



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF SOUTH)
JERSEY GAS COMPANY FOR APPROVAL OF A)
MUNICIPAL CONSENT IN THE CITY OF EGG)
HARBOR, ATLANTIC COUNTY, NEW JERSEY) DECISION AND ORDER
DOCKET NO. GE15070798

Parties of Record:

Stacy M. Barnes, Esq., South Jersey Gas Company
Stefanie A. Brand, Esq., New Jersey Division of Rate Counsel

BY THE BOARD:

South Jersey Gas Company ("SJG" or "Company"), a regulated utility subject to the jurisdiction of the Board of Public Utilities ("Board"), is a corporation duly organized under the laws of the State of New Jersey engaged in the business of transmission and distribution of natural gas to approximately 360,000 customers within its service territory.

SJG currently provides natural gas service within the City of Egg Harbor ("City") to approximately 1,460 residential, 205 commercial customers, and 5 industrial customers. The Company's consent to use the streets within the City for the provision of gas service expired on September 8, 1997,¹ pursuant to the fifty (50) year statutory limitation set forth in N.J.S.A. 48:3-15. On May 14, 2015, pursuant to Ordinance No. 4-2015, the City renewed its consent and granted SJG continued permission to lay and construct its pipes, mains, and related appurtenances and facilities within the streets, alleys, squares and public places within the City for a period of ten (10) years to furnish gas service in the City. By letter dated June 11, 2015, the Company accepted and agreed to the terms of the consent. Copies of the Ordinance and the letter of acceptance are attached to this Order as Exhibits "A" and "B" respectively.

On July 14, 2015, pursuant to N.J.S.A. 48:2-14 and N.J.A.C. 14:1-5.5, SJG filed a petition requesting that the Board approve the consent adopted by the City. As required by law and

¹ The Board notes that municipal consents often expire some time prior to their renewal even when the Company initiates the renewal process prior to the expiration of the previous term. This is primarily the result of the time necessary for a municipality to fulfill the legal requirements that attend to all formal actions it must take along with the additional time for hearing and Board approval as required by law. The Board has been assured that pending review of its petition, SJG has continued to provide service to its customers within the City in an uninterrupted manner.

after notice, a hearing in this matter was held on September 28, 2015, William Agee, Esq., the Board's duly appointed hearing officer. Appearances were made on behalf of the Company, the Division of Rate Counsel ("Rate Counsel") and Board Staff. No other party participated in the hearing or filed any written submission with the Board related to this proceeding.

At the hearing, the Company relied on its petition and exhibits filed with the Board and presented the testimony of Joseph Schneider, its General Manager of System Engineering and Planning. Mr. Schneider testified that SJG is experiencing an increase in customers within its service territory due to conversion from other fuels to natural gas. According to the petition, SJG anticipates growth in its defined service territory to be approximately one (1) percent annually for the next three (3) to five (5) years. SJG further represents that it has the capacity to ensure continuation of its natural gas service and does not foresee any concerns regarding its ability to meet the existing and future demands of the Borough.

Rate Counsel, in its written comments to the petition dated November 5, 2015, indicated that it does not object to the Company's petition, and noted that the term of the municipal consent related to the use of streets is limited to ten (10) years. However, Rate Counsel requests that approval of the petition include certain restrictions which are incorporated in this Order.

After a full review of the entire record, the Board **HEREBY FINDS** that the municipal consent for use of the streets, which is the subject of this matter, is necessary and proper for the public convenience and properly serves the public interest, and that SJG has the ability to continue to provide safe, adequate and proper service. The Board **FURTHER FINDS** that the Company has the necessary experience, financial capability, capacity and facilities in the City to continue to provide adequate and appropriate service to its existing customers, as well as expected future customers, and that the ten (10) year duration of the municipal consent to use the streets is consistent with N.J.S.A. 48:3-15. Accordingly, the Board, pursuant to N.J.S.A. 48:2-14, **HEREBY APPROVES** the consent granted to SJG by the City to continue to provide gas service, and for the continued use of its public streets for that purpose for a period of ten (10) years.

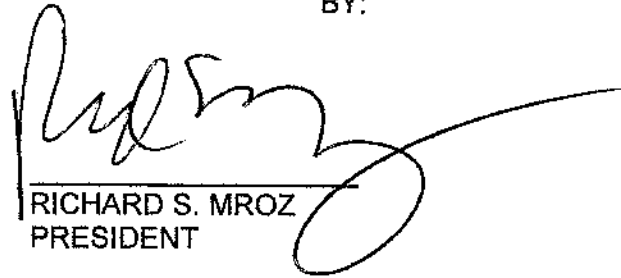
The approval granted hereinabove shall be subject to the following provisions:

