



PARKER McCAY

Parker McCay P.A.
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054-5054

P: 856.596.8900
F: 856.596.9631
www.parkermccay.com

John C. Gillespie, Esquire
Direct Fax: 856-489-6980
jgillespie@parkermccay.com

January 22, 2016

File No. 11762-0182

Via Hand Delivery

Honorable Irene Kim Asbury, Secretary
NJ Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, New Jersey 08625-0350

**Re: I/M/O the Petition of New Jersey Natural Gas Company for a Determination
Concerning the Southern Reliability Link Pursuant to N.J.S.A. 40:55D-19
and N.J.S.A. 48:9-25.4
BPU Docket No.: GO15040403**

Dear Secretary Asbury:

Enclosed herein please find the Initial Post-Hearing Brief and a Certification of Service, filed on behalf of the Township of Chesterfield with regard to the above-captioned matter.

Should you have any questions regarding the submitted materials, please do not hesitate to contact me. Thanking you for your courtesies, I remain,

Very truly yours,

JOHN C. GILLESPIE

JCG/kmm
Enclosures

cc: Attached Service List (via e-mail only, w/ encls.)
Caryn M. Hoyer, RMC, Township Clerk (w/ encls.)

COUNSEL WHEN IT MATTERS. SM

Mount Laurel, New Jersey | Lawrenceville, New Jersey | Atlantic City, New Jersey

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

**IN THE MATTER OF THE PETITION
OF NEW JERSEY NATURAL GAS
COMPANY FOR DETERMINATION
CONCERNING THE SOUTHERN
RELIABILITY LINK PURSUANT TO
N.J.S.A. 40:55D-19 AND N.J.S.A. 48:9-25.4**

BPU DOCKET NO.: GO15040403

**INITIAL BRIEF ON BEHALF OF
THE TOWNSHIP OF CHESTERFIELD**

File No. 11762-0182-JCG

PARKER McCAY P.A.
Attorneys for the
Township of Chesterfield

John C. Gillespie, Esquire
Atty ID # 030831980
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054
(856) 596-8900

Katelyn M. McElmoyl, Esquire
Atty ID # 019402012
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054
(856) 596-8900

PROCEDURAL HISTORY

New Jersey Natural Gas Company (“NJNG” or “ Company”) began planning the Southern Reliability Link (“SRL” or “Project”) in 2012, with discussion of the Project beginning “sometime before then.” See Staff-1, CHES-NJSRL-10. NJNG engaged AECOM Technology Corp. to conduct a route alternatives analysis for the siting of the pipeline in February 2014. Id., CHES-NJSRL-11. On April 2, 2015, NJNG filed two (2) separate Petitions regarding the SRL, both seeking certain approvals from the New Jersey Board of Public Utilities (“BPU” or “Board”). These filings came on the eve of a four-day religious holiday weekend and totaled over 500 pages which outlined the plans and specifications of the proposed pipeline. Pursuant to N.J.S.A. 48:10-10, Chesterfield Township (“Chesterfield”) only had ten (10) days to review the Petitions and “notify the natural gas pipeline utility...of its objections and file a copy thereof with the Board of Public Utility Commissioners.” Due to NJNG’s filing just before the Easter holiday, only five (5) of those ten (10) days were business days.

Townships like Chesterfield and North Hanover were left scrambling to review and evaluate the extensive project, determine their positions on same, and pull together extremely limited resources, only to be subjected to an unreasonably expeditious legal process which can be described as *ad hoc*, at best, and utility-favoring, at worst. While Chesterfield was granted intervener status in the within proceeding by BPU Order dated July 21, 2015, it was denied intervener status in the Petition brought pursuant to N.J.A.C. 14:7-1.4, by Order dated August 19, 2015. Chesterfield filed a motion for consolidation of the Company’s two Petitions and reconsideration of the Board’s August 19 Order on September 14, 2015. After requesting from the Board and receiving five (5) adjournments to respond – without ever identifying any good cause for same – NJNG finally filed its response on December 31, 2015 – over three (3) months

after the motion was filed. As of the filing of the within brief, the Board has still not issued a decision on that motion for reconsideration and consolidation.

Of course, it is no coincidence that major developments occurred in the pipeline litigation during those five (5) months. The record for the within Petition was “closed out” with the occurrence of the December 7 evidentiary hearing. Rate Counsel withdrew its own motion for reconsideration of the August 19 Order and consolidation of the two Petitions after entering into a settlement agreement with NJNG, thereby ostensibly “closing out” the companion Petition brought pursuant to N.J.A.C. 14:7-1.4. As such, the Board has permitted NJNG to further manipulate the process. Not once did NJNG offer a supporting reason as to why its multiple extension requests were necessary and not once did the Board question the Company, before granting its request.

Behaviors and attitudes reflecting the utility company’s perception that it holds a sort of “untouchable” status have permeated the proceedings. Initially refusing to comply with legitimate discovery requests propounded by Chesterfield, NJNG was ultimately forced to provide responses by Order of the BPU – but only after Chesterfield filed a motion to compel same. While the Board granted that motion, it simultaneously refused to allow any further hearings on the information developed from that discovery.

PRELIMINARY STATEMENT

What exactly makes the SRL “reasonably necessary?” NJNG has not been able to answer that question in any way that even begins to justify the installation of a new 30-inch, 722 psig transmission pipeline that will pass within 150 feet of 227 residences, 15 historic properties, 8 schools/churches/cemeteries/parks, and 19 commercial properties. In Chesterfield alone, the pipeline is proposed to come within 150 feet of 92 structures – 82 of which are residences. See

Staff-1, CHES-NJSRL-60. Residents and business owners of Chesterfield Township and surrounding communities are obviously concerned for their safety, as documented during the public hearings held on July 28, 2015 and August 26, 2015 – and understandably so. Many of these individuals will be significantly impacted, in that the pipeline will be as close as 50 feet from a bedroom window. With last winter’s two natural gas explosions in Ocean County involving substantially smaller capacity NJNG infrastructure, the Board is urged to make discretion the better part of valor in undertaking its mission of protecting the life, health, and property of New Jersey citizens.

With that background in mind, the Township of Chesterfield urges the BPU to carefully evaluate NJNG’s Petition. The Board of Public Utilities is tasked with general supervision and regulation of, and jurisdiction and control over natural gas pipeline utilities, equipment, and facilities so far as may be necessary “for the protection of life, health, and property of the citizens of this State.” N.J.S.A. 48:10-4 (emphasis added).

The Board is expected to make decisions and interpret rules and regulations while considering such factors as “the economic necessity and desirability of natural gas service, the effect of such rules and regulations on the cost of natural gas service, the preservation of tangible and intangible property values, private and public, the possibility of injury to persons or property from fire or explosion, the possibility of a public disaster in an area of dense population, the possibility of interruption of other essential public utility services, whether such pipelines should be predominantly above or below the surface of the ground, and the operating safety record of pipelines already constructed and operating in New Jersey.” N.J.S.A. 48:10-6. For the reasons set forth herein, it is respectfully urged that the Petition be denied in its entirety

LEGAL ARGUMENT

I. NJNG HAS OVERWHELMINGLY FAILED TO DEMONSTRATE THAT THE SOUTHERN RELIABILITY LINK IS “REASONABLY NECESSARY FOR THE SERVICE, CONVENIENCE OR WELFARE OF THE PUBLIC”

NJNG has brought this Petition pursuant to N.J.S.A. 40:55D-19. The standard to be applied is as follows: a public utility proposing a multiple-municipality project may petition the Board, and if, after hearing on notice to the affected municipalities, the Board finds that "the proposed installation of the development in question is reasonably necessary for the service, convenience or welfare of the public," then any ordinances or regulations promulgated under N.J.S.A. 40:55D, the Municipal Land Use Laws, shall not apply to the Project.

