



State of New Jersey

THE PINELANDS COMMISSION

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General Information: Info@njpines.state.nj.us
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Sean W. Earlen
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Nancy Wittenberg
Executive Director

February 4, 2016

VIA FACSIMILIE AND REGULAR MAIL

Paul Flanagan, Executive Director
New Jersey Board of Public Utilities
44 S. Clinton Avenue
Trenton, New Jersey 08625

Re: New Jersey Natural Gas
Proposed Natural Gas Transmission Pipeline
Pinelands Application # 2014-0045.001

Dear Mr. Flanagan:

As I am sure you are aware, the Pinelands Commission issued a Certificate of Filing for the above referenced application on December 9, 2015. I have attached a copy of that Certificate of Filing to this letter for you convenience. Additionally, please note that based on its review of the information submitted as part of this development application, the Commission staff has determined that the proposed development is consistent with the requirements of the Pinelands Comprehensive Management Plan (CMP), N.J.A.C. 7:50. In accordance with the coordinated state permitting provisions of the Pinelands CMP, this Certificate of Filing is necessary to determine any other required State permitting application complete for review. See N.J.A.C. 7:50-4.81(b)

Moreover, we are aware that, pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-19, New Jersey Natural Gas has filed a petition with the Board of Public Utilities (the "Board"). This provision authorizes preemption of municipal review of development proposed by a public utility for installation in more than one municipality. Municipal preemption requires submission of a petition by the utility to the Board, a hearing and, ultimately, a determination by the Board that the installation of the proposed development is reasonably necessary to for the service, convenience or welfare of the public. Given that, we are requesting that the Board provide the Commission with a copy of New Jersey Natural Gas' N.J.S.A. 40:55D-19 petition; notice of any hearings, public meetings or other formal proceedings pertaining to the petition; and copies of any written reports or comments that the Board may receive that raise issues concerning the standards of the Pinelands CMP.

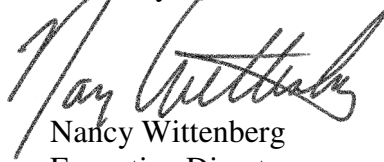
Lastly, the Pinelands Protection Act N.J.S.A. 13:18A-10(c) and the Pinelands CMP at N.J.A.C. 7:50-4.81(a) prohibit a State agency from issuing any approval for development within the Pinelands Area, unless such development is consistent with the minimum standards of the Pinelands CMP. To ensure that any order issued by the Board pursuant to the N.J.S.A. 40:55D-19 is consistent with the Pinelands CMP, we are requesting that the Board provide a draft of any such order to the Commission and work



with the Commission staff to resolve any potential inconsistencies, if any, prior to the submitting the order to the Board for its action.

Thank you for your agency's continued coordination with the Commission staff concerning the proposed pipeline application. Please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Wittenberg". The signature is written in a cursive style with a large, sweeping initial "N".

Nancy Wittenberg
Executive Director

Enclosure: Certificate of Filing