



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

CUSTOMER ASSISTANCE

VIVIAN NIEVES,
Petitioner

V

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,
Respondent

) ORDER ADOPTING INITIAL
) DECISION SETTLEMENT
)
)
)
)
) BPU Docket No. EC10110844U
) OAL Docket No. PUC 565-11

Vivian Nieves, Burlington, New Jersey, appearing *pro se*

Alexander C. Stern, Esq., Newark, New Jersey, on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On November 16, 2010, Vivian Nieves 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 entered into and signed a Stipulation of Settlement ("Stipulation") that was submitted to the ALJ. By Initial Decision issued on April 27, 2011, and submitted to the Board on May 3, 2011, to which the Stipulation was attached and made part thereof, 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. Pursuant to the terms of the Stipulation, which was intended to resolve all outstanding issues, Respondent credited Petitioner's account in the amount of \$8,181.15. After application of the credit, Petitioner acknowledged that there was an outstanding overdue balance of \$1,176.74 on the account as of March 9, 2011, an amount which Petitioner paid upon execution of the Stipulation.

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.

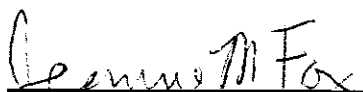
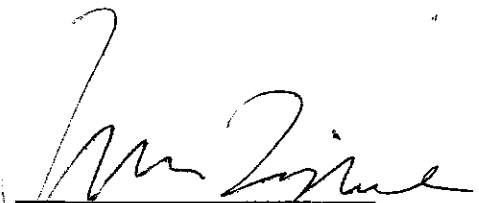
Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.

DATED: 6/15/11

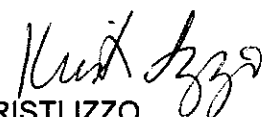
BOARD OF PUBLIC UTILITIES
BY:



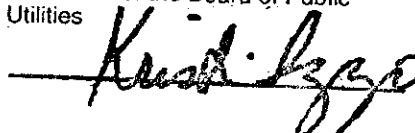
LEE A. SOLOMON
PRESIDENT


JEANNE M. FOX
COMMISSIONER
JOSEPH L. FIORDALISO
COMMISSIONER
NICHOLAS ASSELTA
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



VIVIAN NIEVES

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10110844U

OAL DOCKET NO. PUC565-11

SERVICE LIST

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Division of Customer Assistance
Board of Public Utilities
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Division of Law
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Newark, New Jersey 07101

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(De-Action)
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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FILED
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BOARD OF PUBLIC UTILITIES

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 565-11

AGENCY DKT. NO. EC10110844U

VIVIAN NIEVES,

Petitioner,

v.

PSE&G,

Respondent.

Vivian Nieves, petitioner, pro se

Alexander C. Stern, Esq., for respondent

Record Closed: April 27, 2011

Decided: April 27, 2011

BEFORE **TIFFANY M. WILLIAMS**, ALJ:

This matter was transmitted to the Office of Administrative Law on January 20, 2011, 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.

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 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.

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.

Tiffany M. Williams

April 27, 2011
DATE

TIFFANY M. WILLIAMS, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____

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STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

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Vivian Nieves)	
)	BPU DOCKET NO. EC10110844U
)	OAL DOCKET NO. PUC00565-2011S
Petitioner,)	
)	
v.)	
)	STIPULATION OF SETTLEMENT
Public Service Electric & Gas Company)	
)	
Respondent.)	

On or about November 23, 2010, Petitioner filed the above-referenced billing dispute. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to the 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.

The matter was subsequently assigned to the Honorable Tiffany M. Williams, ALJ.

ALJ Williams held a telephone settlement conference with the parties on March 10, 2011.

In the interests of resolving this matter amicably and to avoid further delay and costs to the party's, the parties hereto agreed to settle this matter in accordance with the following terms:

1. Although not agreeing with the merits of the allegations expressed in the Petition, PSE&G agrees to credit Petitioner's account \$8,181.15.
2. After application of the \$8,181.15 bill credit referenced in paragraph 1, Petitioner acknowledges that there will still be an outstanding overdue balance of \$1,176.74 on the account owed as of March 9, 2011 for past service rendered by PSE&G.
3. Although not agreeing with the outstanding balance owed, Petitioner agrees to make payment of \$1,176.74 upon execution of this Stipulation of Settlement.
4. This agreement is in full settlement of the Petition filed by Petitioner on or about November 23, 2010.
5. The undersigned agree that this Settlement contains mutually balancing and interdependent provisions and is intended to be accepted and approved in its entirety with prejudice. 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: 7/22/11

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

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 4/21/11

By: Edward B. Sullivan
Edward B. Sullivan
Manager of Customer Operations

DATED: 4/13/2011

By: Vivian Nieves
Vivian Nieves, Petitioner