



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF SOUTH) ORDER
JERSEY GAS COMPANY FOR A DETERMINATION)
PURSUANT TO THE PROVISIONS OF N.J.S.A.)
40:55D-19) DOCKET NO. GO13111049

Parties of Record:

Ira Megdal, Esq., on behalf of South Jersey Gas Company
Stefanie A. Brand, Esq., Director, Division of Rate Counsel
Barbara L. Young, Municipal Clerk, Upper Township
Linda Costello, Acting Clerk, Maurice River Township
Fern A. Brown, Acting City Clerk, City of Estell Manor

BY COMMISSIONER JOSEPH L. FIORDALISO:

On November 4, 2013, South Jersey Gas Company ("Company" or "SJG"), a New Jersey public utility engaged in the business of purchasing, distributing, transporting, and selling natural gas to approximately 360,000 customers within its service areas in Cape May, Cumberland, Atlantic, and Salem counties, and parts of Gloucester, Camden and Burlington counties, filed a petition with the Board of Public Utilities ("Board") pursuant to N.J.S.A. 40:55D-19 of the New Jersey Municipal Land Use Law ("MLUL"). N.J.S.A. 40:55D-19 provides that the MLUL, and any ordinance or regulations promulgated under the authority thereof, shall not apply to a development proposed by a public utility for installation in more than one municipality for the furnishing of service if, upon petition by the public utility to the Board with notice to all affected municipalities, the Board thereafter conducts a hearing to determine whether the proposed installation of the development in question is "reasonably necessary for the service, convenience or welfare of the public."

SJG is requesting that the Board issue an order pursuant to the MLUL finding that the construction of an approximately 21.6 miles, 24-inch natural gas pipeline with an alignment that runs through Maurice River Township in Cumberland County, City of Estell Manor in Atlantic County and Upper Township in Cape May County, New Jersey is reasonably necessary for the service, convenience or welfare of the public and, in accordance therewith, further find that the zoning, site plan review and all other municipal land use ordinances and regulations promulgated under the authority of the MLUL shall not apply to the proposed project.

By Order dated December 18, 2013 ("December 18 Order"), the Board retained this matter for hearing and designated me as the presiding officer with the authority to establish and modify schedules, decide all motions and otherwise control the conduct of this case, subject to Board ratification. Additionally, the December 18 Order established December 30, 2013 as the deadline to file motions to intervene or participate in this matter. No motions to intervene or participate were filed prior to the expiration of the deadline.

After notice in newspapers in general circulation within the Company's service territory, a public hearing was held on December 18, 2013, at the Upper Township branch of the Cape May County Library in Petersburg, New Jersey. It is my understanding that an additional public hearing is scheduled for October 19, 2015 at the Upper Township Municipal Court in Petersburg, New Jersey.

I HEREBY DIRECT that an evidentiary hearing will be held on October 21, 2015 in the first floor multipurpose room at the Board's office located at 44 South Clinton Avenue, Trenton, New Jersey, commencing at 11:00 a.m. Additional dates, if needed, will be determined based on the availability of the parties and myself.

Absent the need for additional dates, post-hearing briefs, if requested by any party, will be due by October 28, 2015.

I HEREBY DIRECT Staff to post this Order on the Board's website and serve a copy of the Order to the service list electronically.

In addition, I **HEREBY DIRECT** that a copy of the Order be served by regular mail upon the Municipal Clerk of Upper Township, the Acting Clerk of Maurice River Township and the Acting City Clerk of the City of Estell Manor.

DATED:

9/25/15


JOSEPH L. FIORDALISO
COMMISSIONER

IN THE MATTER OF THE PETITION OF SOUTH JERSEY GAS COMPANY FOR A
DETERMINATION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40:55D-19

DOCKET NO. GO13111049

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