



State of New Jersey
THE PINELANDS COMMISSION
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General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

August 21, 2015

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

Re: South Jersey Gas
Proposed Natural Gas Transmission Pipeline
Pinelands Application # 2012-0056.001

Dear Mr. Flanagan:

Enclosed please find a copy of the Commission's Certificate of Filing for the above referenced application. The Certificate of Filing is for guidance only and is not a final determination by the Commission. In accordance with the coordinated state permitting provisions of the Pinelands CMP, this Certificate of Filing is necessary to determine that any other required State permitting application is complete for review. See N.J.A.C. 7:50-4.81(b)

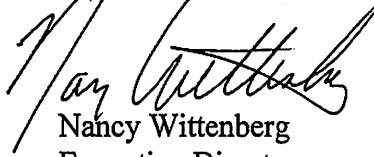
Additionally, we are aware that, pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-19, South Jersey Gas filed a petition with the Board of Public Utilities (the "Board") on October 13, 2013. This provision authorizes preemption of municipal review of development proposed by a public utility for 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 for the service, convenience or welfare of the public. Further, the Pinelands Protection Act at N.J.S.A. 13:18A-10(c) and the Pinelands Comprehensive Management Plan (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.

Thus, pursuant to N.J.A.C. 7:50-4.82, we are requesting that the Board provide the Commission with a copy of the South Jersey Gas N.J.S.A. 40:55D-19 petition; notice of any hearings, public meetings or other formal proceedings pertaining to the petition; copies of any written reports or comments that the Board may receive that raise issues concerning the standards of the Pinelands CMP, and any hearing officer's report or transcript from hearings concerning the standards of the Pinelands CMP. It is our understanding that as part of the Board's review of this petition, a public hearing will be conducted at which the public may present any comment and/or testimony that it wishes, including whether the proposed project is consistent with the requirements of the Pinelands CMP. Additionally, 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 also request that the Board provide a draft of any such order to the Commission staff and work with

the Commission 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", written over a horizontal line.

Nancy Wittenberg
Executive Director

C: Mr. Charles M. Horner
Ms. Cynthia Covie, Chief Counsel