



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center, Suite 801
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

RENO WILKINS,)	ORDER ADOPTING INITIAL
Petitioner)	DECISION
)	
V)	
)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY,)	
Respondent)	BPU Dkt. No. GC10050372U
)	OAL Dkt. No. PUC07918-10

Reno Wilkins, Plainfield, New Jersey, appearing *pro se*

Alexander C. Stern, Esq., Newark, New Jersey, on behalf of Respondent, Public Service Electric and Gas Company

BY THE BOARD¹:

By petition filed with the Board of Public Utilities ("Board") on May 28, 2010, Reno B. Wilkins ("Mr. Wilkins" or "Petitioner") requested a formal hearing regarding alleged improper billing by Public Service Electric and Gas Company ("PSE&G" or "Respondent").

BACKGROUND:

In a petition filed on May 28, 2010, Petitioner alleged that on December 31, 2009 he received a gas bill from Respondent in the amount of \$3,162.51. Petitioner, at 1. Respondent read Petitioner's gas meter on December 31, 2009 for the first time after fifty-nine months of estimates. Id. The actual number exceeded the estimates that Petitioner had been receiving until this time. Ibid. Petitioner alleged violation of N.J.A.C. 14:3-7.2 (form of bill for metered service); 14:6-4.2 (periodic meter testing); and 14:3-4.6. He also requested copies of documents as to tests of his gas meter's accuracy. Petition, at 1-2.

On July 7, 2010, Respondent filed an answer. Respondent alleged that despite multiple attempts, it could not access Petitioner's gas meter during the fifty-nine month period. Answer, at 2. The meter was inside the home and no one over the age of eighteen was home to enable Respondent to gain access to the meter. Id. Under N.J.A.C. 14:3-3.6, the utility must be afforded reasonable right of access to the meter, which Respondent alleged it was not afforded.

¹ Commissioner Nicholas Asselta did not participate in this matter.

Id. at 1. On April 18, 2010, Respondent removed Petitioner's meter with an index of 1769 and installed a remote meter, so that Respondent would no longer have to enter Petitioner's house for a reading. Id. at 2. Respondent tested the removed meter on May 6, 2010, and the Respondent found it 101.52% accurate, which Respondent claims complies with N.J.A.C. 14:3-4.6(a).

The dispute was transmitted to the Office of Administrative Law ("OAL") on July 23, 2010 as a contested case pursuant to N.J.S.A. 52:14F-1 to -13 and N.J.S.A. 52:14B-1 to -15. On December 15, 2010 Administrative Law Judge ("ALJ") Kimberly A. Moss heard the case.

During the hearing, Petitioner called Donna Johnson and Respondent called Edward Sullivan and Walter Ross as witnesses.

In her initial decision, ALJ Moss made findings of fact. Based upon Donna Johnson's testimony, ALJ Moss found that Mr. Wilkins had visited Donna Johnson, a Respondent employee, at her office on many occasions to discuss his bill during the fifty-nine month period that Mr. Wilkins received estimated bills. Initial Decision, at 2. The ALJ also found that Ms. Johnson had told Mr. Wilkins repeatedly that he needed to have an actual meter read, which Mr. Wilkins acknowledged. Id. Respondent read Petitioner's meter in 2009. Ibid. Finally, the ALJ found that Respondent does not read meters at night but does make available weekend readings, by special appointment. Ibid.

Based upon Mr. Wilkins' testimony, ALJ Moss found that Mr. Wilkins had several months of estimates from Respondent that showed a zero balance for that month. Id. at 3. In some other months, the estimates varied widely. Ibid. Mr. Wilkins submitted a selective-sampling report showing that meters in the same size code (008) and group number (175) as his meter failed as a group. Ibid. When a group of meters fail in this fashion, they must be removed. Ibid.

