



Agenda Date: 7/14/11

Agenda Item: VIID

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center, Suite 801
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

LUCY AND JOHN KERESTES,)	ORDER MODIFYING
)	INITIAL DECISION
Petitioners,)	
)	
v.)	
)	BPU Dkt.No. EC10090683U
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	OAL Dkt. No. PUC 13209-10
)	
Respondent.)	

Parties of Record:

Lucy and John Kerestes, pro se
Joel M. Taylor, Esq., Public Service Electric and Gas Company

BY THE BOARD:

On September 21, 2010, Lucy and John Kerestes ("Petitioners") filed a petition with the Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with Public Service Electric and Gas Company ("Respondent") for utility services rendered by Respondent.

After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law ("OAL") for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge ("ALJ") Tiffany M. Williams.

While this matter was pending at the OAL, the parties engaged in negotiations and executed a Stipulation of Settlement ("Stipulation"). By Initial Decision issued on April 5, 2011, submitted to the Board on April 11, 2011, ALJ Williams found that the Stipulation was voluntary, that its terms fully disposed of all issues in controversy, and that it satisfied the requirements of N.J.A.C. 1:1-19.1. The Stipulation was attached to and made part of the ALJ's Initial Decision. Pursuant to the terms of the Stipulation, Petitioner agreed to pay Respondent \$300.00 within 30 days as of March 1, 2011, and, to further pay Respondent in a timely manner \$100.00 plus current bills each month starting with the March 2011 bill. In exchange, Respondent agreed to credit Petitioner's account in the amount of \$285.00, reduce Petitioner's deposit to \$140.00, and credit Petitioner another \$145.00 from the deposit, resulting in a total credit of \$430.00.

A review of the Stipulation reflected that essential terms were omitted. Accordingly, Board Staff asked the parties to clarify the settlement terms in writing. In the interim, the time limit for the Board to render a Final Decision was extended to August 25, 2011.

Thereafter, a letter dated May 20, 2011 and executed by both parties ("Supplemental Stipulation") was filed with the Board. In the Supplemental Stipulation, the parties clarified that the monthly payments of \$100.00 were to be made until the outstanding balance was paid in full. The Supplemental Stipulation also reflected that as of May 4, 2011, the outstanding balance was \$2,170.13, which included the \$285.00 credit set forth in the Stipulation. The Supplemental Stipulation noted that, while the Stipulation provided for a reduction of the deposit held on Petitioner's account to \$140.00, Respondent would further reduce the deposit to \$104.00. Accordingly, the Supplemental Stipulation indicated that as of May 20, 2011, Petitioner's outstanding account balance was \$1,989.13.


The Supplemental Stipulation is attached hereto and made a part hereof. The Board FINDS that the Supplemental Stipulation is a separate document from the Stipulation of Settlement incorporated in the Initial Decision. The Board HEREBY FINDS that the Supplemental Stipulation meets the requirements of N.J.A.C. 1:1-19.1 because it is voluntary, consistent with the law, and fully dispositive of all issues in controversy. Accordingly, the Board HEREBY MODIFIES the Initial Decision to reflect that the Board is approving the Stipulation as amended by the Supplemental Stipulation.


The Board HEREBY ORDERS that the Initial Decision is HEREBY MODIFIED.


DATED: 7/14/11

BOARD OF PUBLIC UTILITIES
BY:

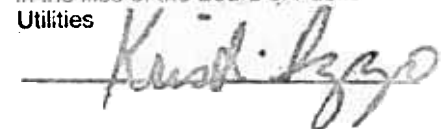

LEE A. SOLOMON
PRESIDENT



JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER

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



ATTEST:

KRISTI IZZO
SECRETARY

LUCY AND JOHN KERESTES

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10090683U

OAL DOCKET NO. PUC 13209-10

SERVICE LIST

Lucy and John Kerestes
205 Sunset Street
Brown Mills, New Jersey 08015

Joel M. Taylor, Esq.
PSEG Services Corporation
80 Park Plaza – T5G
Newark, New Jersey 07102-4194

Eric Hartsfield, Director
Julie Ford-Williams
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center – Suite 801
Newark, New Jersey 07102

Caroline Vachier, DAG
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

EMS
Beslow
DAG
RPA
Vachin
Lee-Thomas
Sambert
Ford-Williams



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

RECEIVED
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11 APR 11 AM 10:01
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 13209-10

AGENCY DKT. NO. EC10090683U

LUCY AND JOHN KERESTES,

Petitioners,

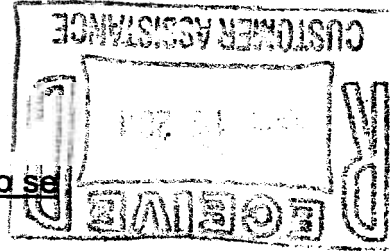
v.

PSE&G,

Respondent.

Lucy and John Kerestes, petitioners, pro se

Joel M. Taylor, Esq. for respondent



Record Closed: April 5, 2011

Decided: April 5, 2011

BEFORE TIFFANY M. WILLIAMS, ALJ:

This matter was transmitted to the Office of Administrative Law on November 30, 2010, 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.

