



Agenda Date: 12/19/17  
Agenda Item: IIIB

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

OFFICE OF CABLE TELEVISION &  
TELECOMMUNICATIONS

IN THE MATTER OF THE APPLICATION OF ) ORDER OF AMENDMENT  
CABLEVISION OF OAKLAND, LLC FOR THE )  
RENEWAL OF ITS SYSTEM-WIDE CABLE )  
TELEVISION FRANCHISE ) DOCKET NO. CE15111317

**Parties of Record:**

**Marilyn Davis**, Altice USA, for Cablevision of Oakland, LLC  
**Issa A. Abbasi**, Clerk, Township of Teaneck  
**Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel

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

On July 1, 2009, the Board of Public Utilities (“Board”) issued an order memorializing the conversion by Cablevision of Oakland, LLC (“Cablevision of Oakland”) of its municipal franchise in the Township of Cedar Grove to a System-wide Cable Television Franchise in Docket No. CE09030231. Orders of Amendment were issued by the Board: on March 17, 2010; on June 18, 2010; on September 16, 2010; on November 10, 2010; on January 19, 2011; on May 16, 2011; and on December 18, 2013, to include an additional 37 municipalities in the Cablevision of Oakland System-wide Cable Television Franchise. On March 18, 2016, the Board issued a Renewal System-wide Cable Television Franchise to Cablevision of Oakland, for a term of seven years to expire on March 20, 2023. By this Order of Amendment, the Board memorializes the automatic conversion of the municipal franchise in the Township of Teaneck to Cablevision of Oakland, LLC’s System-wide Cable Television Franchise, and does not, in any manner, modify, change or otherwise affect the terms and conditions of that March 18, 2016 Order.

**BACKGROUND**

On October 5, 2017, Cablevision of Oakland filed notice with the Township of Teaneck (“Township”) that it would convert its municipal franchise in the Township, to its System-wide Cable Television Franchise, stating that it would abide by the provisions of N.J.S.A. 48:5A-28 (h)-(n). That notice was received by the Board on October 6, 2017.

<sup>1</sup> Commissioner Upendra J. Chivukula did not participate.

## DISCUSSION AND FINDINGS

In 2006, the Legislature passed amendments to the Cable Television Act (the "Act"), P.L. 1972, c.186, allowing cable television operators to apply for and receive a System-wide Cable Television Franchise from the Board. P.L. 2006, c. 83. Under N.J.S.A. 48:5A-25.1, a cable television operator with municipal franchises issued prior to the effective date of the Act may automatically convert any or all of its municipal franchises upon notice to the Board and to the affected municipality without meeting the requirements applicable to cable television operators applying for a system-wide cable television franchise, except that the commitment requirements under N.J.S.A. 48:5A-28(h)-(n) shall be applicable to all system-wide cable television franchises, including conversions. N.J.S.A. 48:5A-28(h)-(n) impose requirements on all cable television companies operating under a system-wide cable television franchise, including commitments as to: line extensions; public, educational and governmental ("PEG") access channels; interconnection with other cable television companies; free cable and Internet service to public schools and municipal buildings; training and equipment for access users; PEG access return feeds; and compliance with customer protection regulations. As noted above, Cablevision has committed to provide service to the Township as required by these provisions.

The Board adopted rules for application and enforcement of the Act. In particular, N.J.A.C. 14:18-14.13 provides a cable television company currently operating under municipal consent and Certificate of Approval authority issued prior to the effective date of P.L. 2006, c. 83 may convert any Certificate of Approval into a system-wide cable television franchise upon notice to the Board and to the affected municipality of its intention. Further, a cable television company operating under a system-wide cable television franchise may add municipalities to its system-wide cable television franchise upon notice to the Board and the affected municipality via certified mail pursuant to N.J.A.C. 14:18-14.14.

As discussed above, the Act allows a cable television company, operating under a municipal consent and certificate of approval issued prior to 2006 to automatically convert the municipal consent franchise to a system-wide cable television franchise without approval from the Board or the affected municipality, and such conversion of additional municipal franchises may be added to the system-wide cable television franchise at any time during the term of the system-wide cable television franchise. N.J.S.A. 48:5A-25.1(a). Furthermore, N.J.S.A. 48:5A-19 provides that a "certificate of approval issued by the board shall be valid for 15 years from the date of issuance . . . or until the expiration, revocation, termination or renegotiation of any municipal consent upon which it is based, whichever is sooner".

Cablevision of Oakland's Certificate of Approval in the Township of Teaneck is set to expire on October 20, 2020. Cablevision of Oakland provided notice to the Board and to the municipality of its intent to convert to a system-wide cable television franchise. As Cablevision of Oakland has automatically converted the municipal franchise in the Township to a system-wide cable television franchise, pursuant to N.J.S.A. 48:5A-25.1(a), the Board **FINDS** that the Certificate of Approval for the Township is hereby terminated, pursuant to N.J.S.A. 48:5A-19.

By this order, the Board memorializes the conversion of the Township to be added to the Cablevision of Oakland System-wide Cable Television Franchise pursuant to N.J.S.A. 48:5A-25.1(a) and subject to the requirements of N.J.S.A. 48:5A-28(h)-(n).

**CONCLUSION**

The Board **HEREBY RATIFIES** the automatic conversion of the municipal franchise in the Township to Cablevision of Oakland's System-wide Cable Television Franchise.

This Order of Amendment serves to memorialize the automatic conversion of the municipal franchise in the Township of Teaneck to Cablevision of Oakland's System-wide Cable Television Franchise, and does not, in any manner, modify, change or otherwise affect the terms and conditions of that March 18, 2016 Order.

Cablevision of Oakland 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. Cablevision of Oakland 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 the System-wide Franchise.

Failure to comply with all applicable laws, rules, regulations, or orders of the Board or the Office of Cable Television, or the terms, conditions, or limitations set forth herein, may subject Cablevision of Oakland to penalties, as enumerated in N.J.S.A. 48:5A-51, or may constitute sufficient grounds for the suspension or revocation of the System-wide Franchise.

This Order of Amendment to the Renewal System-wide Cable Television Franchise is issued on the representation that the statements contained in Cablevision of Oakland'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 N.J.S.A. 48:5A-1 et seq.

This Order shall be effective on December 29, 2017.

DATED: 12/19/17

BOARD OF PUBLIC UTILITIES  
BY:



RICHARD S. MROZ  
PRESIDENT



JOSEPH L. FIORDALISO  
COMMISSIONER

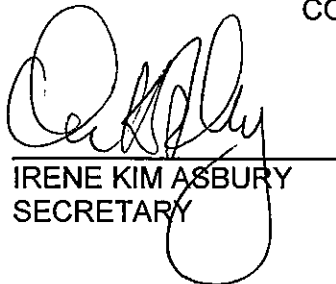


MARY-ANNA HOLDEN  
COMMISSIONER



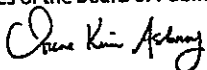
DIANNE SOLOMON  
COMMISSIONER

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 APPLICATION OF CABLEVISION OF OAKLAND, LLC FOR THE  
RENEWAL OF ITS SYSTEM-WIDE CABLE TELEVISION FRANCHISE**

**ORDER OF AMENDMENT  
DOCKET NO. CE15111317**

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