



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 HI-NELLA BOROUGH,)
CAMDEN COUNTY, NEW JERSEY) DOCKET NO. GE18030258

Parties of Record:

Van L. McPherson III, 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 public utility subject to the jurisdiction of the New Jersey 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, distribution, transportation and sale of natural gas to approximately 385,000 customers within its service territory.

SJG currently provides natural gas service within the Hi-Nella Borough ("Borough") to approximately 118 residential customers, 15 commercial customers, and 1 industrial customer. The Company's consent to use the streets within the Borough for the provision of gas service expired in September 1997, pursuant to the fifty (50) year statutory limitation set forth in N.J.S.A. 48:3-15.¹ On May 8, 2017 pursuant to Ordinance No. 2017:02, the Borough 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 Borough for a period of fifty (50) years to furnish gas service in the Borough. By letter dated February 22, 2018, 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.

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 Borough in an uninterrupted manner.

On March 14, 2018, 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 Borough. As required by law and after notice, a hearing in this matter was held on July 13, 2018. William Agee, Esq., the Board's duly appointed hearing officer, presided over the hearing. A copy of the hearing notice is attached to this Order as Exhibit "C." Appearances were made on behalf of the Company, the New Jersey 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 Raymond Wenzel, its Director of System Planning, Engineering, and Integrity. According to his testimony, SJG has the capacity to meet the existing and future needs of customers located within the municipality. Mr. Wenzel also testified that SJG has continued to provide uninterrupted service to its customers within the Borough.

On August 16, 2018, Rate Counsel filed written comments in this matter, indicating that it does not object to the approval of the Company's petition since the Company represented that it has the capacity necessary to continue to provide natural gas service to its customers in the Borough, and since the term of the municipal consent related to the use of streets is limited to the statutory maximum term of fifty (50) years. However, Rate Counsel requested that approval of the petition include certain restrictions which are incorporated in this Order.

On August 23, 2018, SJG filed a letter stating that the Company had no additional comments.

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 Borough to continue to provide adequate and appropriate service to its existing customers, as well as expected future customers, and that the fifty (50) 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 Borough to continue to provide gas service, and for the continued use of its public streets for that purpose for a period of fifty (50) years.

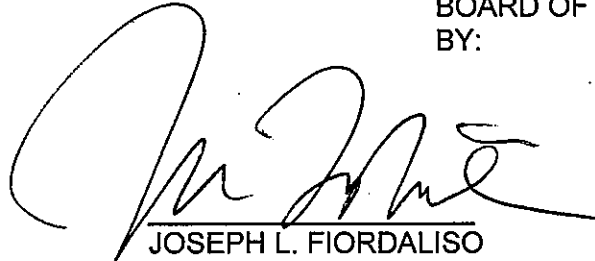
The approval granted hereinabove shall be subject to the following provisions:

1. As required by N.J.S.A. 48:3-15, the municipal consent to construct, maintain and operate gas lines in the streets and other public places in the Borough is limited to a term not exceeding fifty (50) years.
2. 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.
3. This Order shall not effect nor in any way limit the exercise of the authority of this Board or of this 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.

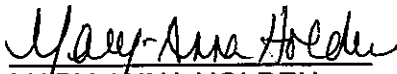
This Order shall be effective as of September 27, 2018.

DATED: 9/17/18

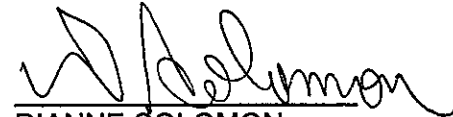
BOARD OF PUBLIC UTILITIES
BY:



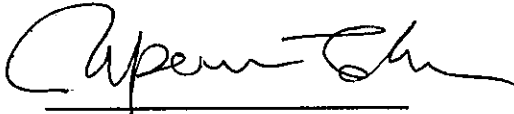
JOSEPH L. FIORDALISO
PRESIDENT



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.

IN THE MATTER OF THE PETITION OF SOUTH JERSEY GAS FOR APPROVAL OF A
MUNICIPAL CONSENT IN HI-NELLA BOROUGH, CAMDEN COUNTY, NEW JERSEY
DOCKET NO. GE E18030258

SERVICE LIST

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

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

Brian Weeks, Esq.
bweeks@rpa.nj.gov

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

Shelly Massey, Paralegal
smassey@rpa.nj.gov

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

South Jersey Gas Company
1 South Jersey Plaza
Folsom, NJ 08037

Van L. McPherson III, Esq.
vmcpherson@sjindustries.com

Craig Jennings
cjennings@sjindustries.com

Cindy Mendenhall
cmendenhall@sjindustries.com

Stacy Mitchell
smitchell@sjindustries.com

Lauren Hurtt
lhurtt@sjindustries.com

Board of Public Utilities

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

Aida Camacho-Welch
Secretary of the Board
Board.secretary@bpu.nj.gov

Megan Lupo, Esq.
Counsel's Office
megan.lupo@bpu.nj.gov

Stacy Peterson, Director
Division of Energy
stacy.peterson@bpu.nj.gov

Christopher Oprysk
christopher.oprysk@bpu.nj.gov

Department of Law & Public Safety

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

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

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

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

Exhibit A

ORDINANCE #2017:02
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 HI-NELLA BOROUGH

