



Agenda Date: 9/21/11

Agenda Item: VIIE

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

VIVEKA GOULD,)	ORDER ADOPTING INITIAL
Petitioner)	DECISION SETTLEMENT
)	
V.)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	BPU DKT. NO. GC11010046U
Respondent)	OAL DKT. NO. PUC04046-11

Parties of Record:

Viveka Gould, Petitioner, appearing *pro se*

Mally Becker, Esq., appearing on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD:

On January 31, 2011, Viveka Gould ("Petitioner") filed a petition dated December 23, 2010 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 on March 23, 2011, 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") dated August 15, 2011 that was submitted to the ALJ. By Initial Decision, issued on August 17, 2011 and submitted to the Board on August 30, 2011, to which the Stipulation was attached and made a 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, the parties have agreed that the Stipulation pertains to the electric and gas service account listed in the name of Gunther Cohn, a decedent.

Respondent has agreed to credit this account in the amount of \$3,427.07, bringing the outstanding balance owed on the account to \$2,000.00. Petitioner has agreed to pay the bill timely and she has further agreed to satisfy the outstanding balance by making a lump sum payment of \$2,000.00 within 30 days of the execution of the Stipulation.

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 that by the terms of the Stipulation of 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.


DATED: 9/22/11

BOARD OF PUBLIC UTILITIES
BY:


LEE A. SOLOMON
PRESIDENT


JEANNE M. FOX
COMMISSIONER

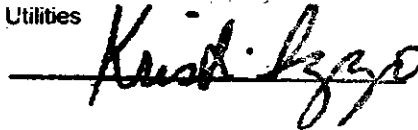

JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

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



VIVEKA GOULD

V.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. GC11010046U

OAL DOCKET NO. PUC04046-11

SERVICE LIST

Viveka Gould
16 Sutton Place
New York, New York 10022

Mally Becker, 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
Newark, New Jersey 07102

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

CMS
Beslow
DAG
Beke
RPA
Ford-Williams



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 04046-11

AGENCY DKT. NO. GC11010046U

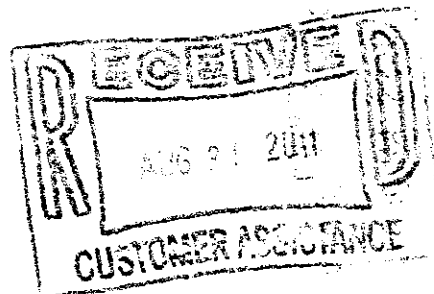
VIVEKA GOULD,

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND GAS
COMPANY,**

Respondent.



Viveka Gould, petitioner appearing pro se

Malley Becker, Esq. on behalf of respondent (PSE&G Services Corporation)

Record Closed: August 15, 2011, 2011

Decided: August 16, 2011

BEFORE KIMBERLY A. MOSS, ALJ:

On April 7, 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 May 17, 2011. A follow up status conference was scheduled and conducted on May 17, 2011. A hearing was scheduled for July 27, 2011. During the pendency of the hearing the parties engaged in extensive settlement discussions. On August 15, 2011 respondent submitted the fully executed Stipulation of Settlement, which is 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.

8/17/11

DATE



KIMBERLY A. MOSS, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____

ljb

Mally Becker
Assistant General Regulatory Counsel

Law Department
80 Park Plaza, T5G, Newark, NJ 07102-4194
tel: 973.430.7380 fax: 973.430.5983
email: Mally.Becker@pseg.com

2011 AUG 15 P 4:55



August 11, 2011

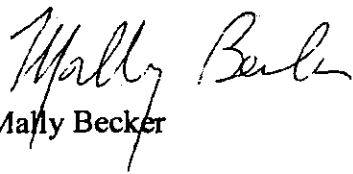
Honorable Kimberly A. Moss
Office of Administrative Law
33 Washington Street
Newark, NJ 07102-3011

Re: Viveka Gould v. PSE&G
BPU Docket No.: GC11010046
OAL Docket No.: PUC04046-2011N

Dear Judge Moss:

Enclosed please find a signed Stipulation of Settlement with reference to the above-captioned matter.

Respectfully submitted,


Mally Becker

MB/jb
Enclosure

cc: Viveka Gould (w/enc.)
Edward B. Sullivan (w/enc.)

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

2011 11 15 P 14 35

Viveka Gould,

Petitioner,

v.

Public Service Electric & Gas Company
Respondent.

BPU DOCKET NO. GC11010046U
OAL DOCKET NO. PUC04046-2011 N

STIPULATION OF SETTLEMENT

On or about December 23, 2010, Petitioner filed the above-referenced billing dispute. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to the 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 amicably and to avoid further delay and costs to the parties, the parties hereto agreed to settle this matter in accordance with the following terms:

1. This is regarding the account listed in the name of Gunther Cohn with PSE&G for electric and gas service to a premise located at 20 Lincoln Avenue, West Orange, New Jersey.
2. PSE&G agrees to credit \$3,427.07 to the account referenced above.
3. After application of the \$3,427.07 bill credit referenced in paragraph 2, Petitioner acknowledges that there will still be an outstanding overdue balance on the account owed to PSE&G for past electric and gas service rendered by PSE&G in the amount of \$2,000.
4. Within 30 days of executing this Stipulation of Settlement, Petitioner agrees to make a lump sum payment of \$2,000.
5. Petitioner agrees to timely pay her PSE&G bills for electric and gas service, as well as to make the payment of \$2000 referenced in Paragraph 5 above.
6. If Petitioner fails to make payments associated with current electric and gas service, 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.
7. This agreement is in full settlement of the Petition filed by Petitioner on or about December 23, 2010.

8. 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
Attorney for PSE&G

DATED: 8/11/11

By: Mally Becker
Mally Becker, Esq.
Assistant General Regulatory Counsel

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 8/11/11

By: Edward B. Sullivan
Edward B. Sullivan
Manager of Customer Operations

PETITIONER

DATED: 8/8/11

By: Viveka Gould
Viveka Gould