



March 17, 2020

**VIA FEDERAL EXPRESS**

Honorable Aida Camacho-Welch, Secretary  
New Jersey Board of Public Utilities  
44 South Clinton Ave, 9th Floor  
P.O. Box 350  
Trenton, NJ 08625-0350

Re: **IN THE MATTER OF THE RESOLUTION OF THE BOROUGH  
OF SPRING LAKE HEIGHTS, MONMOUTH COUNTY, NEW  
JERSEY, AUTHORIZING RENEWAL OF THE FRANCHISE  
AGREEMENT WITH NEW JERSEY NATURAL GAS COMPANY:  
RESOLUTION NO. 2019-68**


Dear Secretary Camacho-Welch:

Enclosed for filing please find an original and ten (10) copies of a Petition of New Jersey Natural Gas Company ("NJNG") in the referenced matter. 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,

NEW JERSEY NATURAL GAS COMPANY

By:   
\_\_\_\_\_  
Andrew K. Dembia, Esq.

AKD:sf

cc: Service List

**NEW JERSEY NATURAL GAS COMPANY PETITION  
FOR AUTHORIZATION AND APPROVAL OF A  
MUNICIPAL FRANCHISE IN THE BOROUGH OF  
SPRING LAKE HEIGHTS, MONMOUTH COUNTY**

**SERVICE LIST**

**BOROUGH OF SPRING LAKE HEIGHTS**

Ms. Janine Gillis, Borough Clerk  
Registrar of Vital Statistics  
Borough of Spring Lake Heights  
555 Brighton Avenue  
Spring Lake Heights, New Jersey 07762

**NJNG**

Mark G. Kahrer  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

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**

Stacy Peterson  
N.J. Board of Public Utilities  
Division of Energy  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350

David Brown  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350

Heather Weisband  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350

**DIVISION OF RATE COUNSEL**

Stefanie A. Brand, Director  
Division of Rate Counsel  
140 East Front Street - 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625

Felicia Thomas-Friel, Esq.  
Division of Rate Counsel  
140 East Front Street - 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625

Brian O. Lipman, Litigation Manager  
Division of Rate Counsel  
140 East Front Street - 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625

Brian Weeks, Esq.  
Division of Rate Counsel  
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Trenton, NJ 08625

Shelly Massey, Paralegal  
Division of Rate Counsel  
140 East Front Street - 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625

**DEPT. OF LAW & PUBLIC SAFETY –  
DIVISION OF LAW**

Pamela Owen, ASC  
Department of Law & Public Safety  
Division of Law  
Public Utilities Section  
R.J. Hughes Justice Complex  
25 Market Street  
P.O. Box 112  
Trenton, N.J. 08625

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

|   |   |                       |
|---|---|-----------------------|
| <b>IN THE MATTER OF THE PETITION OF</b> | ) | <b>PETITION</b>       |
| <b>NEW JERSEY NATURAL GAS COMPANY</b>   | ) |                       |
| <b>FOR APPROVAL OF A MUNICIPAL</b>      | ) | <b>BPU DOCKET NO.</b> |
| <b>FRANCHISE IN THE BOROUGH OF</b>      | ) |                       |
| <b>SPRING LAKE HEIGHTS, MONMOUTH</b>    | ) |                       |
| <b>COUNTY</b>                           | ) |                       |

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

New Jersey Natural Gas Company (“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 Spring Lake Heights, Monmouth County, New Jersey through Resolution No. R2019-68. In support of its petition, NJNG states the following:

1.       Communications and correspondence relating to this Petition should be sent to:

Mark G. Kahrer, Vice President - Regulatory Affairs  
Andrew K. Dembia, Esq., Regulatory Affairs Counsel  
New Jersey Natural Gas Company  
1415 Wyckoff Road, P.O. Box 1464  
Wall, New Jersey 07719  
(732) 938-1214 (M. Kahrer)  
(732) 938-1073 (A. Dembia)  
[MKahrer@njng.com](mailto:MKahrer@njng.com)  
[ADembia@njng.com](mailto: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 07719. NJNG distributes natural gas and provides transportation service at retail to over half a million residential, commercial and industrial customers in Monmouth, Ocean, Morris, Middlesex and Burlington counties.

