



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

MARIUSZ JEDRA,)	ORDER ADOPTING
Petitioner,)	INITIAL DECISION
)	
v.)	
)	
ELIZABETHTOWN GAS COMPANY,)	BPU Docket No. GC19101413U
Respondent.)	OAL Docket No. PUC 10173-20

Parties of Record:

Mariusz Jedra, petitioner *pro se*
Van L. McPherson, III, Assistant General Counsel for Respondent

BY THE BOARD:

The within matter is a billing dispute between Mariusz Jedra (“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 New Jersey Board of Public Utilities (“Board”) now **ADOPTS** the Initial Decision rendered on January 31, 2022, as follows.

PROCEDURAL HISTORY

On or about October 23, 2019, Petitioner filed a petition with the Board requesting a formal hearing, alleging a billing dispute with Respondent regarding gas usage at his residence, which resulted in a discontinuance of service. Petitioner contended that the gas service was never interrupted upon transfer of ownership of the residence from the builder. On January 17, 2019, an ETG service representative came to the residence and inquired if Petitioner had been receiving a gas bill. According to Petitioner, the ETG representative informed Petitioner that an account would need to be set up to avoid shutoff. Petitioner contended that on January 18, 2019, he established an account with Respondent. However, Petitioner alleged that on February 6, 2019, the gas service was shut off by Respondent for failure to provide documentation of proof of ownership of the residence. Petitioner requested that the Board provide assistance in resolving this matter with Respondent.

Respondent filed an Answer to the Petition, which was received by the Board on November 27, 2019. Respondent contended that on January 15, 2019, Respondent discovered information of

a meter installation in 2013. Upon contact with the builder, Respondent verified the time frame for the meter setup at the residence. Respondent also determined that the meter information and gas usage were never transferred to a customer.

On January 16, 2019, Respondent contended that they mailed a card to the residence advising that there was no active gas account and stating the owner or tenant would need to contact Respondent to avoid shutoff for unauthorized usage. Additionally, on said date, Respondent sent a technician to the premises, who spoke to Petitioner and advised him the need to establish an account for the gas usage detected at the residence. On January 18, 2019, Petitioner established a gas account but was informed the order would be placed on hold until a faxed copy of the Deed and Petitioner's identification were received by Respondent to determine ownership of the residence. Respondent contended that it did not receive the requested documentation, and on February 5, 2019, Respondent discontinued the gas service at the residence. On February 11, 2019, Respondent determined that the unauthorized gas usage totaled \$10,061.72, which covered gas usage from February 26, 2013 until February 22, 2019. On February 20, 2019, Respondent processed a down payment made by Petitioner of \$2,515.43 and scheduled a reconnection of gas service for February 21, 2019. Respondent offered a payment arrangement for the remaining balance, which Petitioner refused. Petitioner requested a copy of the bill generated for the gas usage. On March 4, 2019, Petitioner requested detailed information on how the bill was compiled for his review. On March 29, 2019, Respondent replied to Petitioner's request.

On April 10, 2019, Respondent received a second request from Petitioner for the requested information. Respondent contacted Petitioner by phone and resent their response via FedEx on May 7, 2019. On May 31, 2019, Petitioner acknowledged receipt of the letter and inquired as to payment of the undisputed months from February to May 2019. A payment in the amount of \$462.62 was processed. A payment arrangement for the remaining balance was offered by Respondent, and Petitioner refused the arrangement. On June 6, 2019, a disconnection order was completed by Respondent. On July 8, 2019, Respondent received a letter from Petitioner requesting additional billing information. On August 6, 2019, Respondent sent the requested documentation. Respondent was informed of a formal petition filed with the Board by Petitioner on or about October 4, 2019. On November 1, 2019, Respondent processed a down payment of \$600.00 and attempted to establish a 60 month payment arrangement for the remaining balance of \$6,652.23. Petitioner refused the offer.

On December 13, 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") Judith Lieberman.

A Stipulation of Settlement ("Stipulation") was agreed to between Respondent and Petitioner on January 19, 2022, resolving all issues in this matter.

Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, Respondent has agreed to provide a credit to Petitioner in the amount of \$3,000, toward the total amount due of \$7,220.90, reducing the balance owed by Petitioner to \$4,220.90. Petitioner shall pay \$351.75 per month for a period of 12 months on or by the due date referenced in Respondent's monthly bills. Said amount will be paid each month in addition to any regular monthly usage/service charges. If Petitioner fails to make payment, Respondent may demand payment in full and/or initiate an enforcement and collection action for the remaining balance.

By Initial Decision issued on January 31, 2022, and submitted to the Board on February 2, 2022, ALJ Lieberman found that the Stipulation was voluntary, its terms fully disposed of all issues in controversy, and it was consistent with the law, in accordance with N.J.A.C. 1:1-19.1.

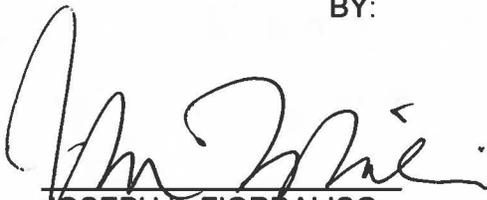
DISCUSSION AND FINDINGS

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.

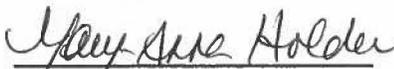
The effective date of this Order is March 2, 2022.

DATED: February 23, 2022

BOARD OF PUBLIC UTILITIES
BY:



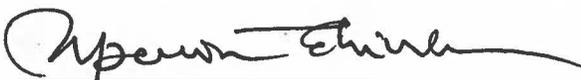
JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST: 

AIDA CAMACHO-WELCH
SECRETARY

MARIUSZ JEDRA

V.

ELIZABETHTOWN GAS COMPANY

BPU DOCKET NO. GC19101413U
OAL DOCKET NO. PUC 10173-20

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 10173-20

AGENCY DKT. NO. GC19101413U

MARIUSZ JEDRA,

Petitioner,

v.

ELIZABETHTOWN GAS,

Respondent.

Mariusza Jedra, petitioner, pro se

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

Record Closed: January 27, 2022

Decided: January 31, 2022

BEFORE JUDITH LIEBERMAN, ALJ:

This matter was transmitted to the Office of Administrative Law (OAL) on October 23, 2020, for determination 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.

On January 27, 2022, the parties filed a fully executed Settlement Agreement in this matter. The Agreement is attached and fully incorporated herein.

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

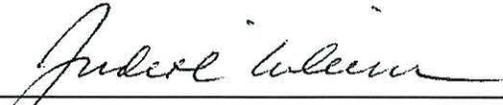
Therefore, I **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded.

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.

January 31, 2022

DATE



JUDITH LIEBERMAN, ALJ

Date Received at Agency:

2/2/2022

Date Mailed to Parties:

2/2/2022

mph