



## 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/

	<u>CUSTOMER ASSISTANCE</u>
Norman Penderghest, Petitioner,	) ORDER ADOPTING ) INITIAL DECISION
<b>V.</b>	
South Jersey Gas Company, Respondent.	) BPU DOCKET NO. GC18020152U ) OAL DOCKET NO. PUC 04851-18
Parties of Record:	

BY THE BOARD:

#### PROCEDURAL HISTORY

Norman Penderghest, Petitioner, pro se

By petition filed with the Board of Public Utilities ("Board") on February 12, 2018 ("Petition"), Norman Penderghest ("Petitioner") disputed charges associated with service provided by South Jersey Gas Company ("Respondent" or "SJG").

Van L. McPherson, III, Esq., for Respondent, South Jersey Gas Company

In his petition, Petitioner stated that SJG incorrectly billed his account. Specifically, Petitioner advised that SJG replaced his meter on April 29, 2016, and after replacement, was informed by SJG that his meter had not been registering for the period between May 11, 2015 through April 16, 2016. As a result, Petitioner alleged that he received an incorrect bill in the amount of \$1003.03. He further stated that he had made monthly payments during the time period in question and had never missed a payment in his 47 years as a SJG customer.

SJG, in its answer dated March 6, 2018, denied the allegations that Petitioner was incorrectly billed. The Company contended that services were supplied and billed in accordance with terms and conditions and rate schedules set forth in its Board approved Tariff. SJG 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 April 3, 2018, the Board transferred the matter to the Office of Administrative Law for a hearing 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.

Agenda Date: 07/25/18 Agenda Item: VIIC

The case was assigned to Administrative Law Judge ("ALJ") Tama B. Hughes.

The parties subsequently voluntarily agreed to resolve the matter and entered into a signed Settlement and Release Agreement ("Settlement") that was submitted to the ALJ on June 20, 2018. Petitioner and SJG also submitted a Stipulation of Dismissal with Prejudice to the ALJ on June 20, 2018.

Pursuant to the terms of the Settlement, and in order to fully resolve this matter, SJG applied two credits to Petitioner's account in the total amount of \$350.00. After the credits are applied, Petitioner agreed to pay the remaining \$267.78 balance by making payments of \$44.63 per month for the next six (6) months, plus current charges.

By Initial Decision issued on June 26, 2018, and submitted to the Board on June 29, 2018, ALJ Hughes 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.

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

The effective date of this Order is August 4, 2018.

DATED: 7/25/18

BOARD OF PUBLIC UTILITIES

BY:

JOSEPH L. FIORDALISO

**PRESIDENT** 

MARY-ANNA HOLDEN

COMMISSIONER

UPENDRA J. CHIVUKULA

COMMISSIONER

ROBERT M. GORDON COMMISSIONER

DIANNE SOLOMON

COMMISSIONER

ATTEST:

Alda Camacho-Willer
Alda CAMACHO-WELCH

**SECRETARY** 

Agenda Date: 07/25/18 Agenda Item: VIIC

### **NORMAN PENDERGHEST**

V.

SOUTH JERSEY GAS COMPANY BPU DOCKET NO. GC18020152U OAL DOCKET NO. PUC 04851-18

# **SERVICE LIST**

Norman Penderghest 600 4<sup>th</sup> Avenue Lindenwold, NJ 08021

Van L. McPherson, Esq. South Jersey Gas Company 1 South Jersey Plaza Folsom, NJ 08037

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Julie Ford-Williams, Chief
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# RECEIVED CASE MANAGEMENT



JUN 2 9 2018

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

BOARD OF PUBLIC UTILITIES TRENTON, NJ

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 04851-18

ACENCY DKT. NO. GC18020152U

NORMAN PENDERGHEST,

٧.

Petitioner,

SOUTH JERSEY GAS COMPANY,

Respondent.

Norman Penderghest, pro se

Van L. McPherson, III., Esq., for respondent

Record Closed: June 20, 2018

Decided: June 26, 2018

BEFORE TAMA B. HUGHES, ALJ:

Petitioner, Norman Penderghest, disputes charges on his gas bill. On April 3, 2018, this matter was transmitted to the Office of Administrative Law 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 entered into successful settlement negotiations. As a result, the parties have filed a Settlement and Release Agreement (Settlement Agreement) indicating the terms thereof, which is attached and fully incorporated herein.

CMS K.Grahen

D. Thomas

E. Hartsfield

J. Ford

R. Lambert

R. Matos

K. Flynn

B. Agre

C. Vachier

tat/lam

OAL DKT. NO. PUC 04851-18

I have reviewed the record and the terms of the Settlement Agreement and I FIND:

- The parties have voluntarily agreed to the Settlement Agreement as evidenced by their signatures or their representatives' signatures.
- 2. The Settlement Agreement fully disposes of all issues in controversy and is consistent with the law.

I CONCLUDE that the Settlement Agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the Settlement Agreement should be approved. I approve the Settlement Agreement 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.

June 26, 2018  DATE	TAMA B. HUGHES, ALJ
Date Received at Agency:	6-29-18
Date Mailed to Parties:	