



October 24, 2022

***VIA ELECTRONIC MAIL***

Honorable Carmen Diaz, Acting Secretary  
New Jersey Board of Public Utilities  
44 South Clinton Avenue, 1st Floor  
P.O. Box 350  
Trenton, NJ 08625-0350

RE: IN THE MATTER OF THE PETITION OF NEW JERSEY NATURAL GAS  
FOR APPROVAL OF A MUNICIPAL FRANCHISE IN THE TOWNSHIP OF  
OCEAN, OCEAN COUNTY

BPU Docket No. \_\_\_\_\_

Dear Acting Secretary Diaz:

Enclosed for filing, please find the electronic files containing the Petition and supporting Exhibits of New Jersey Natural Gas Company for Approval of a Municipal Franchise in Township of Ocean, Ocean County, New Jersey pursuant to N.J.S.A. 48:2-14 and N.J.A.C. 14:1-5.5.

In accordance with the Order issued by the Board in connection with I/M/O the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations, BPU Docket No. EO20030254, Order dated March 19, 2020, this document is being electronically filed. No paper copies will follow.

Copies of the petition, including the supporting Exhibits, are also being served electronically upon the New Jersey Division of Rate Counsel and the Division of Law.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Andrew K. Dembia'. The signature is written in a cursive style and is contained within a thin blue rectangular border.

Andrew K. Dembia  
Regulatory Affairs Counsel

AKD:sf  
Enclosures  
C: Service List

**NEW JERSEY NATURAL GAS COMPANY  
PETITION FOR AUTHORIZATION AND APPROVAL  
OF MUNICIPAL FRANCHISE IN  
TOWNSHIP OF OCEAN, OCEAN COUNTY**

**SERVICE LIST**

NJNG

Andrew K. Dembia, Esq.  
Regulatory Affairs Counsel  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

Susan Fastuca  
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  
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P.O. Box 350  
Trenton, NJ 08625-0350

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N.J. Board of Public Utilities  
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N.J. Board of Public Utilities  
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P.O. Box 350  
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DIVISION OF RATE COUNSEL

Brian O. Lipman, Esq.  
Division of Rate Counsel  
140 East Front Street, 4th Floor  
P. O. Box 003  
Trenton, N.J. 08625

Maura Caroselli, Esq.  
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Carlana Morrison, 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

Terel Klein, DAG  
Department of Law & Public Safety  
Division of Law, Public Utilities Section  
R.J. Hughes Justice Complex  
25 Market Street  
P.O. Box 112  
Trenton, NJ 08625

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, NJ 08625

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

**IN THE MATTER OF THE PETITION OF )  
NEW JERSEY NATURAL GAS )  
FOR APPROVAL OF A MUNICIPAL )  
FRANCHISE IN THE TOWNSHIP OF )  
OCEAN, OCEAN COUNTY )**      **PETITION  
BPU DOCKET NO. \_\_\_\_\_**

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

New Jersey Natural Gas (“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 Ocean, Ocean County, New Jersey through Ordinance 2022-17. In support of its petition, NJNG states the following:

1. All communications with respect to this pleading and in this proceeding should be served on the following person:

Andrew K. Dembia, Esq.  
Regulatory Affairs Counsel  
New Jersey Natural Gas  
1415 Wyckoff Road  
Post Office Box 1464  
Wall, New Jersey 07719  
[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. NJNG distributes natural gas and provides transportation service at retail to over 565,000 residential, commercial and industrial customers in Monmouth and Ocean counties and parts of Middlesex, Burlington and Morris counties.
3. Attached hereto in support of this petition are the following exhibits:

Exhibit A      **ORDINANCE OF THE TOWNSHIP OF OCEAN, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE FRANCHISE RENEWAL RIGHTS FOR NEW JERSEY NATURAL GAS COMPANY TO LAY AND MAINTAIN GAS MAINS, PIPES, AND SERVICE PIPES, IN AND UNDER THE SURFACE OF ANY OR ALL OF THE ROADS, STREETS, AVENUES, HIGHWAYS, AND PUBLIC PLACES, FOR THE PURPOSE OF FURNISHING NATURAL GAS TO THE TOWNSHIP OF OCEAN      Ordinance 2022-17**

Exhibit B Letter Accepting Terms and Conditions of the Ordinance

Exhibit C Proposed Notice of Public Hearing

4. NJNG is currently providing natural gas service within the Township of Ocean in Ocean County.
5. NJNG's current franchise with the Township of Ocean will expire this December 1, 2022. On October 18, 2022, the Township of Ocean, by Ordinance, renewed NJNG's franchise for a period of twenty (20) years. A copy of the Ordinance is attached as Exhibit "A" to this petition. By letter to the Township of Ocean dated October 21, 2022, NJNG accepted and agreed to the terms and conditions of such Ordinance pursuant to *N.J.S.A. 48:3-16*, which acceptance letter is attached as Exhibit "B" to this petition. A proposed public notice is attached to this petition as Exhibit "C." A copy of this petition also has been served on the Clerk of the Township of Ocean.
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 respectfully requests that the Board grant the following:

- (1) Approve the franchise granted to New Jersey Natural Gas by the Township of Ocean through Ordinance 2022-17; and
- (2) Provide any other relief deemed just and equitable.

