



Agenda Date: 10/24/07  
Agenda Item: II B

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center**  
**Newark, NJ 07102**  
**[www.bpu.state.nj.us](http://www.bpu.state.nj.us)**

**ENERGY**

IN THE MATTER OF THE PETITION OF NEW JERSEY )	DECISION AND ORDER
NATURAL GAS COMPANY FOR APPROVAL OF A )	
MUNICIPAL FRANCHISE IN THE BOROUGH OF )	
LINCOLN PARK, MORRIS COUNTY )	DOCKET NO. GE07060365

(SERVICE LIST ATTACHED)

BY THE BOARD:

New Jersey Natural Gas Company ("NJNG" or "Company"), a public utility of the State of New Jersey subject to the jurisdiction of the Board of Public Utilities ("Board"), distributes natural gas and provides transportation service at retail to over 476,000 residential, commercial and industrial customers in Monmouth and Ocean Counties and parts of Middlesex and Morris Counties. Since September 10, 1928, NJNG, either directly or through a predecessor, has held a franchise to maintain and operate natural gas facilities within the Borough of Lincoln Park ("Borough") in Morris County for the purpose of furnishing natural gas service within the municipality. The most recent franchise with the Borough expired on June 20, 2006. Subsequently, by Ordinance 15-07 adopted on May 21, 2007, and effective June 10, 2007, the Borough Council extended the franchise for a 10-year period running from the date of the approval of this Board. The Company accepted and agreed to the terms and conditions of the franchise granted by the Borough by letter dated May 31, 2007.

On June 5, 2007, NJNG filed a petition, pursuant to N.J.S.A. 48:2-14 and N.J.A.C. 14:1-5.5, requesting that the Board approve the municipal consent granted to the Company by the Borough. After appropriate notice, a hearing was held on August 30, 2007, at the Board's Newark offices before Edward D. Beslow, Esq., the Board's duly designated Hearing Examiner.

At hearing, NJNG relied on the testimony of John B. Wyckoff, its Manager of Engineering. Mr. Wyckoff stated that the Company presently serves approximately 3,505 customers in the Borough and that it is anticipated that about 15 new customers will be added on an annual basis. Mr. Wyckoff stated that NJNG has continued to provide service during the period since the prior consent terminated on June 20, 2006, without the occurrence of any major service interruptions or significant customer complaints and that, in his opinion, the renewal of the

municipal consent would be proper and would foster the public good and convenience. He further testified that the rates for services to customers would not be affected by the renewal of the consent.

By letter dated October 10, 2007, the Division of Rate Counsel indicated that it did not oppose the approval of the relief requested in the petition provided that the Board include certain language that is standard to Orders in matters such as this. Said language is contained in the provisions set out below.

Based on the foregoing and a review of the complete record in this matter, the Board HEREBY FINDS that:

- 1 NJNG has the necessary experience, financial capability and facilities to allow it to continue to provide safe, adequate and proper natural gas service in the Borough of Lincoln Park; and
2. The consent granted to NJNG by the Borough is necessary and proper for the public convenience and properly conserves the public interests.

Accordingly, the Board HEREBY ORDERS that the consent granted to New Jersey Natural Gas Company by the Borough of Lincoln Park in Morris County in the form of Ordinance 15-07 adopted on May 21, 2007, is HEREBY APPROVED pursuant to the provisions of N.J.S.A. 48:2-14.

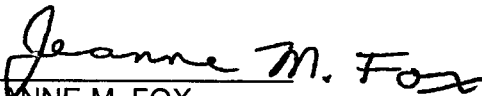
The approval granted hereinabove shall be subject to the following provisions:

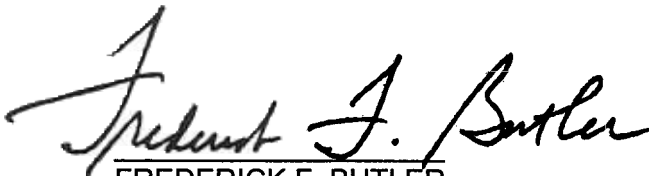
1. The rates for service to NJNG's existing customers shall continue to be those set out in the Company's current tariff approved by and on file with the Board;
2. Approval of this municipal consent resolution does not constitute Board approval of any costs or expenses associated with this franchise renewal. Any determination as to the appropriateness or reasonableness of any costs and expenses related to the franchise, including, but not limited to, the cost of construction, contributions in aid of construction, the cost of connection or any related capital improvements, and the allocation of such costs and expenses, shall be made in an appropriate subsequent proceeding;
3. This Order shall not affect or in any way limit the authority of this Board or of this State in any future petition with respect to rates, franchises, services, financing, accounting, capitalization, depreciation or any other matters affecting the Company; and

4. This Order shall not be construed as directly or indirectly fixing, for any purposes whatsoever, any value of any tangible or intangible assets now owned or to be owned by NJNG.

DATED: 10/25/07

BOARD OF PUBLIC UTILITIES  
BY:

  
JEANNE M. FOX  
PRESIDENT

  
FREDERICK F. BUTLER  
COMMISSIONER

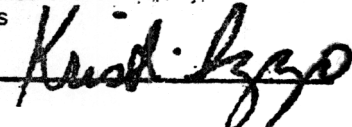
  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
CHRISTINE V. BATOR  
COMMISSIONER

ATTEST:

  
KRISTI IZZO  
SECRETARY

I HEREBY CERTIFY that the within  
document is a true copy of the original  
in the files of the Board of Public  
Utilities



**I/M/O THE PETITION OF NEW JERSEY NATURAL GAS COMPANY FOR APPROVAL OF A  
MUNICIPAL FRANCHISE IN THE BOROUGH OF LINCOLN PARK, MORRIS COUNTY**

**BPU DOCKET NO. GE07060365**

**SERVICE LIST**

Tracey Thayer, Esq.  
Director, Regulatory Affairs Counsel  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, New Jersey 07719

Ricky John  
Nanik Aswani  
Division of Energy  
Board of Public Utilities  
Two Gateway Center  
Newark, New Jersey 07102

Sarah H. Steindel, Esq.  
Division of Rate Counsel  
31 Clinton Street  
P.O. Box 46005  
Newark, New Jersey 07101