One of the Board's required considerations in weighing a petition brought pursuant to N.J.S.A. 40:55D-19 is "the community zoning plan, the physical characteristics of the site, and the surrounding neighborhood." In re Public Service Electric & Gas Co., 35 N.J. 358, 377 (1961). Despite the possibility that local land use and zoning laws may be preempted by order of the BPU, no local legislation or community zoning plan has been requested of Chesterfield Township by either the BPU or NJNG. They are not in the record. Therefore, Chesterfield's zoning and land use legislation has never been considered in these proceedings.

While a utility generally enjoys preference in the event that interests are balanced and found to be equal amongst negatively impacted communities and the utility, it would be impossible for the BPU to determine that the SRL Project satisfies the burden of being "reasonably necessary for the service, convenience or welfare of the public" given the record that has been created throughout the proceedings. The term "public" has been interpreted to mean "the public served by the utility," not just the "limited local group benefited by the zoning ordinance." In re Public Service Electric & Gas Co., 35 N.J. 358, 376-77 (1961). Moreover, the

proper connotation of “reasonable necessity” is that of reasonable necessity under all the particular circumstances. In re Hackensack Water Co., 41 N.J. Super. 408, 426 (App. Div. 1956). The test of “reasonable necessity” requires a consideration and balancing of all the facts and circumstances of the record. Ibid.

The amount and degree of opposition to a natural gas pipeline project like that experienced with the Southern Reliability Link is unprecedented in New Jersey. Opponents’ concerns go far beyond “NIMBY” – interveners, participants, elected officials, and members of the public have not only raised valid and serious questions about the operation and routing of the SRL, but NJNG’s demonstrated lack of candor with affected municipalities, local officials, the general public, environmental organizations, military leadership, and the Board has also been universally criticized.

Chesterfield¹⁸¹ respectfully urges the BPU to consider and balance all of the facts and circumstances that it has been presented with over the last several months. The Board should also be keenly aware of the complete lack of tangible support, proof, and independent corroboration of NJNG’s vague claims of reliability and redundancy. As discussed below, each of the Company’s bases of support for this Project can be completely dismantled and exposed for what they are – bald assertions which NJNG likely believed would never be questioned or challenged.

Chesterfield urges the Board to withhold approval and designation of NJNG’s “preferred route” based on a failure to meaningfully analyze the alternate route proposed by Chesterfield. Additionally, based on the Company’s failure to prove that the Southern Reliability Link is reasonably necessary for the service, convenience or welfare of the public, Chesterfield primarily urges the Board to find that NJNG has not met its burden pursuant to N.J.S.A. 40:55D-19,

thereby making all local ordinances and regulations promulgated under the Municipal Land Use Law applicable to the Project.

a. NJNG has Failed to Demonstrate the Likelihood of a Supply Interruption or System Failure that Would Detrimentially Impact NJNG Customers; Without More, NJNG Cannot Say that the Mere Possibility of a Supply Interruption or System Failure Makes the Southern Reliability Link “Reasonably Necessary for the Service, Convenience or Welfare of the Public”

According to the Petitions filed by NJNG, the “need” for the Southern Reliability Link can be summed up in a handful of paragraphs. Paragraphs 16 and 17 of NJNG’s Original Petition (P-1), paragraphs 18, 19, and 20 of the Amended Petition (P-2), and “Part IV” of Craig A. Lynch’s prepared direct testimony, all seek to convince the BPU that a new 30-inch, 722 psig transmission pipeline that will fall within 150 feet of 227 residences, 15 historic properties, 8 schools/churches/cemeteries/parks, and 19 commercial properties (92 structures in total throughout Chesterfield, alone), is “reasonably necessary for the service, convenience or welfare of the public.” See P-1, AECOM Alternatives Analysis at p. 46; NJNG Response to CHES-NJSRL-60.

“The Project is needed to support the reliability and system integrity of NJNG's intrastate transmission system by providing a redundant transmission feed. Currently, over 85% of NJNG's winter season peak day gas supply is provided by the Texas Eastern Transmission System ("TETCO")...” See P-2 at p. 7. This is echoed in the prepared direct testimony of Craig A. Lynch: “[t]he [SRL] Project would allow NJNG to minimize service disruptions associated with potential interruptions, as well as minimize costs associated with such interruptions.” See P-1, Exhibit A, p. 6, ln. 6-8. Also, “NJNG’s customers, particularly those in Ocean, Burlington and Monmouth counties are the most vulnerable and are likely to be adversely affected by a supply interruption or system failure.” See P-1, Exhibit A, p. 2, ln. 4-7.

However, NJNG has never bothered to quantify the likelihood of a supply interruption or system failure; that, of course, is because it cannot do so. And while NJNG refused to answer a number of discovery requests from Chesterfield Township (on the basis that the requests posed “hypothetical situations,” see NJNG response to CHES-NJSRL-81(b), CHES-NJSRL-83(c), CHES-NJSRL-83(f), CHES-NJSRL-95), the Company bases its entire Petition for BPU approval on a hypothetical occurrence, i.e. the prospect of a supply interruption or system failure. Both Rate Counsel and Chesterfield attempted to explore the future plausibility and past occurrences of these “worst case scenarios.” In RCR-POL-7 and 8 (Staff-1), Rate Counsel made the following very reasonable and appropriate requests:

Please identify the number of times in the last 60 years that customers in Ocean, Burlington and Monmouth counties were adversely affected by supply interruption, indicating the number of customers interrupted, the date of the interruption, and the length of the interruption.

Please identify the number of times in the last 60 years that customers in Ocean, Burlington and Monmouth counties were adversely affected by a system failure, indicating the number of customers interrupted, the date of the interruption, and the length of the interruption.

Please provide the number of service disruptions, the length of those disruptions, and the number of customers impacted by interruptions in each of the last 60 years.

See Staff-1, RCR-POL-7(a) and (b) and 8(a).¹

NJNG’s response is dumbfounding:

The Company does not maintain a record of supply or service interruptions for the timeframe requested. The Company, with the exception of the effects caused by Superstorm Sandy and other sporadic operational issues, has met [the responsibility of providing safe, reliable and proper utility service] with **limited**

¹ See also Staff-1, CHES-NJSRL-4 and 17.

supply interruptions or system failures experienced in the last 60 years.

See Staff-1, NJNG's responses to RCR-POL-7(a) and (b) and 8(a). Aside from the fact that it is inconceivable that a utility company does not keep records of outages, supply interruptions, or system failures, NJNG admits that supply and service interruptions to its customers are not at all a concern. NJNG asserts in discovery that over the last 60 years, it has done a fine job minimizing the number of supply and service interruptions with the infrastructure that it already possesses and manages, and with the supplier from whom NJNG purchases natural gas. NJNG has offered absolutely no proof or reasoning as to why now the Company believes that supply interruptions from TETCO and system failures are such a grave concern that, not only is a new 30-inch, 722 psig transmission pipeline "reasonably necessary," but that it should also be given an "expedited review" by the BPU "to avoid any delays in the completion of [the SRL]." See P-1, p. 16, para. 52.

