



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CABLE TELEVISION

IN THE MATTER OF CSC TKR, LLC D/B/A )  
CABLEVISION OF HAMILTON REQUEST FOR ) ORDER  
WAIVER OF THE 30-DAY NOTICE PERIOD FOR )  
FILING OF AN ALTERATION IN CHANNEL )  
ALLOCATION PURSUANT TO N.J.A.C. 14:18-3.17 ) DOCKET NO. CO14030215

**Party of Record:**

**Thurman Barnes, Area Director Government Affairs** on behalf of Cablevision of Hamilton

**BY THE BOARD:**

By letter dated January 10, 2014, Cablevision of Hamilton ("Cablevision"), requested a waiver of the 30-day notice period for the filing of an alteration in channel allocation, pursuant to N.J.A.C. 14:18-3.17.

Cablevision maintains that the waiver request is sought because it was unable to file notice of an alteration in channel allocation with the Office of Cable Television ("OCTV") in sufficient time to comply with the 30-day notice on December 23, 2013, Cablevision notified OCTV of the removal of WCBS from channel 2 on January 28, 2014 due to federal law which required Cablevision to place KJWP, the local station on such channel position. Sufficient notice was provided to Hamilton customers of the WCBS deletion. Subsequently, however, Cablevision determined not to delete WCBS, as previously scheduled for January 28, 2014. Instead, it could move WCBS to channel 25 by replacing WZBN, which is currently on such channel location.

In order to implement the removal of WZBN on January 28, 2014 so that WCBS may remain in Cablevision's Hamilton system as part of Broadcast Basic, Cablevision has requested the instant waiver of the 30-day notice period in N.J.A.C. 14:18-3.17. Cablevision states that the waiver request is necessary to allow for the re-positioning of WCBS programming and the deletion of the WZBN channel. On January 28, 2014 WCBS was moved from channel 2 to channel 25. Also, on January 28, 2014 WCBS HD was moved from 702 to channel 698. Additionally, on January 28, 2014 WZBN was deleted.

Cablevision asserts that subscribers and municipal officials were notified of the deletion of service on January 13, 2014 by on screen message and mail. The OCTV was notified by mail on January 15, 2014.

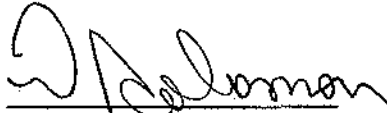
N.J.A.C. 14:18 3.17(c)4 provides for the relaxation of the 30-day notice period upon a showing by the cable television operator that it has acted to provide the required notice at the earliest possible date and a substantial benefit to customers would be irretrievably lost. Cablevision asserts that this waiver would allow it to accommodate its customers and address their desire to maintain WCBS programming in the Hamilton system.

Having reviewed this matter, the Board **HEREBY FINDS** that the waiver is appropriate under the present circumstances. Cablevision notified the OCTV subscribers and affected municipalities of the deletion of service at the earliest time possible. Therefore, the Board **HEREBY APPROVES** Cablevision's request for a waiver of the filing requirements as previously described.

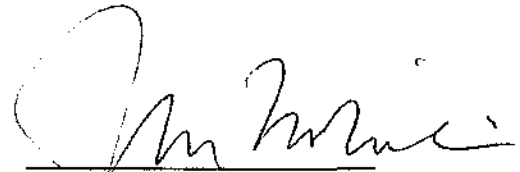
This Order shall be Effective on May 30, 2014.

DATED: 5/21/14

BOARD OF PUBLIC UTILITIES  
BY:

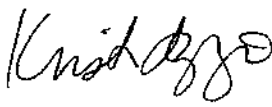
  
DIANNE SOLOMON  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

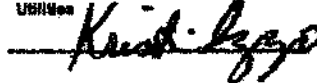
  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
MARYANNA HOLDEN  
COMMISSIONER

ATTEST:

  
KRISTI IZZO  
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities



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