WHEREAS, South Jersey Gas Company, a corporation of the State of New Jersey, provides natural gas service to Hi-Nella Borough pursuant to the municipal consent first granted to South Jersey Gas Company in the certain Ordinance #2017:02 passed on April 4, 2017; and

WHEREAS, South Jersey Gas Company now seeks, pursuant to N.J.S.A. 48:3-15, the consent of Hi-Nella Borough to renew Section 1 of Ordinance #2017:02 applicable to the use of the streets in Hi-Nella Borough, by adopting the following Ordinance;

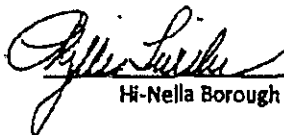
NOW, THEREFORE, BE IT ORDAINED by Mayor and Council of Hi-Nella Borough, County of Camden and State of New Jersey as follows:

Section 1. That exclusive 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 Hi-Nella Borough 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 approval of such consent and permission by the Board of Public Utilities.

Section 2. This consent is granted for the entire geographical area of Hi-Nella Borough and extend to the boundaries of Hi-Nella Borough and shall remain in effect for a period of fifty (50) years from the date of final adoption of this Ordinance.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by any Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon posting, publication, final passage in the manner prescribed by law, and acceptance by South Jersey Gas Company.


Clerk
Hi-Nella Borough

Introduced: May 8, 2017

Notice of Pending Ordinance

Notice is hereby given that the foregoing Ordinance (s) was adopted and passed on the first reading at a regular meeting of the Borough of Hi-Nella on the 4th day of April 2017 and will be considered for final passage on May 2, 2017 at a meeting to be held at the Hi-Nella Borough Hall, 100 Wykagyl Road, Hi-Nella, N.J. During the week prior to and up to and including the date of such meeting, copies of said ordinance (s) will be made available at the clerk's office in said municipal building to the general public.
Phyllis Twisler, RMC

Exhibit B



South Jersey Gas

*Where we put all of our energy**

Stacey M. Barnes, Esq.
Assistant General Counsel, SJG & Compliance
Office of General Counsel

February 22, 2018

VIA EMAIL AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE NO.: 7017 1450 0002 1964 9660

Hi-Nella Borough
Attn: Phyllis Twisler, Municipal Clerk
100 Wykagyl Road
Hi-Nella, NJ 08083

Re: Acceptance of Ordinance No. 2017:02 Granting Municipal Consent to South Jersey Gas Company to Use the Streets for the Provision of Natural Gas Service

Dear Ms. Twisler:

I am writing on behalf of South Jersey Gas Company ("SJG") to advise that we received a fully executed copy of Ordinance No. 2017:02 (copy attached) granting municipal consent for SJG to provide gas and lay its mains and pipes in Hi-Nella Borough. Pursuant to the requirements of N.J.S.A. 48:3-16, SJG hereby accepts Ordinance No. 2017:02, as passed.

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

Very truly yours,

Stacey M. Barnes, Esq.
sbarnes@sjindustries.com

SMB/cmm
Enclosure

cc: Lauren Hurtt, Supervisor, Public Affairs – via email
Stacy Mitchell, Esq., Sr. Director, Regulatory Affairs – via email

1 South Jersey Plaza, Folsom, New Jersey 08037 ♦ www.sjindustries.com
Tel. 609-561-9000 ♦ Fax 609-561-1012 ♦ TDD Only 1-800-547-9085

Exhibit C



Stacey M. Barnes, Esq.
Assistant General Counsel, SJG & Compliance
Office of General Counsel

June 21, 2018

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ARTICLE NO.:
7017 1450 0002 1966 0399
Hi-Nella Borough
Phyllis Twisler,
Municipal Clerk
100 Wykagyl Road
Hi-Nella, NJ 08083

ARTICLE NO.:
7017 1450 0002 1966 0412
Clerk, Board of Chosen Freeholders
Camden City Hall
520 Market Street
Camden, NJ 08102

ARTICLE NO.:
7017 1450 0002 1966 0429
Ross Angilella,
County Administrator
Camden City Hall
520 Market Street
Camden, NJ 08102

**Re: In the Matter of the Petition of South Jersey Gas Company for Approval of a
Municipal Consent in Hi-Nella Borough, Camden County
BPU Docket No. GE18030258**

To the Parties Addressed:

Pursuant to the provisions of N.J.S.A. 48:2-14, South Jersey Gas Company ("South Jersey") has applied to the New Jersey Board of Public Utilities (the "Board") for approval of Hi-Nella Borough Ordinance No. 2017:02, which granted South Jersey renewed permission to continue to use the streets in the Borough for the provision of natural gas service for fifty (50) years.

Please be advised that the Board has set Friday, July 13, 2018 at 11:00 a.m. at the Board's office located at 44 South Clinton Avenue, Trenton, New Jersey 08625 in Conference Room No. 7W as the time and place for the hearing on this matter. You are welcome to attend and put your views on the record.

Very truly yours,

A handwritten signature in black ink, appearing to read "SMB", written over a horizontal line.

Stacey M. Barnes, Esq.
sbarnes@sjindustries.com

SMB/cmm

cc: Service List (via email)
JH Buehrer & Associates
(via Certified Mail – Return Receipt Requested - Article No.: 7017 1450 0002 1966 0436)

1 South Jersey Plaza, Folsom, New Jersey 08037 ♦ www.sjindustries.com
Tel. 609-561-9000 ♦ Fax 609-561-1012 ♦ TDD Only 1-800-547-9085