



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CABLE TELEVISION

IN THE MATTER OF COMCAST OF SOUTHEAST) ORDER
PENNSYLVANIA, LLC AND COMCAST OF MERCER)
COUNTY, LLC REQUESTS FOR WAIVER, AS WITHIN)
TIME, OF THE 30-DAY NOTICE PERIOD FOR THE)
FILING OF A REVISED SCHEDULE OF PRICES,)
RATES, TERMS AND CONDITIONS PURSUANT TO)
N.J.A.C. 14:17-6.16 AND N.J.A.C. 14:18-3.16) BPU DOCKET NOS. CO12010045
) & CO12010046

Dennis Linken, Esq. Scarinci & Hollenbeck, LLC, on behalf of Petitioners

BY THE BOARD

By letters dated January 10, 2012, Comcast of Southeast Pennsylvania, LLC, and Comcast of Mercer County, LLC ("Comcast"), respectively, requested a waiver of the 30-day notice period for the filing of a revised schedule of prices, rates, terms and conditions pursuant to N.J.A.C. 14:17-6.16. The Southeast Pennsylvania request was docketed as CO12010045, and the Mercer County request was docketed as CO12010046.

Comcast maintains that the waiver requests are necessary because it did not file the revised schedule of prices, rates, terms and conditions with the Office of Cable Television ("OCTV") in sufficient time to comply with the 30-day notice requirement of N.J.A.C. 14:17-6.16. By the January 10, 2012 request, Comcast filed a revised schedule of prices, rates, terms and conditions with the OCTV with an effective date of January 11, 2012, for the purpose of converting the limited basic-only tier from analog to digital transmission in the Southeast Pennsylvania system. Also, by the January 10, 2012 request, Comcast filed a revised schedule of prices, rates, terms and conditions with the OCTV with an effective date of January 11, 2012 for the Mercer County system for the purpose of converting the limited basic-only tier from analog to digital transmission. Subscribers who are only receiving limited basic tier programming will need to change their equipment from analog to digital in order to continue to receive programming.

Comcast asserts that for both systems, pursuant to N.J.S.A. 14:18-3.16, subscribers and municipal officials were properly notified of the change by mail in sufficient time to comply with the

30-day notice requirement. Comcast also asserts that the public interest would not be harmed by a grant of Comcast's waiver requests especially since it will have no adverse impact whatsoever on subscribers or municipalities.

N.J.A.C. 14:17-6.16(a)(4) requires each cable company to provide the OCTV with "[a] statement as to the date on which it is proposed to make the schedule of all prices, rates, terms and conditions or change effective" at least 30 days prior to the effective date, unless otherwise permitted by the OCTV with the approval of the Board.

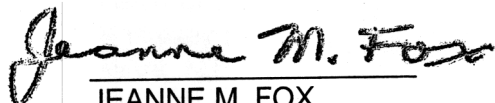
Having reviewed this matter, the Board HEREBY FINDS that the waiver is appropriate under the present circumstances. Comcast notified subscribers and affected municipalities of the revisions to its schedule of prices, rates, terms and conditions more than thirty days in advance of the effective date of the change. Therefore, the Board HEREBY APPROVES Comcast's request for a waiver with respect to adequate notice to the Office of Cable Television.¹


This order shall be effective on April 23, 2012.


DATED: 4/11/12

BOARD OF PUBLIC UTILITIES
BY:



ROBERT M. HANNA
PRESIDENT



JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER


MARY-ANNA 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


¹ Notwithstanding the within waiver, the Board reminds Comcast of its obligation to comply with all applicable Board regulations. Future violations of the Boards regulations, including failure to provide adequate notice, may subject Comcast to penalties pursuant to N.J.S.A. 48:5A-51.