

RECEIVED  
MAIL ROOM

MAR 10 2020

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

March 9, 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

GE 200 30232

Re: **IN THE MATTER OF THE RESOLUTION OF THE TOWNSHIP  
OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY,  
AUTHORIZING RENEWAL OF THE FRANCHISE AGREEMENT  
WITH NEW JERSEY NATURAL GAS COMPANY: RESOLUTION  
NO. 2019-146**

BPU DOCKET NO.

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

CMS  
Legal  
DAG  
RPA  
S. Peterson  
Energy

**NEW JERSEY NATURAL GAS COMPANY PETITION  
FOR AUTHORIZATION AND APPROVAL OF A  
MUNICIPAL FRANCHISE IN THE TOWNSHIP OF  
MARLBORO, MONMOUTH COUNTY**

**SERVICE LIST**

**TOWNSHIP OF MARLBORO**

Alida Manco  
Municipal Clerk  
Township of Marlboro  
1979 Township Drive  
Marlboro, NJ 07746

**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

Sri Medicherla  
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  
Division of Rate Counsel  
140 East Front Street - 4<sup>th</sup> Floor  
P.O. Box 003  
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 (email only)  
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 TOWNSHIP OF</b>	)	
<b>MARLBORO, MONMOUTH 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 Township of Marlboro, Monmouth County, New Jersey through Resolution No. 2019-146. 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: 2019-146
  - 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 Township of Marlboro in Monmouth County.
5. NJNG's current franchise with the Township of Marlboro expired on April 8, 2019. On April 11, 2019, the Township of Marlboro, 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 Township of Marlboro, dated May 31, 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 Alida Manco, Municipal Clerk of the Township of Marlboro.
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 Township of Marlboro through Resolution No. 2019-146; and
- (2) Provide any other relief deemed just and equitable.

Respectfully submitted,

NEW JERSEY NATURAL GAS COMPANY



By:

Andrew K. Dembia, Esq.

Dated: March 9, 2020

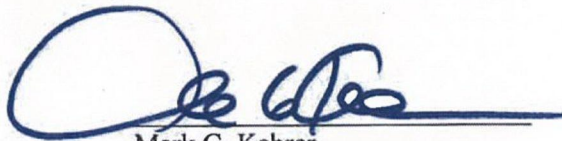


**VERIFICATION**

STATE OF NEW JERSEY )  
COUNTY OF MONMOUTH )

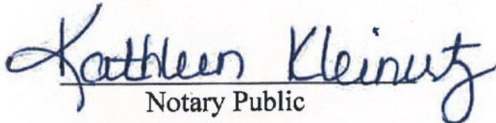
MARK G. KAHRER, being duly sworn, deposes and says:

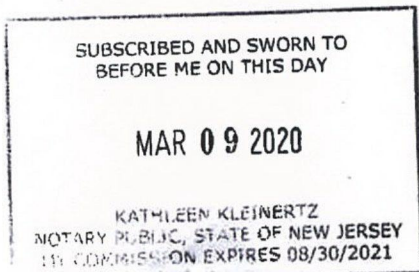
1. I am Vice President, Regulatory Affairs for New Jersey Natural Gas Company located at 1415 Wyckoff Road, Wall New Jersey 07719.
2. I have read the foregoing Petition, know the contents thereof, and the same is true to the best of my knowledge, information and belief.



Mark G. Kahrer  
Vice President, Regulatory Affairs

Sworn to before me this 9<sup>th</sup> day  
of March , 2020

  
Notary Public



RESOLUTION # 2019-146

A RESOLUTION AUTHORIZING RENEWAL OF THE FRANCHISE  
AGREEMENT WITH NEW JERSEY NATURAL GAS COMPANY

WHEREAS, New Jersey Natural Gas Company has heretofore been granted a franchise and consent to lay, maintain and operate gas facilities in the Township of Marlboro; 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 RESOLVED, 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 the public streets, alleys, squares and public places in this municipality which are under the control and jurisdiction of the Township of Marlboro 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 shall agree that, in all cases in which street openings or excavations are made for the purposes aforesaid that a permit will be obtained consistent with Chapter 326 of the Municipal Code of the Township of Marlboro entitled Streets and Sidewalks. Further, the pavement and surface of the streets, alleys, squares or roadways shall be restored pursuant to the Township requirements; 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 RESOLVED, 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 Township of Marlboro on April 8, 1969; and

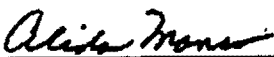
BE IT FURTHER RESOLVED, that New Jersey Natural Gas Company shall file with the clerk of this municipality within sixty (60) days from the date hereof, its acceptance of the terms and provisions of the franchise consent herein granted and its agreement to be bound by the terms and provisions thereof; and

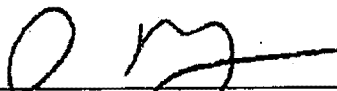
BE IT FURTHER RESOLVED, that this resolution shall not become effective unless and until it is approved by the Board of Public Utilities of the State of New Jersey.

OFFERED BY: MAZZOLA AYES: 4

SECONDED BY: METZGER NAYS: 0

ABSENT: SCALEA

  
\_\_\_\_\_  
ALIDA MANCO,  
MUNICIPAL CLERK  
4/11/2019

  
\_\_\_\_\_  
SCOTT METZGER,  
COUNCIL PRESIDENT

**CERTIFICATION**

I hereby certify the above to be a true and exact copy of a Resolution adopted by the Township Council of the Township of Marlboro at a meeting held on 4-11-2019

  
\_\_\_\_\_  
Township Clerk





May 31, 2019

**VIA FEDERAL EXPRESS**

Ms. Alida Manco  
Municipal Clerk  
Township of Marlboro  
1979 Township Drive  
Marlboro, NJ 07746

**Re: RESOLUTION OF THE TOWNSHIP OF MARLBORO,  
MONMOUTH COUNTY, NEW JERSEY, AUTHORIZING  
RENEWAL OF THE FRANCHISE AGREEMENT WITH NEW  
JERSEY NATURAL GAS COMPANY  
RESOLUTION NO. 2019-146**

Dear Ms. Manco:

New Jersey Natural Gas Company ("NJNG") hereby accepts the terms and provisions of the franchise consent granted by the Township of Marlboro on April 11, 2019, and hereby agrees to be bound by the terms and provisions thereof. See Resolution No. 2019-146 (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 'AG', with a long horizontal flourish extending to the right.

Alex Gonzalez, Esq.  
Assistant General Counsel

AG:jg  
Enclosure

212599



March \_\_, 2020

**BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Alida Manco  
Municipal Clerk  
Township of Marlboro  
1979 Township Drive  
Marlboro, NJ 07746

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 Township of Marlboro, 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 Township of Marlboro ("Township") Resolution No. 2019-146, which granted NJNG permission to continue to provide natural gas service in the Township 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