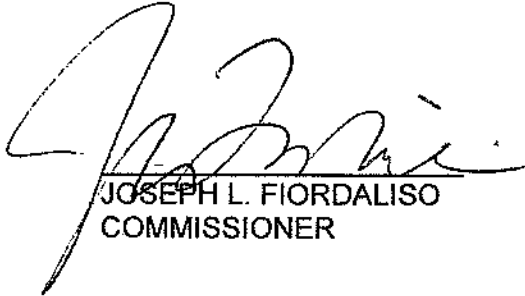
1. This Order shall not be construed as directly or indirectly fixing for any purposes whatsoever the value of any tangible or intangible assets now owned or hereafter to be owned by SJG.
2. This Order shall not effect nor in any way limit the exercise of the authority of this Board of the State in any future petition or in any proceedings with respect to rates, franchises, services, financing, accounting, capitalization, depreciation, or in any other matters affecting SJG.

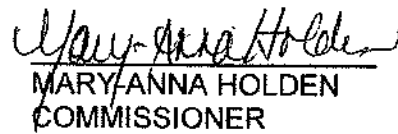
This Order shall be effective as of May 7, 2016.

DATED: 4/27/16

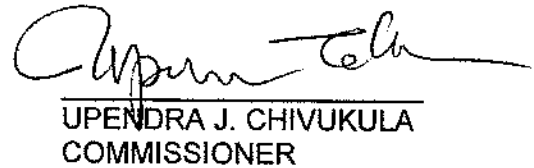
BOARD OF PUBLIC UTILITIES
BY:


RICHARD S. MROZ
PRESIDENT

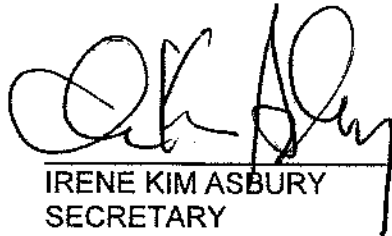

JOSEPH L. FIORDALISO
COMMISSIONER


MARYANNA HOLDEN
COMMISSIONER

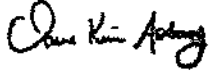

DIANNE SOLOMON
COMMISSIONER


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



IN THE MATTER OF THE PETITION OF SOUTH JERSEY GAS COMPANY FOR APPROVAL
OF A MUNICIPAL CONSENT IN THE CITY OF EGG HARBOR, ATLANTIC COUNTY, NEW
JERSEY - DOCKET NO. GE15070798

SERVICE LIST

Rate Counsel:

Stefanie A. Brand, Esq., Director
Division of Rate Counsel
140 East Front Street, 4th floor
Post Office Box 003
Trenton, NJ 08625-0003
sbrand@rpa.state.nj.us
smassey@rpa.state.nj.us

Brian Lipman, Litigation Manager
Division of Rate Counsel
140 East Front Street, 4th floor
Post Office Box 003
Trenton, NJ 08625-0003
blipman@rpa.state.nj.us

Brian Weeks, Esq.
Division of Rate Counsel
140 East Front Street, 4th floor
Post Office Box 003
Trenton, NJ 08625-0003
bweeks@rpa.state.nj.us

Felicia Thomas-Friel, Esq.
Division of Rate Counsel
140 East Front Street, 4th floor
Post Office Box 003
Trenton, NJ 08625-0003
ftthomas@rpa.state.nj.us

Shelly Massey, Paralegal
Division of Rate Counsel
140 East Front Street, 4th floor
Post Office Box 003
Trenton, NJ 08625-0003
smassey@rpa.state.nj.us

Deputy Attorneys General:

Alex Moreau, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
alex.moreau@dol.lps.state.nj.us

Board of Public Utilities:

Irene Kim Asbury, Esq.
Secretary of the Board
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
irene.Asbury@bpu.state.nj.us

William Agee, Esq.
Legal Specialist
Counsel's Office
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
William.Agee@bpu.state.nj.us

Maureen Wagner, Esq.
Legal Specialist
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Maureen.Wagner@bpu.state.nj.us

Megan Lupo, Esq.
Legal Specialist
Counsel's Office
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
megan.lupo@bpu.state.nj.us

Jerome May, Director
Division of Energy
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
jerome.may@bpu.state.nj.us

Christopher Psihoules, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
patricia.krogman@dol.lps.state.nj.us

Carolyn Vachier, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
caroline.vachier@dol.lps.state.nj.us

Veronica Beke, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Veronica.Beke@lps.state.nj.us

Cozen O'Connor:

Stacy A. Mitchell, Esq.
Cozen O'Connor
457 Haddonfield Road, Suite 300
P.O. Box 5459
Cherry Hill, NJ 08002

Ira G. Megdal, Esq.
Cozen O'Connor
457 Haddonfield Road, Suite 300
P.O. Box 5459
Cherry Hill, NJ 08002