NJNG is factually precluded from pointing to Superstorm Sandy as an instance where a redundant pipeline would have benefitted the Company and its customers. During Sandy, disruptions in natural gas service were not due to a lack of supply in product from TETCO²; instead, disruptions were due to the Company's choice to depressurize the distribution system for reasons of safety to customers and employees.³ See Tr. 46:2-12. Therefore, Sandy, while devastating to our region, cannot be labeled as a "supply interruption" or "system failure" that could (never mind "would") have been prevented or mitigated by the SRL.

² See P-3, p. 7, ln. 2-9: "[t]he curtailments following Sandy were not related to an interruption in the interstate supply [from TETCO] but demonstrated the tremendous cost of widespread curtailment."

³ See also NJNG's revised response to CHES-NJSRL-81(b): "[i]f the Company had not depressurized portions of the distribution system, natural gas would have continued to be released to the atmosphere placing the general public, our customers and employees at risk."

The record is completely barren as to how the SRL, had it been in existence during the time of Sandy, could have improved the Company's situation. After all, the SRL's terminus is proposed to be in Manchester Township; yet the "shut off" affected the distribution system of the Barrier Islands or "peninsula," as described by Mr. Lynch. See Tr. 56:6-9. Query how a transmission pipeline that ends on New Jersey's mainland is able to service islands along the coast when the islands' distribution system, presumably fed by one or more transmission lines, is depressurized and shut off? Without a connecting line between the mainland and the Barrier Islands, the existence of the SRL during Superstorm Sandy would have made absolutely no difference to the Company's response time in getting natural gas back to the Barrier Islands .

In summary, NJNG has failed to show, in any way, that a supply interruption or system failure is an imminent threat when, historically, these issues are extremely rare and are also an undocumented threat that the Company has sufficiently managed over the last 60 years without the SRL. NJNG provides no basis, studies, or reports that calculate the likelihood of a "worst case scenario" event occurring and disrupting service to customers. Finally, the Company's reliance on Superstorm Sandy is misleading. Had the SRL been in operation when NJNG depressurized the local distribution system on the Barrier Islands, without a connection onto the Islands, the SRL would have been ineffectual to returning gas service to those affected customers. For these reasons and without showing that a supply interruption or system failure is more than just a mere possibility, NJNG has failed to show that a project as costly and disruptive as the SRL is reasonably necessary for the service, convenience or welfare of the public.

b. NJNG's Admissions to Discovery Requests Propounded by Chesterfield Township Undermine All Assertions that the Southern Reliability Link Serves a Military Purpose or in Any Way Benefits the Joint Base

During the discovery process, Chesterfield posed very direct, simple questions to NJNG regarding Joint Base McGuire-Dix-Lakehurst's ("Joint Base" or "Base") need for the SRL, the logistics of supplying natural gas to the Base from the SRL, and the specific benefits that the Base will supposedly enjoy as a result of the SRL's installation. Particularly, CHES-NJSRL-84 provided NJNG with an opportunity to explain and document all of these points regarding the Joint Base – need, physical delivery of gas, and benefits to the Base. Instead of providing straightforward answers, NJNG initially refused to even respond to Chesterfield's inquiry for specific information pertaining to the Base's need for natural gas.

In an attempt to evade targeted questioning about the specific impacts of the Southern Reliability Link on the Joint Base, NJNG initially responded to discovery requests propounded by Chesterfield by replying that "Chesterfield should direct these questions to the Joint Base." See CHES-NJSRL-84 and NJNG's initial responses to same. This deficient and inappropriate response, along with several other similarly evasive responses, was delivered to Chesterfield by the Company via e-mail at 5:00 p.m. on December 2, 2015 – two business days before the Monday, December 7, 2015 evidentiary hearing was scheduled to be held at 9:30 a.m.

Within those two (2) days, Chesterfield reviewed and evaluated the responses and forwarded a deficiency letter to counsel for NJNG. The deficiency letter specifically listed several "responses" that either raised invalid objections or were otherwise unreasonably evasive. Simultaneously, Chesterfield filed a letter with the Secretary of the BPU advising the Board that a "substantial portion of [the answers to CHES-NJSRL-78 through CHES-NJSRL-110] are wholly deficient." The evidentiary hearing nevertheless proceeded the following Monday

morning on December 7, 2015, with Commissioner Solomon presiding. The hearing was completed the same day.

While Commissioner Solomon later granted Chesterfield's motion to compel NJNG to answer the discovery, an opportunity to question NJNG's witnesses further regarding the compelled revised responses was denied. "Although Chesterfield has sought to reserve its right to request additional hearings, no additional hearings are granted." See BPU Order dated January 5, 2016, at p. 4. Without the ability to further explore NJNG's revised responses, especially as those responses relate to scrutinizing the claimed benefits to, and needs of, the Joint Base, the BPU is left only to consider unremarkable and vague statements that completely fail to prove that the Joint Base is a beneficiary of the proposed pipeline.

Instead of taking the opportunity to provide any tangible evidence, studies, or unbiased opinions to prove a true need or military purpose for the SRL Project, NJNG has stated only that "[t]he Joint Base will benefit from the reliability of the SRL like all of the Company's tariffed customers in the Company's Central and Ocean Divisions." See NJNG's revised response to CHES-NJSRL-84(a). The BPU cannot permit this statement to be the foundation upon which NJNG almost completely relies to demonstrate that the SRL is "reasonably necessary for the service, convenience or welfare of the public." The Company's "revised responses" to Chesterfield's discovery demands regarding the Joint Base can be summarized as follows:

- No tariff customers, which includes the Joint Base, will be served directly by the SRL or any of NJNG's other intrastate transmission systems. See NJNG's revised response to CHES-NJSRL-84(a).
- None of the 180,000 dekatherms (Dth) per day that is contracted to be purchased by NJNG for the SRL will be delivered to the Joint Base. See NJNG's revised response to CHES-NJSRL-84(a).
- None of the Joint Base's existing usage of natural gas will be delivered via the SRL. See NJNG's revised response to CHES-NJSRL-84(b).

- None of the Lakehurst portion of the Base, which NJNG currently serves, will receive natural gas via the SRL. See NJNG’s revised response to CHES-NJSRL-84(c).
- There will be no deliveries of natural gas made to the Joint Base via the SRL. See NJNG’s revised response to CHES-NJSRL-84(e).
- NJNG does not anticipate providing natural gas to the Ft. Dix and McGuire portions of the Base, which would require displacing service currently provided by PSE&G. See NJNG’s revised response to CHES-NJSRL-84(h).
- The Joint Base has not committed to purchasing natural gas via the SRL because the SRL will not directly serve the Base. See NJNG’s revised response to CHES-NJSRL-84(i).
- NJNG has not conducted a documented analysis of the probability of need for a redundant gas service infrastructure for the Joint Base. See NJNG’s revised response to CHES-NJSRL-85.
- NJNG has no plans to make any changes or additions to the SRL in its first five (5) years of operation. See NJNG’s revised response to CHES-NJSRL-101(b).

Throughout the proceedings, NJNG has used the Joint Base as a pawn in its game to manipulate local officials into thinking that being “against” the SRL Project meant being “against” the Base, its military leadership, and its mission. Knowing that local officials would be reticent to oppose any project that ultimately assists the Joint Base, NJNG has knowingly misrepresented the Joint Base’s reliance on and need for the SRL. Based on the prepared testimony proffered by NJNG, live testimony of the Company’s witnesses during the evidentiary hearing, and most significantly, the revised responses provided by the Company (which only came as a result of Chesterfield’s motion to compel), it is abundantly clear that the needs of, and benefits to, JBDML have been exaggerated and “trumped up” in an effort to make the project appear more appealing and essential than it is, and to discourage local officials from challenging the Project. NJNG’s “Joint Base Strategy” was imaginative. It was also pure fiction.

