



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

CLIFTON CHEDER,)	ORDER OF APPROVAL
Petitioner)	
)	
v.)	
)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	BPU Docket No. EC20030233U
Respondent)	OAL Docket No. PUC 06683-20

Parties of Record:

Larry S. Loigman, Esq. for petitioner
Joseph A. Shea, Esq., for Respondent, Public Service Electric and Gas Company.

BY THE BOARD:

The within matter is a billing dispute between Clifton Cheder (“Petitioner”) and Public Service Electric and Gas Company (“PSE&G” or “Respondent”). This Order sets forth the background and procedural history of Petitioner’s claims and represents the Final Order in the matter pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13. Having reviewed the record, the Board of Public Utilities (“Board”) now **ADOPTS** the Initial Decision rendered on December 2, 2020, as follows.

PROCEDURAL HISTORY

On or about March 10, 2020, Petitioner filed a petition with the Board requesting a formal hearing, alleged that respondent was inaccurately billed. Petitioner contends that from April 2017 through February 2018 it received inaccurate electric bills from PSE&G in the amount of over \$20,000.00. Clifton further claimed that the property in question had minimal electrical usage during the time period in question. Petitioner requested that the Board provide assistance in resolving this matter with the Respondent.

Respondent filed an Answer to the Petition, dated April 7, 2020. Respondent contends that the services were supplied and billed in accordance with terms and conditions and rate scheduled set forth in its Board approved Tariff. Respondent requested that the relief sought be denied on the basis that Petitioner failed to set forth a claim upon which relief may be granted.

On July 23, 2020, this matter was transmitted by the Board to the Office of Administrative Law ("OAL") for a 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. This matter was assigned to Administrative Law Judge ("ALJ") Kelly J. Kirk.

A Stipulation of Settlement was agreed to between Respondent and Petitioner dated October 30, 2020 resolving all issues in this matter.

DISCUSSION AND FINDINGS

Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, PSE&G agreed to apply a bill credit of \$5,000.00. Petitioner agreed to make a \$5,000.00 payment, leaving an outstanding balance of \$16,642.08. Petitioner further agreed to enter into a deferred payment arrangement (PDA) to pay the outstanding balance over 18 consecutive months beginning in November 2020. Petitioner will make 17 monthly payments of \$925.00 followed by a final monthly payment of \$917.08. Petitioner acknowledges and agrees that PSE&G may discontinue service, after providing notice of discontinuance in accordance with N.J.A.C. 14:3-3A.3, if the Petitioner defaults on any of the terms of the PDA. Petitioner, in addition to the PDA, will make timely payments for each month charges, with the next billing cycle to begin on November 2020.

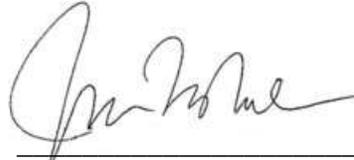
By Initial Decision issued on December 2, 2020, and submitted to the Board on December 14, 2020, ALJ Kirk found that the Stipulation was voluntary, its terms fully disposed of all issues in controversy, it was consistent with the law, and that it satisfied the requirements of N.J.A.C. 1:1-19.1.

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.

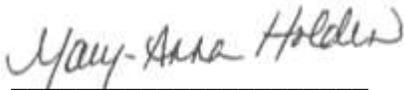
The effective date of this Order is February 6, 2021

DATED: January 27, 2021

BOARD OF PUBLIC UTILITIES
BY:



JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER

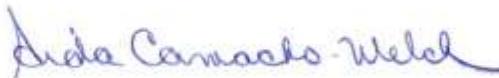


UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST:



AIDA CAMACHO-WELCH
SECRETARY

CLIFTON CHEDER, PETITIONER

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY, RESPONDENT

**BPU DOCKET NO. EC20030233U
OAL DOCKET NO. PUC 06683-20**

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OFFICE OF ADMINISTRATIVE LAW

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Newark, NJ 07102
(973) 648-7136
(973) 648-3666

Susan M. Rogers,
Acting Clerk

RECEIVED
MAILROOM
DEC 14 2020
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

NORTH

Date December 10, 2020

Re: Initial Decisions Sent to Agency

We are hereby forwarding to you the following decisions from the Office of Administrative Law. Should a listed decision not be included in this batch, please call 973-648-7136.

OAL Docket No.: PUC

Case Name

6683-20

Clifton Cheder

**Board of Public Utilities
44 South Clinton Avenue
Floor 10 East
Trenton, New Jersey 08625-0350**

Date: _____



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

RECEIVED
MAILROOM
DEC 14 2020
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 06683-20

AGENCY DKT. EC20030023U

CLIFTON CHEDER,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC
AND GAS COMPANY,**

Respondent.