Based upon Mr. Edward Sullivan's testimony, ALJ Moss determined that Respondent found Petitioner's meter to read 1575 on December 31, 2009. Ibid. On February 22, 2010, the customer read the meter at 1,671. Ibid. Respondent cancelled Petitioner's February 9, 2010 bill (based on the December actual read) and replaced it with a March 11 bill (based on the customer read). Ibid. To account for Petitioner's under billing due to estimates differing from the actual bill, Petitioner trued-up Mr. Wilkins' bill from \$1,214.45 to 3,572.74, a \$2,358.29 difference. Ibid. The ALJ also found that Petitioner's old meter was tested on May 6, 2010, with a result of 101.52% accuracy. Ibid. Respondent installed another meter in place of the removed meter. Ibid. Moreover, customers and the utility are jointly responsible for readings, with the customer bearing the responsibility of providing access to the meter. Ibid. Finally, ALJ Moss found that Respondent reads meters as late as 6:00 PM weekdays and reads are also available on Saturdays. Id. at 3-4. Respondent's bills list the date of the next available reading. Id. at 4. Respondent sends customers a notice after four consecutive months without an actual read. Ibid.

Finally, based upon Walter Ross' testimony, ALJ Moss found that Petitioner's meter was installed in 1993, and with a size code of 008. Ibid. Respondent routinely tests groups of meters and removes them from operation if they fail the test. Ibid. In a 2009 test, Respondent found that 008 size meters installed between 1965 and 1983 failed and must be removed. Ibid.

However, Petitioner's meter was installed in 1993 and remained sound. Ibid. Either Respondent itself, or a third party vendor, tests removed meters. Id. at 5. All tests comply with

National Institute of Standards and Technology ("NIST") protocol. Ibid. Respondent's reuse of meters is common in the industry as a way of saving the costs of purchasing new meters. Ibid.

ALJ Moss also made the following findings: (1) Petitioner did not prove by a preponderance of the evidence that he did not receive adequate notice that an actual meter reading needed to be done; (2) Petitioner's meter was accurate; (3) Petitioner did not prove by a preponderance of the evidence that Respondent did not comply with N.J.A.C. 14:3-4.4(b), which requires a utility to test its meters for accuracy in compliance with NIST and NJ Weights and Measures. As a result of these findings, ALJ Moss ordered the petition dismissed. Id. at 8.

EXCEPTIONS TO THE INITIAL DECISION:

On January 31 2011, Petitioner filed his exceptions to the initial decision. Petitioner's exceptions were as follows: (1) Respondent "completed removed (credited) [his bill] although they had an actual readings which resulted in an actual bill";² (2) the ALJ should have discounted Ms. Johnson's testimony because Ms. Johnson could not recall certain events in 2009 and because Ms. Johnson stated that Petitioner visited Respondent's offices monthly over the a three year period; (3) Respondent did not offer meter readings on weekends and evenings; (4) since replacement of the meter, Petitioner's gas consumption has decreased by 80 percent; (5) Respondent must submit quarterly reports regarding a "sample of 200 meters for each size code," of which Respondent has 40 such size codes, yet Respondent submits such reports only annually; (6) a customer meter read of 1671 dated February 22, 2010 was only slightly less than the actual meter read of 1674 dated March 23, 2010; and (7) neither Respondent nor BPU have produced support from the New Jersey Standards of Weights and Measures certifying Respondent's tests of Petitioner's previous meter's accuracy. Petitioner's Exceptions at 1-2.

Respondent then answered Petitioner's exceptions. Respondent stated that Petitioner's exceptions merely express his displeasure with ALJ Moss' ruling, and do not cite to any additional facts or law that would suggest that a changed ruling would be appropriate. Respondent's Reply to Petitioner's Exceptions at 3. For instance, Respondent stated that Donna Johnson's testimony regarding Petitioner's monthly visits to her office, and the several occasions on which Petitioner acknowledged the need for an actual read are undisputed. Id. at 2. Also, the ALJ gave appropriate weight to Sullivan's testimony that Petitioner's recent decline in gas usage may be explained by decreased usage. Id. at 3. Finally, Respondent states that it brought sufficient evidence to conclude that Respondent properly tested Petitioner's meter for accuracy. Id. at 3. Respondent had also included an additional document from Robert Campanelli, the Acting State Superintendent of the New Jersey Office of Weights and Measures. Ibid. The document stated that "...the New Jersey Office of Weights and Measures has received meter testing material from you for our review...[and] upon review...the meter testing information provided complies with N.J.A.C. 14:3-4.4(b)2.i, and approval is granted for the purpose of compliance of this subchapter." Respondent's Exhibit G.

DISCUSSION AND FINDINGS:

After review and consideration of the entire record, the Board HEREBY FINDS that the findings and conclusions of the ALJ are reasonable and, accordingly, HEREBY ACCEPTS them. The

² It should be noted that this is a direct quote taken from Mr. Wilkins' exceptions. No interpretation was made as to what Mr. Wilkins meant by this sentence.

