



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, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350

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

Heather Weisband
N.J. Board of Public Utilities
44 South Clinton Avenue, 9th 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 - 4th Floor
P.O. Box 003
Trenton, NJ 08625

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

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

Brian Weeks, Esq.
Division of Rate Counsel
140 East Front Street - 4th Floor
P.O. Box 003
Trenton, NJ 08625

Shelly Massey, Paralegal
Division of Rate Counsel
140 East Front Street - 4th 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**

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

**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
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:

Andrew K. Dembia, Esq.

Dated: March 17, 2020

VERIFICATION

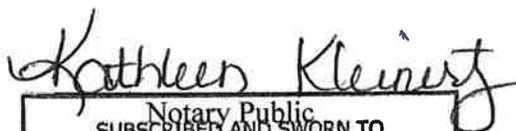
STATE OF NEW JERSEY)
COUNTY OF MONMOUTH)

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 17th 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

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

BOROUGH OF SPRING LAKE HEIGHTS

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

Resolution No. R2019-68

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