



Agenda Date: 9/18/23  
Agenda Item: 3A

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

OFFICE OF CABLE  
TELEVISION AND  
TELECOMMUNICATIONS

IN THE MATTER OF THE VERIFIED PETITION OF CSC )  
TKR, LLC D/B/A CABLEVISION OF RARITAN VALLEY )  
PURSUANT TO N.J.A.C. 14:18-5.1 (C) FOR APPROVAL )  
TO RELOCATE ITS CUSTOMER SERVICE OFFICE )  
FROM 2909 WASHINGTON ROAD IN THE CITY OF )  
PARLIN, COUNTY OF MIDDLESEX, TO 1028 US-9, )  
SUITE 1028, OLD BRIDGE, COUNTY OF MIDDLESEX, )  
STATE OF NEW JERSEY )

ORDER OF APPROVAL

DOCKET NO. CO23020096

**Parties of Record:**

**Vaughn Parchment, Esq., Norris McLaughlin P.A.** on behalf of Petitioner  
**Brian O. Lipman, Esq., Director,** New Jersey Division of Rate Counsel

BY THE BOARD:

On February 17, 2023, CSC TKR, LLC d/b/a Cablevision of Raritan Valley (“Altice” or “Petitioner”), a subsidiary of Altice USA, Inc., submitted a verified petition to the New Jersey Board of Public Utilities (“Board”), pursuant to N.J.A.C. 14:18-5.1(c), requesting approval to relocate its existing customer service office located at 2909 Washington Road, City of Parlin, New Jersey to 1028 US-9, Suite 1028, Old Bridge, New Jersey.<sup>1</sup>

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<sup>1</sup> The City of Parlin is an unincorporated community located within the Borough of Sayreville and Old Bridge Township. The existing customer service office is in a part of Parlin situated in the Borough of Sayreville, while the new customer service office is located in Old Bridge Township, outside of the boundaries of Parlin.

Petitioner is a duly authorized cable company operating in New Jersey as defined under the provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-3(g), with its place of business at 1 Court Square West, Long Island City, New York 11101. Through a series of Board approved transfers, Altice is the current holder of a Certificate of Approval<sup>2</sup> issued by the Board on August 22, 2007 for the construction, operation and maintenance of a cable system in the Borough of Sayreville, County of Middlesex, State of New Jersey (“Borough”).<sup>3</sup> The Borough’s Ordinance requires that the Petitioner “shall maintain a local business office in Sayreville for the purpose of receiving customer payments, receiving customer complaints, and the return or exchange of converters, remote control units and other customer equipment.”<sup>4</sup>

The Petitioner asserted that the relocation of its Parlin office is reasonable and will serve the public interest for several reasons, including:

1. The relocation to the Old Bridge office is less than two (2) road miles away from the existing Parlin office.
2. The Old Bridge office will provide an improved customer experience because of the larger, state-of-the art retail space for customers to comfortably explore Altice’s products and services, interactive product demonstrations, events in partnership with programmers and local organizations, extended hours of operation, free parking and a more convenient and visible location.
3. The Old Bridge office is located in a new shopping center, Old Bridge Gateway, anchored by a variety of stores, including Marshalls, Petco, Pep Boys, RWJ Fitness/Wellness Center, and Panera Bread, and conveniently located near local highway Route 9, which will better accommodate the needs and convenience of Altice’s customers.
4. There will be no staff reductions as a result of the relocation.
5. The Petitioner commits to maintain the level of accessibility for persons with disabilities at the Old Bridge office location as required by the Americans with Disabilities Act.

On February 17, 2023, the clerks of each affected municipality were copied on the filing of the petition, as required by N.J.A.C. 14:18-5.1(c).<sup>5</sup> The Petitioner also informed representatives of

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<sup>2</sup> See In re the Petition of CSC TKR LLC d/b/a Cablevision of Raritan Valley for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable Television System in the Borough of Sayreville, County of Middlesex, State of New Jersey, BPU Docket No. CE06110787, Order dated August 22, 2007.

<sup>3</sup> Although, by its terms, the Certificate of Approval expired on November 6, 2016, Petitioner is authorized to continue to provide cable television service to the Borough, having provided the Borough with proper notice invoking franchise renewal procedures pursuant to Section 626 of the Cable Communications Policy Act of 1984 and the Cable Television Consumer Protection Act of 1992 (47 USC Sec 546) on December 11, 2013; and, subsequently, filed an application for renewal of a municipal consent with the Borough on or about March 9, 2016.

<sup>4</sup> See Sayreville Borough, NJ Ordinance #466-96, §II.

<sup>5</sup> On May 1, 2023, the Petitioner sent a copy of the published relocation notice to the clerks, pursuant to N.J.A.C. 14: 18-5.1(c). Since the date identified for comment had passed, Board Staff contacted the clerks of the affected municipalities to confirm Petitioner’s assertion that they did not have any objections to the relocation.

the Borough of Sayreville and the Township of Old Bridge of the planned relocation prior to the filing, who indicated that they do not object to the relocation. On July 18, 2023, the Borough of Sayreville filed a letter with the Board confirming that they do not object to the relocation.

