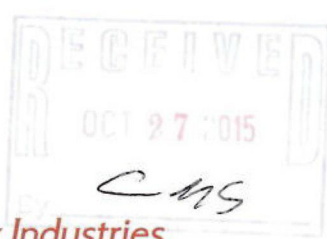




South Jersey Industries



Board of Public Utilities

OCT 26 2015

MAIL RECIEVED

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

October 23, 2015

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

GE15101211

**Re: In the Matter of the Petition of South Jersey Gas Company for Approval of a
Municipal Consent in the Township of Upper Pittsgrove, Salem County
BPU Docket No. _____**

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 City of Vineland, Cumberland 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.

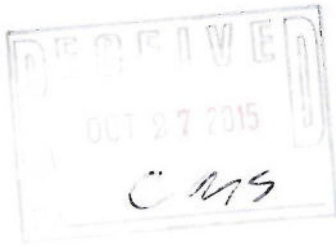
CMS
LEGAL
DAG
RPA
ENERGY (H) TOC
J. MAY
S. Peterson
A. Bator
SMB/lmj

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)



Board of Public Utilities

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

OCT 26 2015

MAIL RECEIVED

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

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 Upper Pittsboro, Salem 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 235 residential and 18 commercial 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 Glassboro Division customer service center located at 142 South Main Street, Glassboro, New Jersey 08028. The Glassboro 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 October 7, 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 October 7, 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 October 7, 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. 2015-6, 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. 2015-6 attached hereto as Exhibit "B".

8. By letter to the Township dated October 19, 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 October 19, 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: 10/21/15

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 22nd day of
October, 20 15.

Notary Public

KELLY L HALL
Notary Public
State of New Jersey
My Commission Expires Jul 25, 2018

EXHIBIT A

723

AN ORDINANCE GIVING AND GRANTING CONSENT AND PERMISSION TO SOUTH JERSEY GAS COMPANY TO FURNISH GAS FOR LIGHT, HEAT AND POWER IN THE TOWNSHIP OF **UPPER PITTSBORO**, IN THE COUNTY OF **SALEM**

BE IT ORDAINED by the Township Committee of the Township of **Upper Pittsgrove** in the County of **Salem** :

1. That consent and permission to furnish gas for light, heat and power in the Township of **Upper Pittsgrove** in the County of **Salem** is hereby given and granted to South Jersey Gas Company, subject to approval of such consent and permission by the Board of Public Utility Commissioners of the State of New Jersey.
2. The said South Jersey Gas Company shall lay and construct its pipes and mains within the Township in the manner required by R.S. 48:9-21 and subject to reasonable regulations with respect to the opening of streets and public places imposed by the Township Committee.
3. South Jersey Gas Company shall within thirty (30) days after the passage of this ordinance file with the Township Clerk a bond in the amount of One Thousand Dollars (\$1,000) conditioned for the restoration of any street or public place which may be opened by it in a manner satisfactory to the Township Committee.
4. This ordinance shall take effect immediately upon publication as required by law.


Norman H. Brooks, Chairman of
Township Committee

ATTEST:


Moses J. Paulding, Township Clerk.

I, **MOSES J. PAULDING**, Clerk of the
Township of **Upper Pittsgrove**, in the County of
Salem, do hereby certify that the foregoing
ordinance granting consent and permission to the South Jersey Gas Company
to furnish gas for light, heat and power in the Township of **Upper**
Pittsgrove, in the County of **Salem**,
is a true copy of said ordinance as introduced at a meeting of the Township
Committee of said Township, held on the **2nd** day of **September**, 1947,
and finally passed at a meeting of said Committee held on the **7th** day of
October **7**, 1947.

M. J. Paulding
.....
Moses J. Paulding, Township Clerk

EXHIBIT B

ORDINANCE #2015-6

"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 THE TOWNSHIP OF UPPER PITTSBORO"

WHEREAS, South Jersey Gas Company, a corporation of the State of New Jersey, provides natural gas service to the Township of Upper Pittsgrove pursuant to the municipal consent first granted to South Jersey Gas Company: and

WHEREAS, South Jersey Gas now seeks, pursuant to N.J.S.A. 48:3-15, the consent of the Township of Upper Pittsgrove to renew the Ordinance first granting approvals in 1947 as to the use of the streets in the Township of Upper Pittsgrove by adopting the following Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Upper Pittsgrove Township, County of Salem and State of New Jersey as follows:

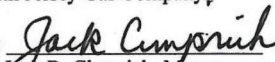
Section 1. That exclusive consent and permission is hereby renewed and granted to South Jersey Gas Company to lay and construct its pipes and mains and related appurtenances and facilities within the streets, alleys, squares and public places within the Township of Upper Pittsgrove in the manner prescribed 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 the Township of Upper Pittsgrove and extend to the boundaries of the Township of Upper Pittsgrove and shall remain in effect for a period of fifty (50) years from the date of final adoption of this Ordinance.