Respectfully submitted,

NEW JERSEY NATURAL GAS



By:

\_\_\_\_\_  
Andrew K. Dembia, Esq.  
Attorney for New Jersey Natural Gas

Dated: October 24, 2022

**VERIFICATION**

STATE OF NEW JERSEY )

:

COUNTY OF MONMOUTH)

MARK KAHRER, being duly sworn, deposes and says:

1. I am Senior Vice President, Regulatory Affairs for New Jersey Natural Gas 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

Senior Vice President, Regulatory Affairs

Sworn to before me this 24th day  
of October 2022



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Andrew K. Dembia, Esq.

**ORDINANCE 2022-17**

**ORDINANCE OF THE TOWNSHIP OF OCEAN, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE FRANCHISE RENEWAL RIGHTS FOR NEW JERSEY NATURAL GAS COMPANY TO LAY AND MAINTAIN GAS MAINS, PIPES, AND SERVICE PIPES, IN AND UNDER THE SURFACE OF ANY OR ALL OF THE ROADS, STREETS, AVENUES, HIGHWAYS, AND PUBLIC PLACES, FOR THE PURPOSE OF FURNISHING NATURAL GAS TO THE TOWNSHIP OF OCEAN**

**WHEREAS**, New Jersey Natural Gas Company obtained the consent of this municipality to exercise its franchise rights by Ordinance 2017-8 dated July 13, 2017, to lay and maintain gas mains, pipes and service pipes in and under the surface of any or all of the roads, streets, avenues, highways, and public places, for the purpose of furnishing gas therein, and

**WHEREAS**, said consent is limited to a period of twenty (20) years, and by the terms thereof, expires October 1, 2042; and

**WHEREAS**, New Jersey Natural Gas Company is desirous of obtaining consent of the Municipality to continue service in the Municipality.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Ocean, in the County of Ocean, and State of New Jersey, as follows:

**SECTION I.** New Jersey Natural Gas Company be and is hereby authorized to lay, maintain, and operate its conductors, mains, and pipes, together with the appurtenances therein, in all the public streets, alleys, squares and public places in this municipality which are under the control and jurisdiction of the Township of Ocean for the purpose of conducting, transmitting and distributing gas, or any mixture of gases of various types including natural gas, for a period of twenty (20) years from the date hereof, upon the following terms and conditions:

- A.) New Jersey Natural Gas Company shall agree that, in all cases in which street openings or excavations are made for the purposes aforesaid, the pavement and the surface of the streets, alley, squares or roadways shall be restored to the same condition as existed prior to the opening thereof; and
- B.) New Jersey Natural Gas Company shall conduct the work or the laying or maintaining of gas pipes therein in a careful and prudent manner;
- C.) 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.

D.) The terms of the franchise incorporated within this ordinance shall not become effective until approved by the Board of Public Utilities of the State of New Jersey.

**BE IT FURTHER ORDAINED** that prior to the beginning of any street openings or excavations for the purposes aforesaid, New Jersey Natural Gas Company shall apply, in writing, on forms to be supplied by New Jersey Natural Gas Company, to the Township Clerk, acting as agent of this governing body for permission to make any street opening or excavation.

**SECTION II.** Any section, subsection, clause, phrase, ordinances, or parts of Ordinances inconsistent herewith are hereby repealed.

**SECTION III.** This Ordinance shall take affect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at a meeting held on the 16<sup>th</sup> day of August, 2022. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 18<sup>th</sup> day of October, 2022, at 6:00 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

  
**DIANE B. AMBROSIO, RMC, CMC**  
**Township Clerk**





October 21, 2022

*Via Electronic Delivery*

Honorable Diane B. Ambrosio, RMC CMR  
Administrator/Municipal Clerk  
Township of Ocean, Ocean County  
50 Railroad Avenue  
Waretown, New Jersey 08758

**Re: ORDINANCE OF THE TOWNSHIP OF OCEAN, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE FRANCHISE RENEWAL RIGHTS FOR NEW JERSEY NATURAL GAS COMPANY TO LAY AND MAINTAIN GAS MAINS, PIPES, AND SERVICE PIPES, IN AND UNDER THE SURFACE OF ANY AND ALL OF THE ROADS, STREETS, AVENUES, HIGHWAYS, AND PUBLIC PLACES, FOR THE PURPOSE OF FURNISHING NATURAL GAS TO THE TOWNSHIP OF OCEAN ORDINANCE 2022-17**

Dear Ms. Ambrosio:

New Jersey Natural Gas Company ("NJNG") hereby accepts the terms and provisions of the franchise consent granted by the Township Council on October 18, 2022 and hereby agrees to be bound by the terms and provisions thereof. See Ordinance 2022-17 attached hereto.

