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December 28, 2016

Irene Kim Asbury, Secretary  
NJ Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Trenton, NJ 08625



BOARD OF PUBLIC UTILITIES

DEC 30 2016

MAIL RECEIVED

CE 16 12 1202

Re: In the Matter of the Petition of Comcast of South Jersey, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the City of Brigantine, County of Atlantic, State of New Jersey  
Our File No. 41000.3000

Dear Secretary Asbury:

Enclosed herewith please find the original and eleven (11) copies of the Verified Petition and Verification filed on behalf of Comcast of South Jersey, LLC ("Comcast"), along with three (3) copies of Comcast's public Application for Renewal of a Certificate of Approval ("Application"), with respect to the above-referenced matter. Said copies of the Application have been redacted so as to protect certain confidential information contained therein. Confidential copies of the Application are being submitted simultaneously under separate cover, along with Comcast's request for confidential treatment, pursuant to N.J.A.C. 14:1-12 et seq.

Kindly file the Petition and please return the extra copy of this letter and Petition stamped "RECEIVED" in the self-addressed, stamped envelope provided herein.

Thank you for your kind consideration. Should you have any questions or require additional information, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in blue ink, appearing to be "Dennis C. Linken", written over a horizontal line.

Dennis C. Linken  
For the Firm

DCL:dp

cc:w/enc. Lawanda R. Gilbert, Director (via first class mail)  
Maria T. Novas-Ruiz, Assistant Deputy Rate Counsel (via first class mail)  
Lynn Sweeney, City Clerk (via first class mail)  
Fred J. DeAndrea, Director of Government and Regulatory Affairs (via first class mail)

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Cable

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STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES  
OFFICE OF CABLE TELEVISION & TELECOMMUNICATIONS

SCARINCI & HOLLENBECK, LLC  
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Phone: 201-896-4100  
Attorneys for Petitioner  
Comcast of South Jersey, LLC  
File No. 41000.3000

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)  
IN THE MATTER OF THE PETITION OF )  
COMCAST OF SOUTH JERSEY, LLC, FOR A )  
RENEWAL CERTIFICATE OF APPROVAL )  
TO CONTINUE TO CONSTRUCT, OPERATE )  
AND MAINTAIN A CABLE TELEVISION )  
SYSTEM IN AND FOR THE CITY OF )  
BRIGANTINE, COUNTY OF ATLANTIC, )  
STATE OF NEW JERSEY )  
\_\_\_\_\_ )

**VERIFIED PETITION**

Docket No.

Comcast of South Jersey, LLC (hereinafter, "Comcast" or "Petitioner"), hereby petitions the Honorable Board of Public Utilities (the "Board"), pursuant to N.J.S.A. 48:5A-15, 16 and 17, and N.J.A.C. 14:18-13.6, for renewal of a Certificate of Approval to continue to construct, operate and maintain a cable television system ("System") in the City of Brigantine, Atlantic County, New Jersey ("City" or "Brigantine"). In support of its Petition, Petitioner states as follows:

COUNT ONE

1. Comcast, a limited liability company duly organized under the laws of the State of Delaware, is a cable television company subject to the jurisdiction of the Office of Cable Television & Telecommunications ("OCTV&T") and the Board, pursuant to N.J.S.A. 48:5A-1 et seq.

2. Comcast maintains its principal offices at 901 W. Leeds Ave., Absecon, New Jersey 08201.

3. On or about February 27, 1975, pursuant to N.J.S.A. 48:5A-17, in Docket No. 7411C-6057, the Board issued a Certificate of Approval to Atlantic Coast TV Cable Corporation (“Atlantic”) to provide cable television service within the City. A copy of said Certificate of Approval is on file at the OCTV&T.

4. On or about December 19, 1983, in Docket No. 839C-7028, the Board approved the transfer of the System from Atlantic to Cablentertainment of New Jersey – V (“Cablentertainment”).

5. On or about December 18, 1986, in Docket No. CM86101185, the Board approved the transfer of the System from Cablentertainment to Sammons Communications of New Jersey, Inc. (“Sammons”).

6. On or about January 30, 1991, in Docket No. CE90040269, pursuant to N.J.S.A. 48:5A-16 and 17, the Board issued a Renewal Certificate of Approval to Sammons for the continued construction, operation and maintenance of the System in and for the City. A copy of said Certificate of Approval is on file at the OCTV&T.

7. On or about March 1, 1996, in Docket No. CM95080358, the Board approved the transfer of the System, including the Certificate of Approval with respect to the City, from Sammons to Lenfest Atlantic, Inc. (“Lenfest”).

8. On January 18, 2000, pursuant to the Order of Approval issued by the Board in Docket No. CM99110855, Lenfest became an indirect, wholly-owned subsidiary of Comcast Corporation. Subsequently, on or about September 13, 2000, Lenfest’s name was formally

changed to Comcast Cablevision of South Jersey, Inc., which, effective May 13, 2004, was converted to Comcast of South Jersey, LLC, Petitioner herein.

9. On or about November 20, 2001, in Docket No. CE00120969, pursuant to N.J.S.A. 48:5A-16 and 17, the Board issued a Renewal Certificate of Approval (the “2001 COA”) to Petitioner for the continued construction, operation and maintenance of the System in and for the City. A copy of said Certificate of Approval is on file at the OCTV&T.

