



Agenda Date: 11/9/11
Agenda Item: VIIC

STATE OF NEW JERSEY
Board of Public Utilities
44 S. Clinton Avenue – P.O. Box 350
Trenton, NJ 08625
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

AARON LOWY,
Petitioner
V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,
Respondent

ORDER ADOPTING INITIAL
DECISION SETTLEMENT

BPU Docket
No. EC10080545U
OAL Docket No. PUC01289-
11

Aaron Lowy, Petitioner, appearing *pro se*

Sheree L. Kelly, Esq., on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On August 19, 2010, Aaron Lowy ("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 September 26, 2011, and submitted to the Board on September 29, 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 as well as to fully dispose of any and all matters arising out of the same issues raised in this proceeding, Respondent will adjust Petitioner's account to reflect a current balance of \$4,500.00. In return, Petitioner has agreed to pay this balance in monthly payments of \$75.00, plus current bills beginning with the October 2011 bill.

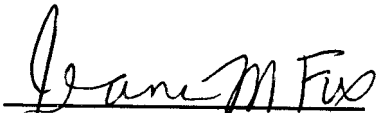
After review of the record and the Stipulation of Settlement of the parties, the Board HEREBY FINDS that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that by the terms of the Stipulation of Settlement, have fully resolved all outstanding contested issues 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: 11/9/11


BOARD OF PUBLIC UTILITIES
BY:


LEE A. SOLOMON
PRESIDENT

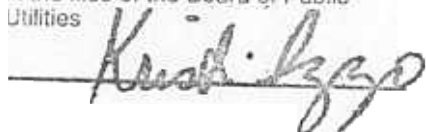

JEANNE M. FOX
COMMISSIONER


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



AARON LOWY

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC10080545U

OAL DOCKET NO. PUC01289-11

SERVICE LIST

Aaron Lowy
7 Charles Street
Livingston, New Jersey 07039

Sheree L. Kelly, Esq.
PSEG Services Corporation
80 Park Plaza – T5G
Newark, New Jersey 07102-4194

Eric Hartsfield, Director
Julie Ford-Williams
Division of Customer Assistance
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P.O. Box 45029
Newark, New Jersey 07101

· CMS
· Beslow
DAG(2)
RPA
Lee-Thomas
Ford-Williams
Ambert



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

BPU MAILROOM

SEP 29 2011

RECEIVED

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 01289-11

AGENCY DKT. NO. EC10080545U

AARON LOWY,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,**

Respondent.

Aaron Lowy, petitioner appearing pro se

Sheree L. Kelly, Esq. on behalf of respondent (PSE&G Services Corporation)

Record Closed: September 26, 2011

Decided: September 26, 2011

BEFORE KIMBERLY A. MOSS, ALJ:

On February 2, 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. Several telephone conferences and hearings were scheduled and conducted, the last one being September 12, 2011. During the pendency of the hearing the parties engaged in extensive settlement discussions. On September 26, 2011 respondent submitted the fully executed Stipulation of Settlement, which is 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.

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 (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.

Sept 26, 2011
DATE


KIMBERLY A. MOSS, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____

ljb

Sheree L. Kelly
Assistant General Regulatory Counsel

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80 Park Plaza, T5G, Newark, NJ 07102-4194
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BPU MAILROOM

SEP 29 2011

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September 21, 2011

Honorable Kimberly A. Moss, ALJ
Office of Administrative Law
33 Washington Street
Newark, NJ 07102

Re: Aaron Lowy v. PSE&G
BPU Docket No.: EC10080545U
OAL Docket No.: PUC 01289-2011N

Dear Judge Moss:

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 read "Sheree L. Kelly", written over a horizontal line.

Sheree L. Kelly

SLK/jb
Enclosure

cc: Aaron Lowy (w/enc.)
Edward B. Sullivan (w/enc.)

SEP 29 11:55 AM '11

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

BPU MAILROOM

SEP 29 2011

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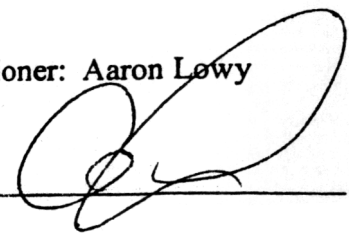
Aaron Lowy)
) Petitioner)
))
v.)
))
Public Service Electric and Gas Company,)
) Respondent)

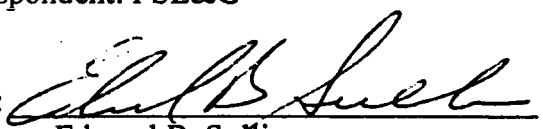
SEP 26 AM 5:54
OAL Docket No. PUC 01289-2011N
BPU Docket No. EC10080545U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Aaron Lowy ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 7 Charles Street, Livingston, NJ, 07039 (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. PSE&G will adjust Petitioner's account to reflect a current balance of \$4,500.00.
2. Petitioner will pay \$75.00 every month, plus current bill beginning with October 2011 bill.

Petitioner: Aaron Lowy
By: 

Respondent: PSE&G
By: 
Edward B. Sullivan
Manager – Customer Operations

Date: 9/16/2011

Date: 9/20/11