



April 24, 2018

VIA FEDERAL EXPRESS

Honorable Aida Camacho-Welch, Secretary
New Jersey Board of Public Utilities
44 South Clinton Ave, 3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Re: IN THE MATTER OF THE PETITION OF NEW JERSEY NATURAL GAS FOR
APPROVAL OF A MUNICIPAL FRANCHISE IN THE BOROUGH OF
MANASQUAN, MONMOUTH COUNTY

BPU DOCKET NO. _____

Dear Secretary Camacho-Welch:

Enclosed for filing please find an original and ten (10) copies of a petition being filed on behalf of New Jersey Natural Gas Company ("NJNG") for the approval of a municipal franchise for the Borough of Manasquan. Included with the petition are copies of the following Exhibits: Exhibit A - municipal ordinance; Exhibit B - letter to the municipality accepting the terms and conditions of the franchise and Exhibit C - a proposed Notice of Municipal Consent hearing.

Copies of the petition are being served upon the persons listed on the attached service list.

Kindly acknowledge receipt of this filing by date stamping the enclosed copy of this letter and returning same in the self-addressed, stamped envelope.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Andrew K. Dembia'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Andrew K. Dembia
Regulatory Affairs Counsel

AKD:fk

C: Service List
Enclosures

**NEW JERSEY NATURAL GAS COMPANY
PETITION FOR AUTHORIZATION AND APPROVAL OF
MUNICIPAL FRANCHISE IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY
DOCKET NO. GE1804 _____**

SERVICE LIST

BOROUGH OF MANASQUAN

Barbara Ilaria, RMC CMR
Municipal Clerk
Borough Hall
201 East Main Street
Manasquan, New Jersey 08736

NJNG

Andrew K. Dembia
Regulatory Affairs Counsel
New Jersey Natural Gas Company
1415 Wyckoff Road
P.O. Box 1464
Wall, NJ 07719

NJ BOARD OF PUBLIC UTILITIES

Thomas Walker
N.J. Board of Public Utilities
Division of Energy
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350

Megan Lupo
N.J. Board of Public Utilities
Division of Energy
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Bill Agee
N.J. Board of Public Utilities
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John Masielo
Supervising Engineer
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Trenton, New Jersey 08625-0350

DIVISION OF RATE COUNSEL

Stephanie A. Brand, Director
Director Division of Rate Counsel
140 East Front Street – 4th Floor
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Brian O. Lipman, Litigation Manager
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DEPT. OF LAW & PUBLIC SAFETY –
DIVISION OF LAW

Caroline Vachier, Section Chief
Dept. of Law and Public Safety
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, NJ 07101-5029

Renee Greenberg
Dept. of Law & Public Safety
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, NJ 07102

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

IN THE MATTER OF THE PETITION OF)	PETITION
NEW JERSEY NATURAL GAS)	
FOR APPROVAL OF A MUNICIPAL)	BPU DOCKET NO. _____
FRANCHISE IN THE BOROUGH OF)	
MANASQUAN, MONMOUTH COUNTY)	
)	

**TO: THE HONORABLE COMMISSIONERS OF THE
BOARD OF PUBLIC UTILITIES**

New Jersey Natural Gas (“NJNG” or the “Company”), hereby petitions the New Jersey Board of Public Utilities (“BPU” or “Board”) pursuant to *N.J.S.A. 48:2-14* and *N.J.A.C. 14:1-5.5* to approve the franchise granted by the Borough of Manasquan, Monmouth County, New Jersey through Ordinance 2251-18. In support of its petition, NJNG states the following:

1. All communications with respect to this pleading and in this proceeding should be served on the following person:

Andrew K. Dembia, Esq.
Regulatory Affairs Counsel
New Jersey Natural Gas
1415 Wyckoff Road
Post Office Box 1464
Wall, New Jersey 07719
(732) 938-1073
adembia@njng.com

2. NJNG is a corporation duly organized under the laws of the State of New Jersey and is a public utility engaged in the distribution and transportation of natural gas subject to the jurisdiction of the Board. The Company’s principal place of business is located at 1415 Wyckoff Road, Wall, New Jersey. NJNG distributes natural gas and provides transportation service at retail to over 530,000 residential, commercial and industrial customers in Monmouth and Ocean counties and parts of Middlesex, Burlington and Morris counties.