10. The 2001 COA, in accordance with its underlying municipal consent ordinance, reflected and included an automatic renewal provision, pursuant to which the Brigantine franchise would be subject to automatic renewal for a period of six (6) years following its scheduled expiration date of November 19, 2016.

11. As set forth under N.J.A.C. 14:18-13.6(a)(1), applicable to ordinances which provide for automatic renewal, in the absence of notice at least sixty (60) days prior to expiration of the initial term of a franchise from either the cable television company or the municipality of its intention to not renew, a franchise will be deemed to automatically renew.

12. Neither the City nor Comcast provided notice of its intention to not renew the Brigantine franchise pursuant to N.J.A.C. 14:18-13.6(a)(1) prior to the deadline set forth therein for such action, as confirmed in Comcast’s letter to the City dated October 20, 2016, a copy of which is annexed hereto as Exhibit A. As set forth therein, Comcast further confirmed its intention to exercise its rights under the automatic renewal provision of the 2001 COA.

13. As a result of the foregoing, Comcast’s franchise in Brigantine shall be deemed to automatically renew.

14. The information pertaining to Comcast on file with the OCTV&T, together with the information contained in its Application for Renewal of a Certificate of Approval (“COA

Application”) pertaining to the City, simultaneously filed herewith, all of which is adopted by reference thereto, establishes the requisite criteria for the continued construction, operation and maintenance of the System in the City by Comcast.

15. Comcast possesses the requisite character and suitability for the continued operation of the System. Further, as indicated in the COA Application and other information on file with the OCTV&T, Comcast possesses the necessary financial responsibility and the ability to perform efficiently the proposed services and those services that may be required by the public convenience and necessity during the renewal period. The public convenience and necessity generally support the appropriateness of the issuance of a Renewal Certificate of Approval for the City to Comcast.

16. Comcast has complied, and will continue to comply, with all rules, regulations and laws applicable to the construction, operation and maintenance of the System and will continue to provide safe, adequate and proper cable television service in the City and the other municipalities in which it serves.

#### COUNT TWO

17. Comcast repeats paragraphs 1 through 16 of COUNT ONE as if set forth fully hereinafter.

18. As set forth in the COA Application and other information on file at the OCTV&T, the System operated by Comcast in the City is part of larger regional cable television systems serving numerous other municipalities contiguous to and surrounding the City.

19. As also set forth in the COA Application and other information on file at the OCTV&T, the City represents an integral part of the Comcast regional cable television systems serving the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and

Salem. In addition, the demographics of the City, as well as its location and other factors, mandate that cable television service be provided by Comcast as part of Comcast's and its affiliates' regional systems.

20. The City portion of Comcast's and its affiliates' Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem County regional cable systems is necessary for the continued provision of safe, adequate and economical cable television service to the citizens and residents of the City and the larger cable television systems generally. Further, continuation of Comcast's operating authority in the City will avoid an unreasonable duplication of services that would otherwise be detrimental to the development of adequate cable television service.

21. Comcast is entitled to a renewal of its Certificate of Approval for the City, pursuant to the provisions of Section 17(b) of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq.

22. Comcast believes that a Renewal Certificate of Approval for the City of Brigantine is necessary and proper for the public convenience and will serve the public interest for reasons which include, inter alia, the following:


- a. The grant of a Renewal Certificate of Approval to Comcast will ensure the continued provision of cable television service to the residents of the City;
  - b. The services provided by Comcast as set forth in its COA Application are of great benefit to the citizens and residents of the City;
  - c. The financial strength and technical expertise of Comcast are more than adequate to continue to construct, operate and maintain its cable television system in the City;
- and

d. Comcast, its officers and its directors, have vast experience in all aspects of cable television. In particular, they possess and represent the highest degree of technical and engineering competence, significant administrative experience and a demonstrated responsiveness to community needs. In addition to the City, Comcast and other Comcast affiliates hold Certificates of Approval or other authorization to construct, operate and maintain cable television systems in more than 340 municipalities in New Jersey, as well as additional communities in 38 other states and the District of Columbia.

**WHEREFORE**, Comcast hereby requests that the Honorable Board of Public Utilities issue to Petitioner a Renewal Certificate of Approval to continue to construct, operate and maintain a cable television system in and for the City of Brigantine.

Respectfully submitted,

SCARINCI & HOLLENBECK, LLC  
Attorneys for Petitioner  
Comcast of South Jersey, LLC

By:   
Dennis C. Linken

Dated: December 28, 2016

STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES  
OFFICE OF CABLE TELEVISION & TELECOMMUNICATIONS

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Attorneys for Petitioner  
Comcast of South Jersey, LLC  
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RENEWAL CERTIFICATE OF APPROVAL )  
TO CONTINUE TO CONSTRUCT, OPERATE )  
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SYSTEM IN AND FOR THE CITY OF )  
BRIGANTINE, COUNTY OF ATLANTIC, )  
STATE OF NEW JERSEY )  
\_\_\_\_\_)

**VERIFICATION**

Docket No.

FRED DeANDREA hereby certifies as follows:

1. I am Director of Government and Regulatory Affairs of Comcast of South Jersey, LLC, Petitioner in the within matter.
2. I am familiar with the nature and contents of the Petition to which this Verification is annexed.
3. The allegations of the Petition are true and accurate to the best of my knowledge, information and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I may be subject to punishment.

  
\_\_\_\_\_  
Fred DeAndrea

Dated: December 23, 2016