Based on the factual record, Chesterfield respectfully urges the BPU to find that NJNG has not demonstrated a need by the Joint Base that requires the installation of the SRL.

c. NJNG Relies Heavily on a Letter from the Joint Base McGuire-Dix-Lakehurst Commander to Support its Petition; However, the Letter Makes Statements that Completely Contradict NJNG's Own Admissions Regarding the Pipeline's Supposed Benefits to the Base

While NJNG has admitted that no studies were performed and no reports were generated which would demonstrate a need for the SRL by the Joint Base, or which would provide proof of a natural gas deficiency on Base, see NJNG's revised response to CHES-NJSRL-85, the Company has largely relied on letters from the previous and current Joint Base Commander to "prove" that there is some military purpose or need for the SRL. Several of Chesterfield's discovery requests which sought tangible proof of the Joint Base's need for the SRL were met with responses such as "Colonel Frederick D. Thaden's correspondence dated November 4 [sic], 2015 speaks for itself," see NJNG's response to CHES-NJSRL-110(a), and "[s]ee Wyckoff Rebuttal Testimony Exhibit 1. The Joint Base's letter speaks for itself," see NJNG's response to CHES-NJSRL-85 and 103. This letter was also discussed and used to support the "need" for the SRL Project throughout the December 7, 2015 evidentiary hearing. See Tr. 17:5-14; 27:4-12; 102:5-8, 14-22.

Aside from citing Superstorm Sandy as a reason why the SRL should be deemed "reasonably necessary," which is discussed separately within this brief, NJNG's Petition before the BPU hinges on whether the Project will benefit the Joint Base. In turn, the "proof" submitted by NJNG to support its claim that the Base will be benefitted by the SRL can be whittled down to a single letter that is barely one page in length, signed by Colonel Frederick D. Thaden and dated November 6, 2015. The BPU should be troubled by the Company's heavy reliance on this letter for many reasons.

First, the Joint Base is not a party to the pending Petition. No one from the Joint Base was made available for cross-examination as to the statements found in the November 6 letter. Joint

Base representatives were not made available to discuss the circumstances surrounding the planning of the SRL route through the Base, or how the determination was made that a critical natural gas deficiency exists in the area of the Base serviced only by NJNG. By the time NJNG responded to Chesterfield's discovery requests which attempted to scrutinize the impact of the SRL on the Joint Base's natural gas supply, the evidentiary hearing was just days away.

In an attempt to evade targeted questioning about the specific impacts to, and "tie-in" logistics of, the SRL for the Base, NJNG advised Chesterfield to direct those questions to the Joint Base. See CHES-NJSRL-84 and NJNG's initial responses to same. By the time the BPU compelled NJNG to respond to these questions which probed the legitimacy of the Joint Base's need for the SRL, the record was closed and further hearings were denied, foreclosing any opportunity for Chesterfield (or the BPU, or anyone else) to pose its questions to Joint Base leadership or cross-examine any witnesses as to the compelled responses. See BPU Order dated January 5, 2016, at p. 4.

Next, while the November 6 letter indicates that a meeting was held on October 29, 2015, and NJNG insists that "stakeholder outreach" is important to the Company⁴, no invitation to attend meetings involving Joint Base leadership has ever been extended to the local officials of Chesterfield Township. Therefore, Chesterfield has never even been afforded an opportunity to have discussions with Joint Base officials as to the need for the SRL or the benefits to be gained from the SRL.

⁴ See P-1, p. 12: "some key components of NJNG's continuing stakeholder outreach include: notification and continuous communication with state, municipal, and county officials...ensur[ing] that interested stakeholders have timely access to Project information...significant ongoing communication and collaboration with affected stakeholders..."

Finally, and perhaps most importantly, the BPU should be skeptical of NJNG's reliance on the November 6 letter as a basis for proving the Joint Base's supposed need for the SRL because of the sheer amount of inconsistencies between the naked assertions made in the letter and the admissions made by the Company throughout discovery. The letter contains three statements that cannot possibly be factually accurate, based on discovery responses provided by NJNG. Chesterfield urges the BPU and its staff to carefully scrutinize the letter upon which NJNG places so much emphasis to support the "need" for its project.

A letter that draws attention to so many inconsistencies raises several serious questions that must be explored – Did NJNG promise Base leadership that the SRL would deliver gas to the installation? Does Base leadership realize that, according to discovery responses provided by NJNG, the Company does not anticipate making any changes or additions to the SRL at least for its first five (5) years of operation? Given the statements made in this November 6 letter, was Base leadership misled by NJNG to believe that the SRL would be "tying into" the Base and delivering natural gas to the installation? The three statements at issue are as follow:

"[The Southern Reliability Link] will deliver gas to an underserved area of the base and provides energy redundancy."

"The current proposed route [a/k/a NJNG's "preferred route"] will provide direct service to the installation whereas, under the current state, JB MDL is near the terminus of the existing pipeline."

"The majority of the gas consumed by the installation will flow via the new pipeline, if completed."

See P-5, Exhibit 1.

All of these assertions directly contravene the responses to discovery requests that were provided by NJNG on January 11, 2016, after being compelled by Commissioner Solomon to answer. See NJNG's revised response to CHES-NJSRL-84(a), (b), (c), (e), (h), (i);

CHES-NJSRL-85; CHES-NJSRL-101(b). In essence, these revised responses admit that no tariff customers, including the Joint Base, will be served directly by the SRL; the Joint Base has not contracted to buy any natural gas supplied by the SRL; none of the Base's existing usage will be delivered via the SRL; Lakehurst will not be serviced by the SRL; no deliveries of natural gas will be made to the Base via the SRL; NJNG does not anticipate providing natural gas to Ft. Dix or McGuire, which would require displacing PSE&G as the current supplier; NJNG has not conducted any analyses which document a need for redundant gas service infrastructure for the Joint Base; for at least the next five (5) years, NJNG has no plans to make any changes or additions to the SRL that would alter how the SRL is proposed to operate. Ibid.

The November 6 letter states that “[g]as supply to the eastern portion of [the Joint Base] was identified as a critical system deficiency in the aftermath of Hurricane Sandy.” See P-5, Exhibit 1. Identified by whom? When? No reports, studies, or analyses have been proffered by NJNG or the Joint Base to support this statement. If the nation's only tri-service Joint Base has a critical system deficiency in natural gas that in any way jeopardizes the installation's mission or security, it is not preposterous to expect that a report would have been generated to document and confirm this deficiency. Of course, nothing was offered or entered into the record to support anything contained in the unsworn, uncertified November 6 letter.

It is interesting that only the gas supply to the “eastern portion” of the Joint Base has apparently been identified as critically deficient. The “eastern portion” of the Joint Base is better known as Lakehurst – the only portion of the Joint Base serviced by NJNG. Since McGuire and Ft. Dix are supplied with natural gas by PSE&G and there seems to be no critical deficiency in PSE&G's gas supply, it is respectfully suggested that resolving the Joint Base's critical natural gas deficiency, which cannot even be verified in a report, may be as simple as having PSE&G

service Lakehurst. No explanation has ever been given as to why this solution may be out of the question or physically impossible. Without a doubt, resolving Lakehurst's deficient gas supply that is supposed to be provided by NJNG via a non-interruptible system must be simpler, more cost-effective to ratepayers, less disruptive to affected municipalities and counties, and safer to the general public than installing 30 miles of a new 30-inch, high-pressured, transmission pipeline that is not only not designed to directly serve any of NJNG's customers for the foreseeable future, but offers no service or benefits to the communities which will be disrupted by the pipeline construction.