Board further FINDS that the Exceptions to the Initial Decision filed by the Petitioner are without merit.

N.J.A.C. 1:1-18.4(b) states that exceptions shall:

1. Specify the findings of fact, conclusions of law or dispositions to which exception is taken;
2. Set out specific findings of fact, conclusions of law or dispositions proposed in lieu of or in addition to those reached by the judge;
3. Set forth supporting reasons. Exceptions to the factual findings shall describe the witnesses' testimony or documentary or other evidence relied upon. Exceptions to conclusions of law shall set forth the authorities relied upon.

In previous cases, the Board has given great weight to tests that measure a meter's accuracy. First, in Edna M. Elco v. Public Service Electric and Gas Company, 96 N.J.A.R.2d 39 (Bureau of Regulatory Commissioners 1995), a meter reading of 99.9 percent accuracy withstood a customer challenge despite the fact that the customer alleged: 1) that her bills were consistently higher than her neighbors' bills in the same building, 2) that she had widely fluctuating monthly bills, and 3) that her radio's time did not need to be reset after a meter change. After careful review and consideration of the record, initial decision, exceptions and reply to exceptions, the Board adopted the ALJ's initial decisions dismissing the Petitioner's complaint. The Board found the decision of the ALJ to be fair and reasonable. Specifically, the Board accepted the ALJ's findings regarding the credibility of the Respondent's witnesses with respect to meter accuracy, replacement, and the absence of interconnected or intermingled wires. In addition, the Board found nothing in the Petitioner's exceptions to persuade the Board that the ALJ erred and therefore a modification or rejection of the initial decision was warranted.

Second, in Presidential Apartments v. Hackensack Water Company, 93 N.J.A.R.2d 68 (Bureau of Regulatory Commissioners 1992), a customer estimated what he thought to be typical water usage at a complex that he owned. He based the estimate on the actual water usage at another complex that he owned. Appalled by the difference between his estimates and the actual bills, he sued the water company for the difference. The water company replaced his meter twice: once in 1987, and once in March 1989. Petitioner noted that after his second replacement in 1989, his meter registered a decline in water usage of 21.93 percent over a six month period, when compared to the same six month period the previous year. The water company tested all three meters in the presence of a Board representative and found that the meter operated within standards. The ALJ, in his initial decision, noted, "...[Petitioner's] estimates are not sufficiently reliable to disregard readings from meters which were tested and found to be operating within allowable limits." 93 N.J.A.R.2d 68, at 70. Again, the Board, in its final decision, adopted the ALJ's initial decision and dismissed the Petitioner's complaint.

Similarly, in this case, there is nothing in Petitioner's testimony or exceptions which would overcome the great weight given to tests establishing the accuracy of a meter. After testing, Petitioner's meter was found to be 101.52% accurate. Respondent included a document from Robert Campanelli, the Acting State Superintendent, which stated that "...the New Jersey Office of Weights and Measures has received meter testing material from you for our review...[and] upon review...the meter testing information provided complies with N.J.A.C. 14:3-4.4(b)2.i, and approval is granted for the purpose of compliance of this subchapter."

Respondent's Exhibit G. As the Petitioner in Presidential Apartments claimed, Mr. Wilkins is claiming that his usage has decreased since the meter change. 93 N.J.A.R.2d 68, at 69 and Petitioner's Exceptions at 1. However, a decline in consumption recorded by a meter can be attributed to any number of factors, including simply reduced usage by the Petitioner. Therefore, evidence that Mr. Wilkins' previous meter had been accurate cannot be overcome solely on the basis that consumption has decreased since the previous meter was replaced. As in the decisions cited above, the factors raised by Petitioner are insufficient to override the results of the meter tests.

In addition, the ALJ found Ms. Johnson's testimony regarding Mr. Wilkins' knowledge that the meter needed to be read to be credible. Ms. Johnson was Mr. Wilkins' own witness. Finally, Respondent was able to show through credible evidence in the record that Respondent does, in fact, offer night and weekend readings, if necessary. Petitioner has not come forth with sufficient facts to meet his burden of proof. Therefore, the Board HEREBY REJECTS Petitioner's exceptions as being without merit.