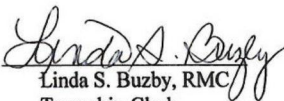
Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by any Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

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,

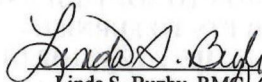
Dated: September 8, 2015

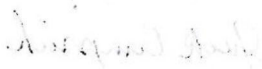
BY: 
Jack R. Cimprich, Mayor

ATTEST:


Linda S. Buzby, RMC
Township Clerk

NOTICE is hereby given that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Upper Pittsgrove in the County of Salem and State of New Jersey on the 8th day of September, 2015 and will be considered for final passage after a public hearing to be held by said Township Committee at Township Hall, Pole Tavern, New Jersey on the 13th day of October, 2015 at 7:00P.M.


Linda S. Buzby, RMC
Township Clerk



PUBLIC NOTICE

UPPER PITTSBORO TOWNSHIP

Notice is hereby given that **"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 THE TOWNSHIP OF UPPER PITTSBORO"** known as Ordinance 2015-6 was passed at a regular meeting of the Upper Pittsgrove Township Committee on October 13, 2015 at the Township Hall, Elmer, New Jersey.

Linda S. Buzby, RMC
Township Clerk

EXHIBIT C



South Jersey Gas

*Where we put all of our energy**

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

October 19, 2015

(Via Certified Mail)

Linda S. Buzby, Township Clerk
431 Route 77
Elmer, NJ 08318

Re: Acceptance of Ordinance No. 2015-6 Granting Municipal Consent to South Jersey Gas Company to Use the Streets for the Provision of Natural Gas Service

Dear Ms. Buzby:

I am writing on behalf of South Jersey Gas Company ("SJG") to advise that we received a fully executed copy of Ordinance No. 2015-6 (copy attached) granting municipal consent for SJG to provide gas and lay its mains and pipes in the Township of Upper Pittsgrove. Pursuant to the requirements of N.J.S.A. 48:3-16, SJG hereby accepts Ordinance No. 2015-6, 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/lnjm

Enclosure

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

ORDINANCE #2015-6

**"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 THE TOWNSHIP OF UPPER PITTSBORO"**

WHEREAS, South Jersey Gas Company, a corporation of the State of New Jersey, provides natural gas service to the Township of Upper Pittsgrove pursuant to the municipal consent first granted to South Jersey Gas Company: and

WHEREAS, South Jersey Gas now seeks, pursuant to N.J.S.A. 48:3-15, the consent of the Township of Upper Pittsgrove to renew the Ordinance first granting approvals in 1947 as to the use of the streets in the Township of Upper Pittsgrove by adopting the following Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Upper Pittsgrove Township, County of Salem 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 the Township of Upper Pittsgrove 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 the Township of Upper Pittsgrove and extend to the boundaries of the Township of Upper Pittsgrove 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.

Dated: September 8, 2015

BY: Jack R. Cimprich
Jack R. Cimprich, Mayor

ATTEST:

Linda S. Buzby
Linda S. Buzby, RMC
Township Clerk

PUBLIC NOTICE

UPPER PITTSBGROVE TOWNSHIP

Notice is hereby given that **"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 THE TOWNSHIP OF UPPER PITTSBGROVE"** known as Ordinance 2015-6 was passed at a regular meeting of the Upper Pittsgrove Township Committee on October 13, 2015 at the Township Hall, Elmer, New Jersey.

Linda S. Buzby, RMC
Township Clerk

EXHIBIT D



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

October 21, 2015

(Via Certified Mail)

Township Clerk
431 Route 77
Elmer, NJ 08318

Clerk, Board of Chosen Freeholders
Administration Building
94 Market Street
Salem, NJ 08079-1914

Evern Ford
County Administrator
Administration Building
94 Market Street
Salem, NJ 08079-1914

**Re: In the Matter of the Petition of South Jersey Gas Company for Approval of a
Municipal Consent in the Township of Upper Pittsgrove, Salem County
BPU Docket No. _____**

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 the Township of Upper Pittsgrove, Ordinance No. 2015-6, which granted South Jersey renewed permission to continue to use the streets in the Township for the provision of natural gas service for fifty (50) years.

Please be advised that the Board has set _____ at _____ at the Board's office located at 44 South Clinton Avenue, Trenton, New Jersey 08625 in Conference Room No. 2W (second floor) 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,

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

SMB/lmjm

cc: Service List (via email)