Above and beyond all of that information, the record is silent as to any plans by NJNG to install a regulator station or some other type of equipment that would allow the SRL to directly serve customers by lowering the pressure down from 722 psig to a usable level. Without a mechanism in place to lower the pressure of the SRL transmission pipeline, it is physically, mechanically, and logistically impossible for the SRL to deliver gas to the Joint Base. NJNG has been playing "fast and loose" regarding plans and technical information for the SRL not only with local municipal and county officials, agencies like the BPU and Pinelands Commission, but also with Joint Base leadership. There is no other explanation as to why the Commander of the Joint Base would seem to possess information in early November 2015 that so starkly contradicts the reality of NJNG's SRL Petition and the factual record that has now been created.

Based on the actual record, Chesterfield respectfully urges the BPU to find that NJNG has not demonstrated a need by the Joint Base that requires the installation of the SRL. Further, the Board should find that the SRL will not "service" the Joint Base in the ways that are contemplated in the November 6 letter based upon sheer physical and logistical impossibility is now clear in the record.

d. NJNG's Repeated Invocation of Superstorm Sandy and Curtailments Experienced During that Storm are Red Herrings that Fail to Support the Assertion that the Southern Reliability Link is "Reasonably Necessary for the Service, Convenience or Welfare of the Public"

NJNG never misses an opportunity to mention that Superstorm Sandy was destructive to New Jersey. As a result of the damage caused by the storm, emergency situations arose requiring NJNG to depressurize a portion of its local distribution system that served the Barrier Islands. See Tr. 56:6-9. Even the section of the Company's website that is dedicated to the SRL indicates: "[i]f the lessons from Superstorm Sandy have taught us anything, it is the critical need for system reliability and resiliency." The Company's repeated invocation of Superstorm Sandy throughout the record can be highlighted as follows:

After Superstorm Sandy, a portion of NJNG's **local distribution system** was depressurized resulting in a major curtailment of service. The extent or area of the curtailment would have been significantly reduced if the area was served with a redundant feed. In addition, a redundant feed also would have reduced the duration of the recovery.

See P-1, p. 5, ln. 16-20 (emphasis added).

If the Company had not depressurized portions of the **distribution system**, natural gas would have continued to be released to the atmosphere placing the general public, our customers and employees at risk.

See NJNG's revised response to CHES-NJSRL-81(b) (emphasis added).

As is well known, the damage suffered by New Jersey's shore communities, especially those in Monmouth and Ocean Counties, as a result of Superstorm Sandy was unprecedented. The destruction of Superstorm Sandy reinforced the critical need for NJNG to ensure the redundancy, reliability, and resiliency **of its distribution system**.

See P-1, Exhibit D, para. 24 (emphasis added).

However, as stated above, NJNG is precluded from factually pointing to Superstorm Sandy as an instance where a redundant pipeline would have benefitted the Company and its customers. During Sandy, disruptions in natural gas service were not due to a lack of supply in product from TETCO⁵; instead, disruptions were due to the Company's choice to depressurize the distribution system for reasons of safety to customers and employees.⁶ See Tr. 46:2-12. Therefore, Sandy, while devastating to our region, cannot be labeled as a "supply interruption" or "system failure" that could have been prevented or mitigated by the SRL.

Time and time again, supporters of the Project have shown a fundamental misunderstanding of the facts surrounding the depressurization of the Company's local distribution lines and the impact that a second transmission line could have had on the situation. For example, a sentence that is repeated, word for word, in numerous boilerplate form-letters of support for the SRL states: "[w]hat's more, by accessing a second source of natural gas supply, Monmouth and Ocean counties will be better protected from the adverse effects of a supply or system disruption, which is something that has become exponentially more important in the wake of Superstorm Sandy." See P-2, Exhibits 4-10, 12-18. NJNG is not going to correct these misstatements because, frankly, if the public does not have easy access to the details of the SRL or the circumstances surrounding the Sandy depressurization, it benefits the Company by making the Project appear reasonably necessary. Unfortunately for NJNG, details and facts matter.

From the record, it is undisputed that the local distribution lines were depressurized by NJNG as a result of Sandy's damage. The curtailments to customers, whether the house had been

⁵ See P-3, p. 7, ln. 2-9: "[t]he curtailments following Sandy were not related to an interruption in the interstate supply [from TETCO] but demonstrated the tremendous cost of widespread curtailment."

ripped from its foundation or the house was completely undamaged but “downstream” of the depressurization on the distribution line, came about as a result of this “shut off” to the local distribution system. As explained by Mr. Lynch during the evidentiary hearing, “[a]reas that were not...isolated areas of damage...were all single feed so when I did the isolation, I lost the entire barrier island or peninsula.” See Tr. 56:6-9. The Company has been careful to say that “a secondary” or “a redundant feed” would have helped mitigate the curtailments.⁷ See Tr. 56:9-10.

This, of course, is where details make a difference. The SRL, with no extension or connection to the Barrier Islands, would have been useless during the Sandy curtailments. If the SRL is constructed as proposed, ending in Manchester Township, and the “next” Sandy hits New Jersey during the SRL’s first week of operation, the SRL will still not be a redundant feed that does anything to secondarily supply the Barrier Islands. Obviously, not only has NJNG been misleading communities who will be seriously impacted but not benefitted by the SRL, like Chesterfield, but NJNG has been equally misleading to the community leaders who have, probably without questioning or scrutinizing the Project, submitted the boilerplate form-letters of support, likely authored by NJNG. The Company’s depressurization of its distribution system as a result of Superstorm Sandy had nothing to do with a supply or system interruption as these supporters have clearly been led to believe.

To invoke the devastation of Superstorm Sandy and pretend that the SRL could have been a solution to those curtailments, or is a solution to the next hypothetical storm, is nothing

⁶ See also NJNG’s revised response to CHES-NJSRL-81(b): “[i]f the Company had not depressurized portions of the distribution system, natural gas would have continued to be released to the atmosphere placing the general public, our customers and employees at risk.”

⁷ See also P-1, Exhibit A, p. 5, ln. 16-20: “[a]fter Superstorm Sandy, a portion of NJNG’s local distribution system was depressurized resulting in a major curtailment of service. The extent or area of the curtailment would have been significantly reduced if the area was served with **a redundant feed**. In addition, **a redundant feed** also would have reduced the duration of the recovery.”

short of manipulative and fraudulent. NJNG has created a fiction to exploit the fears of the public, local officials, and even its own customers for a project that it cannot prove to be “reasonably necessary for the service, convenience or welfare of the public.” What the SRL has the non-fictitious capacity to do, however, is make NJNG, its executives, and its parent company, New Jersey Resources, a lot of money.

Q: On Page 9 you testified that currently the [SRL] project is intended exclusively for reliability, and not the expansion or addition of service. Is that correct?

MR. LYNCH: Correct.

Q. Is it also correct that expansion or addition of service is not out of the question?

MR. LYNCH: It is not out of the question.