3. Attached hereto in support of this petition are the following exhibits:

Exhibit A: ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, GRANTING CONSENT TO NEW JERSEY NATURAL GAS COMPANY TO LAY, MAINTAIN AND OPERATE NATURAL GAS FACILITIES IN THE MUNICIPALITY Ordinance 2251-18

Exhibit B: Letter Accepting Terms and Conditions of the Ordinance

Exhibit C: Proposed Notice of Municipal Consent Hearing

4. NJNG is currently providing natural gas service within the Borough of Manasquan in Monmouth County.

5. NJNG's current franchise with the Borough of Manasquan will expire on May 31, 2018. On March 19, 2018, the Borough of Manasquan, by Ordinance, renewed NJNG's franchise for a period of twenty (20) years. A copy of the Ordinance (to be effective upon approval of the Board) is attached hereto as Exhibit A to this petition. By letter to the Borough of Manasquan dated April 23, 2018, NJNG accepted and agreed to the terms and conditions of such Ordinance pursuant to *N.J.S.A. 48:3-16*, which acceptance letter is attached as Exhibit B to this petition. A proposed Notice of Municipal Consent hearing is attached to this petition as Exhibit C. A copy of this petition also has been served on the Clerk of the Borough of Manasquan.

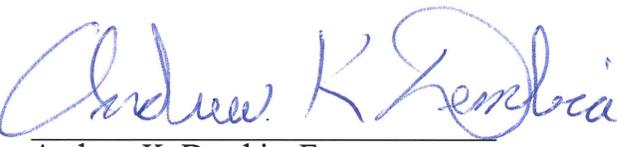
6. *N.J.S.A. 48:2-14* requires Board approval of a franchise granted by a municipality to a public utility subject to the Board's jurisdiction. The franchise, which is the subject matter of this petition, complies with all statutory and administrative requirements necessary for its approval. The Board's approval of the franchise is necessary and proper for the public convenience and properly conserves the public interests.

WHEREFORE, New Jersey Natural Gas respectfully requests that the Board grant the following:

- (1) Approve the franchise granted to New Jersey Natural Gas by the Borough of Manasquan through Ordinance 2251-18; and
- (2) Provide any other relief deemed just and equitable.

Respectfully submitted,

NEW JERSEY NATURAL GAS

By: 
Andrew K. Dembia, Esq.
Regulatory Affairs Counsel

Dated: April 24, 2018

VERIFICATION

STATE OF NEW JERSEY)

:

COUNTY OF MONMOUTH)

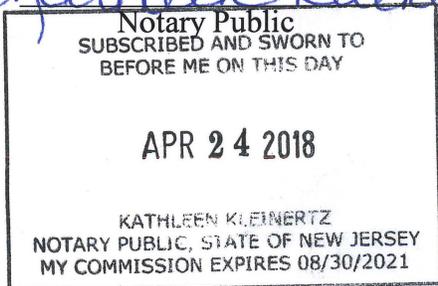
MARK G. KAHRER, being duly sworn, deposes and says:

1. I am Vice President, Regulatory Affairs for New Jersey Natural Gas at 1415 Wyckoff Road, Wall New Jersey 07719.
2. I have read the foregoing Petition, know the contents thereof, and the same is true to the best of my knowledge, information and belief.



Mark G. Kahrer
Vice President, Regulatory Affairs

Sworn to before me this 24th day
of April , 2018



**BOROUGH OF MANASQUAN
ORDINANCE 2251-18**

**ORDINANCE OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, GRANTING CONSENT TO NEW JERSEY
NATURAL GAS COMPANY TO LAY, MAINTAIN, AND
OPERATE NATURAL GAS FACILITIES IN THE
MUNICIPALITY.**

WHEREAS, on September 17, 2012, the Borough of Manasquan (“Municipality”) granted New Jersey Natural Gas Company (“NJNG”) a franchise and consent for a period of five (5) years to lay, maintain and operate natural gas facilities in the Municipality for the purpose of furnishing natural gas in the Municipality, which franchise and consent expires on May 31, 2018; and

WHEREAS, NJNG has continued to serve natural gas to the Municipality’s residents and now makes application to the Municipality to continue to exercise NJNG’s franchise rights in the Municipality and to continue to maintain and operate its natural gas facilities in the Municipality;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 5th day of March, 2018 that NJNG be and is hereby authorized to lay, maintain and operate its conductors, mains and pipes, together with appurtenances thereto, in all the public streets, alleys, squares and public places in the Municipality for the purposes of conducting natural gas or any mixture of gases of various types including natural gas for the purpose of transmitting and distributing such gas in the Municipality for a period of twenty (20) years upon the following terms and conditions:

NJNG shall:

- (a) first notify the Municipality in advance by application, in writing, of the streets, alleys, squares and public places to be opened for the laying or repairing of natural gas mains and pipes in the Municipality, together with a map or plan of such work;
- (b) secure a permit for such work; and
- (c) conduct the work of laying or repairing such facilities in a careful and prudent manner and no street shall remain open longer than absolutely necessary to lay or repair the work.