Larry S. Loigman, Esq. for petitioner,

Joseph A. Shea, Esq., for respondent, Public Service Electric and Gas Company

Record Closed: November 2, 2020

Decided: December 2, 2020

BEFORE KELLY J. KIRK ALJ:

This matter was transmitted to the Office of Administrative Law on April 5, 2016, 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. The parties have settled this matter and have filed a stipulation of settlement indicating the terms thereof, which is attached and fully incorporated herein.

Having reviewed the record and the terms of the settlement, I **FIND**:

1. The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties and/or their representatives and statements made in the record.
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.

December 2, 2020 _____

DATE



KELLY J. KIRK, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____

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Attachment

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

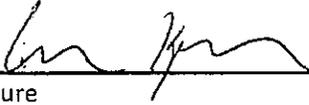
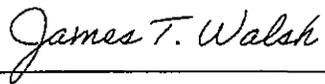
)	
Clifton Cheder,)	
Petitioner)	OAL Docket No. PUC6683-2020N
)	BPU Docket No. EC20030023U
V.)	
)	STIPULATION OF SETTLEMENT
Public Service Electric and Gas Company,)	
Respondent)	

On or about March 4, 2020, Clifton Cheder ("Petitioner") filed a billing dispute (the "Petition") with the New Jersey Board of Public Utilities ("Board" or "NJBPU"). Petitioner alleged among other things that there was a billing error with respect to the utility services (gas and electric) provided by Public Service Electric & Gas Company ("PSE&G" or "Respondent") for the premises located at 1333 Broad Street, Clifton, NJ, for the account ending in 1409. PSE&G filed an answer to the Petition and the NJBPU transmitted the matter to the Office of Administrative Law ("OAL") as a contested case for adjudication.

In the interest of resolving this matter amicably and to avoid further delay and costs to Petitioner and Respondent (collectively, the "Parties"), the Parties agree to settle this matter in accordance with the following terms:

1. As of the actual meter readings on October 23, 2020, the outstanding amount owed by Petitioner for the account ending in 1409 is \$26,642.08 ("Current Balance").
2. To settle this matter:
 - a. PSE&G agrees to provide a bill credit of Five Thousand Dollars (\$5,000.00) to be applied to Petitioner's Current Balance.
 - b. Petitioner agrees to make a payment of Five Thousand Dollars (\$5,000.00) to be applied to the Petitioner's Current Balance, leaving an outstanding balance of \$16,642.08 ("Outstanding Balance").

3. Petitioner and PSE&G will enter into a deferred payment agreement (DPA) whereby the Petitioner agrees to pay the Outstanding Balance over a period of eighteen (18) consecutive months, beginning in November. For the first seventeen months, the Petitioner will pay the DPA balance of \$925.00. On the eighteenth month, the Petitioner agrees to pay \$917.08. Petitioner acknowledges and agrees that PSE&G may discontinue service (after providing notice of discontinuance in accordance with N.J.A.C. 14:3-3A.3) if the Petitioner defaults on any of the terms of the DPA.
4. In addition to the monthly DPA payments, Petitioner will timely pay each month the charges incurred on the account ending in 1409. The next billing cycle will generate a bill beginning in November 2020.
5. Petitioner agrees and understands that no claims or grievances can be later adjudicated relating to any of the matters referenced in the Petition or this Stipulation of Settlement.
6. The undersigned agree that this Stipulation of Settlement contains mutually balancing and interdependent provisions and is intended to be accepted and approved in its entirety. In the event any provision of this settlement is not accepted and approved by the Board or is 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.
7. This Stipulation of Settlement shall be binding upon and inure to the benefit of the Parties hereto and their respective affiliates, related companies, successors, predecessors, subsidiaries, heirs, directors, officers, employees, holding companies, parents, shareholders, executors, administrators, assigns, purchasers and legal representatives (collectively, the "Entities"). Nothing in this Stipulation of Settlement is intended, nor shall it be construed, to confer any benefit whatsoever on any person or entity other than the Parties hereto and the Entities. The signatories of this Agreement represent and warrant that they are authorized to execute this Agreement and to bind the Parties hereto.

<p>Isaac Kagan Administrator Clifton Cheder</p>  <hr/> <p>Signature</p> <p>October <u>29</u>, 2020</p>	<p>James T. Walsh PSE&G Customer Operations</p>  <hr/> <p>Signature</p> <p>October <u>30</u>, 2020</p>
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