



Agenda Date: 02/22/17
 Agenda Item: 2A

STATE OF NEW JERSEY
Board of Public Utilities
 44 South Clinton Avenue, 3rd Floor, Suite 314
 Post Office Box 350
 Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

ALFRED CROCE, Petitioner)	DECISION AND ORDER
)	ADOPTING INITIAL DECISION
)	AND SETTLEMENT
v.)	
)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent)	BPU DOCKET NO. GC16040281
)	OAL DOCKET NO. PUC 7479-16

Parties of Record:

Alfred Croce, Petitioner, appearing *pro se*
Samuel A. Wolfe, Esq., for Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On March 31, 2016, Alfred Croce ("Petitioner") filed a petition with the New Jersey Board of Public Utilities ("Board") related to a complaint and dispute with Public Service Electric and Gas ("PSE&G" or "Respondent"), regarding four (4) electrical meters at Petitioner's premises located at 420 Adams Street, Hoboken, New Jersey.

After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law ("OAL") for a 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") Ellen S. Bass. The Petitioner also filed a complaint regarding this matter in the Superior Court of New Jersey, Law Division, Special Civil Part, Hudson County on September 12, 2016.

While this matter was pending, the Petitioner and Respondent (collectively, the Parties") engaged in negotiations and thereafter entered into a signed Settlement Agreement ("Settlement") that was submitted to the ALJ. By Initial Decision issued on February 1, 2017 and submitted to the Board on February 2, 2017, to which the Settlement was attached and made part thereof, ALJ Bass found that the Settlement 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 Agreement and in order to fully resolve this matter, Respondent has agreed to credit Petitioner's electric account in the amount of \$2,500 when the following conditions have been satisfied: 1) the Petitioner has withdrawn his petition in BPU Docket No. GC16040281, OAL Docket No. PUC 07479-16; and 2) the Petitioner has caused the Superior Court of New Jersey, Law Division, Special Civil Part, Hudson County, to mark Docket No. HUD-DC-8752-16 as settled and dismissed. The Parties also agreed that Petitioner will contact PSE&G's Senior Customer Relations Consultant should future issues arise.


FINDINGS

After review of the Initial Decision and the Settlement, 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 Settlement, they have fully resolved all outstanding contested issues in this matter. Accordingly, the Board **HEREBY ADOPTS** the Initial Decision and the Settlement executed by the parties in their entirety as if fully set forth herein.

The effective date of this Order is March 4, 2017.

DATED: 2/22/17

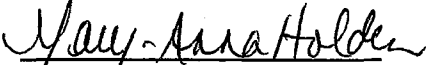
BOARD OF PUBLIC UTILITIES
BY:



RICHARD S. MROZ
PRESIDENT



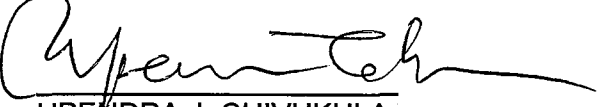
JOSEPH L. FIORDALISO
COMMISSIONER



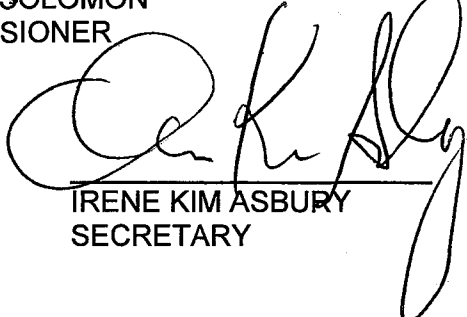
MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER

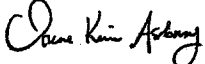


UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST: 

IRENE KIM ASBURY
SECRETARY

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



ALFRED CROCE, PETITIONER

V.

PUBLIC SERVICE ELECTRIC & GAS COMPANY, RESPONDENT

**BPU DOCKET NO. GC16040281
OAL DOCKET NO. PUC 7479-16**

SERVICE LIST

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 7479-16

AGENCY DKT. NO. GC16040281

ALFRED CROCE,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,**

Respondent.

Alfred Croce, , pro se, petitioner

Samuel A. Wolfe, Esq., & James T. Walsch, Esq., for respondent (Public
Service Electric and Gas, attorney)

Record Closed: February 1, 2017

Decided: February 1, 2017

BEFORE ELLEN S. BASS, ALJ:

On May 16, 2016, 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 Settlement Agreement was prepared and executed indicating the terms of the agreement, which are incorporated herein by reference.