By its acceptance of this Ordinance, NJNG also agrees to save harmless the Municipality from all claims, demands or damages by reason of its negligence in the construction, maintenance or operation of said mains and pipes occupying the streets, alleys, squares, and public places under the provisions of the consent granted by this Ordinance.

NJNG agrees that, in all cases in which street openings or excavations are made for the purposes aforesaid, the pavement and the surface of the streets, alleys, squares or roadways shall be restored to the same condition as existed prior to the opening of such pavement or surface.

Nothing contained in this consent shall be construed to impose any obligation on the part of the Municipality to open any streets, roads, avenues or highways, or

parts of any street, road, avenue or highway, not previously dedicated or opened to the public use, and nothing therein contained shall be construed in any court or place as an acceptance of any unaccepted street, road, avenue or highway or any part of an unaccepted street, road, avenue or highway.

NJNG, its successors and assigns, shall at all times during the term of the franchise, furnish safe, adequate and proper service to the Municipality and keep and maintain its property and equipment in such conditions as to enable it to do so.

Nothing in this Ordinance shall be construed to grant NJNG, its successors and assigns, an exclusive right, or to prevent the granting of permission and consent to other companies for like purposes, on any streets, roads, avenues or highways of this Municipality.

NJNG shall conduct the work of laying or repairing gas mains and pipelines in a careful and prudent manner.

NJNG shall file with the Municipal Clerk, within sixty (60) days from the date of this Ordinance, its acceptance of the terms and provisions of this franchise consent and its agreement to be bound by the terms and provisions of the franchise consent once it is approved by the New Jersey Board of Public Utilities.

This Ordinance shall not become effective until it is approved by the New Jersey Board of Public Utilities.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2251-18 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 5th day of March, 2018, and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 19th day of March 2018. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.



Barbara Ilaria, RMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 South
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: March 5, 2018
Approved on Second Reading and Final Hearing: March 19, 2018



EDWARD G. DONOVAN
Mayor



April 23, 2018

Via Federal Express Overnight Delivery

Honorable Barbara Ilaria, RMC CMR
Municipal Clerk
Borough Hall
201 East Main Street
Manasquan, New Jersey 08736

**Re: ORDINANCE OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW
JERSEY, GRANTING CONSENT TO NEW JERSEY NATURAL
GAS COMPANY TO LAY, MAINTAIN AND OPERATE
NATURAL GAS FACILITIES IN THE MUNICIPALITY
ORDINANCE 2251-18**

Dear Ms. Ilaria:

New Jersey Natural Gas Company ("NJNG") hereby accepts the terms and provisions of the franchise consent granted by the Borough Council on March 19, 2018 and hereby agrees to be bound by the terms and provisions thereof. See Ordinance 2251-18 attached hereto.

Please be advised that NJNG will submit the Ordinance to the New Jersey Board of Public Utilities for approval.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Andrew K. Dembia'.

Andrew K. Dembia, Esq.
Regulatory Affairs Counsel

AKD:fk

<<INSERT DATE>>, 2018

BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Honorable Barbara Ilaria, RMC, CMR, Clerk
Borough of Manasquan
Borough Hall
201 East Main Street
Manasquan, New Jersey 08736

Honorable Marion Masnick, Clerk
Monmouth County Freeholders
Monmouth County Hall of Records
One East Main Street
P.O. Box 1255
Freehold, NJ 07728

Honorable Christine Giordano Hanlon, Clerk
Monmouth County
Market Yard
33 Mechanic Street
Freehold, NJ 07728

**RE: In the Matter of the Petition of New Jersey Natural Gas for the
Approval of a Municipal Franchise in the Borough of Manasquan,
Monmouth County**

BPU Docket No.

NOTICE OF MUNICIPAL CONSENT HEARING

Dear Honorable Clerks:

Pursuant to the provisions of *N.J.S.A. 48:2-14*, New Jersey Natural Gas Company (“NJNG”) has applied to the New Jersey Board of Public Utilities (“Board”) for approval of the Borough of Manasquan’s (“Borough”) Ordinance 2251-18, which granted NJNG permission to continue to provide natural gas service in the Borough as provided in said Ordinance. Please be advised that the Board has set [DATE & TIME TBD], 2018 at 11:00 AM at the Board’s offices located at 44 South Clinton Avenue, Trenton, New Jersey 08625 in Conference Room [# TBD] as the time and place for the hearing on this matter. You are welcome to attend to put your views on the record if you desire.

Respectfully submitted,

Andrew K. Dembia, Esq.
Regulatory Affairs Counsel

AKD:fk

C: Service List