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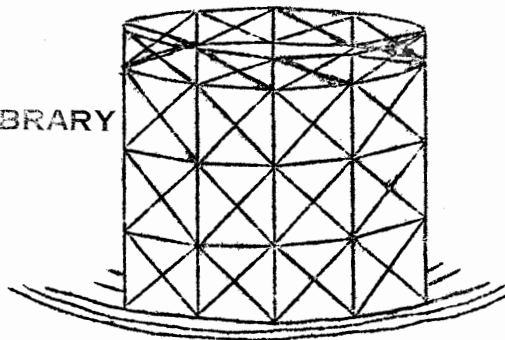
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# MONTHLY REPORT

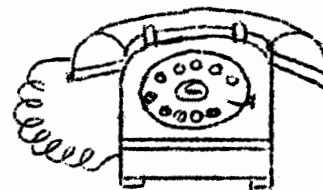
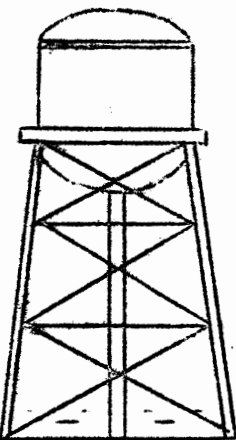
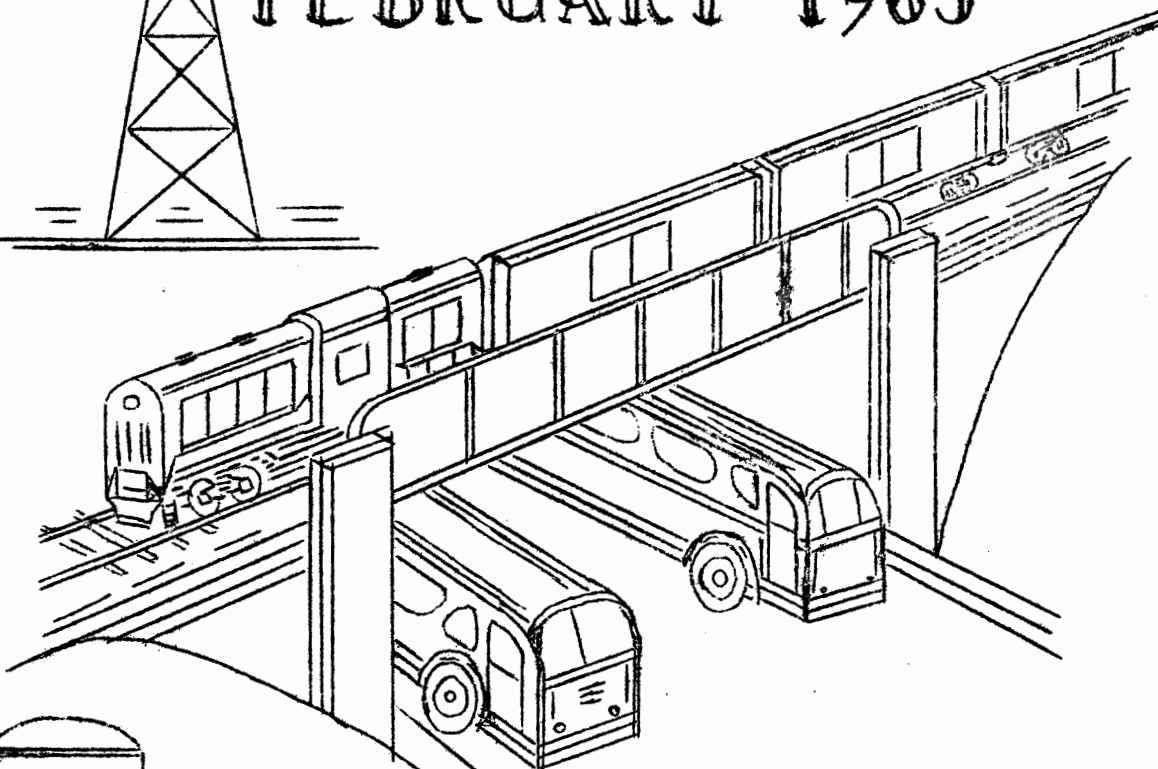
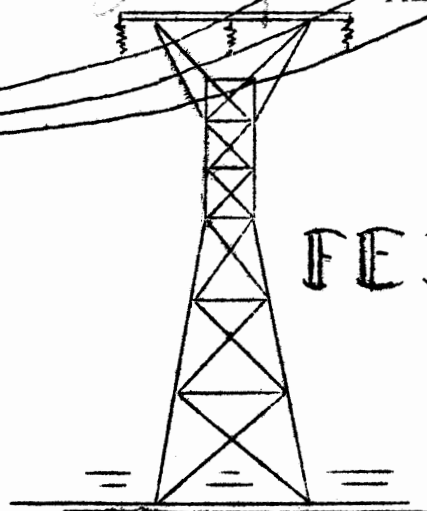
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## FEBRUARY 1963



