



**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/](http://www.nj.gov/bpu/)

CUSTOMER ASSISTANCE

<b>HOWARD YANCEY,</b>	)	ORDER ADOPTING
Petitioner,	)	INITIAL DECISION
	)	
v.	)	
	)	
<b>PUBLIC SERVICE ELECTRIC &amp; GAS COMPANY,</b>	)	BPU DOCKET NO. EC16070715U
Respondent.	)	OAL DOCKET NO. PUC 14263-16

**Parties of Record:**

Howard Yancey, Petitioner, pro se  
Alexander C. Stern, Esq., for Respondent, Public Service Electric & Gas Company

BY THE BOARD:

PROCEDURAL HISTORY

By petition filed with the Board of Public Utilities ("Board") on July 29, 2016, ("Petition"), Howard Yancey ("Petitioner" or "Mr. Yancey") disputed charges associated with electric service provided to his residence in Irvington, New Jersey by Public Service Electric & Gas Company ("PSE&G", "Respondent", or "Company"). Respondent, in its answer dated September 7, 2016, denied the allegations that Petitioner was incorrectly billed. Respondent contended that services were supplied and billed in accordance with terms and conditions and rate schedules set forth in its Board approved Tariff. On September 19, 2016, 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.

The case was assigned to Administrative Law Judge ("ALJ") John P. Scollo.

The parties subsequently voluntarily agreed to resolve the matter and entered into a signed Stipulation of Settlement ("Stipulation") that was submitted to the ALJ on May 3, 2017.

In his petition, Mr. Yancey stated that he received a high bill in the amount of \$2,738.40. Mr. Yancey claimed that other tenants were illegally connected to his meter. Mr. Yancey is requesting a full credit for the bill in question.

PSE&G, in its answer dated September 7, 2016, denied the allegations that Mr. Yancey was incorrectly billed. PSE&G contended that services were supplied and billed in accordance with terms and conditions and rate schedules set forth in its Board approved Tariff. PSE&G requested that the relief sought be denied on the basis that Mr. Yancey failed to set forth a claim upon which relief may be granted.

Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, PSE&G agreed to credit \$4,087.16 to Mr. Yancey's electric and gas accounts. Once the credit is applied, Mr. Yancey will have a balance due of \$750.00, to be paid no later than May 19, 2017.

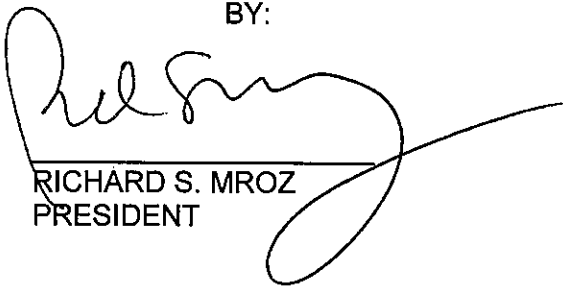
By Initial Decision issued on May 4, 2017, and submitted to the Board on May 10, 2017, to which the Stipulation was attached and made part thereof, ALJ Scollo found that the Stipulation was voluntary, that its terms fully disposed of all issues in controversy and that it satisfied the requirements of N.J.A.C. 1:1-19.1.

After review of the Initial Decision and the 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 June 10, 2017.

DATED: 5/31/17

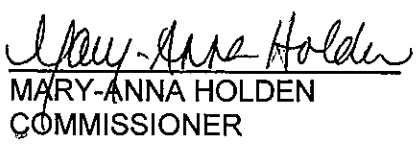
BOARD OF PUBLIC UTILITIES  
BY:



