



Agenda Date: 6/30/26
Agenda Item: IVB

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

OFFICE OF CABLE TELEVISION
AND TELECOMMUNICATIONS

IN THE MATTER OF THE PETITION OF COMCAST)
OF NEW JERSEY II, LLC, FOR A RENEWAL)
CERTIFICATE OF APPROVAL TO CONTINUE TO)
CONSTRUCT, OPERATE, AND MAINTAIN A CABLE)
TELEVISION SYSTEM IN AND FOR THE CITY OF)
SUMMIT, COUNTY OF UNION, STATE OF NEW)
JERSEY) DOCKET NO. CE24060422

Parties of Record:

Stan Barrett, Esq., Brach Eichler LLC, on behalf of Comcast of New Jersey II, LLC
Rosemary Licatese, Clerk, City of Summit, New Jersey

BY THE BOARD:

On January 5, 1978, the New Jersey Board of Public Utilities (“Board”) granted Suburban Cablevision (“Suburban”) a Certificate of Approval (“Certificate”), in Docket No. 778C-6312, for the construction, operation and maintenance of a cable television system in the City of Summit (“City”). On June 17, 1988, the Board granted Suburban a Renewal Certificate of Approval (“Renewal Certificate”) for the City in Docket No. CE87070716. Through a series of transfers, with the required Board approvals, Comcast Cablevision of New Jersey, Inc. (“Comcast”) became the holder of the Certificate. On September 2, 1999, the Board granted Comcast a Renewal Certificate for the City in Docket No. CE99070454. Based on a name change, the current holder of the Certificate is Comcast of New Jersey II, LLC (“Petitioner”). On October 23, 2008, the Board granted the Petitioner a Renewal Certificate for the City, in Docket No. CE08080573. On February 28, 2018, the Board issued an Automatic Renewal Certificate to the Petitioner for the City, in Docket No. CE17121277. Although, by its terms, the Petitioner’s above referenced Renewal Certificate expired on January 5, 2023, 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 or about April 14, 2022, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13.1 to 9. On September 19, 2023, the City, after public hearing, adopted an ordinance granting renewal municipal consent to the Petitioner (“Ordinance”). The Petitioner formally accepted the terms and conditions of the

Ordinance on March 13, 2024. On June 19, 2024, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate for the City.¹

DISCUSSION AND FINDINGS

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

1. The Petitioner possesses the requisite legal, character, financial, and technical qualifications for the awarding of a Certificate. Further, these qualifications were reviewed by the City in conjunction with the municipal consent process.
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 ten (10) years from the date of expiration of the previous Certificate issued by the Board, pursuant to N.J.S.A. 48:5A-19 and 25. The Board finds this franchise period 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 the same within ninety (90) days of that notification. If, after such reasonable notice and opportunity to cure, the Petitioner has not cured any such findings of non-compliance, the City may petition the Board for appropriate administrative action, including modification and/or termination of the Certificate.
6. The Petitioner shall proffer service to any residence or business along any public right-of-way in the primary service area, at no cost beyond standard and non-standard installation charges as set forth in the Petitioner's application. For any extension of plant beyond the Primary Service Area, the Petitioner shall utilize the line extension policy attached to the Certificate (Appendix "I") with a homes per mile ("HPM") figure of thirty-five (35).
7. The Petitioner shall maintain an informational schedule of prices, terms and conditions for unregulated service, and promptly file any revisions thereto.

¹ On June 6, 2025, the Petitioner filed an amendment to the petition which corrected the following errors in the petition: the Docket Number of the Board's February 28, 2018, Order; the Petitioner's name the 2018 Order was issued to; and the date of the Petitioner's ordinance acceptance letter. The amended petition provided the correct Docket Number (CE17121277, issued to the Petitioner), and corrected the ordinance acceptance date (March 13, 2024).