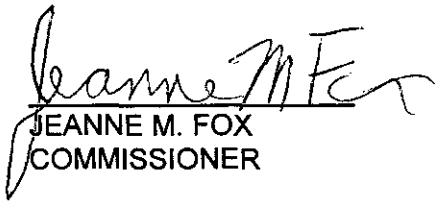
Upon careful review and consideration of the record, the Board HEREBY FINDS that the factual determinations and legal conclusions of ALJ Moss are reasonable and based upon sufficient, competent, and credible evidence. The Board HEREBY ADOPTS the Initial Decision in its entirety. Thus, the Board HEREBY ORDERS Petitioner's complaint to be DISMISSED.

DATED: 5/16/11

BOARD OF PUBLIC UTILITIES
BY:



LEE A. SOLOMON
PRESIDENT



JEANNE M. FOX
COMMISSIONER



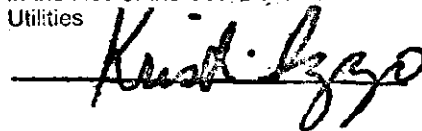
JOSEPH L. FIORDALISO
COMMISSIONER

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



RENO B. WILKINS

V.

PUBLIC SERVICE ELECTRIC AND GAS CO.

BPU DOCKET NO. GC10050372U

OAL DOCKET NO. PUC07918-10

SERVICE LIST

Reno B. Wilkins
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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

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INITIAL DECISION

OAL DKT. NO. PUC 07918-10

AGENCY DKT. NO. GC10050372U

RENO B. WILKINS,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC
AND GAS COMPANY,

Respondent.

Reno B. Wilkins, pro se

Alexander Stern, Esq., appearing on behalf of respondent

Record Closed: December 15, 2010

Decided: January 11, 2010

BEFORE KIMBERLY A. MOSS, ALJ:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner Reno Wilkins (Wilkins or petitioner) filed a complaint before the Board of Public Utilities (BPU) disputing the billing charges of Public Service Electric and Gas (PSE&G) for gas service provided to 20 Randolph Road, Plainfield, New Jersey. On July 23, 2010, 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 conducted on September 15, 2010, at which time a hearing was scheduled for December 15, 2010. The hearing was held on December 15, 2010, after which I closed the record.

FACTUAL DISCUSSION AND FINDINGS

Background

As the following is undisputed, I **FIND** it to be the **FACTS** of this case:

Wilkins is a customer of PSE&G. There is no dispute as to the electric bill. There was no actual reading of the gas meter for a period of fifty-nine months. Wilkins's gas meter was pulled by PSE&G on April 28, 2010. The meter was tested on May 6, 2010.

Testimony

Donna Johnson

Donna Johnson is an employee of PSE&G and has worked in the Plainfield office for thirteen years. She has worked in customer relations for the past six years. Wilkins has come into the office monthly for the past six years to discuss his bill. They discussed the fact that the bills were estimated because PSE&G could not get into his home to read the meter. Johnson told Wilkins in 2006, 2007, and 2008 that he needed an actual meter reading. Wilkins acknowledged that he needed to have an actual meter reading. There was an actual meter reading for Wilkins in 2009. When there is an actual reading of the meter after fifty-nine months of estimated readings; if the reading does not look right PSE&G will do a second actual reading. There are no options to have meter readings at night, but there can be weekend meter readings by special appointment.

Reno B. Wilkins

Wilkins testified that there were several months where the dynamic-list display that he received from PSE&G show that he had a zero balance. The estimated meter readings varied. He submitted a selective-sampling report that showed the meters in the same size code, 008, and group number, 175, as his meter, failed as a group. When a group of meters fail, as shown in the selective-sampling report, they must be removed.

Ed Sullivan

Ed Sullivan has worked for PSE&G as a liaison with the BPU in the resolution of customer disputes that come before the OAL. He has handled customer disputes for over forty years. In this case there were fifty-nine months of estimated gas bills. He requested a summary of all charges on the account. The account was in the name of Peggy Wilkins until 2008, when it was changed to Reno Wilkins. There were several customer readings, where the customer calls in the reading. There was an actual read of the gas meter on December 31, 2009. The gas reading on that date was 1,575. There was a customer reading on February 22, 2010, that was 1,671. The February 9, 2010, bill was cancelled. It was replaced by a bill with the payment date of March 11, 2010 (R-2), which was a two-month bill. PSE&G realized it had under-billed Wilkins and did a true-up. Wilkins had a prior balance of \$1,214.45. The amount of the true-up is \$2,358.29. It includes an estimate for the last month.

