



**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/](http://www.nj.gov/bpu/)

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF )  
COMCAST OF BURLINGTON COUNTY, LLC FOR ) RENEWAL CERTIFICATE  
A RENEWAL CERTIFICATE OF APPROVAL TO ) OF APPROVAL  
CONTINUE TO CONSTRUCT, OPERATE AND )  
MAINTAIN A CABLE TELEVISION SYSTEM IN )  
AND FOR THE CITY OF BEVERLY, COUNTY OF )  
BURLINGTON, STATE OF NEW JERSEY ) DOCKET NO. CE15050600

**Parties of Record:**

**Dennis C. Linken, Esq.,** Scarinci Hollenbeck, LLC, for the Petitioner  
**Donna F. Snyder, Clerk,** City of Beverly, New Jersey

**BY THE BOARD:**<sup>1</sup>

On November 21, 1979, the Board of Public Utilities ("Board") granted Futurevision Cable Enterprises, Inc. a Certificate of Approval in Docket No. 799C-6539 for the construction, operation and maintenance of a cable television system in the City of Beverly ("City"). Due to a series of Board approved transfers, the Certificate was held by Storer Cable Communications of Burlington County, Inc. d/b/a Storer Cable Communications ("Storer"). On July 19, 1990, the Board issued a Renewal Certificate of Approval to Storer for the City in Docket No. CE89060556. Due to an internal reorganization, the Certificate was held by Comcast Cablevision of Burlington County, Inc. ("Comcast"). On March 16, 2000, the Board issued Comcast a Renewal Certificate of Approval for the City in Docket No. CE99110832. Based on a name change, the current holder of the Certificate is Comcast of Burlington County, LLC ("Petitioner"). Although by its terms the Petitioner's above referenced Certificate expired on November 21, 2014, the Petitioner is authorized to continue to provide cable television service to the City pursuant to N.J.S.A. 48:5A-25, pending disposition of proceedings regarding the renewal of its Certificate.

The Petitioner filed an application for the renewal of its municipal consent with the City on February 20, 2014, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13.1 et seq. The City, after public hearing, adopted an ordinance granting renewal municipal consent to the Petitioner

<sup>1</sup> Commissioner Upendra J. Chivukula recused himself due to a potential conflict of interest and as such took no part in the discussion or deliberation of this matter.

on December 9, 2014. The Petitioner formally accepted the terms and conditions of the ordinance on January 23, 2015. On May 14, 2015, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate for the City.

The Board has reviewed the application for municipal consent, the petition for a Renewal Certificate of Approval and the municipal consent ordinance. Based upon this review and the recommendation of the Office of Cable Television, the Board **HEREBY FINDS** the following:

1. The Petitioner possesses the requisite legal, character, financial and technical qualifications for the awarding of a Certificate of Approval. Further, these qualifications were reviewed by the City in conjunction with the municipal consent process. N.J.S.A. 48:5A-22 to -29, N.J.A.C. 14:18-13.
2. The design and technical specifications of the system shall ensure that the Petitioner provides safe, adequate and proper service.
3. The Petitioner has represented that all previously required construction within the franchise territory is complete.
4. The franchise period as stated in the ordinance is 15 years, with an automatic renewal provision for a term of ten years thereafter in conformance with N.J.S.A. 48:5A-19 and N.J.S.A. 48:5A-25. The Board finds these franchise periods to be reasonable.
5. The City has reserved the right to review the Petitioner's performance with regard to the ordinance. In the event that the City shall find that the Petitioner has not substantially complied with the material terms and conditions of the ordinance, the City shall have the right to petition the Board for appropriate administrative action, pursuant to N.J.S.A. 48:5A-47, provided, however, that the City shall first have given the Petitioner written notice of all alleged instances of non-compliance and an opportunity to cure same within 90 days of that notification.
6. The Petitioner shall provide service to any residence or business along any public right-of-way in the City at no cost beyond standard and non-standard installation charges.
7. The Petitioner's rates shall be regulated and tariffs shall be filed for all services, in accordance with the rules and regulations of the Federal Communications Commission, the Board and the Office of Cable Television. The Petitioner shall maintain and file with the Board, informational schedules of prices, terms and conditions for unregulated service, and promptly file any revisions thereto.
8. Pursuant to statutory requirements, the ordinance specifies a complaint officer to receive and act upon complaints filed by subscribers in the City. In this case, it is the Office of Cable Television. All complaints shall be received and processed in accordance with any applicable rules.
9. The Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating and resolving complaints. Currently the local office serving this provision is located at: 42 Centerton Road, Suite H-1, Mount Laurel, New Jersey.

