



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – Request Made to Non-Public Agency

GRC Complaint No.: 2010-251

Complainant: Margaret & Wayne Samgalski

Custodian: Public Service Electric & Gas Company (“PSE&G”), N/A

Date of Request: October 5, 2009

Date of Complaint: September 21, 2010¹

Complaint Disposition: The Complainant submitted an OPRA request to an agency that is not a public agency as defined in OPRA. PSE&G is a publicly traded (NYSE:PEG) diversified energy company headquartered in New Jersey, and one of the ten largest electric companies in the U.S.

Applicable OPRA Provision: “‘Public agency’ or ‘agency’ means any of the principal departments in the Executive Branch of State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department; the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch; and any independent State authority, commission, instrumentality or agency. The terms also mean any political subdivision of the State or combination of political subdivisions, and any division, board, bureau, office, commission or other instrumentality within or created by a political subdivision of the State or combination of political subdivisions, and any independent authority, commission, instrumentality or agency created by a political subdivision or combination of political subdivisions.” N.J.S.A. 47:1A-1.1.

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St. PO Box 006, Trenton, NJ 08625-0006.

Effective Date of Disposition: December 21, 2010

Prepared By: Frank F. Caruso
Case Manager

Approved By: Catherine Starghill, Esq.
Executive Director

Date: December 20, 2010

Distribution Date: December 21, 2010

¹ The GRC received the Denial of Access Complaint on said date.