



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

JAMES GAGLIANONE,	)	ORDER ADOPTING
Petitioner	)	INITIAL DECISION AND
	)	SETTLEMENT
V.	)	
	)	
ATLANTIC CITY ELECTRIC COMPANY,	)	BPU DKT. NO. EC12050359U
Respondent	)	OAL DKT. NO. PUC 7706-12

**Parties of Record:**

**Michael D. Lindner, Esq.**, Blumberg & Lindner, on behalf of Petitioner, James Gaglianone  
**Pamela J. Scott, Esq.**, on behalf of Respondent, Atlantic City Electric Company

**BY THE BOARD:**

On May 1, 2012, James Gaglianone ("Petitioner") filed a petition with the Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with Atlantic City Electric 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 assigned to Administrative Law Judge ("ALJ") W. Todd Miller.

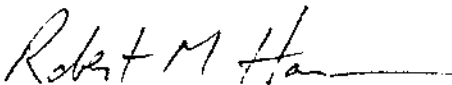
While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Settlement Agreement ("Settlement") that was submitted to the ALJ. By Initial Decision issued on March 8, 2013, and submitted to the Board on March 22, 2013, to which the Settlement was attached and made part thereof, ALJ Miller found 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 resolve this matter, the parties have agreed that Petitioner shall pay a compromise balance of \$7,325.00 to Respondent and Respondent shall accept this compromise amount in full settlement of the dispute. The parties further agreed that Petitioner shall make payments of \$300.00 per month for a period of twenty-three (23) months beginning with the April 2013 bill with the final payment of \$425.15 due April 30, 2015. The parties also agreed that the Settlement is subject to the provisions of Respondent's tariff and the New Jersey Administrative Code regarding late payments and penalties.

After review of the record and the 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 Settlement, have fully resolved all outstanding contested issues in this matter.

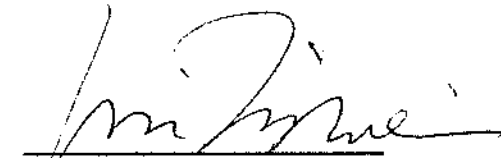
Accordingly, the Board **HEREBY ADOPTS** the Initial Decision and the Settlement executed by the parties in their entirety as if fully set forth herein.

DATED: 4/29/13

BOARD OF PUBLIC UTILITIES  
BY:


  
ROBERT M. HANNA  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

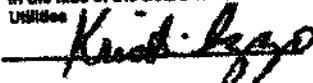
  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
MARY-ANNA HOLDEN  
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



JAMES GAGLIANONE

V.

ATLANTIC CITY ELECTRIC COMPANY

BPU DOCKET NO. EC12050359U  
OAL DOCKET NO. PUC 7706-12

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LEAH  
MULLOCH

AD LPS  
CASE MANAGEMENT

**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**

**SETTLEMENT**

OAL DKT. NO. PUC 7706-12

AGENCY DKT. NO. EC12050359U

**JAMES GAGLIANONE,**

Petitioner,

v.

**ATLANTIC CITY ELECTRIC COMPANY,**

Respondent.

**Michael D. Lindner, Jr., Esq.,** for petitioner

**Pamela J. Scott, Esq.,** for respondent

Record Closed: March 8, 2013

Decided: March 8, 2013

**BEFORE W. TODD MILLER, ALJ:**

This matter was transmitted to the Office of Administrative Law on JUNE 11, 2012, 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 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 and as placed on the record on March 8, 2013.
2. The settlement fully disposes of all issues in controversy and is consistent with the law.

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 PUBLIC UTILITIES BOARD  
 MAR 11 2013  
 11:30 AM

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.

3-8-13  
 \_\_\_\_\_  
 DATE

  
 \_\_\_\_\_  
**BRUCE M. GORMAN, ALJ**

Date Received at Agency: \_\_\_\_\_

Date Mailed to Parties: \_\_\_\_\_

/sd

SETTLEMENT AGREEMENT

SETTLEMENT

THIS AGREEMENT, made this 8th day of March, 2013, between James G. Caglianone ("Petitioner") and Atlantic City Electric Company ("Respondent").

WHEREAS, Petitioner and Respondent have a dispute (the "Dispute") concerning an amount due for electrical service in the amount of \$14,650.34 (the "Disputed Amount"); and

WHEREAS, Petitioner and Respondent have agreed to a settlement of the Disputed Amount.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties hereto agree as follows:

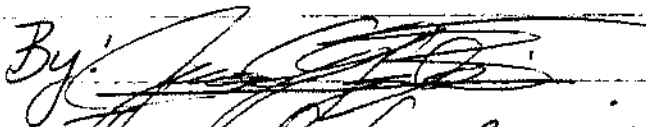
1. In settlement of the Disputed Amount, Petitioner agrees to pay \$7,325. (the "Compromise Amount") to Respondent and Respondent agrees to accept the Compromise Amount in full settlement of the Dispute.

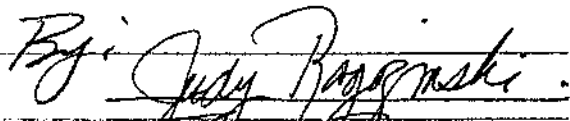
2. Respondent agrees to a payment arrangement for the repayment of the Disputed Amount, as follows: Petitioner will pay \$300 per month toward the Disputed Amount over a period of twenty three (23) months, beginning with the April 2013 bill from Respondent with the final payment of \$425.17 due by April 30 2015.

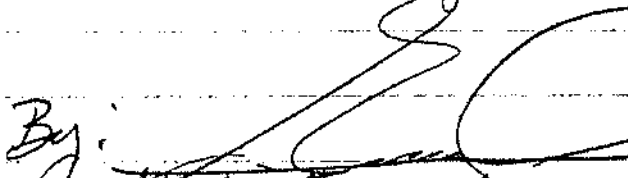
3. This Settlement Agreement is subject to the provisions of Respondent's Tariff and New Jersey Administrative Code concerning late payments and penalties.

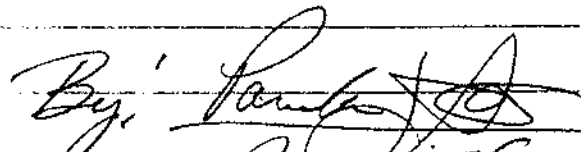
IN WITNESS WHEREOF, the parties hereto appear set their hands and seals the day and year first above referenced.

Atlantic City  
Electric Co.

By:   
James C. Cagliarone

By:   
Judy Rogozinski,  
Judy Rogozinski,

By:   
Michael Lindner  
Attorney for Petitioner

By:   
Pamela Scott  
Attorney for Respondent