Agenda Date: 11/30/16 Agenda Item: IIIA



## STATE OF NEW JERSEY Board of Public Utilities 44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314 Post Office Box 350 Trenton, New Jersey 08625-0350 <u>www.nj.gov/bpu/</u>

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**CABLE TELEVISION** 

IN THE MATTER OF THE APPLICATION OF VERIZON NEW JERSEY, INC. FOR RENEWAL OF A SYSTEM-WIDE CABLE TELEVISION FRANCHISE THIRD ORDER OF

DOCKET NO. CE13080756

Parties of Record:

William D. Smith, Esq., Assistant General Counsel, Verizon New Jersey, Inc. Gabriella Siboni, Clerk, Borough of Milltown Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:

On December 18, 2006, the Board of Public Utilities ("Board") issued an Order approving a System-wide Cable Television Franchise to Verizon New Jersey, Inc. ("Verizon" or "Petitioner") in Docket No. CE06110768. Orders of Amendment were issued by the Board on August 1, 2007; on April 9, 2008; on October 23, 2008; on April 27, 2009; on July 29, 2009; on April 11, 2012; on November 20, 2012; on April 29, 2013; and on July 19, 2013. On January 30, 2014, the Board issued Verizon a Renewal System-wide Cable Television Franchise in the above referenced docket number. On July 23, 2014, the Board issued an Order of Amendment to include the Borough of Seaside Heights into Verizon's Renewal System-wide Cable Television Franchise. On July 23, 2015, the Board issued a Second Order of Amendment to include the Township of Woodland into Verizon's System-wide Cable Television Franchise.

Pursuant to <u>N.J.A.C.</u> 14:18-14.14, Verizon is required to provide notice to the Board and the affected municipalities of its intention to add municipalities to its existing System-wide Cable Television Franchise. On October 3, 2016, the Petitioner filed notice with the Board that it was seeking to add the Borough of Milltown to its System-wide Cable Television Franchise. Verizon filed with the Borough of Milltown on October 3, 2016. This notice brings the total number of municipalities covered by Verizon's System-wide Cable Television Franchise to 382.

Based upon the elements of the System-wide Cable Television Franchise, and the legal mandates under which the Board operates, this Order <u>HEREBY</u> <u>COMMEMORATES</u> the addition of the Borough of Milltown to Verizon's System-wide Cable Television Franchise.

This Third Order of Amendment to the Renewal System-wide Cable Television Franchise serves only to add the Borough of Milltown to the Verizon Renewal System-wide Cable Television Franchise, and does not, in any manner, modify, change or otherwise affect the terms and conditions of that January 30, 2014 Order.

Without limitations to the full requirements set forth in that Order, the Board reminds Verizon that, under the System-wide Cable Television Franchise, it 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. To the extent possible based upon the technology used in providing service, the Petitioner shall adhere to the operating standards set forth by the Federal Communications Commission's rules and regulations, 47 <u>C.F.R.</u> §76.1 <u>et seq.</u> including but not limited to, the technical standards 47 <u>C.F.R.</u> §76.601 through §76.630. Any modifications to the provisions thereof shall be incorporated into the System-wide Cable Television Franchise.

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 subject the Petitioner to penalties, as enumerated in <u>N.J.S.A.</u> 48:5A-51, and/or may constitute sufficient grounds for the suspension or revocation of the System-wide Cable Television Franchise.

This Third Order of Amendment to the Renewal System-wide Cable Television Franchise is issued on the representation that the statements contained in the Petitioner's applications, notices, and other writings are true, and the undertakings therein contained shall be adhered to and be enforceable unless specific waiver is granted by the Board or the Office of Cable Television pursuant to the authority contained in <u>N.J.S.A.</u> 48:5A-1 <u>et seq.</u>

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This order shall be effective on December 10, 2016.

DATED: BOARD OF PUBLIC UTILITIES BY: CHARD S. MROZ PRESIDENT - JOSEPH L. FIORDALISO COMMISSIONER UPENDRA J. CHIVUKULA DIANNE SOLOMON COMMISSIONER COMMISSIONER ATTEST: **IRENE KIM ASBUR** SECRETARY I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities ne Kin Ace

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## IN THE MATTER OF THE APPLICATION OF VERIZON NEW JERSEY, INC. FOR RENEWAL OF A SYSTEM-WIDE CABLE TELEVISION FRANCHISE DOCKET NO. CE13080756

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