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DEC 23 2016

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOARD OF PUBLIC UTILITIES
MAIL ROOM
STEFANIA A. BRAND
Director

Via Electronic & Regular Mail

December 22, 2016

Irene K. Asbury, Board Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 3rd Fl., Ste. 314
P.O. Box 350
Trenton, New Jersey 08625-0350

Re: I/M/O Application by Cablevision of Monmouth, LLC for a Renewal of a System-Wide Cable Television Franchise. BPU Docket No. CE16090919

Dear Secretary Asbury:

The Division of Rate Counsel (“Rate Counsel”) has reviewed the above-captioned matter filed by Cablevision of Monmouth, LLC, (“Cablevision Monmouth” and/or “Petitioner”) seeking the New Jersey Board of Public Utilities’ (“Board”) approval of Cablevision Monmouth’s Renewal Application for renewal of a system-wide cable television franchise affecting 20 municipalities in New Jersey. Rate Counsel submits the within comments for the Board’s review and consideration. Enclosed with this original please find ten copies. Kindly return a date/stamped “Received” and/or “Filed” copy to Rate Counsel for its records. For the reasons that follow, Rate Counsel does not oppose Board approval of Petitioner’s Application for a Renewal of a System-Wide Cable Television Franchise (“Renewal Application”) in the 20 municipalities connected to this filing.

Cablevision Monmouth, filed its Renewal Application on September 29, 2016. The franchise renewal will impact 19 towns in Monmouth County and one town in Ocean County.¹ Public hearings were held and no objections to Cablevision Monmouth’s Renewal Application were presented at the public hearings nor written comments filed with the Board opposing approval of Cablevision Monmouth’s Renewal Application.² In making its determination the Board pursuant to N.J.A.C. 14:18-14.2, and 14:18-14.13, must examine nine factors which include but are not limited to: the company’s technical expertise and experience, services to be provided, the company’s financial ability to provide services, and statutory commitments as required under N.J.S.A. 48:5A-28(d), (f), and (h) through (n). If approved the term of the franchise will be seven years as per N.J.A.C. 14:18-14.13(e)2.

Rate Counsel’s review of the Renewal Application and supporting documentation provided by Cablevision Monmouth confirm Petitioner’s current and continued service offerings and commitments which include and are not limited to a completely two-way capable system, consisting of digitized channels accessible through the use of a digital converter that may require the lease of a digital set top

^{1/} Renewal Application at pp. 1-3. Towns connected to this filing: Asbury Park, Avon by the Sea, Belmar, Bradley Beach, Brielle, Englishtown, Farmingdale, Freehold, Interlaken, Lake Como, Manasquan, Millstone, Neptune City, Neptune, Ocean, Sea Girt, Spring Lake, Spring Lake Heights, Toms River and Wall Township.

^{2/} Public Hearings on December 5, 2016 at Wall Township Town Hall, located at 2700 Allaire Road, Wall, NJ 07719 and at the Ocean County Public Library- Toms River Branch, located at 101 Washington Street, Toms River, NJ 08753.

box with a remote unit supplied by Cablevision Monmouth.³ Cablevision Monmouth will continue to provide two channels on its system dedicated to municipalities in the franchise area solely for non-commercial (public access, educational access and governmental access) PEG programming; although PEG channel location may be subject to change these are currently located on channels 77, 78, and 116 in the municipalities encompassed in this filing.⁴ Likewise, Cablevision Monmouth will continue to provide municipalities with equipment and training upon request for use by access channel users, including at a minimum: television cameras, microphones, lighting and recording equipment, and will continue to provide free basic cable and Internet connection within each of the communities in the system-wide franchise area and return feeds to municipalities to interconnect to the company's system and distribute PEG programming throughout the municipalities.⁵ The filing notes that Cablevision Monmouth has previously constructed a system subject to the minimal line extension obligations prescribed by the Board pursuant to N.J.S.A. 48:5A-28(h) through its municipal consent franchises and that no rebuild or upgrade are currently planned for the existing franchise area.⁶ Lastly, among its commitments Cablevision Monmouth will continue to:⁷

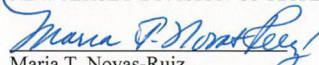
- 1) A public access studio in New Jersey available for access users upon advance request, which includes at a minimum, television cameras, microphones, lighting and recording equipment. Cablevision will continue to make training available upon request pursuant to N.J.S.A. 48:5A-28(1); and
- 2) Provide free basic service and free Internet service within each of the communities in the system-wide franchise area and provide return feeds to municipalities to distribute PEG programming where requested;

Rate Counsel is satisfied that Cablevision Monmouth's Renewal Application and subsequent supporting documents provided to Board Staff satisfy the statutory and regulatory requirements under N.J.S.A. 48:5A-28, et seq. and N.J.A.C. 14:18-14.1, et seq. and support approval of Cablevision Monmouth's Renewal Application for a renewal of a system-wide cable television franchise throughout the 20 municipalities connected with this filing. Accordingly, Rate Counsel does not oppose Board approval of Petitioner's Renewal Application seeking renewal of a system-wide cable television franchise in the 20 municipalities connected to this filing. Thank you for your consideration of Rate Counsel's comments on this matter.

Very truly yours,

STEFANIE A. BRAND,
DIRECTOR
NEW JERSEY DIVISION OF RATE COUNSEL

By:


Maria T. Novas-Ruiz,
Assistant Deputy Rate Counsel

cc: Service List

³/ Renewal Application at pp. 14-15 and Appendix IV. In addition, on December 1, 2016, the company provided responses to Board Staff's November 23, 2016, follow-up information requests in connection with the Renewal Application filing.

⁴/ *Id.*, and at Appendix II.

⁵/ *Id.*, at p. 20.

⁶/ *Id.*, at p. 14-24.

⁷/ *Id.*, at pp. 14-15 and Appendices V and VI.

**IMO Application by Cablevision of
Monmouth, LLC for a Renewal of a
System-Wide Cable Television
Franchise
BPU Docket No.
CE16090919**

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