



CASE MANAGEMENT

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NOV 02 2018

BOARD OF PUBLIC UTILITIES TRENTON, NJ

November 1, 2018

Via Federal Express and Electronic Mail Hon. Aida Camacho-Welch, Secretary New Jersey Board of Public Utilities 44 So. Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314

44 So. Clinton Avenue, 3<sup>rd</sup> Floor, P.O. Box 350 Trenton, New Jersey 08625-0350 RECEIVED MAIL ROOM NOV 0 2 2018 BOARD OF PUBLIC UTILITIES TRENTON. N.I

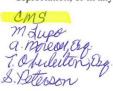
Re: I/M/O the Petition of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas for the Approval of a Municipal Consent Renewing a Franchise in the Town of Phillipsburg, Warren County BPU Docket No. GE18040365

Dear Secretary Camacho-Welch:

On behalf of Elizabethtown Gas Company, please accept for filing, an original and ten copies of these comments in response to the October 25, 2018 comments submitted by the New Jersey Division of Rate Counsel ("Rate Counsel") concerning the above-referenced Petition seeking approval of a municipal consent renewing a franchise in the Town of Phillipsburg, Warren County.

In its comments (at 4) Rate Counsel recommends that any Board order approving the Company's Petition contain the following language:

- As required by N.J.S.A. 48:3-15, the municipal consent to construct, maintain and operate gas lines in the street and other public places in the Town is limited to a term not exceeding fifty years.
- This Order shall not be construed as directly or indirectly fixing for any purposes whatsoever any value of any tangible or intangible assets now owned or hereafter to be owned by the Petitioner.
- 3. This Order shall not affect, nor in nay 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, service, financing, accounting, capitalization, depreciation, or in any other matter affecting the Petitioner.



The Company does not object to the inclusion of this language in a Board order approving this Petition.

Thank you.

Sincerely,

Debozah M. Franco Deborah M. Franco

Enclosure

cc:

Chris Oprysk, BPU Staff

Megan Lupo, BPU Staff Brian Weeks, Division of Rate Counsel