Please be advised that NJNG will submit the Ordinance to the New Jersey Board of Public Utilities for approval.

Respectfully submitted,

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

Andrew K. Dembia, Esq.  
Regulatory Affairs Counsel

AKD:sf



**ORDINANCE 2022-17**

**ORDINANCE OF THE TOWNSHIP OF OCEAN, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE FRANCHISE RENEWAL RIGHTS FOR NEW JERSEY NATURAL GAS COMPANY TO LAY AND MAINTAIN GAS MAINS, PIPES, AND SERVICE PIPES, IN AND UNDER THE SURFACE OF ANY OR ALL OF THE ROADS, STREETS, AVENUES, HIGHWAYS, AND PUBLIC PLACES, FOR THE PURPOSE OF FURNISHING NATURAL GAS TO THE TOWNSHIP OF OCEAN**

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**WHEREAS**, said consent is limited to a period of twenty (20) years, and by the terms thereof, expires October 1, 2042; and

**WHEREAS**, New Jersey Natural Gas Company is desirous of obtaining consent of the Municipality to continue service in the Municipality.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Ocean, in the County of Ocean, and State of New Jersey, as follows:

**SECTION I.** New Jersey Natural Gas Company be and is hereby authorized to lay, maintain, and operate its conductors, mains, and pipes, together with the appurtenances therein, in all the public streets, alleys, squares and public places in this municipality which are under the control and jurisdiction of the Township of Ocean for the purpose of conducting, transmitting and distributing gas, or any mixture of gases of various types including natural gas, for a period of twenty (20) years from the date hereof, upon the following terms and conditions:

- A.) New Jersey Natural Gas Company shall agree that, in all cases in which street openings or excavations are made for the purposes aforesaid, the pavement and the surface of the streets, alley, squares or roadways shall be restored to the same condition as existed prior to the opening thereof; and
- B.) New Jersey Natural Gas Company shall conduct the work or the laying or maintaining of gas pipes therein in a careful and prudent manner;
- C.) 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.

- D.) The terms of the franchise incorporated within this ordinance shall not become effective until approved by the Board of Public Utilities of the State of New Jersey.

**BE IT FURTHER ORDAINED** that prior to the beginning of any street openings or excavations for the purposes aforesaid, New Jersey Natural Gas Company shall apply, in writing, on forms to be supplied by New Jersey Natural Gas Company, to the Township Clerk, acting as agent of this governing body for permission to make any street opening or excavation.

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**DIANE B. AMBROSIO, RMC, CMC**  
**Township Clerk**





October 27, 2022

**VIA ELECTRONIC TRANSMISSION**

Diane B. Ambrosio, RMC  
Municipal Clerk  
Township of Ocean  
50 Railroad Avenue  
Waretown, New Jersey 08758

Scott Colabella, County Clerk  
Ocean County  
118 Washington Street  
Toms River, N.J. 08754

Alan W. Avery, County Administrator  
Ocean County  
101 Hooper Ave. Admin Building  
Toms River, NJ 08754-2191

**RE: In the Matter of the Petition of New Jersey Natural Gas Company for the Approval of a Municipal Franchise in the Township of Ocean, Ocean 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 Ocean’s (“Township”) Ordinance No. 2022-17, which granted NJNG permission to provide natural gas service in the Township as provided in said Ordinance. Please be advised that the Board has set [ DATE ] at [ TIME] EST, as the date and time for the Municipal Consent Hearing. Due to the COVID-19 pandemic, this Municipal Consent Hearing will be held via Zoom. The Zoom log-in information is as follows:

<https://zoom.us/j/2458136397?pwd=S1pxamxGV3RNdHJ0T3A0UGVFOHFkQT09>

Passcode: 871017

My assistant, Susan Fastuca is the Zoom meeting organizer. A Zoom meeting invitation will be sent to you in advance of the scheduled date for this Municipal Consent Hearing. You are welcome to participate in the Zoom meeting to put your views on the record if you so desire. Also, notice of the hearing is posted on the Company’s web site, njng.com, so interested members of the public may view the hearing.

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