



BOARD OF PUBLIC UTILITIES

MAY 12 2017

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DIVISION OF RATE COUNSEL  
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CHRIS CHRISTIE  
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KIM GUADAGNO  
Lt. Governor

STEFANIE A. BRAND  
Director

May 10, 2016

**Via Electronic and Regular Mail**

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

*Case Mgmt  
List Copied*

Re: I/M/O Application by Cablevision of Hudson County, LLC for Renewal of a System-Wide Cable Television Franchise BPU Docket No. CE17030183

Dear Secretary Asbury:

The Division of Rate Counsel (“Rate Counsel”) has reviewed the above-captioned matter filed by Cablevision of Hudson, LLC, (“Cablevision of Hudson” and/or “Petitioner”) seeking the New Jersey Board of Public Utilities’ (“Board”) approval of Cablevision of Hudson’s Renewal Application of a system-wide cable television franchise affecting five municipalities in Hudson County, New Jersey.<sup>1</sup> 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 Renewal of a System-Wide Cable Television Franchise (“Renewal Application”) affecting the five municipalities connected to this filing.

Cablevision of Hudson, filed its Renewal Application on February 28, 2017. The franchise renewal will impact five towns in the franchise area.<sup>2</sup> Public hearings were held on May 9, 2017, and no objections to Cablevision of Hudson’s Renewal Application were presented at the public hearings.<sup>3</sup> The City of West New York on behalf of West New York residents and Cablevision customers filed with the Board a letter of support signed by Mayor Felix E. Roque. Rate Counsel has not received any opposition to the filing. 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 of Hudson 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

<sup>1</sup> The Towns connected to this filing: Hoboken, North Bergen, Union City, Weehawken and West New York, in Hudson County, New Jersey

<sup>2</sup>/ Renewal Application at pp. 1-3.

<sup>3</sup>/ Public Hearings on May 9, 2017 at 4:00 PM, at the West New York Police Department, 428 60<sup>th</sup> Street, West New York, New Jersey 07093; and at 6:00 PM, at the Hoboken City Hall, 94 Washington Street, Hoboken, New Jersey 07030.

box with a remote unit supplied by Cablevision of Hudson.<sup>4</sup> Cablevision of Hudson will continue to provide three channels on its system dedicated to the 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 and 78 and serve all five towns encompassed in this filing.<sup>5</sup> The filing notes that Cablevision of Hudson 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.<sup>6</sup> Lastly, among its commitments Cablevision of Hudson will continue to provide municipalities with:<sup>7</sup>

- 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 of Hudson County, LLC's Renewal Application satisfies 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 for a renewal of a system-wide cable television franchise throughout the Hudson County municipalities connected with this filing. Accordingly, Rate Counsel does not oppose Board approval of Petitioner's application seeking renewal of a system-wide cable television franchise in the five 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

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<sup>4</sup>/ Renewal Application at pp. 12-16.

<sup>5</sup>/ Renewal Application at pp. 12-16.

<sup>6</sup>/ *Id.* at p. 12.

<sup>7</sup>/ *Id.* a 12-13.

**I/M/O the Application by  
Cablevision of Hudson County, for  
Renewal of a System-Wide Cable  
Television Franchise**

**BPU Docket No.: CE17030183**

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