Clerk Office:

Clerk, Borough of Paulsboro
Gloucester County
Attention: Kathy Van Scoy
1211 Delaware Street
Paulsboro, NJ 08066

Clerk, Board of Chosen Freeholders
2 South Broad Street
Woodbury, NJ 08096

Stacy Peterson
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
stacy.peterson@bpu.state.nj.us

John Masiello
Division of Reliability and Security
Board of Public Utilities
44 South Clinton Avenue, 2nd Floor
Post Office Box 350
Trenton, NJ 08625-0350
john.masiello@bpu.state.nj.us

South Jersey Gas Company:

John Stanziola, Director
Revenue Affairs
South Jersey Gas Company
One South Jersey Plaza
Route 54
Folsom, NJ 08037

Robert Fatzinger
South Jersey Gas Company
One South Jersey Plaza
Route 54
Folsom, NJ 08037

Stacey M. Barnes, Esq.
South Jersey Gas Company
One South Jersey Plaza
Route 54
Folsom, NJ 08037

Abbey Greenberg
Public Affairs Specialist
South Jersey Gas Company
One South Jersey Plaza
Route 54
Folsom, NJ 08037

Exhibit A

ORDINANCE NO. 4 – 2015

AN ORDINANCE GRANTING RENEWED CONSENT AND PERMISSION TO SOUTH JERSEY GAS COMPANY TO USE THE PUBLIC STREETS TO FURNISH GAS FOR LIGHT, HEAT AND POWER IN EGG HARBOR CITY

WHEREAS, South Jersey Gas Company, a corporation of the State of New Jersey, provides natural gas service to the City of Egg Harbor ; and

WHEREAS, South Jersey Gas Company now seeks, pursuant to N.J.S.A. 48:3-5, the renewed consent of the City of Egg Harbor City by adopting the following Ordinance applicable to the use of municipal streets in the City of Egg Harbor City; and

NOW, THEREFORE BE IT ORDAINED AND ENACTED by the Municipal Council of The City of Egg Harbor, in the County of Atlantic and State of New Jersey as follows:

1. That consent and permission is hereby renewed and granted to South Jersey Gas Company to lay and construct its pipes and mains and related appurtenances and facilities within the streets, alleys, squares and public places within the City of Egg Harbor in the manner prescribed by N.J.S.A. 48:9-21, and subject to reasonable regulations imposed by ordinance or resolution with respect to the opening of streets and public places, subject to the approval of such consent and permission by the Board of Public Utilities.
2. This consent is granted for the entire geographical area of the City of Egg Harbor City and extends to the boundaries of the City of Egg Harbor City and shall remain in effect for a period of ten (10) years from the date of the final adoption of this Ordinance.
3. If any provision of this ordinance or the application of this ordinance to any person or circumstance is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

BE IT FURTHER PROVIDED that this Ordinance shall take effect immediately upon posting, publication, final passage in the manner prescribed by law, and acceptance by South Jersey Gas Company.

Passed by the Municipal City Council this 14 day of May, 2015.



Hon. Lisa Jampetti, Mayor

ATTEST:


Meg Stebb, City Clerk

INTRODUCTION: April 23, 2015

PUBLICATION: April 29, 2015

PUBLIC HEARING: May 14, 2015

ADOPTION: May 14, 2015

Exhibit B



South Jersey Gas

*Where we put all of our energy**

Stacey M. Barnes, Esq.
Director, Legal Compliance
Office of General Counsel and Corporate Secretary

June 11, 2015

(Via Certified Mail & E-mail: mesa@eggharborcity.org)
Egg Harbor City Clerk's Office
Attention: Meg Steeb
500 London Ave.
Egg Harbor City, NJ 08215

Re: Acceptance of Ordinance No. 4-2015 Granting Municipal Consent to South Jersey Gas Company to Use the Streets for the Provision of Natural Gas Service

Dear Mrs. Steeb:

I am writing on behalf of South Jersey Gas Company ("SJG") to advise that we received a fully executed copy of Ordinance No. 4-2015 (copy attached) granting municipal consent for SJG to provide gas and lay its mains and pipes in the City of Egg Harbor. Pursuant to the requirements of N.J.S.A. 48:3-16, SJG hereby accepts Ordinance No. 4-2015, as passed.

Please do not hesitate to call if you have any questions. Thank you.

Very truly yours,

Stacey M. Barnes, Esq.
Director, Legal Compliance
sbarnes@sjindustries.com

SMB/ls

Enclosure

cc: John Stanziola, Director, Regulatory Affairs
Abbey Greenberg, Public Affairs Specialist

1 South Jersey Plaza, Folsom, New Jersey 08037 • www.sjindustries.com
Tel. 800-561-9000 • Fax 800-561-1012 • TDD Only 1-800-547-9085