Q. And I think, suffice it to say – but correct me if I'm wrong - expansion and addition would increase the Company's profits?

MR. LYNCH: I would assume so. Yes.

See Tr. 53:9-21.

e. The Only Evidence in the Record that Lends Any Support to NJNG’s Assertion that the Southern Reliability Link is “Reasonably Necessary for the Service, Convenience or Welfare of the Public” is a Statement Made by the Company’s Own Senior Vice President of Energy Delivery

A theme throughout the record is NJNG’s failure to provide a single study, report, or analysis which supports any of the Company’s assertions that the SRL will improve reliability of natural gas supply or that the SRL is “reasonably necessary for the service, convenience or welfare of the public.” There was no independent evaluation of the claim that the gas supply to Lakehurst is a critical system deficiency. No source of information to support that claim has even been identified. NJNG has admitted that no studies were performed and no reports were generated which would demonstrate a need for the SRL by the Joint Base, or which would

provide proof of a natural gas deficiency on Base, see NJNG's revised response to CHES-NJSRL-85. No independent analysis was undertaken to show that the SRL Project was even needed, in general. See Tr. 53:13.

Instead, NJNG relies only on the testimony of its own Senior Vice President of Energy Delivery, Craig A. Lynch, to establish that the installation of 30 miles of a new 30-inch, 722 psig transmission pipeline that is not even designed to directly serve any of NJNG's customers for the foreseeable future is somehow "reasonably necessary for the service, convenience or welfare of the public." Despite the fact that NJNG has stated that its present transmission system is **adequate** to handle expected growth,"⁸ Mr. Lynch's 31 years of experience tells him that the SRL is necessary. See Tr. 52:14-24. Between the adequacy of NJNG's current transmission system and the fact that the SRL is not intended for the expansion or addition of service, id. at 53:10-13, the question that begs answering is: what then, exactly, makes the SRL "necessary?"

NJNG has not been able to persuasively answer that question in such a way that even begins to justify the installation of a new 30-inch, 722 psig transmission pipeline that will pass within 150 feet of 227 residences, 15 historic properties, 8 schools/churches/cemeteries/parks, and 19 commercial properties (92 structures in total throughout Chesterfield, alone), poses serious dangers to the surrounding public and environment if ruptured, and will ultimately be a financial burden placed on the Company's ratepayers.

Chesterfield recognizes that Mr. Lynch has been put in a difficult position with his employer. But the fact remains that the naked, conclusory testimony of a top NJNG executive in support of a project that stands to generate significant profits for NJNG and New Jersey

⁸ See Staff-1, CHES-NJSRL-27 (emphasis added); see also Tr. 52:4-8.

Resources cannot serve as NJNG's entire proof of need for the SRL. For the BPU to find the SRL to be "reasonably necessary," and to designate the proposed route based only on the scientifically and empirically unsupported "evidence" presented in the record would not only be a complete abdication of its responsibilities, but it would also be contrary to the public's interest.

Q. In discovery in this case a number of parties asked NJNG to provide any analysis that the Company has conducted on the impact that this project would have on improved reliability. Are you familiar with that, sir?

MR. LYNCH: Yes.

Q. Mr. Lynch, NJNG could not provide an independent analysis or verification showing that the SRL will improve reliability to its customers. Correct?

MR. LYNCH: Correct.

Q. To prove reliability, NJNG relies on your opinion and experience as one of the Company's senior executives?

MR. LYNCH: Correct.

Q. Is it safe or fair to say, Mr. Lynch, that you have a stake in NJNG's business ventures?

MR. LYNCH: I'm not sure what that means.

Q. Mr. Lynch, you're an employee of NJNG. Correct?

MR. LYNCH: Yes.

Q. And so you're interested in NJNG profiting, or doing well?

MR. MARINO: Objection. Relevance.

MS. SOLOMON: Answer if you understand the question.

MR. LYNCH: I understand the question. I don't know how to answer that, I don't think. Do I care that New Jersey Natural Gas is profitable? Sure.

See Tr. 56:23-25; 57:1-25; 58:1-7.

II. NJNG HAS FAILED TO PROPERLY ANALYZE AND VET A VIABLE ALTERNATE ROUTE FOR THE SOUTHERN RELIABILITY LINK THAT WAS PROPOSED BY THE TOWNSHIP OF CHESTERFIELD TOWNSHIP AND ENDORSED BY THE COUNTY OF BURLINGTON

A major component of NJNG's Petition is to seek the BPU's designation and approval of the "preferred route." This route is more accurately described in the AECOM Alternatives analysis attached to P-1. Chesterfield's concerns lie not lonely with the total absence of public necessity for the Project at all, but secondarily with the choice of "Route B" for Section One of the preferred route. These concerns are well documented throughout the record.

In its motion to intervene in the proceeding, Chesterfield proposed its own alternate route. The "Chesterfield Route," as it became known, began in an open field at the proposed Transco compressor station in Chesterfield Township. The route extends northwest within the ROW of County Route 528 for 0.1 mile and then turns to the southwest to parallel an existing PSE&G electric transmission line ROW for approximately 2 miles. At this point, the route turns to the southeast within the ROW of Route 68, a state highway, and continues south for approximately 6.5 miles where the road widens to become a four-lane highway divided by a grass median and eventually narrows into a two-lane undivided highway as the road extends southeasterly and the surroundings become less populated. The route turns to the east to follow an existing JCP&L electric transmission line ROW for approximately 10.5 miles until it intersects with the ROW of County Route 539 and extends south to the "Section One" and "Section Two" pipeline connection point.

Almost immediately, NJNG objected to the alternate route proposed by Chesterfield, insisting that preserved farmland cannot be crossed. See Staff-1, S-NJSRL-10d. To support that position, NJNG cited to the SADC's July 2015 "Landowner Guide to SADC Procedures for the

Condemnation of Preserved Farmland.” Ibid. Interestingly, no law has ever actually been cited by any party to these proceedings to support the notion that a natural gas pipeline cannot be installed within an already-existing electric utility right-of-way which predated the preserved farmland designation. The record is completely devoid of any such law, ruling, advisory opinion, or regulation.

NJNG’s witness, Barry A. Baker, provided testimony as to the alternatives analysis that was performed by AECOM. During the evidentiary hearing, Mr. Baker confirmed that he personally reviewed the route proposed by Chesterfield. See Tr. 67:5-11. He also admitted that he did not review any easement agreements for the parcels along the Chesterfield Route a/k/a “Route F.” Id. at 68:16-20. Instead, AECOM engaged a real estate company named Western to review certain easements. Id. at 69:4-11. During Mr. Baker’s review of the alternate route, he was informed that siting of the SRL would have to be at least five (5) feet away from the edge of JCP&L’s main right-of-way. Id. at 71:1-2. That information came from NJNG in coordination with JCP&L. Id. at 5-7.

Without the production of easements, it is impossible to tell what construction may or may not be permitted within the existing utility right of way. Neither the parties nor BPU can make a determination whether the installation of a pipeline within the JCP&L right of way is permissible because the easement agreements were not reviewed by the siting expert and were certainly not entered into the record. It was NJNG’s burden to fully explore this alternate route and make these determinations. NJNG failed to carry that burden.

Mr. Baker’s rebuttal testimony indicated that Chesterfield’s alternate route could not be built because it passes through parcels designated as preserved farmland, and building a pipeline across preserved farmland is prohibited by law. See P-4, p. 5, ln. 5-10. Mr. Baker received this

information regarding preserved farmland from NJNG and its attorneys. See Tr. 72:14-25; 73:1. However, Mr. Baker admits that he never saw a policy or opinion in writing regarding preserved farmland. Id. at 73:2-7.