The parties have agreed to a settlement and have prepared a Stipulation of Settlement indicating the terms thereof, which is attached and fully incorporated herein.

have reviewed the record and the terms of settlement and **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.

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I approve the settlement and therefore **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded.

This order may be reviewed by the **BOARD OF PUBLIC UTILITIES** either upon interlocutory review pursuant to N.J.A.C. 1:1-14.10 or at the end of the contested case, pursuant to N.J.A.C. 1:1-18.6.

April 5, 2011
DATE



TIFFANY M. WILLIAMS, ALJ

/ml

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

2011 APR -5 A 10: 52

Lucy Kerestes Petitioner)	
)	OAL Docket No. PUC 13209-2010S
)	BPU Docket No. EC10090683U
v.)	
)	STIPULATION OF SETTLEMENT
Public Service Electric and Gas Company, Respondent)	

This matter having been brought before the Office of Administrative Law by the Petitioner, Lucy Kerestes ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 205 Sunset Street, Brown Mills, NJ 08015 (the "Property") and the Parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

1. Petitioner agrees to pay PSE&G \$300.00 within thirty (30) days as of March 1, 2011 on account no. 65-██████████02.
2. Petitioner agrees to pay PSE&G \$100.00 plus current bills each month starting with the March 2011 bill and continue to pay all bills in a timely manner.
3. Respondent agrees to credit Petitioner's account for \$285.00 and Respondent further agrees to reduce Petitioner's deposit to \$140.00 and credit Petitioner another \$145.00 from the deposit (total credit equals \$430.00).

Petitioner: Lucy Kerestes

Respondent: PSE&G

By: Lucy Kerestes

By: Joel M. Taylor

Date: 3/28/11

Date: 2/25/11

Alexander C. Stern
Assistant General Regulatory Counsel

Law Department
80 Park Plaza, T5G, Newark, NJ 07102-4194
tel: 973.430.5754 fax: 973.430.5983
email: alexander.stern@pseg.com

11 24 11:39



June 21, 2011

Kristi Izzo, Secretary
NJ Board of Public Utilities
2 Gateway Center
Newark, NJ 07102

Re: Lucy Kerestes v. PSE&G
BPU Docket No. EC10090683U

Dear Secretary Izzo:

Enclosed please find a settlement letter in the above referenced matter.

Very truly yours,

A handwritten signature in cursive script that reads "Alexander C. Stern".

Alexander C. Stern

ACS/jb
Enclosure

DL 20110621

EMS
Bestow
Vachur
Ford

Customer Relations

Public Service Electric and Gas Company
P.O. Box 400, Eastford, NJ 07016-0490
Telephone 800 304 3113

May 20, 2011

Ms. Lucy Kerestes
205 Sunset Street
Brown Mills, New Jersey 08015

Re: Lucy Kerestes v. PSE&G
BPU Docket No.: EC10090683U
OAL Docket No.: PUC13209-2010S

Dear Ms. Kerestes:

Please allow this correspondence to update you with respect to the status of the above-referenced matter. Recall that on March 28, 2011, the parties entered into the attached stipulation of settlement and the A.J. Williams subsequently issued the attached Order approving the settlement on April 5, 2011. Pursuant to the terms of the stipulation of settlement, you were to make a payment of \$300.00 and then make payments of \$100 plus current bills each month starting with your March 2011 bill until the outstanding overdue balance owed was paid in full. Subsequently you made the following payments:

April 11, 2011 - \$292.80
April 25, 2011 - \$139.75
April 28, 2011 - \$108.00 [returned by the bank]

As of your May 4, 2011 bill, the outstanding balance owed totaled \$2,170.13 which included the \$285 credit that was agreed to in the stipulation.

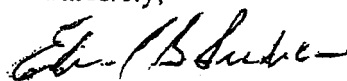
In the interests of good customer relations and to ensure that this matter remains resolved without further confusion, PSE&G proposes as follows:

Your account has 2 security deposits totaling \$285.00. Pursuant to the stipulation of settlement, PSE&G was going to reduce the deposit to \$140.00 and credit you another \$145.00. In the interest of good customer relations PSE&G has credited the account \$181.00 and thereby reducing the deposit to \$104.00. The security deposit in the amount of \$104.00 will be held at this time.
The current balance on your account as of May 20, 2011 is \$1,989.13.

3. Pursuant to the Stipulation of Settlement approved by ALJ Williams, you agree to pay PSE&G \$100.00 plus current bills each month starting with the July 2011 bill until all outstanding overdue balances owed are paid off.
4. Pursuant to the Stipulation of Settlement approved by ALJ Williams, you also agree to continue to pay all bills in a timely manner.

Please execute this document, sign both copies of this letter, retain one for your records and return one original to me in the enclosed self-addressed stamped envelope. Should you have any questions or concerns, please feel free to contact me at (973) 430-6170.

Sincerely,



Edward B. Sullivan
Manager, Regulatory Services

I hereby agree to the terms of the settlement referred above and to the withdrawal of the petition in this matter with prejudice.



Lucy Kerestes

Date 5/24/11