



Agenda Date: 5/25/16  
Agenda Item: VIIA

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

<b>DOROTHY ROSE FORGIONE,</b>	)	ORDER ADOPTING
Petitioner	)	INITIAL DECISION SETTLEMENT
	)	
v.	)	
	)	
<b>PUBLIC SERVICE ELECTRIC AND GAS COMPANY</b>	)	BPU DOCKET NO. EC15101245U
Respondent	)	OAL DOCKET NO. PUC 00019-16

**Parties of Record:**

**Dorothy Rose Forgione**, Petitioner  
**Samuel A. Wolfe, Esq.**, for Respondent, Public Service Electric & Gas Company

**BY THE BOARD:**

On October 30, 2015, Dorothy Rose Forgione (“Petitioner”) filed a petition with the Board of Public Utilities (“Board”) related to a billing dispute with Public Service Electric & Gas Company (“PSE&G” or “Respondent”) for gas and electric services rendered by Respondent to the Petitioner.

After the filing of Respondent’s answer, the Board transmitted this matter to the Office of Administrative Law (“OAL”) for hearing and initial decision 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”) Thomas R. Betancourt.

The parties subsequently voluntarily agreed to resolve the matter and entered into a signed Stipulation of Settlement (“Stipulation”) that was submitted to the ALJ.<sup>1</sup> By Initial Decision issued on April 22, 2016, and submitted to the Board on April 26, 2016, to which the Stipulation was attached and made part thereof, ALJ Betancourt 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, PSE&G agreed to credit Petitioner a total of \$695.79. Petitioner agreed to pay her March 2016 bill to PSE&G, in the amount of \$339.54, on or before April 15, 2016. In addition, Petitioner agreed to timely pay her PSE&G bills for electric and gas service, and to enter into a thirty-month Deferred Payment

<sup>1</sup> The Stipulation contained a reference to an incorrect BPU Docket Number, but contained the correct OAL Docket Number.

Arrangement ("DPA") of \$79 per month with PSE&G, to pay off the \$2,354 settlement amount that Petitioner and PSE&G agreed upon on April 6, 2016. Petitioner agreed to make the first supplemental payment of \$79 by May 30, 2016. Petitioner may elect to pay off the \$2,354 settlement amount before the end of the thirty-month deferred payment period.

If Petitioner fails to comply with the agreement as set forth in the DPA and/or fails to make payments associated with current electric and gas service associated with the utility account, Petitioner understands that PSE&G would be entitled to place a \$260 security deposit on the utility account as well as all amounts due and owing at the time. Additionally, Petitioner understands that PSE&G may exercise its authority in accordance with its tariffs and the provisions of N.J.A.C. 14:3-3A.1 et seq. to discontinue service.

Petitioner further agrees, and understands, that, under the DPA, she must make timely payment of PSE&G monthly utility bills for utility service associated with her utility account so long as she remains a PSE&G customer.

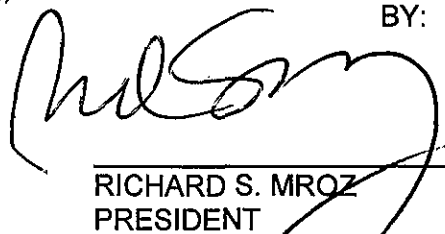
After review of the Initial Decision and the Stipulation, the Board **HEREBY FINDS** that the parties have voluntarily agreed to the settlement as evidenced by their signatures and that, by the terms of the Stipulation, they have fully resolved all outstanding contested issues in this matter. Accordingly, the Board **HEREBY ADOPTS** the Initial Decision and the Stipulation executed by the parties in their entirety as if fully set forth herein.


The effective date of this Order is June 4, 2016.

DATED: *May 25, 2016*

BOARD OF PUBLIC UTILITIES  
BY:

  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
RICHARD S. MROZ  
PRESIDENT

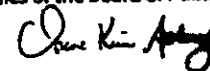
  
MARY-ANNA HOLDEN  
COMMISSIONER

  
DIANNE SOLOMON  
COMMISSIONER

  
UPENDRA J. CHIVUKULA  
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



**DOROTHY ROSE FORGIONE**

**v.**

**PUBLIC SERVICE ELECTRIC & GAS COMPANY**

**BPU Dkt. No. EC15101245U**

**OAL Dkt. No. PUC 00019-16**

**SERVICE LIST**

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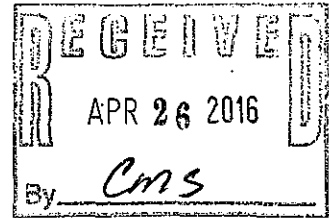
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APR 26 2016

BOARD OF PUBLIC UTILITIES  
MAIL ROOM



State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW



INITIAL DECISION-

SETTLEMENT

OAL DKT. NO. PUC 00019-16

AGY REF NO. EC15101245U

DOROTHY ROSE FORGIONE,

Petitioner

v.

PUBLIC SERVICE ELECTRIC & GAS COMPANY

Respondent.

Dorothy Rose Forgione, petitioner, pro se

Samuel A. Wolfe, Esq., for respondent PSE&G Electric & Gas Company

Record Closed: April 20, 2016

Decided: April 22, 2016

BEFORE THOMAS R. BETANCOURT, ALJ:

Petitioner disputes utility bills received from respondent.

The Board of Public Utilities transmitted the contested case pursuant to N.J.S.A. 52:14B-1 to 15 and N.J.S.A. 52:14f-1 to 13, to the Office of Administrative Law (OAL), where it was filed on September 23, 2015.

*CMS*  
V. Haynes  
D. Lee Thomas  
E. Hartsfield  
J. Ford  
C. Jordan  
R. Lambert  
B. Agee  
J. Gentsman  
C. Vachier

The parties have voluntarily agreed to resolve all disputed matters and have entered into a settlement as set forth in the attached settlement agreement.

I have reviewed the terms of the settlement and I **FIND**:

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures and/or the signature of their respective representatives on the attached settlement agreement; and,
2. The settlement fully disposes of all issues in controversy between the parties.

**ORDER**

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.

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.

4/22/16

DATE



THOMAS R. BETANCOURT, ALJ

Date Received at Agency:

\_\_\_\_\_

Date Mailed to Parties:

\_\_\_\_\_

db




7. In addition to payments under the DPA, Petitioner agrees and understands that she must make timely payment of PSE&G monthly utility bills for utility service associated with her utility account so long as she remains a PSE&G customer.

8. This agreement is in full settlement of the Petition filed by Petitioner in or about October 2015.

9. 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.

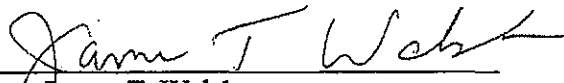
PSEG SERVICES CORPORATION  
Attorneys for PSE&G

DATED: 4/13/2016

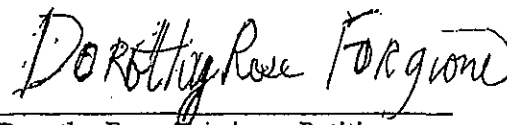
By:   
Samuel A. Wolfe, Esq.  
Senior Counsel

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 4-15-16

By:   
James T. Walsh  
Senior Customer Relations Consultant

DATED: 4-8-2016

By:   
Dorothy Rose Forgiome, Petitioner