Mr. Baker and other representatives of AECOM did not physically walk the Chesterfield alternate route to observe the current conditions or personally take measurements of the JCP&L right of way. Id. at 77:9-12; 79:17-22. Chesterfield's alternate route was only evaluated inasmuch as it could be seen from the public right-of-way and aerial photography that was taken in 2012 or 2013. Id. at 77:7-15; 80:1-2. Despite the complete lack of a personal "on site" evaluation of the route, Mr. Baker concluded that "any right-of-way you would have to use for a pipeline would have to go through the forested area." Id. at 79:14-16. However, Mr. Baker admitted that he was relying on potentially outdated and inaccurate imagery since the aerial footage was gathered in 2012 and 2013. Id. at 81:1-7. In other words, he could not say for sure that forested areas currently encroached on the existing utility right of way which would require clearing in order to install the pipeline.

This uncertainty regarding the measurement and characteristics of the JCP&L right of way is echoed in NJNG's responses to discovery requests: "the electric easement is typically not cleared up to its full width, with an area of 15 to 20 feet wide typically un-cleared of trees/vegetation between the cleared area of the electric easement and the edge of the ROW." See Staff-1, S-NJSRL-10(c) (emphasis added). Additionally, NJNG admits that the impact on forested areas could only be estimated and further calculations regarding forested areas was not completed. See Staff-1, CHES-NJSRL-25(a).

Suffice it to say that any evaluation or analysis of the Chesterfield Route by AECOM was woefully inadequate in comparison to the undertakings in evaluating the other alternative routes.

Evaluations were practically cut off from the get-go because of NJNG's claimed "understanding" that that the SADC prohibits construction across preserved farmland parcels. Of course, NJNG cannot produce any proof that the SADC would prohibit the installation of this pipeline within an existing electric utility right of way, when both the PSE&G and JCP&L rights of way existed before farmland preservation. Additionally, NJNG's evaluation of the Chesterfield Route was woefully inadequate to satisfy its burden in exploring alternate routes which minimize the impact to the community and built environment, including residences, businesses, schools, churches, and cemeteries. As Mr. Baker testified, the built environment is of the highest concern when conducting alternatives analyses. See Tr. 65:1-7.

According to the Company's property data provided in response to CHES-NJSRL-60, the use of "Route F" takes the number of residential structures within 150 feet of the pipeline from 82 (using the "preferred route") to two (2). See Staff-1, CHES-NJSRL-60. Chesterfield fulfilled its burden to create and affirmatively suggest a feasible alternate route for the SRL. In re Hackensack Water Co., 41 N.J. Super. 408, 426-27 (App. Div. 1956). It cannot properly be called "unfeasible" just because it may cause more headaches for NJNG. Without fully analyzing the Chesterfield Route, including seeing and measuring any forested areas in person, the Company has not overcome its burden in proving that its preferred route is reasonable, and that no alternative route would be less intrusive to the environment or community. In re Public Service Electric & Gas Co., 35 N.J. 358, 377 (1961).

Chesterfield respectfully urges the BPU to deny the designation and approval of NJNG's preferred route. The Chesterfield Route cannot be ignored simply because NJNG says it cannot be done. If a law exists prohibiting the SRL from being installed within the JCP&L electric easement, that law was required to be identified and produced as part of the record.

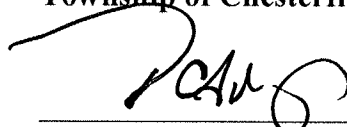
CONCLUSION

For all the reasons stated herein, NJNG has not satisfied its burden to prove that the SRL Project is reasonably necessary for the service, convenience or welfare of the public. Neither has NJNG sufficiently examined a proposed viable alternate route that would be less impactful to the community of Chesterfield Township. Therefore, the Board cannot designate and approve NJNG's preferred route.

Based on the Company's failure to prove that the Southern Reliability Link is reasonably necessary for the service, convenience or welfare of the public, Chesterfield also urges the Board to find that NJNG has not met its burden pursuant to N.J.S.A. 40:55D-19, thereby making all local ordinances and regulations promulgated under the Municipal Land Use Law applicable to the Project.

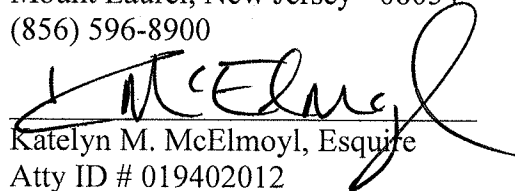
Respectfully submitted,
PARKER McCAY P.A.
Attorneys for the
Township of Chesterfield

By:



John C. Gillespie, Esquire
Atty ID # 030831980
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054
(856) 596-8900

By:



Katelyn M. McElmoyl, Esquire
Atty ID # 019402012
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054
(856) 596-8900

Dated: January 22, 2016

File No. 14965-0182-JCG

Law Offices

PARKER McCAY P.A.

By: Katelyn M. McElmoyl, Esquire

Attorney ID # 019402012

9000 Midlantic Drive, Suite 300

P.O. Box 5054

Mount Laurel, New Jersey 08054-5054

(856) 596-8900

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

**IN THE MATTER OF THE PETITION
OF NEW JERSEY NATURAL GAS
COMPANY FOR DETERMINATION
CONCERNING THE SOUTHERN
RELIABILITY LINK PURSUANT TO
N.J.S.A. 40:55D-19 AND N.J.S.A. 48:9-25.4**

**MOTION TO COMPEL
DISCOVERY RESPONSES FROM
PETITIONER, NEW JERSEY
NATURAL GAS COMPANY**

DOCKET NO.: GE15040403

CERTIFICATION OF SERVICE

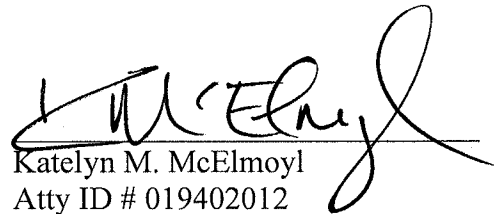
KATELYN M. McELMOYL, of full age, hereby certifies and states:

1. I am an attorney at law of the State of New Jersey and a member of the law firm Parker McCay P.A., attorneys for the Township of Chesterfield in this matter.
2. On today's date, I caused to be filed via hand delivery to Irene Kim Asbury, Secretary, State of New Jersey, Board of Public Utilities, 44 South Clinton Avenue, Trenton, New Jersey 08625, the originals of the following documents: (a) the Township of Chesterfield's Initial Post-Hearing Brief; and (b) this Certification of Service.

