

Agenda Date: 1/8/2020 Agenda Item: VIIB

STATE OF NEW JERSEY Board of Public Utilities 44 South Clinton Avenue, 9th Floor Trenton, New Jersey 08625-0350 www.nj.gov/bpu/

HADASSAH MUHAMMAD,

Petitioner

V.

CUSTOMER ASSISTANCE

ORDER ADOPTING INITIAL DECISION

PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent DOCKET NO. EC19030384U OAL Docket No. PUC 07316-19

Parties of Record:

Hadassah Muhammad, petitioner, pro se James T. Wash, Esq., for Respondent

BY THE BOARD:

The within matter is a billing dispute between Hadassah Muhammad ("Petitioner") and Public Service Electric and Gas Company ("PSE&G" or "Respondent"). This Order sets forth the background and procedural history of Petitioner's claims and represents the Final Order in the matter pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13. Having reviewed the record, the Board of Public Utilities ("Board") now **ADOPTS** the Initial Decision rendered on December 3, 2019, as follows.

PROCEDURAL HISTORY

On or about March 22, 2019, Petitioner filed a petition with the Board requesting a formal hearing, in which Petitioner alleged that respondent was inaccurately billed. Petitioner contends that the bills received from the Respondent were for an address that was not his. Petitioner requested that the Board provide assistance in resolving this matter with the Respondent.

Respondent filed an Answer to the Petition, dated April 19, 2019. Respondent contends that the services were supplied and billed in accordance with terms and conditions and rate schedules as set forth in its Board approved Tariff. Respondent requested that the relief sought be denied on the basis that Petitioner failed to set forth a claim upon which relief may be granted.

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On May 22, 2019, this matter was transmitted by the Board to the Office of Administrative Law ("OAL") for a hearing as a contested case pursuant to N.J.S.A. 52:14B-1-15 and N.J.S.A. 52:14F-1-13. This matter was assigned to Administrative Law Judge ("ALJ") Barry E. Moscowitz.

A Stipulation of Settlement was agreed to between Respondent and Petitioner on November 20, 2019 which resolved all issues in this matter.

DISCUSSION AND FINDINGS

Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, Respondent has agreed Petitioner's outstanding account balance of \$14,963.54 will be credited by \$1,000.00, resulting in an outstanding balance of \$13,963.54. Petitioner will have 48 months to pay off the outstanding balance, with a monthly payment of \$291.00 for 47 months and final payment of \$286.54, in addition to payments for current monthly charges. Respondent will remove the security deposit from the account ending in 4106 in the amount of \$2,397.00. If Petitioner submits a certified electrician's written report to the Respondent within 12 months of the date of the agreement (on or before November 20, 2020) indicating that the Petitioner is being billed by Respondent for electric consumption of other occupants within Petitioner's business building, then Respondent and Petitioner agree to further discuss adjustment to Petitioner's electric bill in accordance with electrician's conclusions.

By Initial Decision issued on December 3, 2019, and submitted to the Board on December 4, 2019, ALJ Moscowitz found that the Stipulation was voluntary, its terms fully disposed of all issues in controversy, it was consistent with the law, 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 <u>HEREBY</u> 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 <u>HEREBY</u> ADOPTS the Initial Decision and the Stipulation executed by the parties in their entirety as if fully set forth herein.

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The effective date of this Order is January 18, 2020.

DATED: 1/8/20

BOARD OF PUBLIC UTILITIES BY:

FIORDALISO JØSEPH L RESIDENT

MARY ANNA HOLDEN

UPENDRA J. CHIVUKULA COMMISSIONER

OMON

COMMISSIONER

ROBERT M. GORDON COMMISSIONER

ATTEST:

nQ AIDA CAMACHO-WELCH SECRETARY

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

HADASSAH MUHAMMAD, PETITIONER

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PUBLIC SERVICE ELECTRIC AND GAS COMPANY, RESPONDENT

BPU DOCKET NO. EC19030384U OAL DOCKET NO. PUC 07316-19

SERVICE LIST

Hadassah Muhammad Post Office Box 571 Teaneck, New Jersey 07102

Justin B. Incardone, Esq. Public Service Electric and Gas Company 80 Park Plaza – T5 Newark, New Jersey 07104