10. The franchise fee to be paid to the City is specified to be 2% of the Petitioner's gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in the City or any additional amount required by N.J.S.A. 48:5A-30. Additional regulatory fees shall be paid to the State in an amount not to exceed 2% of Petitioner's gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.
11. The Petitioner shall provide public, educational, and governmental ("PEG") access equipment and facilities as described in the application. Specifically, the Petitioner shall continue to provide one system-wide educational access channel for use by the municipalities in its system and the Petitioner shall provide residents with access opportunities on the channel. Qualified individuals and organizations may utilize the access channel for the purpose of cablecasting non-commercial access programming in accordance with the Petitioner's published access rules.
12. Within 30 days' written request of the City subsequent to the issuance of this Certificate, the Petitioner shall provide the City with a one-time technology grant of \$10,000.00 to be used by the City for purchasing, upgrading, repair, maintaining or otherwise improving equipment and software for the benefit of the City and its residents. Upon payment, the Petitioner shall submit proof of satisfaction of this provision to the Office of Cable Television.
13. The Petitioner shall provide standard installation on one outlet and basic cable television service, free of charge, to all qualified municipal facilities, schools and libraries, located in the City. Additional outlets and/or services shall be paid for at the regular tariffed rates by the institution or party requesting such services.
14. Upon reasonable written request of the City, the Petitioner's representatives shall appear at least once annually, at a public hearing of the Governing Body or duly appointed Committee of the Governing Body, to discuss matters pertaining to the provision of cable service to residents of the City and other related issues as the City and Petitioner may see fit.

Based upon these findings, the Board **HEREBY CONCLUDES**, pursuant to N.J.S.A. 48:5A-17(a) and 28(c), that the Petitioner has the municipal consent necessary to support the petition, that such consent and issuance thereof are in conformity with the requirements of N.J.S.A. 48:5A-1 et seq., that the Petitioner has complied or is ready, willing and able to comply with all applicable rules and regulations imposed by or pursuant to State and Federal law as preconditions for engaging in the proposed cable television operations, that the Petitioner has sufficient financial and technical capacity, meets the legal, character and other qualifications necessary to construct, maintain and operate the necessary installations, lines and equipment, and that the Petitioner is capable of providing the proposed service in a safe, adequate and proper manner.

Therefore, the Petitioner is **HEREBY ISSUED** this Renewal Certificate of Approval as evidence of Petitioner's authority to construct and operate a cable television system within the entirety of the City.

This Renewal Certificate is subject to all applicable State and Federal laws, the rules and regulations of the Office of Cable Television, and any such lawful terms, conditions and limitations as currently exist or may hereafter be attached to the exercise of the privileges

granted herein. The Petitioner shall adhere to the operating standards set forth by the Federal Communications Commission's rules and regulations, 47 C.F.R. § 76.1 et seq. including but not limited to, the technical standards 47 C.F.R. § 76.601 through § 76.630. Any modifications to the provisions thereof shall be incorporated into this Certificate.

Failure to comply with all applicable laws, rules, regulations and orders of the Board or the Office of Cable Television and/or the terms, conditions and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Certificate.

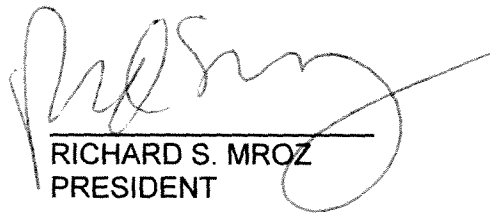
This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and be enforceable unless specific waiver is granted by the Office of Cable Television pursuant to the authority contained in N.J.S.A. 48:5A-1 et seq.

This Certificate shall expire November 21, 2029.

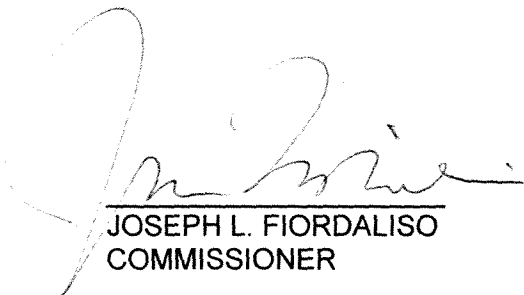
This Order shall be effective on November 26, 2015.

DATED: 11-16-15

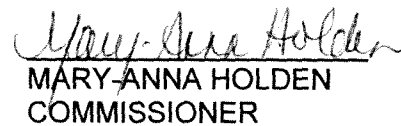
BOARD OF PUBLIC UTILITIES  
BY:



RICHARD S. MROZ  
PRESIDENT



JOSEPH L. FIORDALISO  
COMMISSIONER

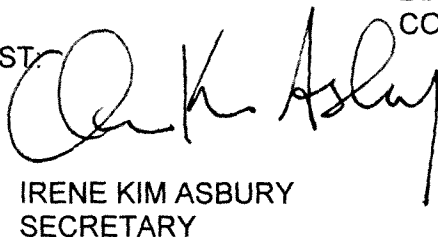


MARY-ANNA HOLDEN  
COMMISSIONER



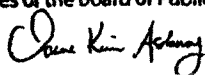
DIANNE SOLOMON  
COMMISSIONER

ATTEST



IRENE KIM ASBURY  
SECRETARY

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



IN THE MATTER OF THE PETITION OF COMCAST OF BURLINGTON COUNTY, LLC FOR A RENEWAL CERTIFICATE OF APPROVAL TO CONTINUE TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN AND FOR THE CITY OF BEVERLY, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

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