



Agenda Date: 5/22/18
Agenda Item: 2C

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 PIVOTAL)	DECISION AND ORDER
UTILITY HOLDINGS, INC. D/B/A ELIZABETHTOWN)	APPROVING MODIFIED
GAS FOR APPROVAL TO MODIFY ITS CURRENT)	TARIFF
TARIFF PURSUANT TO N.J.A.C. 14:1-5.11)	
)	DOCKET NO. GT17070774

Parties of Record:

Mary Patricia Keefe, Esq., for Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas
Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:

BACKGROUND

The Federal Pipeline and Hazardous Materials Safety Administration ("PHMSA") recently published a final rule amending Title 49 of the Code of Federal Regulations, Part 192 requiring natural gas distribution companies to install Excess Flow Valves ("EFVs") on new or replaced gas service lines servicing single-family residences, multi-family residences and small commercial entities. An EFV is a safety device designed to shut off the flow of natural gas automatically if the service line should break. The new regulations also include the obligation to provide written or electronic notification to all customers of their right to request the installation of an EFV on their existing service line. The notification must include, among other items, a description of the EFV installation and replacement costs.

PETITION

By letter dated July 25, 2017, Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas ("ETG" or "Company") filed a petition ("Letter Petition") with the New Jersey Board of Public Utilities ("Board") seeking approval to modify Section 4.02 of its Standard Terms and Conditions in response to the new Federal EFV mandate, allowing customers to request installation of an EFV on an existing service line.

According to the Company, the proposed tariff language provides that if a customer requests an EFV be installed prior to a Company-scheduled installation of a new or replacement service line, then the cost of the EFV and its installation would be paid for by the customer. In addition, the proposed language states that if a customer does not qualify for an EFV, the Company will instead offer to install a manual shut off device where the service line connects to the main, known as a curb stop, which would be in addition to the meter shut off valve, under the same cost related terms and conditions.

By letter dated August 25, 2017, the New Jersey Division of Rate Counsel ("Rate Counsel") stated that it had reviewed the amended federal regulation at 49 C.F.R. 192.383, the proposed tariff language modification, as well as the customer bill insert notice and the Company's webpage information about EFVs. (Rate Counsel Comments at 2). Rate Counsel indicated that, although it is satisfied with the language of the proposed tariff change, it has a concern about the notification on the customer bill insert regarding EFVs. (Ibid.) Specifically, Rate Counsel requested that the customer notification be placed directly on ETG's customer bill, as other utilities have done, and list a phone number for customers who would prefer to contact the Company by phone or cannot utilize the internet. (Id. at 3). Rate Counsel provided suggested language and requested that the Board require that the notification be placed more prominently at the top of the bill insert. (Ibid.)

By letter dated May 1, 2018, ETG filed a letter accepting Rate Counsel's proposals regarding notification language and placement on utility bill inserts.

DISCUSSION AND FINDING

The Board has carefully reviewed the record in this matter including the Letter Petition, Rate Counsel's comments and ETG's May 1, 2018 letter. Moreover, as represented by the Company, the modification expands the scope of changes that a customer may request and does not propose changes to rates. The Board **FINDS** that the proposed modification is reasonable, in the public interest and consistent with the intent of the Federal EFV mandate.

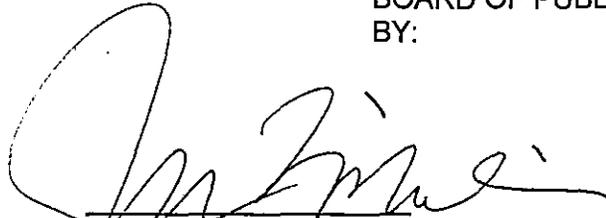
The Board **HEREBY APPROVES** the modification to Section 4.02 of ETG's Standard Terms and Conditions as requested by ETG. The Board **FURTHER ORDERS** that ETG modify the bill inserts related to information regarding EFVs as requested in Rate Counsel's comments. The Board **HEREBY ORDERS** ETG to file the revised tariff sheet no later than June 6, 2018.

The Company's costs will remain subject to audit by the Board. This Decision and Order shall not preclude nor prohibit the Board from taking any actions determined to be appropriate as a result of any such audit.

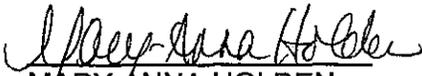
The effective date of this Order is June 1, 2018.

DATED: 5/22/18

BOARD OF PUBLIC UTILITIES
BY:



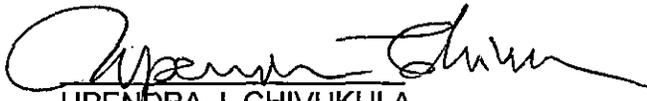
JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST:



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.

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ELIZABETHTOWN GAS FOR APPROVAL TO MODIFY ITS CURRENT TARIFF PURSUANT TO
N.J.A.C. 14:1-5.11 - BPU DOCKET NO. GT17070774

SERVICE LIST

Elizabethtown Gas

Mary Patricia Keefe, Vice President
Regulatory Affairs and Business Support
Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas
520 Green Lane
Union, NJ 07083
pkeefe@southernco.com

Erica McGill, Esq.
Southern Company Gas
Ten Peachtree Place
Atlanta, GA 30309
emcgill@southernco.com

Kenneth T. Maloney, Esq.
Cullen and Dykman LLP
1101 Fourteenth Street, N.W.,
Suite 750
Washington, DC 20005
kmaloney@cullydyk.com

Deborah M. Franco, Esq.
Cullen and Dykman LLP
One Riverfront Plaza
Newark, NJ 07102
dfranco@cullydyk.com

New Jersey Division of Rate Counsel

140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-0003

Stefanie A. Brand, Esq. Director
sbrand@rpa.nj.gov

Felicia Thomas-Friel, Esq.
ftomas@rpa.nj.gov

Brian O. Lipman, Litigation Manager
blipman@rpa.nj.gov

Maura Caroselli, Esq.
mcaroselli@rpa.nj.gov

Board of Public Utilities

44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350

Aida Camacho-Welch, Board Secretary
aida.camacho@bpu.nj.gov

Stacy Peterson
stacy.peterson@bpu.nj.gov

Megan Lupo, Esq.
megan.lupo@bpu.nj.gov

Deputy Attorneys General

124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029

Geoffrey Gersten, DAG
geoffrey.gersten@law.njoag.gov

Alex Moreau, DAG
alex.moreau@law.njoag.gov

Renee Greenberg, DAG
renee.greenberg@law.njoag.gov

Timothy Oberleiton, DAG
timothy.oberleiton@law.njoag.gov

Caroline Vachier, DAG
caroline.vachier@law.njoag.gov