



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/

CUSTOMER ASSISTANCE

MARIA PANZARELLA,
Petitioner

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY,
Respondent

ORDER OF EXTENSION

BPU DOCKET NO. EC15091085U
OAL DOCKET NO. PUC 18201-15

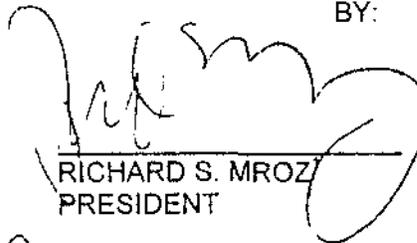
(SERVICE LIST ATTACHED)

The Initial Decision of the Administrative Law Judge was received by the Board of Public Utilities (Board) on January 21, 2016; therefore, the 45-day statutory period for review and the issuing of a Final Decision will expire on March 7, 2016. Prior to that date, the Board requests an additional 45-day extension of time for issuing the Final Decision in order to adequately review the record in this matter.

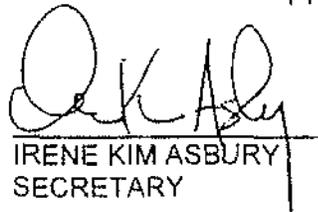
Good cause having been shown, pursuant to N.J.S.A. 52:14B-10(c) and N.J.A.C. 1:1-18.8, **IT IS ORDERED** that the time limit for the Board to render a Final Decision is extended until April 21, 2016.

DATED: 2/24/16

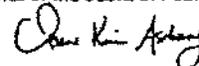
BOARD OF PUBLIC UTILITIES
BY:


RICHARD S. MROZ
PRESIDENT

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



¹ Authorized by Board to execute this Order of Extension on its behalf.

Date Board mailed Order to OAL: 2/24/16

cc: Service List Attached

DATED: 2/29/16



LAURA SANDERS, ACTING
DIRECTOR AND CHIEF
ADMINISTRATIVE LAW JUDGE

Date OAL mailed executed Order to Board: 2/29/16

Date Board mailed executed Order to Parties: 2/29/16

MARIA PANZARELLA

V.

PSE&G

**BPU DOCKET NO. EC15091085U
OAL DOCKET NO. PUC 18201-15**

SERVICE LIST

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

2016 01 21

INITIAL DECISION

FAILURE TO APPEAR

AND ON THE MERITS

OAL DKT. NO. PUC 18201-15

BPU DKT. NO. EC15091085U

MARIA PANZARELLA,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC
AND GAS COMPANY,**

Respondent.

No appearance by or behalf of **Maria Panzarella**, petitioner

Alex Stern, Esq., for respondent

Record Closed: December 7, 2015

Decided: January 21, 2016

BEFORE **JOSEPH A. ASCIONE, ALJ:**

On November 6, 2015, this matter was transmitted to the Office of Administrative Law (OAL) 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 November 19, 2015, the OAL mailed notice of the hearing in this matter for December 7, 2015. The petitioner failed to appear on said date. The Administrative Law Judge (ALJ) waited to 9:40 a.m. and the petitioner did not appear, nor does the OAL record reflect any requests for adjournment or a late arrival. This petitioner

CMS
V. Haynes
D. Lee Thomas
E. Hartsfield
F. Ford
R. Lambert
a. Jordan
B. Agee
J. Gertsman
C. Vachier

recently had a prior billing dispute with respondent, and she regularly failed to appear at hearing dates or attend telephone conferences. The ALJ noted the failure to appear. The respondent, pursuant to N.J.A.C. 1.1-14.4(d), requested that the matter proceed on the merits ex-parte. The ALJ granted this request, and took testimony. The hearing closed on December 7, 2015.

FACTUAL DISCUSSION AND FINDINGS

Respondent presented testimony from James T. Walsh, a Senior Customer Relations Consultant, employed by it for over thirty-eight years. His testimony was accepted as credible.

I have reviewed the testimonial record and I **FIND**:

1. The customer has formally disputed high billing to the Board of Public Utilities.
2. Petitioner's billing is consistent with billings for similarly sized residences in the area.
3. Respondent tried to communicate with petitioner to run a meter test or replace the meter. Petitioner did not respond on numerous occasions.
4. Petitioner's failure to make payment for an extensive period of time resulted in previous outstanding balances and a prior hearing.
5. The prior hearing resolved when petitioner filed a bankruptcy petition. Respondent wrote off the then outstanding balance in excess of \$12,000.
6. Petitioner opened a new account with respondent and has failed to make timely monthly payment and is now in arrears \$1,298. Respondent is providing continued services to petitioner.
7. Petitioner is eligible for some energy assistance from the Universal Service Fund, those amount have been paid to respondent. Petitioner's share of the outstanding balance is the \$1,298.

CONCLUSION

I **CONCLUDE** that petitioner has denied access to the premises for respondent to test or replace the meter to determine if the billing is improper.

I **CONCLUDE** that the respondent has properly billed the petitioner.

I **CONCLUDE** the petitioner has failed to pay her billing obligations to respondent. in at least the amount of \$1,298.

ORDER

I **ORDER** the petition to be **DISMISSED** for petitioner's failure to appear at the hearing.

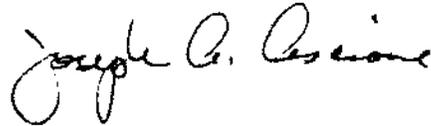
I **ORDER** the petition to be **DISMISSED** for petitioner's failure to allow respondent to test or replace the meter for testing.

I **ORDER** the petition to be **DISMISSED** for respondent's proof that petitioner is obligated to respondent in at least the amount of \$1,298.

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.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **SECRETARY OF THE BOARD OF PUBLIC UTILITIES, 44 South Clinton Avenue, P.O. Box 350, Trenton, NJ 08625-0350**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.



January 21, 2016

DATE

JOSEPH A. ASCIONE, ALJ

Date Received at Agency:

Date Mailed to Parties:

lam

APPENDIX

LIST OF WITNESSES

For Appellant:

None

For Respondent:

James T. Walsh, PSE&G Service Center Relations Consultant

LIST OF EXHIBITS

For Appellant:

None

For Respondent:

Transmittal Package from the Board of Public Utilities