Julie Ford-Williams, Director Division of Customer Assistance Board of Public Utilities 44 South Clinton Avenue, 9th Floor Trenton, New Jersey 08625-0350 Julie.Ford@bpu.nj.gov

Karriemah Graham, Chief Office of Case Management Board of Public Utilities 44 South Clinton Avenue, 9th Floor Trenton, New Jersey 08625-0350 Karriemah.graham@bpu.ni.gov

Paul Youchak, DAG Department of Law and Public Safety Division of Law 25 Market Street Post Office Box 112 Trenton, New Jersey 08625 Paul.Youchak@law.njoag.gov

> BPU Docket No. EC19030384U OAL Docket No. PUC 07316-19

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BOARD OF PUBLIC UTILITIES

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State of New Jersey OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION SETTLEMENT OAL DKT. NO. PUC 07316-19

AGENCY DKT. NO. EC19030384U

HADASSAH MUHAMMAD,

Petitioner,

ν.

PUBLIC SERVICE ELECTRIC & GAS COMPANY,

Respondent.

Hadassah Muhammad, petitioner, pro se

James T. Wash, Esq., for respondent

Record Closed: November 20, 2019

Decided: December 3, 2019

Cms K. Graham

D. Thema

J. Ferd R. Lambe

R. Matus

K. Flynn S. Patraud

R: Owen

BEFORE BARRY E. MOSCOWITZ, ALJ:

On November 20, 2019, the Board of Public Utilities transmitted this case to the Office of Administrative Law (OAL) under the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -15, and the act establishing the OAL, N.J.S.A. 52:14F-1 to -23, for a hearing under the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1 to -21.6.

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OAL DKT. NO: PUC 07316-19

On November 20, 2019, the parties settled this case. A copy of their settlement agreement and the board resolution are attached to this decision. Having reviewed the terms of the settlement agreement, I **FIND** that the parties have entered into their settlement agreement voluntarily as evidenced by their signatures, the signatures of their representatives, or both.

In addition, I **CONCLUDE** that the settlement agreement is consistent with the law, is fully dispositive of all issues in controversy between the parties, and is otherwise consistent with the requirements of N.J.A.C. 1:1-19.1.

Therefore, given my findings of fact and conclusions of law, I ORDER that the parties comply with the terms of their settlement agreement and that these proceedings are now closed.

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.

12/31

DATE

Date Received at Agency:

Date Mailed to Parties: dr

BARRY E. MOSCOWITZ, ALJ

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Muhannal V. PSETG 2Kt. NO EC19030384U AR DRY NO. 07316-2019N The parties do hereby agree to Asolve anicably the above-captored disple on the following terrs: Petitioner's ortstarly accust balance of \$14,963.54 will be ordited by \$1,000.00, Resulty in an atstaly balance of \$13,963.54. Petitioner will have '48 wonths to off this attacky balance, resulty in onthey payments of \$291.00 pc 47 attas, and a find north pyrout of \$286.54, plus current onthe Charges which revealing petitioner's regonsibility 3) PSETG will remove the Security dopent off of Acct. ending 4106 amounting to \$2,397.00

D The portes agree that this settlement Felly and Frally resolves all dispites set forth in The petition in The above-contined matter, and the petition Will be dismused with prejudice. Not-itudaly the foregoing, if the personer Submits a certiled dedisician's unter report & PSETO within 12 nonths of the date of This agreement (or by November 20, 2020 Thet The petitioner is by petito eD" for electric conting to of other occupants of her b - de la composition business's buildy, Ten PSEtG out pestimer will meet to to discuss for the adjustments to Les electore bill in accordance the electrician's Conclusions The parties agree that They are entiring into The agreenent freely, without during or werion and That They fully 1940 Unlostere its tems Fr PSEt& Janes Walst adassch M Noventer 20, 2019 sovenher 20, 2019