# NEW JERSEY BOARD OF PUBLIC UTILITY COMMISSIONERS

*Handwritten notes:*  
Feb 1963  
3/27/63  
Monthly Summary  
←

REPORT TO GOVERNOR RICHARD J. HUGHES  
FOR THE MONTH OF FEBRUARY 1963

GENERAL ACTIVITY

Decisions Issued	35
Petitions Filed	54
Formal Hearings	39
Informal Proceedings	2056

<u>REVENUES</u>	<u>1962</u>	<u>1963</u>
Filing Fees and Other Services for February	\$ 15,680.73	\$ 9,582.82
Filing Fees and Other Services for July - February	142,939.84	110,153.22

U.S. SUPREME COURT UPHOLDS THE BOARD

The U.S. Supreme Court after hearing argument by Deputy Attorney General William Gural reversed a 3-judge statutory Federal District Court decision on February 18, 1963, and thus upheld the State's jurisdiction over local train operations. The court in an opinion written by Chief Justice Warren, rejected the New York Susquehanna Western Railroad Company's argument that intrastate trains connected with interstate buses are interstate trains exclusively under ICC jurisdiction. Instead, the Court was persuaded by Mr. Gural's view that the trains were intrastate and therefore under the Board's jurisdiction.

FURTHER GAS REFUNDS APPROVED

The Board processed a proposal by Public Service Electric and Gas Company whereby the Company will return approximately \$2,358,000 to its gas customers resulting from refunds received by the Company from its gas suppliers under rate adjustments ordered by the Federal Power Commission. This is in addition to the refunds of \$1,223,000 referred to in our January monthly report.

## \$15,000,000 BOND ISSUE OFFERED

The Board in its Order dated February 20, 1963, authorized Atlantic City Electric Company to offer for sale; through competitive bidding, \$15,000,000 of its First Mortgage Bonds, \_\_\_\_\_% Series due 1993.

The Company will receive bids on March 6, 1963, to determine the purchase price, the interest rate, and redemption premiums of the proposed bonds. All of these matters will be the subject of a public hearing, to be held at 2:00 p.m. that same day.

## NATURAL GAS PIPELINE PROPOSED

On February 19th, a hearing was held in regard to the proposal of Texas Eastern Transmission Corporation to construct a natural gas transmission line within 100 feet of approximately 90 buildings intended for human occupancy. The proposed pipeline will be 26 miles in length and will be used to serve Public Service Electric and Gas Company, New Jersey Natural Gas Company and Algonquin Gas Transmission Company in the Morris County and Northern New Jersey area. At the hearing, numerous municipal officials and private home owners appeared to inquire, and in some cases object, to the proposed pipeline. Company officials attempted to answer all questions individually and stated that all possible safety precautions would be exercised. No decision has yet been reached by the Board in this matter.

