



Agenda Date: 1/18/12  
Agenda Item: VIIA

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

ARNALDO RUIZ.	)	ORDER ADOPTING INITIAL
Petitioner	)	DECISION SETTLEMENT
v.	)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,	)	BPU DKT. NO. GC11090547U
Respondent	)	OAL DKT. NO. PUC12959-11

Parties of Record:

**Arnaldo Ruiz**, Petitioner, appearing *pro se*  
**Alexander C. Stern, Esq.**, on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On September 15, 2011, Arnaldo Ruiz ("Petitioner") 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") Kimberly A. Moss.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Stipulation") that was submitted to the ALJ. By Initial Decision issued on December 13, 2011, and submitted to the Board on December 16, 2011, to which the Stipulation was attached and made part thereof, ALJ Moss 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. Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, the parties have agreed that Respondent will credit \$4,069.99 to Petitioner's electric and gas account to bring the outstanding overdue balance owed on the account to \$6,856.04 as of November 18, 2011. In return, Respondent has agreed to not only timely pay the monthly bills rendered by Respondent, but also to satisfy the outstanding overdue balance by making supplemental monthly payments of \$285.00 for twenty-four (24)

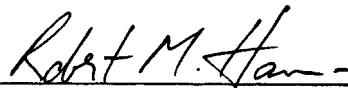
months, commencing with Petitioner's January 2012 bill. <sup>1</sup>Petitioner further agreed to pay his actual electric and gas usage for December 2011 to ensure that the above payment arrangement will be properly applied.


After review of the record and the Stipulation of Settlement of the parties, 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 of Settlement, have fully resolved all outstanding contested issues in this matter.


Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.

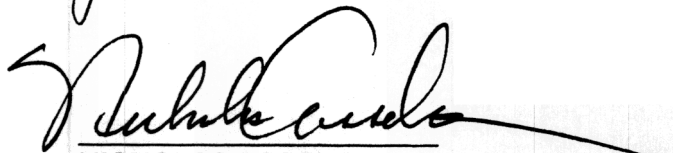
DATED: 1/18/12


BOARD OF PUBLIC UTILITIES  
BY:

  
ROBERT M. HANNA  
PRESIDENT

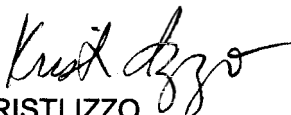
  
JEANNE M. FOX  
COMMISSIONER

  
JOSEPH L. FIORDALISO  
COMMISSIONER

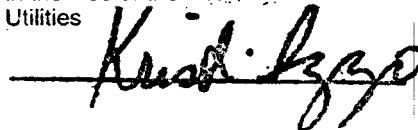
  
NICHOLAS ASSELTA  
COMMISSIONER

  
MARY-ANNA HOLDEN  
COMMISSIONER

ATTEST:

  
KRISTI IZZO  
SECRETARY

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



<sup>1</sup> Alex Stern, Attorney for PSE&G, has agreed to accept the 24 installments totaling \$6,840 in full satisfaction of the \$6,856.04 overdue balance.

**ARNALDO RUIZ**

**V.**

**PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

**BPU DOCKET NO. GC11090547U**

**OAL DOCKET NO. PUC12959-11**

**SERVICE LIST**

Arnaldo Ruiz  
54 Buschman Avenue – 1<sup>st</sup> Floor  
Haledon, New Jersey 07508

Alexander C. Stern, 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  
P.O. Box 350  
Trenton, New Jersey 08625-0350

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

FWD 12/20/11



2011 DEC 19 PM 2:30  
BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.

State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW

*cms*  
*Bislow*  
*DAG*  
*RPA*  
*Vashin*  
*Herynes*  
*Lee-Thomas*  
*Ford-Williams*  
*Sombert*

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 12959-11N

AGENCY DKT. NO. GC11090547U

ARNALDO RUIZ,  
Petitioner,  
v.

PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY,  
Respondent.

BPU MAIL ROOM

DEC 16

RECEIVED

Arnaldo Ruiz, petitioner, pro se

Alexander C. Stern, Esq. on behalf of respondent (PSE&G Services Corporation)

Record Closed: December 13, 2011

Decided: December 13, 2011

BEFORE KIMBERLY A. MOSS, ALJ

On October 28, 2011, this matter was transmitted to the Office of Administrative Law (OAL) for 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. A telephone prehearing was scheduled and conducted on November 18, 2011. During the pendency of the prehearing the parties engaged in extensive settlement discussions and agreed on a settlement. On December 13, 2011 the undersigned received the Stipulation of Settlement, which are incorporated herein by reference.

have reviewed the record and terms of the Stipulation of Settlement and **FIND:**


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

I **CONCLUDE** that the agreement meets the requirements of N.J.A.C. 1:1-19.1 and therefore, it is **ORDERED** that the parties comply with the settlement terms and that these proceedings be and are hereby concluded.

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 (45) 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 13, 2011  
DATE

  
\_\_\_\_\_  
KIMBERLY A. MOSS, ALJ

Date Received at Agency: \_\_\_\_\_

Date Mailed to Parties: \_\_\_\_\_

ljb

STATE OF NEW JERSEY  
OFFICE OF ADMINISTRATIVE LAW

BPU MAILROOM  
DEC 16 2011  
RECEIVED

Arnaldo Ruiz

Petitioner,

v.

Public Service Electric & Gas Company

Respondent.

) BPU DOCKET NO. GC11090547U

) OAL DOCKET NO. PUC 12959-2011N

) STIPULATION OF SETTLEMENT

On or about October 3, 2011 Petitioner filed the above-referenced billing dispute. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to Petitioner's 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 interests of resolving this matter without further delay, extensive effort and cost, the parties hereto agreed to settle this matter in accordance with the following terms:

1. PSE&G agrees to credit \$4,069.99 (\$1,141.78 + \$2,928.21) to Petitioner's account for electric and gas service to bring the outstanding overdue balance owed on the account to \$6,856.04.00 as of November 18, 2011.
2. Petitioner agrees that in addition to timely paying monthly PSE&G utility bills, commencing with Petitioner's January 2012 PSE&G utility bill, to satisfy the \$6,856.04 outstanding overdue balance due, he shall commence submitting supplemental monthly payments to PSE&G of \$285.00 per month for twenty-four (24) months.
3. Petitioner further agrees that he must pay for actual electric and gas usage associated with his customer account for December 2011 to ensure that the deferred payment arrangement established in paragraph 2 above and scheduled to commence January 2012 in accordance therewith, will be properly applied.
4. If Petitioner fails to keep the agreement as set forth in the arrangement established in paragraphs 2 and 3 above, it is understood by Petitioner that PSE&G may exercise its authority in accordance with its tariff and the provisions of N.J.A.C. 14:3-3A.1 et seq.
5. This agreement is in settlement of the Petition filed by Petitioner on or about October 3, 2011.

6. 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.

PSEG SERVICES CORPORATION  
Attorneys for PSE&G

DATED: 12/ /11

By: Alexander C. Stern  
Alexander C. Stern, Esq.  
Assistant General Regulatory Counsel

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 12/7/11

By: Patricia Esler  
Patricia Esler  
Manager of Customer Assessment

ARNALDO RUIZ

DATED: 11/28/11

By: ARNALDO RUIZ  
Arnaldo Ruiz, Petitioner