein, and the execution of this Settlement Agreement, are the result of compromise and are entered into in good faith and shall never for any purpose be considered an admission of liability or of responsibility concerning any of the claims referred to in the Dispute, and no past or present wrongdoing on the part of any of them shall be implied by such consideration or execution.

- 3. Although not agreeing with the merits of the allegations expressed in the Petition, in the interest of good customer relations, PSE&G agrees to take the current outstanding balance of \$840.52 at the Petitioner's account at 320 Warren Avenue, Bellmawr, NJ. PSE&G account number ending 7607 and divide that balance into a 12 month deferred payment arrangement (DPA). This DPA will begin with the December 27, 2019 bill. Petitioner will pay the total monthly bill plus \$70 (DPA) for 12 consecutive months. On December 2020 the petitioner will pay the current bill plus \$70.52 ending the arrangement.
- 4. This agreement is in full settlement of the claims set forth in the Petition filed by Petitioner, on or about May 2019.
- 5. 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.

DATED: 12-6-19

By: 

James T. Walsh
 PSE&G Senior Customer Relations Consultant

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 STATE OF NEW JERSEY
 OFFICE OF ADMIN. LAW

DATED:

By: 

Steven E. Carpineta
 Petitioner