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

Exhibit A: A RESOLUTION AUTHORIZING RENEWAL OF THE  
FRANCHISE AGREEMENT WITH NEW JERSEY NATURAL  
GAS COMPANY  
Resolution No. R2019-68

Exhibit B: Letter Accepting Terms and Conditions of the Resolution

Exhibit C: Proposed Notice of Municipal Consent Hearing

4. NJNG is currently providing natural gas service within the Borough of Spring Lake Heights, Monmouth County.

5. NJNG's current franchise with the Borough of Spring Lake Heights expired on April 28, 2019. On March 25, 2019, the Borough of Spring Lake Heights, by Resolution, renewed NJNG's franchise for a period of fifty (50) years. A copy of the Resolution (to be effective upon approval of the Board) is attached hereto as Exhibit A to this petition. By letter to the Borough of Spring Lake Heights, dated April 26, 2019, NJNG accepted and agreed to the terms and conditions of such Resolution 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 Janine Gillis, Borough Clerk, Registrar of Vital Statistics of the Borough of Spring Lake Heights.

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 Company respectfully requests that the Board grant the following:

- (1) Approve the franchise granted to New Jersey Natural Gas Company by the Borough of Spring Lake Heights through Resolution No. R2019-68; and
- (2) Provide any other relief deemed just and equitable.

Respectfully submitted,

NEW JERSEY NATURAL GAS COMPANY



By:

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Andrew K. Dembia, Esq.

Dated: March 17, 2020

**VERIFICATION**


STATE OF NEW JERSEY )

COUNTY OF MONMOUTH )

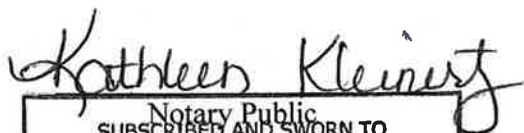
MARK G. KAHRER, being duly sworn, deposes and says:

1. I am Vice President, Regulatory Affairs for New Jersey Natural Gas Company located 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 17<sup>th</sup> day  
of March, 2020

  
Notary Public  
SUBSCRIBED AND SWORN TO  
BEFORE ME ON THIS DAY  
  
MAR 17 2020  
  
KATHLEEN KLEINERTZ  
NOTARY PUBLIC, STATE OF NEW JERSEY  
MY COMMISSION EXPIRES 08/30/2021





## BOROUGH OF SPRING LAKE HEIGHTS

555 BRIGHTON AVENUE  
SPRING LAKE HEIGHTS, NJ 07762  
(732) 449-3500 Fax: (732) 449-3535  
[www.springlakehts.com](http://www.springlakehts.com)

## TRANSMITTAL

DATE:  
March 26, 2019

TO:

RE: **Franchise Agreement**

New Jersey Natural Gas  
New Jersey Resources Corp.  
Attention: Kim McCusker  
1415 Wyckoff Road  
Wall, New Jersey 07719

| DELIVERY   |   |
|--|---|
| <input checked="" type="checkbox"/> Regular Mail   | <input type="checkbox"/> FedEx <input type="checkbox"/> Messenger |
| <input type="checkbox"/> Certified Mail, Receipt # |   |
| <input type="checkbox"/>                           |   |

| WE ARE SENDING YOU                                       |   |
|--|---|
| <input type="checkbox"/>                                 | <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/>                                 | <input type="checkbox"/>                          |
| <input checked="" type="checkbox"/> Items as noted below |   |

| ITEM | COPIES | DATE           | DESCRIPTION   |
|------|--------|----------------|---|
| 1    | 1      | March 25, 2019 | Certified copy of Resolution No. R2019-68, authorizing the renewal of franchise agreement |
|      |        |                |   |
|      |        |                |   |

| THESE ARE TRANSMITTED                            |  |   |
|--|--|---|
| <input type="checkbox"/> As Requested            | <input type="checkbox"/> Approved as Submitted | <input type="checkbox"/> Resubmit ___ copies for Approval   |
| <input type="checkbox"/> For Approval            | <input type="checkbox"/> Approved as Noted     | <input type="checkbox"/> Submit ___ copies for Distribution |
| <input checked="" type="checkbox"/> For Your Use | <input type="checkbox"/> Returned for Revision | <input type="checkbox"/> Return ___ Corrected Prints        |
| <input type="checkbox"/> For Review and Comment  | <input type="checkbox"/> For Your Signature    | <input type="checkbox"/> Return upon completion             |
| <input type="checkbox"/> Other:                  |  |   |

| REMARKS |
|---------|
|         |

**Janine Gillis**  
**Borough Clerk**  
[boroughclerk@springlakehts.com](mailto:boroughclerk@springlakehts.com)

## **BOROUGH OF SPRING LAKE HEIGHTS**

A resolution authorizing renewal of the franchise agreement with  
New Jersey Natural Gas Company

**Resolution No. R2019-68**

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**WHEREAS**, New Jersey Natural Gas Company has heretofore been granted a franchise and consent to lay, maintain and operate gas facilities in the Borough of Spring Lake Heights; and

**WHEREAS**, New Jersey Natural Gas Company is desirous of obtaining a franchise and consent of the municipality to continue serving the municipality.

