

PETITION FOR MUNICIPAL FRANCHISE

**TO THE HONORABLE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
LIBERTY**

Petitioner, Elizabethtown Gas Company ("Elizabethtown" or "Petitioner"), a public utility corporation of the State of New Jersey respectfully shows:

1. Petitioner is a corporation duly organized under the laws of the State of New Jersey, and is a public utility engaged in distribution of natural and mixed gas, subject to the jurisdiction of the New Jersey Board of Public Utilities ("NJBPU" or "the Board"). The principal business office of the petitioner is 520 Green Lane, Union, NJ 07083.

2. Communications and correspondence relating to the proceeding herein should be sent as follows:

Sheree L. Kelly, Esq.
Regulatory Affairs Counsel Principal
One South Jersey Plaza
Folsom, NJ 08037

With a copy to:
Jennifer Weitz, Esq.
Regulatory Affairs Counsel Intermediate
520 Green Lane
Union, NJ 07083

3. Petitioner is engaged in the business of transmitting and distributing natural and mixed gas to approximately 315,000 customers within its service area located principally in Sussex, Hunterdon, Mercer, Middlesex, Morris, Union and Warren Counties.

4. Some property owners in Township of Liberty, in the County of Warren, New Jersey have been served or would like to be served with gas by Elizabethtown.

5. Elizabethtown currently serves other communities within Warren County.

6. Elizabethtown respectfully requests permission to have a municipal franchise in Liberty Township so that Elizabethtown can serve both its existing customers and future customers in Liberty Township.

7. The form of Ordinance annexed hereto as Schedule A has been submitted to the Honorable

Mayor and Township Committee for their consideration. By the terms of such Ordinance, Elizabethtown would agree to restore at its own expense all such streets, avenues, parks, parkways, highways, sidewalks, grass plots, curbs or other public place to their pre-existing condition at the commencement of any work performed by Elizabethtown; said work shall be done in a careful, prudent and workmanlike manner and within such a time as shall be best for the proper restoration thereof.

8. Elizabethtown would agree to give notice to the Township Committee or its duly authorized officials, of its intentions to open or excavate a street or other public place as aforesaid, and would agree to abide by any Ordinance now existing or hereafter passed which regulates the excavation and opening of streets, roads or highways.

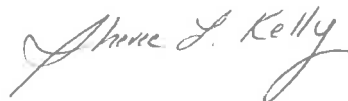
9. The work of laying or repairing gas mains and/or distribution lines and laterals shall be done by the Company in a careful, prudent and workmanlike manner at its own expense.

10. Elizabethtown would, at all times, protect and save harmless the Township of Liberty from any and all damages to person or property and from any and all actions, costs or claims which may be caused by or out of, relate to or result from the Company's negligence in construction, laying, repairing, inspecting, altering or maintaining of mains, conductors, pipes and appurtenances thereto.

11. Elizabethtown would agree to execute and file with the Clerk of the Township its bond in the penal sum of Ten Thousand (\$10,000.00) Dollars in satisfactory form, guaranteeing its performance of the conditions of the Ordinance which Bond may be enlarged or renewed from time to time as the Township Committee may require.

12. Upon approval of the within Ordinance by the Township of Liberty, Petitioner will submit said Ordinance to the NJBPU for approval.

Respectfully submitted,

A handwritten signature in cursive script, reading "Sheree L. Kelly".

Sheree L. Kelly, Esq.
Regulatory Affairs Counsel Principal