I have reviewed the record and the terms of settlement and I **FIND:**

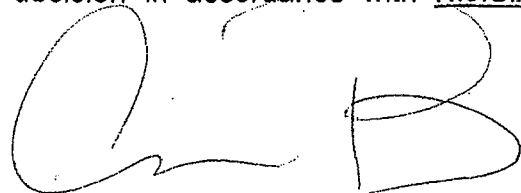
1. The parties have voluntarily agreed to the settlement as evidenced by their agreement or their representatives' agreement as set forth above.
2. The settlement fully disposes of all issues in controversy and is consistent with the law.

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.

February 1, 2017



DATE

ELLEN S. BASS, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____

Attachment

/rr

VIA OVERNIGHT MAIL

Mr. Alfred Croce
178 Coles Street
Jersey City N.J. 07302-1803

RECEIVED
2017 FEB -1 P 2:21
SUPERIOR COURT
HUDSON COUNTY

Re: BPU Docket No. GC16040281
OAL Docket No. PUC 07479-2016
New Jersey Superior Court, Law Division, Special Civil Part, Hudson County,
Docket No. HUD-DC-8752-16

Dear Mr. Croce:

This letter follows our conversation on December 20, 2016, and agreement with respect to the above-referenced matters concerning 420 Adams Street, Hoboken, New Jersey. As we discussed, in the interests of resolving this matter amicably, and to avoid delay and costs to parties, the parties have agreed to settle this matter in accordance with the following terms:

1. PSE&G shall credit Petitioner's electric account number ending in 527 02, in the amount of Two Thousand, Five Hundred (\$2,500) dollars, when the following conditions have been satisfied:
 - a. Petitioner has withdrawn his petition in BPU Docket No. GC16040281, OAL Docket No. PUC 07479-16; and
 - b. Petitioner has caused the Superior Court of New Jersey, Law Division, Special Civil Part, Hudson County, to mark Docket No. HUD-DC-8752-16 as settled and dismissed.

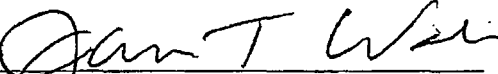
Settlement of this matter does not constitute agreement by either party to the merits of allegations expressed in the above-referenced Petition or in the Superior Court Complaint.

If Mr. Croce experiences any future issues with PSE&G in connection with 420 Adams Street, Hoboken, New Jersey, he will contact James Walsh, Senior Customer Relations Consultant at PSE&G, to inquire into the issue and use diligent efforts to resolve Mr. Croce's issue.


Please sign each of the three copies below, retain one for your records, and return the other two copies to me. Should you have any concerns or questions please contact me at 973-430-6170 in my office in Newark, on my cell phone at 201-951-8467, or via email at james.walsh@pseg.com.

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 1-26-17

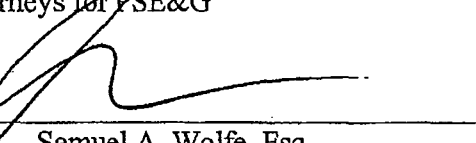
By: 
James T. Walsh
Senior Customer Relations Consultant

DATED: 1/23/17

By: 
Alfred Croce

PSEG SERVICES CORPORATION
Attorneys for PSE&G

DATED: 1/26/2017

By: 
Samuel A. Wolfe, Esq.
Senior Counsel

Samuel A. Wolfe
Associate General Regulatory Counsel

Law Department - Regulatory
80 Park Plaza, T5, Newark, NJ 07102-4194
tel: 973.430.6131 cell: 609.785.1005
email: samucl.wolfe@pseg.com

RECEIVED
2017 JAN 32 P 2:18



January 27, 2017

RECEIVED
2017 FEB -1 P 2:21

FAX & REGULAR MAIL

Honorable Ellen S. Bass, ALJ
Office of Administrative Law
33 Washington Street
Newark, NJ 07102

Re: Alfred Croce v. PSE&G
BPU Docket No.: GC16040281U
OAL Docket No.: PUC 07479-2016 N

Dear Judge Bass:

Enclosed please find a signed Stipulation of Settlement with reference to the above-captioned matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "S. Wolfe", written over a horizontal line.

Samuel A. Wolfe

SAW/jb
Enclosure

C: Alfred Croce
James T. Walsh