**NOW, THEREFORE, BE IT RESOVED**, that New Jersey Natural Gas Company be and it is hereby authorized to lay, maintain and operate its conductors, mains and pipes, together with the appurtenances thereto, in all public streets, alleys, squares and public places in this municipality which are under the control and jurisdiction of the Borough of Spring Lake Heights for the purpose of conducting gas, including natural gas, or any mixture of gases of various types and for the purpose of transmitting and distributing such gas in this municipality for a period of fifty (50) years from the date hereof, upon the following terms and conditions:

1. That New Jersey Natural Gas Company agrees that in all cases in which street openings or excavations are made, for the purposes aforesaid, the pavement and surface of the streets, alleys, squares or roadways shall be restored as required by the ordinances of the Borough of Spring Lake Heights; and
2. That New Jersey Natural Gas Company shall conduct the work or the laying or maintaining of gas pipes therein in a careful and prudent manner; and
3. That New Jersey Natural Gas Company shall safeguard the public interest in continuous and uninterrupted service at and after the expiration of the term of the grant; and
4. That New Jersey Natural Gas Company shall maintain its property in good order throughout the full term of the grant; and
5. That New Jersey Natural Gas Company shall continuously afford safe, adequate and proper service at just and reasonable rates.

**BE IT FURTHER RESOVED**, that this franchise consent, upon approval of the Board of Public Utilities of the State of New Jersey, shall supersede the Resolution granted by the Borough of Spring Lake Heights on April 28, 1969; and

**BE IT FURTHER RESOLVED**, that the New Jersey Natural Gas Company shall file with the clerk of this municipality within sixty (60) days from the date hereof, its acceptance of the terms



and provisions of the franchise consent herein granted and its agreement to be bound by the terms and provisions thereof; and

**BE IT FURTHER RESOLVED**, that this resolution shall not become effective unless and until it is approved by the Board of Public Utilities of the State of New Jersey.

**Adopted: March 25, 2019**

  
\_\_\_\_\_  
Janine Gillis

Borough Clerk, Registrar of Vital Statistics

I certify the foregoing to be a true and accurate copy of a resolution adopted by the Borough of Spring Lake Heights on March 25, 2019.

  
\_\_\_\_\_  
Janine Gillis

Borough Clerk, Registrar of Vital Statistics



April 26, 2019

**VIA FEDERAL EXPRESS**

Ms. Janine Gillis, Borough Clerk  
Registrar of Vital Statistics  
Borough of Spring Lake Heights  
555 Brighton Avenue  
Spring Lake Heights, New Jersey 07762

**Re: RESOLUTION OF THE BOROUGH OF SPRING LAKE HEIGHTS,  
MONMOUTH COUNTY, NEW JERSEY, AUTHORIZING  
RENEWAL OF THE FRANCHISE AGREEMENT WITH NEW  
JERSEY NATURAL GAS COMPANY  
RESOLUTION NO. R2019-68**

Dear Ms. Gillis:

New Jersey Natural Gas Company ("NJNG") hereby accepts the terms and provisions of the franchise consent granted by the Borough of Spring Lake Heights on March 25, 2019, and hereby agrees to be bound by the terms and provisions thereof. See Resolution No. R2019-68 (the "Resolution") herein enclosed.

NJNG will submit the Resolution to the New Jersey Board of Public Utilities (the "BPU") for approval and provide you with advance notice of the BPU hearing on this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alex Gonzalez', is written over a horizontal line.

Alex Gonzalez, Esq.  
Assistant General Counsel

AG:km  
Enclosure

208606



March \_\_, 2019

**BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Janine Gillis, Borough Clerk  
Registrar of Vital Statistics  
Borough of Spring Lake Heights  
555 Brighton Avenue  
Spring Lake Heights, New Jersey 07762

Marion Masnick, Clerk of the Board  
Monmouth County Board of Freeholders  
Monmouth County Hall of Records  
One East Main Street  
P.O. Box 1255  
Freehold, New Jersey 07728

Christine Giordano Hanlon, County Clerk  
Monmouth County  
Market Yard  
33 Mechanic Street  
Freehold, New Jersey 07728

**RE: In the Matter of the Petition of New Jersey Natural Gas Company for the Approval  
of a Municipal Franchise in the Borough of Spring Lake Heights, Monmouth  
County  
BPU Docket No.**

Dear the Parties Addressed:

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 Spring Lake Heights ("Borough") Resolution No. R2019-68, which granted NJNG permission to continue to provide natural gas service in the Borough as provided in said Resolution. Please be advised that the Board has set [DATE & TIME TBD], 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,

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

Andrew K. Dembia, Esq.  
Regulatory Affairs Counsel

AKD:sf

C: Service List