## COURT DENIES STAY OF BOARD'S ORDER

In a decision of the Board, Super Service Bus Company, was directed to obtain municipal consents to conduct its operation between Madison Township and Jersey City. Upon their failure to comply with the Board's Order this operation was discontinued.

The matter was appealed to the Superior Court, Appellate Division, by Super Service Bus Company and a stay of the Board's Order was sought pending the appeal. The Court denied the Company's request for a stay of the Board's Order.

## TERRITORIAL DISPUTE

Hearings in the matter of the Boroughs of Woodcliff Lake and Park Ridge vs. Hackensack Water Company were finally completed on February 7th.

The municipalities seek to prevent the Water Company from serving customers in a portion of Woodcliff Lake based on the contention that the Company has no right to serve these customers. At issue in this proceeding is the question whether the Board has jurisdiction to determine the service area of the public utility under franchise rights allegedly obtained from the state; and whether a municipal consent permitting installation of a main but specifically withholding the right to service customers from the main should have been submitted to the Board for approval. The jurisdictional issue must be determined before the Board can determine whether or not the Water Company has the right to serve customers in Woodcliff Lake.

On February 13, 1963, the Hackensack Water Company petitioned the Board to waive the Hearing Examiner's Report and Recommendations and certify the matter directing to itself that the issues might be decided as expeditiously as possible. An Order granting such certificate was issued by the Board on February 28th.

#### P.S. APPEALS PLANNING BOARD'S ACTION

Public Service Electric and Gas Company proposes to construct electric transmission lines from National Park to Burlington, New Jersey. However, the Company, which has options on certain properties, has been unable to purchase the necessary right-of-way for the lines in the Township of Gloucester, due to the Township Planning Board's failure to approve the subdivisions involved in the land purchases.

A hearing on January 16th, and subsequent correspondence in this matter, disclosed that the municipality's primary concern is whether or not the proposed electric lines should be placed underground in another segment of the line.

#### BUS FARE INCREASES ALLOWED

On February 7, 1963, the Board issued Negotiation Orders on the petitions of Ben Hughes, Inc., James Masi Bus Corp., Eva Gershkowitz and William Seidler for increased fares on the Newark-Elizabeth route. The Petitioners' fare proposal provided for an increase from 20¢ to 25¢ for two-zone rides. No change was proposed in either the basic one-zone fare or student fares. The proposed fares were estimated to produce additional annual revenues totaling \$8,580. The Board in its Negotiation Orders permitted the Petitioners' proposal to become effective February 24, 1963.

The Board, on February 20, 1963, issued Negotiation Orders on the petitions of Martucci Bus Co., E. Vanderhoof & Sons and Wohlgenuth Bus Co., for increased fares on the Newark-West Orange route. The proposed fares were estimated to produce additional annual revenues totaling \$22,495 and provided for increase from 20% to 25% for two-zone rides. No change was proposed in either the basic one-zone fare or student fares. On February 20, 1963, the Board issued Negotiation Orders which permitted the Petitioners' fare proposal to become effective on March 3, 1963.

#### GRADE CROSSING ELIMINATION PROGRAM

##### Passaic

Work is continuing for the elimination of the Passaic grade crossings. The bridges on the new connection are practically complete but cold weather has delayed placing of the earth embankment. Operation of trains over the new track is now set for April 1st, 1963, and the Railroad Company has prepared a tentative schedule pending final approval by the Rail Transportation Division of the State Highway Department.

##### Lutz Road, Hamilton Township

Except for relocation of some overhead wires and reconditioning of the track at the site of the old grade crossing and other details which have been delayed because of cold weather, the elimination project has been completed.

##### Garwood

Work is progressing on the Garwood elimination project. Some work on the highway underpass has been delayed because of cold weather. The Borough and the Railroad Company have not yet reached agreement on the installation of the pump for draining the underpass. It is expected that the Board's Decision in connection with the changes in signals will be issued during March.

