



CULLEN and DYKMAN LLP

RECEIVED
CASE MANAGEMENT
ORIGINAL
NOV 02 2018

BOARD OF PUBLIC UTILITIES
TRENTON One Riverfront Plaza
Newark, New Jersey 07102

NAME: DEBORAH M. FRANCO, ESQ.
TITLE: PARTNER
DIRECT DIAL: 973.849.9005
DFRANCO@CULLENANDDYKMAN.COM

June 11/8/18

November 1, 2018

RECEIVED
MAIL ROOM

NOV 02 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Via Federal Express and Electronic Mail
Hon. Aida Camacho-Welch, Secretary
New Jersey Board of Public Utilities
44 So. Clinton Avenue, 3rd Floor, Suite 314
P.O. Box 350
Trenton, New Jersey 08625-0350

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 Borough of Washington, Warren County BPU Docket No. GE18050578

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 Borough of Washington, Warren County.

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

1. As required by N.J.S.A. 48:3-15, and limited by Ordinance No. 2018-06, the municipal consent to construct, maintain and operate gas lines in the streets and other public places in the Borough is limited to a term not exceeding ten years.
2. 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 any 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.

Handwritten signatures and initials:
SMS
M. Lupis, Esq.
A. Moreau, Esq.
J. Peterson
T. Oberleitor

Honorable Aida Camacho-Welch, Secretary
November 1, 2018

Page 2

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

Thank you.

Sincerely,
Deborah M. Franco
Deborah M. Franco

Enclosure

cc: Chris Oprysk, BPU Staff
Megan Lupo, BPU Staff
Brian Weeks, Division of Rate Counsel