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A MEMBER N. J., N.Y. & GA. BARS

January 23, 2009

Via E-Mail, Fax and Certified Mail/RRR

President Fox and Commissioners
New Jersey Board of Public Utilities
Two Gateway Center
8th Floor
Newark, New Jersey 07102

Re: In the Matter of the Petition of Public Service Electric and Gas Company for a Determination Pursuant to the Provisions of N.J.S.A. 40:55D-19 for the New Susquehanna-Roseland Transmission Lines, Towers and Expanded Facilities

Dear President Fox and Commissioners of the Board:

I am an Attorney and Professional Planner with a Masters in City and Regional Planning from the Rutgers University Bloustein School's Joint Degree Program and I am the Municipal Attorney for Byram Township. Please accept this request on behalf of the Township of Byram for an additional ninety days to prepare and file our response to the Petition filed by PSE&G on January 12, 2009. We also request that the PSE&G Petition be postponed until the NJDEP decides the Highlands Exemption application of PSE&G and until the Highlands Council grants a Highlands Waiver, if the NJDEP denies the Highlands Exemption. This type of requirement is authorized and appropriate under the case law. See Morris Cty. Fair Hous. v. Boonton Tp., 228 NJ Super.635 (Law Div.). In this case, as in Morris Cty. Fair Hous. v.Boonton Tp., it is appropriate for the reviewing agency (BPU) to postpone the BPU contested case until PSE&G obtains the necessary NJDEP Exemption or Highlands Council Waiver.

This Petition identifies fifteen (15) municipalities and four (4) counties as parties. It consists of twenty-four (24) pages of allegations and identifies at least thirteen (13) witnesses as experts who have prepared extensive reports and will testify in support of this application.

This is probably the most significant application for development in the history of Byram Township. Additionally, PSE&G, contrary to its' prior election and promises to Byram that it would apply to the Byram Land Use Board, has chosen to bypass the usual and established review process. Our response will involve significant expenses, budgetary considerations, and hardship to our taxpayers during these negative economic times.

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Byram Township Council and the Township's professionals also require time to review this voluminous filing and determine the appropriate responses. The Township will need to seek assistance from additional professionals. For example, our municipality does not presently employ an expert on the need for the electrical facilities and/or EMF emissions. We request that BPU require PSE&G to pay an escrow fund to cover the costs of the necessary reviews by Byram Township's municipal professionals.

For these reasons, we respectfully request that Byram Township's time in which to formally review and respond to this application be extended for at least 90 days. The Township also requests that BPU postpone its review until after NJDEP an/or the Highlands Council approve the massive project. We also remind you of our prior request that you declare this is a "contested case" and refer it to the Office of Administrative Law. BPU has not responded to Byram Township's prior objection in this regard. Thank you for your consideration. I request that BPU and PSE&G copy me on their correspondence regarding this Petition and any related matters.

Very truly yours,

VOGEL, CHAIT, COLLINS and
SCHNEIDER
A Professional Corporation

THOMAS F. COLLINS, JR., ESQ., P.P.
Municipal Attorney for the Township of Byram

TFC/db

cc: George D. Sous, PSE&G
Mayor and Council, Byram Township
Highlands Council
New Jersey Department of Environmental Protection (NJDEP)
Other Municipalities