Wilkins's meter was tested on May 6, 2010. The test results were 101.52%. PSE&G installed a new meter that could be read from outside Wilkins residence. When a meter is tested a new meter is put in its place. The original meter is sent to Springfield be tested.

Meter readings are the joint obligation of PSE&G and its customers. The customer must have someone home to allow the meter reader entry. Meters can be read as late as 6:00 p.m. During certain portions of the year, there may be Saturday

OAL DKT. NO. PUC 07918-10

meter readings. He did not know if Wilkins was informed of the night and Saturday meter readings. PSE&G's bills list the date for the next meter reading.

Sullivan acknowledged that Wilkins's gas consumption was substantially less after the new meter was installed. There can be any number of reasons for deviations in the amount of gas consumption.

PSE&G sends customers a notice after four-consecutive estimated readings. The notice will go out on the fifth month and the seventh month, if no actual readings are done. Wilkins was told numerous times by Johnson that he needed to have an actual reading of the meter.

In March 2008, the account was changed from Peggy Wilkins to Reno Wilkins. Wilkins explained to PSE&G that his wife Peggy Wilkins had passed away. When an account is changed from wife to husband, the husband must pay any outstanding balance.

Walter Ross

Walter Ross is the manager of measurement systems and operations for PSE&G. He has held that position for twelve years. His duties include managing the meter records, running selective samples and BPU reporting. The selective-sample program allows a group of meters and sub-groups of meters to be tested to ascertain their health. Based on the results of the samples the meter will remain or be removed. In order for a meter to stay in service as a result of the selective-sample program, it must be eighty percent okay with plus-or-minus two percent. No more than ten percent of the meters can be fast.

Wilkins's meter was physically set in the house in 1993. The meter was purchased in 1968. The meter was used prior to 1993. BPU requires reports on meters. The meters have a size code. Wilkins meter's size code was 008. In the 2009 selective-sample meters in the 008-size group that were set between 1965-1983 had to be removed. Wilkins meter was set in 1993 and remains functional.

When a meter is pulled it is tested either by PSE&G or a third-party vendor. The meter tests are conducted within the National Institute of Standards and Technology guidelines. The meters are tested on test stands that are calibrated daily. The equipment used to test the meters was certified accurate.

It is a general practice to re-use meters. There is no harm from re-using meters. Ross does not know how long the meter in the Wilkins home had been used previously. Meters can cost between forty-five to thousands of dollars. PSE&G has 1.4 million customers and 1.8 million meters in service.

Ross does not witness the tests of the boards, a third-party vendor does. He is not the person who submits the certifications; Ron Walsh decides what to submit.

Having heard the testimony and witnesses I **FIND** the following additional **FACTS**:

Wilkins came to PSE&G's Plainfield office monthly. He was told by Johnson in 2006, 2007, and 2008 that he needed to have an actual reading of his gas meter. A selective sample was done on gas meters in 2009 by PSE&G. Wilkins's meter was in the 008 group: the meter was set in 1993; and meters in the 008 group that were set between 1965-1983 had to be removed. Wilkins's meter did not have to be removed. Wilkins meter was tested on May 6, 2010. It tested at 101.52%. The test was conducted within the National Institute of Standards and Technology guidelines.

There was an actual reading of Wilkins's gas meter on December 31, 2009. There was a customer call-in reading on February 22, 2010. PSE&G determined that it had under-billed Wilkins, due to not having an actual meter reading in fifty-nine months.

LEGAL ANALYSIS AND CONCLUSION

N.J.A.C. 3:7.2(e)(3) states:

When a utility estimates an account for four consecutive billing periods (monthly accounts), or two consecutive billing periods (bimonthly and quarterly accounts), the utility shall mail a notice marked "Important Notice" to the customer on the fifth and seventh months, respectively, explaining that a meter reading must be obtained and said notice shall explain the penalty for failure to complete an actual meter reading. After all reasonable means to obtain a meter reading have been exhausted, including, but not limited to, offering to schedule meter readings for evenings and on weekends, the utility may discontinue service provided at least eight months have passed since the last meter reading was obtained. the Board has been so notified and the customer has been properly notified by prior mailing. If service is discontinued and subsequently restored, the utility may charge a reconnection charge equal to the reconnection charge for restoring service after discontinuance for nonpayment.

