

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

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

(SUSQUEHANNA- ROSELAND)

BPU DOCKET NO. EM09010035

**NOTICE OF MOTION
TO DISMISS PETITION OF
PUBLIC SERVICE ELECTRIC
AND GAS COMPANY**

TO: Kristi Izzo, Secretary of the Board
New Jersey Board of Public Utilities
2 Gateway Center
Newark, New Jersey 07102

Ken Sheehan, DAG
Division of Law
Dept. of Law and Public Safety
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102

Jodi L. Moskowitz, Esq.
PSEG Services Corporation
80 Park Plaza, T5G
Newark, New Jersey 07102

and

ALL OTHER PARTIES DESIGNATED ON THE
ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that, pursuant to N.J.A.C. 1:1-10.4, *et seq.*, DeCotiis, FitzPatrick, Cole & Wisler, LLP, attorneys for the Municipal Intervenors, in this matter, Andover Township, Byram Township, East Hanover Township, Fredon Township, Hardwick Township, Montville Township and Parsippany Township (the “Municipal Intervenors”); Eastern Environmental Law Center, attorneys for the New Jersey Highlands Coalition, Sierra Club-New

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CERTIFICATION OF SERVICE

I, Catherine E. Tamasik, an Attorney at Law of the State of New Jersey, hereby certifies as follows:

On November 6, 2009, I caused to be served by electronic mail the within Notice of Motion to Dismiss the Petition of Public Service Electric and Gas Company on behalf of the Municipal Intervenors, the Environmental Intervenors and Stop the Lines!, a Brief and Certification in support of the Motion, and a proposed form of Order, upon

Kristi Izzo, Secretary of the Board
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PSEG Services Corporation
80 Park Plaza, T5G
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I certify further that I sent copies of the same Notice of Motion, Brief and Certification and form of Order to all parties designated on the attached Service List either by e-mail or regular, first-class mail, as necessary.



Catherine E. Tamasik

Dated: November 6, 2009

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ORDER

(SUSQUEHANNA- ROSELAND)

This matter having been presented to the Commissioners of the New Jersey Board of Public Utilities by DeCotiis, FitzPatrick, Cole & Wisler, LLP, attorneys for the Intervening Municipalities, Eastern Environmental Law Clinic, attorneys for the Environmental Intervenors, and Carol A. Overland, Esq., attorney for Stop the Lines!, on to the parties and persons set forth on the attached Service List, and the Board, having read and considered the motion and other documents filed in this matter, including the brief submitted in support of the motion, and other good cause appearing

IT IS on this ____ day of _____, 2009,

ORDERED that the Motion to Dismiss the Petition is granted without prejudice.