RICHARD S. MROZ  
PRESIDENT



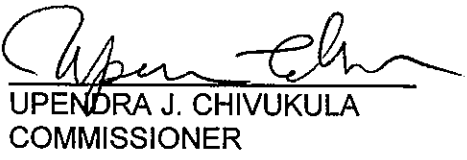
JOSEPH L. FIORDALISO  
COMMISSIONER



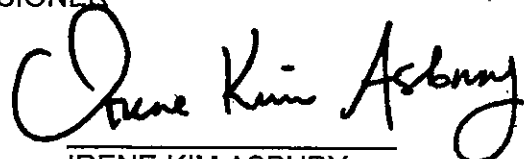
MARY-ANNA HOLDEN  
COMMISSIONER



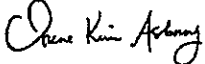
DIANNE SOLOMON  
COMMISSIONER



UPENDRA J. CHIVUKULA  
COMMISSIONER

ATTEST:   
IRENE KIM ASBURY  
SECRETARY

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



**HOWARD YANCEY**

**V.**

**PUBLIC SERVICE ELECTRIC AND GAS COMPANY  
BPU DOCKET NO. EC16070715U  
OAL DOCKET NO. PUC 14263-16**

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

**INITIAL DECISION**

**SETTLEMENT**

OAL DKT. NO. PUC 14263-16

**HOWARD YANCEY,**

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC & GAS**

**COMPANY BILLING DISPUTE,**

Respondent.

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**Howard Yancey, petitioner pro se**

**James Walsh, PSE&G Customer Operations Representative, for Respondent**

Record Closed: May 3, 2017

Decided: May 4, 2017

**BEFORE JOHN P. SCOLLO, ALJ:**

The Board of Public Utilities transmitted this matter to the Office of Administrative Law (OAL) where it was received and filed on September 22, 2016 for hearing as a contested case pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F1 to -13. Several telephone conferences were held wherein the parties advised the undersigned that they were working towards an amicable resolution of the within matter. By letter dated May 3, 2017, Alexander C. Stern advised the Court that the matter was settled

and submitted a Stipulation of Settlement indicating the terms of settlement which is attached hereto and made a part hereof.

I have reviewed the record and terms of the settlement and **FIND**:

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


Therefore, I **CONCLUDE** that this Stipulation of Settlement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. Accordingly, it is **ORDERED** that the parties comply with the terms, and it is **FURTHER ORDERED** that the proceedings in this matter 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.

May 4, 2017

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
JOHN P. SCOLLO, ALJ

Date Received at Agency:

Date Mailed to Parties:

MAY 5 2017

  
\_\_\_\_\_  
DIRECTOR AND  
CHIEF ADMINISTRATIVE LAW JUDGE

db

**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES**

<p><b>Howard Yancey</b>   <b>Petitioner,</b></p> <p style="text-align: center;">v.</p> <p><b>Public Service Electric and Gas Company</b>   <b>Respondent.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>STIPULATION OF SETTLEMENT</b></p> <p><b>OAL Docket No. PUC14263-2016</b> <b>BPU Docket No. EC16070715U</b></p>
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In or about August 2016, 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) Although not agreeing with the merits of the allegations expressed in the Petition, in the interests of good customer relations, PSE&G agrees to credit \$4,087.16 to Petitioner's Account for the provision of electric and gas service to 333 16<sup>th</sup> Avenue, Floor 2, Irvington, N.J. 07111.

2) Once the \$4,087.16 credit is applied, Petitioner will have an outstanding balance of \$750.00 due on the account.

3) Petitioner agrees to make payment of the \$750.00 by no later than May 19, 2017. In doing so, Petitioner's account will be current.

4) On April 19, 2017, PSE&G installed a new electric meter with ERT (Encoder Receiver Transmitter) technology. This will allow actual meter readings to be obtained without having to gain access to the premise.

5) This agreement is in full settlement of the Petition filed by Petitioner in or about August 2016.

6) The undersigned agree that this Settlement contains mutually balancing and interdependent provisions and is intended to be accepted and approved in its entirety. If 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  
Attorneys for PSE&G

DATED: 5-3-2017

By: Alexander C. Stern  
Alexander C. Stern, Esq.  
Associate General Regulatory Counsel

PUBLIC SERVICE ELECTRIC & GAS CO.

DATED: 5-3-17

By: James T. Walsh  
James T. Walsh  
Senior Customer Relations Consultant

DATED: 5-3-17

By: Howard Yancy  
Howard Yancy



Services Corporation  
80 Park Plaza, Newark, NJ 07102-4194  
tel: 973.430.7000



FAX COVER SHEET

DATE: 5/3/17

TO: Hon. John Scallo FROM: Alexander E. Stern, Esq.

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