Wilkins had fifty-nine months of estimated bills. There was no testimony that he did not receive notices that he needed to have an actual meter reading. Wilkins was reminded several times by Johnson that he needed to have an actual meter reading. In addition, the bills of PSE&G list the date that it would send out a meter reader. PSE&G did not discontinue his service. I **CONCLUDE** that petitioner did not prove by a preponderance of the evidence that he did not receive adequate notice that an actual meter reading needed to be done.

N.J.A.C. 14:3-4.6(a) states:

Whenever a meter is found to be registering fast by more than two percent, or in the case of water meters, more than one and one-half percent, an adjustment of charges shall be made in accordance with this section. No adjustment shall be made if a meter is found to be registering less than 100 percent of the service provided, except under (d) below.

In this case the meter was registering at 101.52%. Not being more than two percent, therefore, there is no need for an adjustment. I **CONCLUDE** that the meter was accurate.

Wilkins in his closing argument stated that he received information from New Jersey Weights and Measures that they do not have a verifiable, traceable, program for testing PSE&G equipment. N.J.A.C. 14:3-4.4(b) regarding the testing of utility testing equipment states:

To comply with this section, a utility shall do either of the following:

1. Have its meter testing equipment tested and sealed by NJ Weights and Measures; or
2. Meet both of the following requirements:
 - i. Have its meter testing equipment tested and certified by a laboratory approved and recognized by the National Institute of Standards and Technology (NIST) with testing equipment traceable to NIST; and
 - ii. Prior to utilizing the equipment for compliance with this subchapter, submit to the Board a written approval, issued by the Superintendent of NJ Weights and Measures, accepting the laboratory that performed the certification for purposes of compliance with this subchapter.

N.J.A.C. 1:1-15.5, otherwise known as the Residuum Rule, states as follows:

Subject to the judge's discretion to exclude evidence under N.J.A.C. 1:1-15.1(c) or a valid claim of privilege, hearsay evidence shall be admissible in the trial of contested cases. Hearsay evidence which is admitted shall be accorded whatever weight the judge deems appropriate taking into account the nature, character and scope of the evidence, the circumstances of its creation and production, and, generally, its reliability.

(b) Notwithstanding the admissibility of hearsay evidence, some legally competent evidence must exist to support each ultimate finding of fact to an extent sufficient to provide

OAL DKT. NO. PUC 07918-10

assurances of reliability and to avoid the fact or appearance of arbitrariness.

Wilkins provided no testimonial or documentary evidence to substantiate this claim. He stated that he needed approval to subpoena the superintendant of Weights and Measures, which he did not request. He provided no legally competent evidence to support this claim. I **CONCLUDE** that Petitioner did not prove by a preponderance of the evidence that PSE&G did not comply with N.J.A.C. 14:3-4.4.

ORDER

It is therefore **ORDERED** that the petition in this matter be and is hereby **DISMISSED**.

I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

OAL DKT. NO. PUC 07918-10

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, 2 Gateway Center, Suite 801, Newark, N.J. 07102**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

January 11, 2011

DATE

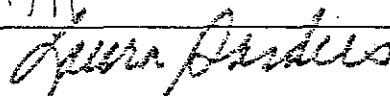

KIMBERLY A. MOSS, ALJ

Date Received at Agency:

1/11/11

Date Mailed to Parties:

JAN 12 2011



DIRECTOR AND
CHIEF ADMINISTRATIVE LAW JUDGE

ljb

WITNESSES

For Petitioner:

Donna Johnson

For Respondent:

Ed Sullivan

Walter Ross

EXHIBITS

For Petitioner:

- P-1 Dynamic List Display of the account of Reno Wilkins
- P-2 Email from Alex Stern to Reno Wilkins
- P-3 Systems Integration Sheet
- P-4 BPU Annual Report 2009/Selective Sample System

For Respondent:

- R-1 Statement of electric and/or gas billing or payment of Reno B. Wilkins
- R-2 Second February PSE&G bill of Reno B. Wilkins
- R-3 Annual Selective Sampling Meter Test for 2009
- R-4 American Meter Company Certificate of Accuracy