



Agenda Date: 7/22/15
Agenda Item: VIIC

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/

CUSTOMER ASSISTANCE

LUISA HERNANDEZ AND MARITZA MONTANEZ)	ORDER ADOPTING INITIAL
Petitioners,)	DECISION SETTLEMENT
)	
v.)	
)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	BPU DOCKET NO. EC14030294U
Respondent)	OAL DOCKET NO. PUC7752-14

Parties of Record:

Luisa Hernandez and Maritza Montanez, appearing *pro se*
Sheree L. Kelly, Esq., on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD: ¹

On March 31, 2014, Luisa Hernandez and Maritza Montanez (collectively "Petitioners"), 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 initially assigned to Administrative Law Judge ("ALJ") Mumtaz Bari-Brown, but was reassigned to ALJ Tiffany M. Williams on April 1, 2015.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Settlement") that was submitted to the ALJ. By Initial Decision issued on June 25, 2015, and submitted to the Board on June 29, 2015, to which the Settlement was attached and made part thereof, ALJ Williams noted 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 Settlement, and in order to fully

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.

resolve this matter, the parties have agreed that Respondent will credit Petitioner's account ending in 03105, at the property located at 300-2 State Route, in the amount of \$8,410.29. Respondent also agreed to test the meter at the subject property and Petitioner, pursuant to the Board's policy, will request that a member of the Board's Staff witness the test.

The bill will now reflect Petitioners capacity and transmission charges based upon Petitioners historic usage and not on prior tenants. It was also agreed that to the extent that there is a negative entry on Petitioners credit history, Respondent will cooperate to have it removed.

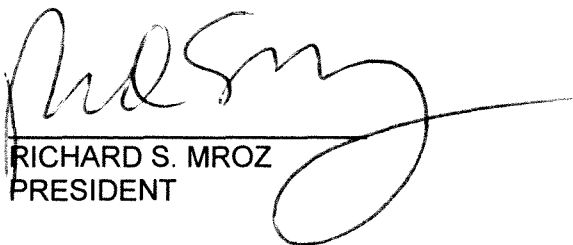
After review of the record and the Settlement signed by the parties, the Board **HEREBY FINDS** that the parties have voluntarily agreed to the Settlement as evidenced by their signatures and that by the terms of the Settlement have fully resolved all outstanding contested issues in this matter.

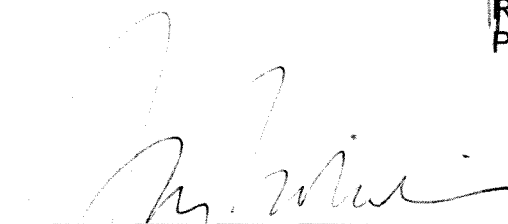
Accordingly, the Board **HEREBY ADOPTS** the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.


The effective date of this Order shall be August 1, 2015.

DATED: July 23, 2015

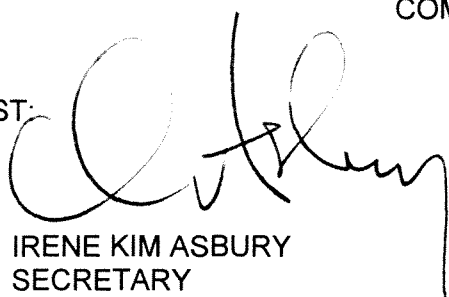
BOARD OF PUBLIC UTILITIES
BY:


RICHARD S. MROZ
PRESIDENT

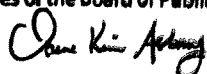

JOSEPH L. FIORDALISO
COMMISSIONER


MARY-ANNA HOLDEN
COMMISSIONER


DIANNE SOLOMON
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



LUISA HERNANDEZ AND MARITZA MONTANEZ

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC14030294U

OAL DOCKET NO. PUC7752-14

SERVICE LIST

Luisa Hernandez and Maritza Montanez
300-2 State Road 17 S
Suite 1
Lodi, NJ 007644

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

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

Eric Hartsfield, Director
Division of Customer Assistance
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08350-0350

Julie Ford-Williams
Division of Customer Assistance
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08350-0350



JUN 27 2015

RECEIVED

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

JUN 27 2015

BOARD OF PUBLIC UTILITIES
MAIL ROOM

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 7752-14

AGENCY DKT. NO. EC14030294U

**I/M/O THE PETITION OF
LUISA HERNANDEZ AND MARITZA MONTANES**

Petitioners,

v.

**PUBLIC SERVICE ELECTRIC
AND GAS COMPANY, BILLING DISPUTE,**

Respondent.

Luisa Hernandez, Maritza Montanez, pro se, petitioners

**Sheree L. Kelly, Esq., for respondent Public Service Electric & Gas Company
(PSEG Services Corporation, attorneys)**

Record Closed: June 25, 2015

Decided: June 25, 2015

BEFORE TIFFANY M. WILLIAMS, ALJ.

This matter was transmitted to the Office of Administrative Law on June 23, 2014, 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. On June 25, 2015 the matter was scheduled for hearing, on this date the matter was settled.

The parties have agreed to a settlement and have prepared a settlement agreement 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.

OAL DKT. NO. PUC 7752-14

June 25, 2015
DATE

Tiffany M. Williams
TIFFANY M. WILLIAMS, ALJ

Date Received at Agency:

Date Mailed to Parties:

JUN 29 2015

Lucia Sanders
DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

rr

Hernandez and Montanez

vs.

OAL No: PUC 07752-2014

BPU No: EC 140302940

PSE+G

Stipulator of Settlement.

The parties have agreed to settle the above captioned matter on the following terms:

1. PSE+G will credit account no: [REDACTED] at the Property located at 300-2 State Route 17, S. St. 4 in the amount of \$8410.29.
2. PSE+G agrees to test the meter at the Property. Petitioners will request that the BPU witness the test.
3. The bill will now reflect Petitioners' ~~historic~~ capacity and transmission charges based upon Petitioners' historic usage, not prior tenants.
4. To the extent there is a negative entry on either Petitioners' credit history, PSE+G will cooperate to have it removed.
Montana Montanez Dora Wain