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 and Telecommunications. All complaints shall be received and processed in accordance with any applicable rules.
9. During the term of this franchise, and any renewal thereof, the Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating and resolving complaints regarding the quality of service, equipment malfunctions, and similar matters. The Petitioner currently maintains a local office located at 2345 U.S. Rt. 22, Union, New Jersey.
10. Pursuant to N.J.S.A. 48:5A-30, the franchise fee to be paid to the City is specified to be three-and-one-half percent (3.5%) of the Petitioner's gross revenues, as defined in N.J.S.A. 48:5A-3(x), derived from cable television charges or fees paid by subscribers for its cable television service in the City. Additional regulatory fees shall be paid to the State in an amount not to exceed two percent (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 channels and facilities in accordance with its renewal application and the Ordinance. Specifically, the Petitioner shall continue to provide one (1) system-wide public access channel ("TV-36") maintained by the Petitioner. The channel is available to qualified individuals, groups, and organizations from the communities that the Petitioner serves for the cablecasting non-commercial access programming in conformance with the Petitioner's published public access rules.
12. The Petitioner shall continue to provide two (2) digital local access channels dedicated to the City for the City's exclusive use to provide PEG access programming that originates from the Municipal building and the High School. A digital converter or cable card is required to view these channels.
13. The Petitioner shall maintain a return line from the High School that will enable programing content which is originated at the high school to then be transmitted by the Petitioner for cablecast on one (1) of the access channels.
14. The Petitioner shall maintain the return line currently installed at the City municipal building so that, throughout the term of the franchise, the City shall have the ability to originate access programming content from the City Municipal building. In the event that the current TV 36 studio located at 70 Maple Street, Summit, New Jersey, is relocated, and such relocation affects the City's ability to continue to originate programming from the City municipal building, the Petitioner shall be responsible for modifying the return line so that programming may continue to be originated from the City municipal building.
15. In the event the current TV 36 studio facility is moved/relocated to another location within the City, the Petitioner shall, at its own expense, relocate or install and maintain facilities necessary to enable TV-36 to transmit programming from its new location.
16. During the term of this franchise, the Petitioner shall continue to make available to Overlook Hospital signals transmitting the PEG access content that is carried on each

- of the PEG access channels referenced above. If Overlook Hospital determines that it wants to carry the PEG signals on its internal television system, the Petitioner will not be responsible for any equipment or system modifications that may be required by Overlook Hospital. The Petitioner's sole responsibility is to make the signal available as it currently does.
17. The Petitioner recognizes that the City has made a significant investment to upgrade the audio-visual equipment in the Common Council Chamber. These upgrades are compatible with high-definition technology. Council meetings are currently broadcast on the municipal access channel, TV-36. The Petitioner shall, within two (2) years of the Board's adoption of this Certificate, and by written request of the City, make the necessary upgrades to its infrastructure so that this channel may be broadcast in high definition.
 18. In the event that the current channel designation for TV-36 is changed by the Petitioner (i.e., the channel is transferred to a new channel number), the Petitioner shall reimburse the City and TV-36 for reasonable administrative costs associated with notifying person of the channel re-designation and the re-branding of TV-36 content and materials. The total amount to be paid by the Petitioner shall not exceed the sum of \$5,000.
 19. The Petitioner shall continue to provide standard installation and basic cable television service, at no cost, to one (1) outlet in each municipal building, including but not limited to the police station, fire station(s), emergency management facility, public library, schools (including private schools) municipal golf course, community pool, and Department of Public Works buildings, provided the facility is located within 200 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials, equipment and plus labor basis by the City or school. Monthly basic service charges shall be waived on all additional outlets. Conversion of non-Petitioner authorized outlets to Petitioner standards, including wiring, equipment and installation charges shall be paid by the City or school.
 20. The Petitioner shall continue to provide one (1) free non-networked high-speed Internet connections and one (1) service outlet at each location, at each public library building, and all public and private schools. Connections are to be located in areas accessible to student and community use and cannot be restricted to administrative use. All facilities must be located within 200 feet of the active cable plant.
 21. A Petitioner representative shall meet at least annually with the City's advisory committee, or other designee, upon reasonable written request, to review all matters relating to cable television in the City, including, but not limited to, customer service standards.

Based upon these findings, the Board **HEREBY CONCLUDES**, pursuant to N.J.S.A. 48:5A-17(a) and 28(a)-(g), 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 to 64; 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, and 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 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 Telecommunications, 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 Telecommunications 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 and Telecommunications pursuant to the authority contained in N.J.S.A. 48:5A-1 to 64.

This Certificate shall expire on January 5, 2033.

