



Agenda Date: 3/12/12
Agenda Item: VIIA

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 8625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

USHA PANICKER, MD, Petitioner)	ORDER ADOPTING INITIAL DECISION SETTLEMENT
PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent)	BPU DKT. NO. EC11070421U OAL DKT. NO. PUC10854-11

Parties of Record:

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

BY THE BOARD:

On July 13, 2011, Usha Panicker, MD ("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 January 27, 2012, and submitted to the Board on February 3, 2012, 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 Petitioner's account in the amount of \$1,762.00 and issue a check to Petitioner in that amount. The parties have further agreed that Petitioner shall continue to pay the full amount of the current monthly charges owed.

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 the terms of the Stipulation of Settlement fully resolve 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: 3/12/2012

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

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



USHA PANICKER, MD

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC11070421U

OAL DOCKET NO. PUC10854-11

SERVICE LIST

Usha Panicker, MD
2 Maryland Avenue
Edison, New Jersey 08820

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
Two Gateway Center – Suite 801
Newark, New Jersey 07102

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

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MANAGER

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BOARD OF PUBLIC UTILITIES
NEWARK, N.J.



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FEB 3 2012

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INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 10854-11N

AGENCY DKT. NO. EC11070421U

USHA PANICKER, MD,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC AND GAS

COMPANY,

Respondent.

*CMS
E. Beslow
V. Haynes
D. Lee-Thomas
J. Ford-Williams
R. Sambut
C. Vashier
DAG
RPA*

Usha Panicker, MD, petitioner, pro se

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

Record Closed: January 27, 2012

Decided: January 27, 2012

BEFORE KIMBERLY A. MOSS, ALJ

On September 9,, 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 October 19, 2011. During the pendency of the prehearing the parties engaged in extensive settlement discussions and agreed on a settlement. A hearing was scheduled for January 11, 2012. Prior to the hearing date the parties advised that the matter is settled. On January 27, 2012 the undersigned received the Stipulation of Settlement, which are incorporated herein by reference.

I 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.

JANUARY 27, 2018
DATE



KIMBERLY A. MOSS, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____

ljb

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

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STATE OF NEW JERSEY
OFFICE OF ADMIN LAW

Usha Panicker, MD)	BPU DOCKET NO. EC11070421U
Petitioner,)	OAL DOCKET NO. PUC 10854-2011N
)	
v.)	STIPULATION OF SETTLEMENT
)	
Public Service Electric and Gas Company))	
Respondent.)	

In or about July 2011 Usha Panicker ("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. Although not agreeing with the merits of the allegations expressed in the Petition, PSE&G agrees to credit Petitioner's account \$1,762.00 and issue a check to Petitioner for that amount.

2. Although not agreeing with PSE&G's stated position in this matter, Petitioner agrees to accept the credit of \$1,762.00 referenced in paragraph 1 above in consideration for resolution of this matter.

3. Petitioner's PSE&G account is current and it is understood that Petitioner will continue to pay the full amount of the current monthly charges owed.

4. This agreement is in full settlement of the Petition filed by Petitioner in or about July 201

5. 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: 1/23/12

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

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 1/23/12

By: Patricia Esler
Patricia Esler
Manager Customer Assessment

PETITIONER

DATED: 1/6/12

By: Usha Panicker, MD
Usha Panicker, MD