



Agenda Date: 5/21/26
Agenda Item: VIIA

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

MICHAEL AVIGNONE)
) DECISION AND ORDER ADOPTING
v.) INITIAL DECISION AND
) STIPULATION
)
ELIZABETHTOWN GAS COMPANY)
) BPU DOCKET NO. GC25100565U
) OAL DOCKET NO. PUC 21887-2025N

Parties of Record:

Michael Avignone, Petitioner, pro se
Dana Umbal, Esq., Corporate Counsel, South Jersey Industries, Inc., for respondent, South Jersey Gas Company

BY THE BOARD:

This matter is before the New Jersey Board of Public Utilities (“Board”) following an Initial Decision issued by Administrative Law Judge Irene Jones (“ALJ Jones”) on March 11, 2026 (“Initial Decision”). By this Decision and Order, which is the Final Decision in this matter pursuant to N.J.S.A. 52:14B-10, the Board adopts the Initial Decision in its entirety.

BACKGROUND/PROCEDURAL HISTORY

On October 14, 2025, Michael Avignone (“Petitioner”) filed a petition with the Board concerning a billing dispute between himself and Elizabethtown Gas Company (“ETG”) (“Petition”). Petitioner alleged that ETG incorrectly billed him \$5,743.00 and that the billing calculation was based on the usage of the prior tenant. ETG filed an answer to the petition on October 29, 2025.

ETG argued that the meter was found to be non-registering for the period of March 15, 2023, to January 31, 2025, and utilities are permitted to adjust charges when a meter is found to be non-registering or inaccurate.

On December 16, 2025, the Board transferred the matter 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. 1:1-1.1 to 21.6. The case was assigned to ALJ Jones.

On March 3, 2026, the parties subsequently entered into an agreement resolving to settle all outstanding issues of the matter (“Stipulation”) and submitted it to ALJ Jones. Pursuant to the terms of the Stipulation, ETG has agreed to waive the disputed amount of \$5,439.33. ETG also

agreed to issue a one (1)-time refund check in the amount of \$210.14 to Mr. Avignone no later than thirty (30) days after ETG receives an original signed and notarized copy of the agreed upon Stipulation. Lastly, both parties agreed to withdraw/dismiss the Petition.

By Initial Decision issued on March 11, 2026, ALJ Jones found that the Stipulation was voluntary, that its terms fully disposed of all issues in controversy, was consistent with the law, and satisfied the requirements of N.J.A.C. 1:1-19.1. No exceptions were filed.

Within the statutory period, the Board requested a forty-five (45)-day extension pursuant to N.J.S.A. 52:14B-10(c) and N.J.A.C. 1:1-18. The request was granted and, therefore, the time limit for the Board to render a Final Decision is extended until June 9, 2026.

DISCUSSION AND FINDINGS

After review of the record in this proceeding, including ALJ Jones' Initial Decision and the Stipulation, the Board **HEREBY FINDS** that the parties have voluntarily agreed to the Stipulation as evidenced by their signatures and that, by the terms of the Stipulation, have fully resolved all outstanding contested issues in this matter. The Board **FURTHER FINDS** that the Initial Decision is in the public interest and in accordance with the law. Accordingly, the Board **HEREBY ADOPTS** the Initial Decision and the Stipulation in their entirety, and **HEREBY INCORPORATES** its terms and conditions as if fully set forth herein, subject to any terms and conditions set forth in this Order.

The effective date of this Order is May 28, 2026.

DATED: May 21, 2026

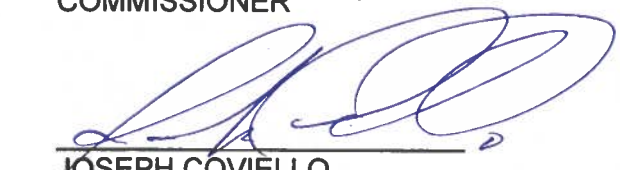
BOARD OF PUBLIC UTILITIES
BY:


CHRISTINE GUHL-SADOVY
PRESIDENT


DR. ZENON CRISTODOULOU
COMMISSIONER


MICHAEL BANGE
COMMISSIONER


EMMA REBHORN
COMMISSIONER


JOSEPH COVIELLO
COMMISSIONER

ATTEST:


SHERRIL L. LEWIS
BOARD SECRETARY

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

MICHAEL AVIGNONE v. ELIZABETHTOWN GAS COMPANY

BPU DOCKET NO. GC25100565U
OAL DOCKET NO. PUC 21887-2025

SERVICE LIST

Petitioner

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Elizabethtown Gas Company

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New Jersey Division of Law

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Richard J. Hughes Justice Complex
Public Utilities Section
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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT NO. PUC 21887-25

BPU DKT. NO. GC25100565U

MICHAEL AVIGNONE,

Petitioner,

v.

ELIZABETHTOWN GAS COMPANY,

Respondent.

Michael Avignone, petitioner, pro se

Dana Umba, Esq., Corporate Counsel/South Jersey Gas, for Elizabethtown Gas Company

Elizabeth Van Winkle, Deputy Attorney General, for the Division of Consumer Assistance (Jennifer Davenport, Attorney General of New Jersey, attorney)

Record Closed: March 4, 2026

Decided: March 11, 2026

BEFORE: **IRENE JONES, ALJ:**

This contested case was transmitted to the Office of Administrative Law for a hearing under the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -15, and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1 to -21.6. The parties have agreed to settle this case and have entered into an agreement. Having reviewed the

terms of their agreement, I have determined that the settlement is voluntary, consistent with the law, and fully dispositive of all issues in controversy between the parties in this case.

I **ORDER** that the settlement agreement is **APPROVED**, that its terms are **INCORPORATED** into this decision, and that this case is **CONCLUDED**.

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.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **SECRETARY OF THE BOARD OF PUBLIC UTILITIES, 44 South Clinton Avenue, P.O. Box 350, Trenton, NJ 08625-0350**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.



March 11, 2026

DATE

IRENE JONES, ALJ

Date Received at Agency:

March 11, 2026

Date Mailed to Parties:

March 11, 2026

sej