##### Edgewater

Work is progressing for the reconstruction of the bridge and some of the roadway girders have been placed in position. One of the girders was damaged during handling but can be repaired and should not delay the completion of the project.

GRADE CROSSING PROTECTION PROGRAM

Hearings for additional protection under the provisions of N.J.S.A. 48:12-49.1 at the following crossings were held on the specified dates:

<u>Crossing</u>	<u>Hearing Held</u>	<u>Railroad</u>
Ridge School Road & Snover Road	2/ 4/63	{CRRofNJ}
Lewis Street, Eatontown	2/ 5/63	{CRRofNJ}
Main Street-Ocean Ave., Lakewood	2/11/63	{CRRofNJ}
Vliet Street, Spotswood	2/13/63	{PRR}
Jefferson Street, Pequannock	2/18/63	{E-L}
Jackson Avenue, Pompton Plains	2/18/63	{E-L}
Tingley Road; Edison Township	2/25/63	{LV}
Pouches Road, Hillsborough Twp.	2/27/63	{LV}
Auten Road, Hillsborough Twp.	2/27/63	{LV}

PROPOSED ABANDONMENT OF PORTION OF BOONTON LINE

The Interstate Commerce Commission on December 18th and 19th held hearings in connection with the proposed abandonment of a portion of the Boonton Branch of Erie-Lackawanna Railroad between Mountain View and Paterson. The State Highway Department has approved a proposed new schedule for the re-routing of Boonton Line trains through Montclair on the Greenwood Lake Branch.

The Railroad Company has applied to the Interstate Commerce Commission for approval of the abandonment of signals on the Boonton Branch between Mountain View and Paterson and for the reconstruction and modification of the signal system in the Greenwood Lake Branch from Mountain View to the junction with the Main Line in Secaucus. The ICC Examiner's Report has been issued recommending approval of the proposed abandonment and construction.

APPEAL BOARD'S DECISION

In Decision and Order issued January 11th, 1963, the Board ordered the New York and Long Branch Railroad Company to continue agency service at the Elberon, Little Silver and Red Bank stations as it existed on and before October 29th, 1962, permitting no reduction in the personnel at these stations. The Railroad Company has appealed the Board's Decision to the Superior Court, Appellate Division.

## PROPOSED RE-ROUTING OF CENTRAL RAILROAD

In connection with the proposed re-routing of Jersey Central trains into Newark, the Board has been making a study of the problems involved in this operation. The Commissioners made an inspection on January 28th of the line to be used, and viewed conditions at each of the five grade crossings on the Lehigh Valley Railroad which should be eliminated if the Central trains are re-routed.

## RECONSTRUCTION OF BRIDGE REQUESTED

Petition has been received from the Township of Woodbridge for reconstruction of the bridge which carries the Pennsylvania Railroad over Wood Avenue in Iselin. The matter has been set for hearing on March 19th.

## INSPECT RAILROAD BRIDGES, PEDESTRIAN SUBWAYS AND STATIONS

The Board has prepared a program of inspection of railroad bridges which might not provide the size or capacity to carry modern highway loads. The preliminary inspections being made will be used as the Board's program of bridge reconstruction develops. This program is being carried out in conjunction with inspections of stations and pedestrian subways for cleanliness and general appearance.

ACTIVITIES OF THE COMMISSIONERS

On February 7, President Hyland attended the New Jersey Congressional Delegation Dinner given by the Chamber of Commerce in Washington, D.C.

On February 11, Commissioner D. Lane Powers was confirmed by the Senate for a new term as Public Utility Commissioner.

On February 12, Commissioner D. Lane Powers was sworn in as Public Utility Commissioner by Secretary of State, Robert J. Burkhardt.

On February 20, President Hyland met with Mr. Herbert Harper, the President of the PSCT, to discuss "zoning" of bus routes for fare-fixing purposes.

Respectfully submitted,

William F. Hyland,  
President

Dated: March 22, 1963