



South Jersey Gas

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

July 6, 2015

Kenneth J. Sheehan, Esquire
Secretary
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
PO Box 350
Trenton, NJ 08625

**Re: In the Matter of the Petition of South Jersey Gas Company for Approval of a
Municipal Consent in the Township of Egg Harbor, Atlantic County
BPU Docket No. GE15070799**

Dear Secretary Sheehan:

Enclosed for filing please find an original and ten (10) copies of the Petition of South Jersey Gas Company ("South Jersey") for approval of the municipal consent granted by the Township of Egg Harbor, Atlantic County. Also included is the Ordinance, South Jersey's correspondence accepting the terms and conditions of the Ordinance, and a proposed notice of public hearing.

Copies of this filing are being served upon the Division of Law and Rate Counsel.

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

CMS
Legal
DAG
RPA
S. Peterson
A. Gator
ENERGY(S)TOL

SMB/LS

Very truly yours,

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

Enclosure

cc: Division of Law
Division of Rate Counsel
(both with 2 copies of enclosure)



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

IN THE MATTER OF THE PETITION OF : BPU DOCKET NO.
SOUTH JERSEY GAS COMPANY FOR :
APPROVAL OF A MUNICIPAL CONSENT :
IN THE TOWNSHIP OF EGG HARBOR : PETITION
:

TO THE HONORABLE COMMISSIONERS OF THE BOARD OF PUBLIC UTILITIES:

By this Petition, South Jersey Gas Company (“South Jersey” or the “Company”), hereby requests that the New Jersey Board of Public Utilities (“BPU” or the “Board”) pursuant to *N.J.S.A. 48:2-14* and *N.J.A.C. 14:1-5.5* approve the municipal consent granted by the Township of Egg Harbor, Atlantic County, New Jersey (the “Township”). In support of its Petition, South Jersey states the following:

BACKGROUND

1. South Jersey is a regulated public utility engaged in the transmission, distribution, transportation and sale of natural gas in its defined service territory within the State of New Jersey. As such, South Jersey is subject to the jurisdiction of the Board. Within its service territory, the Company services approximately 360,000 customers.

2. South Jersey currently provides natural gas service within the Township and serves approximately 13,638 residential, 1,006 commercial and 8 industrial customers. South Jersey anticipates customer growth within its defined service territory to be approximately 1% annually and for the next 3-5 years.

3. South Jersey has the capacity necessary to ensure a continuation of its natural gas service and does not foresee any concerns regarding its ability to meet the existing and future demands of the Township.

4. Moreover, the Township is serviced by South Jersey's Pleasantville Division customer service center located at 111 North Franklin Boulevard, Pleasantville, NJ 08232. The Pleasantville Division will continue to serve South Jersey's customers within the Township for the foreseeable future. No modifications to the location or hours of operation of the center are proposed by virtue of this Petition.

MUNICIPAL CONSENT

5. On or about November 3, 1947, pursuant to ordinance, the Township consented to: (1) the Company furnishing natural gas service in the Township; and (2) the Company's use of the streets (the "Original Consent"). See November 3, 1947 Ordinance attached hereto as Exhibit "A".

6. Pursuant to *N.J.S.A.* 48:3-15, the portion of the Original Consent applicable to the Company's use of the streets expired on November 3, 1997. Specifically, *N.J.S.A.* 48:3-15 provides, in relevant part, that "the board or body of such municipality authorized to grant consent may, by ordinance and not otherwise, grant for a period not exceeding fifty years, the right to use the streets petitioned for."

7. By virtue of this fifty (50) year statutory limitation, South Jersey obtained the renewed consent of the Township applicable to its use of the streets. Pursuant to Ordinance No. 9-2015, the Township acknowledged the Original Consent and granted exclusive consent and permission to South Jersey to lay and construct its pipes and mains and related appurtenances and facilities within the streets, alleys, squares and public places within the Township for a period of Fifty (50) years. See Ordinance No. 9-2015 attached hereto as Exhibit "B".

8. By letter to the Township dated May 11, 2015, South Jersey accepted and agreed to the terms and conditions of such municipal consent pursuant to *N.J.S.A. 48:3-16*. A true and correct copy of the Company's May 11, 2015 correspondence is attached hereto as Exhibit "C".

MISCELLANEOUS

9. A proposed public notice is attached to this Petition as Exhibit "D". A copy of this Petition will be served on the Clerk of the Township and the Clerk of the Board of Chosen Freeholders.

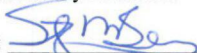
10. *N.J.S.A. 48:2-14* requires Board approval of a municipal consent granted by a municipality to a public utility subject to the Board's jurisdiction. The consent, which is the subject matter of this Petition, complies with all statutory and administrative requirements necessary for its approval. The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

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

1. Approve the municipal consent granted to South Jersey by the Township; and
2. Provide any and other further relief deemed just and equitable.

Respectfully submitted,

South Jersey Industries

By: 

Stacey M. Barnes, Esq.

Dated: 7/6/15

Communications addressed to the
Petitioner in this case are to be sent to:

South Jersey Industries
Stacey M. Barnes, Esq.
1 South Jersey Plaza
Folsom, NJ 08037
(609) 561-9000, ext 6964

VERIFICATION

I, Robert Fatzinger, of full age, being duly sworn to law upon my oath, depose and say:

1. I am Senior Vice President, Engineering Services and System Integrity of South Jersey Gas Company and am authorized to make this Verification on behalf of the Company.

2. I have reviewed the foregoing Petition and the information contained therein is true according to the best of my knowledge, information and belief.



Robert Fatzinger

Sworn to and subscribed
Before me this 7th day of
July, 2015.



Notary Public

CAROL A. QUIGLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 12/10/2019