This Order shall be effective on July 7, 2026.

DATED: June 30, 2026

BOARD OF PUBLIC UTILITIES
BY:


CHRISTINE GUHL-SADOVY
PRESIDENT

ABSTAINED



DR. ZENON CHRISTODOULOU
COMMISSIONER


MICHAEL BANGE
COMMISSIONER


EMMA REBORN
COMMISSIONER


JOSEPH COVIELLO
COMMISSIONER

ATTEST:


SHERRIL L. LEWIS
BOARD SECRETARY

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

APPENDIX "I"
Office of Cable Television and Telecommunications
Line Extension Policy

Company: Comcast of New Jersey II, LLC
Municipality: City of Summit, County of Union

A cable operator is required to absorb the cost of extensions to the system in the same proportion that the extension is to the remainder of the system.

Actual subscribers served by the extension are required to absorb the remainder of the cost.

If new subscribers are added to the extension, the cost is adjusted and those who previously paid receive an appropriate rebate.

1. $\frac{\text{\# of homes in extension}}{\text{mileage of extension}}$ = homes per mile ("HPM") of extension
2. $\frac{\text{HPM of extension}}{\text{Minimum HPM that company actually constructs in the system*}}$ = ratio of the density of the extension to the minimum density that the company constructs in the system ("A")
3. Total cost of building the extension times "A" = company's share of extension cost
4. Total cost of building extension less company's share of extension cost = total amount to be recovered from subscribers
5. $\frac{\text{Total amount to be recovered from subs}}{\text{Total subscribers in extension}}$ = each subscriber's share

In any case, the company shall extend its plant along public rights of way to:

1. All residences and businesses within 150 aerial feet of the operator's existing plant at no cost beyond the normal installation rate.
2. All residences and businesses within 100 underground feet of the operator's plant at no cost beyond the normal installation rate.

* The minimum HPM that the company actually constructs in the system or municipality is the minimum number of homes that the company has historically constructed at its own cost. This is a function of the operator's breakeven point and its rate of return. Unbuilt systems will use the primary service area rather than construction.

The operator's installation policies shall apply to construction beyond the public right of way.

Detailed accounting or financial information to support the minimum HPM shall be supplied to the Office for its approval in such form as required. The minimum HPM shall be updated as appropriate.

When a request for service is received, and unless good cause is shown, cable companies shall:

1. Provide a written estimate within thirty (30) days of such a request.
2. Begin construction within sixty (60) days of receipt of any deposit monies from potential subscribers.
3. Complete construction within six (6) months of receipt of any deposit monies from potential subscribers.
4. Inform each home passed along the extension of the potential costs for subscribers.

Subscribers who pay for an extension shall be entitled to rebates in the following manner:

1. If the company acquires new subscribers subsequent to the initial calculation of step 5 above, the formula will be adjusted and those who have previously paid for the extension will be entitled to an appropriate rebate. In no event shall the amount of the rebate exceed the subscriber's contribution.
2. The company shall keep accurate records of the cost of the extension, the amounts paid by subscribers, and any appropriate adjustments.
3. The company shall notify subscribers in the extension of their rights and responsibilities concerning the extension.
4. Once an individual dwelling has paid its share of the extension cost, future reconnections or installations shall be made at the company's standard rates.
5. After a period of five (5) years from the installation of the first dwelling unit in the extension, no further adjustments shall be made. Installations after five (5) years shall be at the company's standard rate.
6. Once a subscriber is installed, that person shall not normally be entitled to a refund of any monies paid for the installations, except in accordance with the rebate procedure outlined in this policy.

Definitions

Primary Service Area

The Primary Service Area (“PSA”) can be an entire municipality, but in many instances the PSA is a limited area within a community outside of which a line extension policy may apply. The PSA is depicted by a franchise map and narrative, presented and recorded during the franchise proceedings. It normally remains a fixed geographic area throughout the life of the franchise.

Line Extension Survey

Potential subscribers residing outside the PSA who request service are entitled to an estimate of their share of the cost to secure service. When conducting a survey and estimating costs, a cable company should factor in all potential subscribers who could practicably be included in the extension and give consideration to apparent residential construction in areas contiguous to the proposed extension.

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

DOCKET NO. CE24060422

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