As required by N.J.A.C. 14:18-5.1(c), on February 28, 2023, the Petitioner posted a notice of the office relocation on the front door of the existing Parlin office, translated in both English and Spanish. The notice informed area customers of the petition for relocation of the customer service office and their right to submit any comments or objections on the petition to the Board, in writing, on or before March 27, 2023. The Petitioner also published a copy of the relocation notice in The Star Ledger and in the Home News Tribune, newspapers in general circulation serving the affected area(s). The required notice called for public comments to be filed by March 27, 2023, with the required newspaper publication date of February 25, 2023. On February 21, 2023, the Petitioner emailed the Home News Tribune, which serves the communities covered by its Sayreville local franchise and served by the existing office, a legal notice for publication in the next available issue of the newspaper. On February 22, 2023, the Petitioner received order confirmation from Gannett Legal Publications (“Gannett”), although the publisher ran the publication in one of Gannett’s other papers, the Courier News, in error. On February 27, 2023, the Petitioner requested confirmation that the notice was published in the Home News Tribune, pursuant to the February 21, 2023 email. Gannett ultimately replied back that it was published in the Courier News and that the newspaper could re-run the notice. On February 27, 2023, the Petitioner advised Gannett that this error needed to be corrected immediately. On February 28, 2023, the Petitioner received an email from Gannett providing an order confirmation for the Home News Tribune with a run date of March 2, 2023. The Petitioner emailed back requesting an earlier publication date and was advised that March 2, 2023, was the earliest date possible. On February 28, 2023, the Petitioner received confirmation from Gannett Legal Publications that the notice would be published on March 2, 2023 in the Home News Tribune. No comments were received.

On July 27, 2023, the Petitioner filed a letter with the Board seeking a limited waiver of the newspaper publication requirement found at N.J.A.C. 14:18-5.1(c). Although the Company timely sought publication of the notice in a newspaper serving the affected municipality, an error by the newspaper’s publisher resulted in a five (5) day delay in publication in the correct newspaper. Upon learning of the error, the Company promptly acted to remedy the issue.

By letter dated August 15, 2023, the New Jersey Division of Rate Counsel filed comments with the Board stating that it did not object to the approval of the petition and the waiver request.

## **DISCUSSION**

Pursuant to N.J.A.C. 14:18-5.1(c), Altice is required to demonstrate in its petition seeking to close or relocate a local business office “where such office is expressly required pursuant to a municipal consent ordinance and Board order to be located within the municipality or other specific location” that the proposed action “is not unreasonable” and “will not unduly prejudice the public interest.” As noted above, the municipal consent ordinance requires that the Petitioner maintain an office in the Borough of Sayreville. While the Petitioner seeks to relocate the office outside of the Borough to the Township of Old Bridge, the new office will be located less than two (2) miles from the existing office, and provide increased customer benefits such as extended hours, free parking and a more convenient location based in a well-traveled shopping area.

Petitioner provided affidavits confirming the posted notices of the proposed relocation at the existing location and published notices in newspapers of general circulation pursuant to N.J.A.C. 14:18-5.1(c). However, while Petitioner did properly provide notice of the petition to the two (2)

affected municipalities, the Board notes that the Petitioner did not file the notice informing them of their right to file comments or objections with the Board until May 1, 2023, following the expiration of the comment period on March 27, 2023. No comments were received from the public nor the affected municipalities in opposition. Additionally, on July 18, 2023, the Borough of Sayreville filed a letter with the Board confirming that they did not oppose the approval of the Petition to relocate the office.

N.J.A.C. 14:18-5.1(c) provides that “a cable television company, within three (3) days of filing a petition, shall place notice of the office closing or relocation in the newspaper(s) serving the affected area and provide notice by mail to the clerk of each affected municipality. Said notice shall inform customers of the Office’s toll free number and their right to present to the Board, in writing, any objections they might have to the office closure or relation. The notice shall specify a date certain for submission of comments, which shall not be less than 30 days after publication and posting.” However, according to N.J.A.C. 14:18-16.2(a), “s]hould conditions exist where a deviation from any of these regulations should be made to suit such conditions, petition may be made to the Office for such deviation.” Petitioner properly sought to provide the required newspaper notice, however, the five (5) day delay in the publication was due to the error of the publisher, and Petitioner acted to correct the error as quickly as possible once it became aware of the issue.

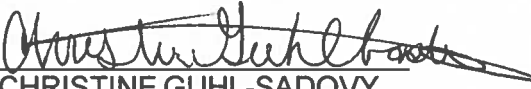
Based on a review of the petition and the supporting documentation, Petitioner has adequately demonstrated that the proposed relocation of the office is not unreasonable due to the close proximity of the new office and added customer benefits, and it will not unduly prejudice the public interest.

The Board **HEREBY APPROVES** the relocation of Altice’s existing customer service office located at 2909 Washington Road, Parlin, New Jersey, to 1028 US-9, Suite 1028, Old Bridge, New Jersey and **HEREBY GRANTS** the request for a limited waiver of the newspaper publication requirement pursuant to N.J.A.C. 14:18-5.1(c).

This Order shall be effective on September 25, 2023.

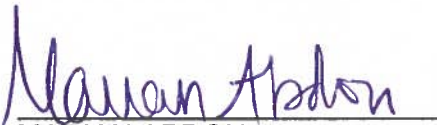
DATED: September 18, 2023

BOARD OF PUBLIC UTILITIES  
BY:

  
CHRISTINE GUHL-SADOVY  
PRESIDENT

  
MARY-ANNA HOLDEN  
COMMISSIONER

  
DR. ZENON CHRISTODOULOU  
COMMISSIONER

  
MARIAN ABDOU  
COMMISSIONER

ATTEST:

  
SHERRIL GOLDEN  
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 VERIFIED PETITION OF CSC TKR, LLC D/B/A CABLEVISION OF RARITAN VALLEY PURSUANT TO N.J.A.C. 14:18-5.1 (C) FOR APPROVAL TO RELOCATE ITS CUSTOMER SERVICE OFFICE FROM 2909 WASHINGTON ROAD IN THE CITY OF PARLIN, COUNTY OF MIDDLESEX, TO 1028 US-9, SUITE 1028, OLD BRIDGE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

DOCKET NO. CO23020096

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