

Agenda Date: 9/11/15 Agenda Item: VIIB

CUSTOMER ASSISTANCE

STATE OF NEW JERSEY

Board of Public Utilities 44 South Clinton Avenue, 9th Floor Post Office Box 350 Trenton, New Jersey 08625-0350 www.nj.gov/bpu/

		<u>GGGTGMERT/ROGIGT/TTGE</u>
HARRISON PARK OWNERS, INC., Petitioner,)	ORDER ADOPTING INITIAL DECISION SETTLEMENT
v .)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent.)))	BPU DOCKET NO. GC14030212U OAL DOCKET NO. PUC 07749-14

Parties of Record:

Scott K. Penick, Esq., on behalf of Petitioner, Harrison Park Owners, Inc.
Sheree L. Kelly, Esq., on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:1

On March 6, 2014, Harrison Park Owners, Inc. ("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 to the Bloomfield Avenue premises (the "Property").

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") Leslie Z. Celentano

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 August 3, 2015, and submitted to the Board on August 4, 2015, to which the Stipulation was attached and made part thereof, ALJ Celentano 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 in settlement of the petition filed by Petitioner, Respondent, with regard to the service provided to the subject

¹ Commissioner Upendra J. Chivukula recused himself due to a potential conflict of interest and as such took no part in the discussion or deliberation of this matter.

Property, has agreed to a settlement of \$20,000.00 on the account ending in 636 02 to be paid by the Petitioner in four monthly installments of \$5,000.00 starting on July 25, 2015, along with the payment of current bills. In addition, upon the final payment of \$5,000.000 plus the current bill, Petitioner shall receive a credit to its account which will reduce the balance to \$0.00.

After review of the record and the Stipulation, the Board <u>HEREBY FINDS</u> that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that by the terms of the Stipulation, have fully resolved all outstanding contested issues in this matter.

Accordingly, the Board <u>HEREBY ADOPTS</u> the Initial Decision and the Stipulation executed by the parties in their entirety. The Stipulation is attached hereto and made a part hereof.

The effective date of this Order is September 21, 2015.

DATED: 9-11-15

BOARD OF PUBLIC UTILITIES

BY:

RICHARD S. MROZ PRESIDENT

JOSEPH L. FIORDALISO COMMISSIONER

MARY-ANNA HOLDEN

DIANNE SOLOMON COMMISSIONER

ATTEST:

IRENE KIM ASBURY SECRETARY

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

HARISON PARK OWNERS, INC.

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. GC14030212U OAL DOCKET NO. PUC07749-14

SERVICE LIST

Scott K. Penick, Esq. McGovern Legal Services Post Office Box 1111 New Brunswick, New Jersey 08903

Harrison Park Owners, Inc. 277 South Harrison Street East Orange, New Jersey 07108

Sheree L. Kelly, Esq. PSEG Services Corporation 80 Park Plaza – T5-G Newark, New Jersey 07102

Eric Hartsfield, Director Julie Ford-Williams, Chief Division of Customer Assistance Board of Public Utilities 44 South Clinton Avenue, 9th Floor Post Office Box 350 Trenton, New Jersey 08625-0350

Christopher Psihoules, DAG Division of Law 124 Halsey Street Post Office Box 45029 Newark, New Jersey 07101-45029



INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 07749-14 AGENCY DKT. NO. GC14030212U

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HARRISON PARK OWNERS, INC.,

Petitioner.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY BILLING DISPUTE.

Respondent.

Scott K. Penick, Esq., for petitioner (McGovern Legal Services, LLC)

V. Haynes D. Thomas

Sheree L. Kelly, Esq., for respondent

6. Hortsfield

J. Ford

Record Closed: July 20, 2015

Decided: August 3, 2015 R. Lamber + C. Jordon

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J. Gertamen C Vachier

BEFORE **LESLIE Z. CELENTANO**, ALJ:

This matter was transmitted to the Office of Administrative Law (OAL) on June 23, 2014, for resolution as a contested case pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F1 to -13.

The attached Stipulation of Settlement was submitted indicating the terms of agreement which are incorporated herein by reference.

Having reviewed the record and the settlement terms, I FIND:

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures and/or the signatures of their representatives.

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.

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.

August 3, 2015	(Heller Kus
DATE	LESLIE Z. CELENTANO, ALJ
Date Received at Agency:	
Date Mailed to Parties:	
dr	

STATE OF NEW JERSEY OFFICE OF ADMINISTRATIVE LAW 1015 JUL 20 P 3 06

Harrison Park Owners, Inc.

Petitioner

Petitioner

Petitioner

Petitioner

Petitioner

STATE OF NEW JERSEY

OAL Docket No. PUC 07749-2014 N

BPU Docket No. GC14030212U

V.

STIPULATION OF SETTLEMENT

Public Service Electric and Gas Company,

Respondent

Public Service Electric and Gas Company,

Respondent

This matter having been brought before the Office of Administrative Law by the Petitioner, Harrison Park Owners, Inc. ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 926 Bloomfield Avenue, Suite 1, Glen Ridge, NJ (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 a settlement of \$20,000.00 on account ending in 636 02.
- 2. PSE&G agrees to accept the \$20,000.00 settlement payments from Petitioner in four (4) monthly installments of \$5,000.00 starting on July 25, 2015, along with payment of current bills.
- 3. Upon receipt of the final payment of \$5,000.00, plus the current bill, Petitioner will receive a credit to its account, which will reduce the balance to \$0.00.

Petitioner: Harrison Park Owners, Inc.	Respondent: PSE&G		
North Amm	Jam T Well		
Douglas Donovan Board Treasurer for Petitioner	James T. Walsh Sr. Customer Relations Consultant		
Date: 6(4/15	Date: 6-23-15		