3. On today's date, I caused copies of the documents listed above in paragraph 2 to be served via e-mail on all parties and counsel on the attached service list, pursuant to Commissioner Solomon's Order dated June 18, 2015.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: January 22, 2016



Katelyn M. McElmoyl
Atty ID # 019402012
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054
(856) 596-8900

NEW JERSEY NATURAL GAS
SERVICE LIST

NJNG

John Valeri, Esquire
Chiesa, Shahinian & Giantomasi, P.C.
One Boland Drive
West Orange, NJ 07052
jvaleri@csglaw.com

Jeffery S. Chiesa Esquire
Chiesa, Shahinian & Giantomasi, P.C.
One Boland Drive
West Orange, NJ 07052
jchiesa@csglaw.com

Michael K. Plumb
Chiesa, Shahinian & Giantomasi, P.C.
One Boland Drive
West Orange, NJ 07052
mplumb@csglaw.com

Matthew Korkes
Chiesa, Shahinian & Giantomasi, P.C.
One Boland Drive
West Orange, NJ 07052
Mkorkes@csglaw.com

Andrew Dembia, Esquire
New Jersey Natural Gas Company
1415 Wycoff Road
P.O. Box 1464
Wall NJ 07719
adembia@njng.com

BOARD OF PUBLIC UTILITIES

Irene Kim Asbury, Secretary
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 351
Trenton, NJ 08625-0350
Irene.asbury@bpu.state.nj.us

Jerome May, Director
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 351
Trenton, NJ 08625-0350
Jerome.may@bpu.state.nj.us

Robert Schultheis, Chief
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 351
Trenton, NJ 08625-0350
robert.schultheis@bpu.state.nj.us

John Masiello
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 351
Trenton, NJ 08625-0350
john.masiello@bpu.state.nj.us

James Giuliano
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 351
Trenton, NJ 08625-0350
james.giuliano@bpu.state.nj.us

Michael Stonack
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 351
Trenton, NJ 08625-0350
michael.stonack@bpu.state.nj.us

Craig Lynch
New Jersey Natural Gas Company
1415 Wycoff Road
P.O. Box 1464
Wall NJ 07719
clynch@njng.com

Eric Weaver
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
eric.weaver@bpu.state.nj.us

Rachael Brekke
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
rachael.brekke@bpu.state.nj.us

Keith Sturn
New Jersey Natural Gas Company
1415 Wycoff Road
P.O. Box 1464
Wall NJ 07719
ksturn@njng.com

Maureen Wagner, Esquire
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
Maureen.wagner@bpu.state.nj.us

Mariellen Dugan, Esquire
New Jersey Natural Gas Company
1415 Wycoff Road
P.O. Box 1464
Wall NJ 07719
Mdugan@njng.com

Megan Lupo, Esquire
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
megan.lupo@bpu.state.nj.us

Mark R. Sperduto
New Jersey Natural Gas Company
1415 Wycoff Road
P.O. Box 1464
Wall NJ 07719
msperduto@njng.com

Cynthia Covie, Chief Counsel
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
Cynthia.covie@bpu.state.nj.us

DIVISION OF RATE COUNSEL

Stefanie A. Brand, Director
State of New Jersey
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-003
sbrand@rpa.state.nj.us

Paul Flanagan, Executive Director
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
Paul.flanagan@bpu.state.nj.us

Felicia Thomas-Friel, Esquire
State of New Jersey
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-003
ftomas@rpa.state.nj.us

Brian O. Lipman, Litigation Manager
State of New Jersey
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-003
blipman@rpa.state.nj.us
Henry M. Ogden, Esquire
State of New Jersey
Division Of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-003
hogden@rpa.state.nj.us

Maura Caroselli, Esquire
State of New Jersey
Department of Law & Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
mcaroselli@rpa.state.nj.us

DAGs

Caroline Vachier, Deputy Attorney General
Section Chief
State of New Jersey
Department of Law and Public Safety
Division of Law
124 Halsey Street, P.O. Box 45029
Newark, NJ 07101
Caroline.vachier@dol.lps.state.nj.us

Alexis Moreau, DAG
State of New Jersey
Department of Law & Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Alex.moreau@dol.lps.state.nj.us

Christopher Psihoules, DAG
State of New Jersey
Department of Law & Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Christopher.Psihoules@dol.lps.state.nj.us

Babette Tenzer, DAG
State of New Jersey
Department of Law & Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Babette.tenzer@dol.lps.state.nj.us

Geoffrey Gersten, DAG
State of New Jersey
Department of Law & Safety
Division of Law
124 Halsey Street
Post Office Box 45029
geoffrey.gersten@dol.lps.state.nj.us

Shelly Massey
State of New Jersey
Department of Law & Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Smassey@rpa.state.nj.us

**BURLINGTON COUNTY OF CHOSEN
FREEHOLDERS**

William R. Burns, Esquire
Capehart & Scatchard, P.A.
142 West State Street
Trenton, NJ 08608
wburns@capehart.com

JOINT BASE McGUIRE-Dix- Lakehurst

Alice Good, Chief, Environmental and Real
Property Law
2901 Falcon Lane
Joint Base McGuire-Dix-Lakehurst, NJ 08641
alice.good@us.af.mil

COUNTY ADMINISTRATORS

Paul Drayton, Jr.
Burlington County Administrator
49 Rancocas Road, Room 108
Mount Holly, NJ 08060
clerkoftheBoard@co.burlington.nj.us

Carl Block
Ocean County Administrator
101 Hooper Avenue
Toms River, NJ 08754-2191
cblock@co.ocean.nj.us

Terri O'Connor
Monmouth County Administrator
Hall of Records
Freehold, NJ 07728
Teri.oconnor@co.monmouth.nj.us

TOWNSHIP OF CHESTERFIELD

Katelyn M. McElmoyl, Esquire
Parker McCay, P.A.
9000 Midlantic Drive
Mount Laurel NJ 08054-5054
Kmcelmoyl@parkermccay.com

John C. Gillespie, Esquire
Parker McCay, P.A.
9000 Midlantic Drive
Mount Laurel NJ 08054-5054
Jgillespie@parkermccay.com

TOWNSHIP OF UPPER FREEHOLD

Dennis A. Collins, Esquire
Collins, Vella & Casello, LLC
2317 Highway 34, Suite 1A
Manasquan, NJ 08736
dcollins@cvclaw.net

MUNICIPAL CLERKS

Cindy Dye
North Hanover Township Clerk
41 Schoolhouse rd.
Jacobstown, NJ 08562
clerk@northhanovertwp.com
Dana Tyler
Upper Freehold Township Clerk
314 Route 539
Cream Ridge, NJ 08514
Dtyler@uftnj.com

**State Agriculture Development Committee
(SADC)**

Steven Bruder, PP
State Agriculture Development Committee
369 S. Warren St.
P.O. Box 330
Trenton, NJ 08625-0330
Steven.Bruder@ag.state.nj.us

PINELANDS PRESERVATION ALLIANCE

Todd Parisi, Esquire
Law Offices of Paul Leodori, P.C.
The Haines Building
61 Union Street, 2nd Floor
Medford, NJ 08055
Todd@leodori.com

TOWNSHIP OF PLUMSTED

Denis R. Kelly, Esquire
Gilmore & Monahan
Allen Street Professional Center
Ten Allen Street, Box 1540
Toms River, NJ 08754
dpk@gm-law.net

**ATTORNEYS FOR INTERVENOR:
NORTH HANOVER TOWNSHIP**

Mark Roselli, Esquire
Roselli, Griegel, Lozier & Lazzaro, PC
1337 Highway 33
Hamilton, NJ 08690
mroselli@roselligriegel.com

Dorothy Henderickson, RMC
Plumstead Township Clerk
121 Evergreen Road
New Egypt, NJ 080533
municipalclerk@plumsted.org

Anna Marie Eden, RMC
Jackson Township Clerk
95 West Veterans Highway
Jackson, NJ 08527
Clerk@jacksontwpnj.net

Sabina T. Skibo, RMC, CMR, CPM
Manchester Township Clerk
1 Colonial Drive
Manchester, NJ 08759
clerk@manchestertwp.com