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August 28, 2017

VIA HAND DELIVERY

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

BOARD OF PUBLIC UTILITIES

AUG 30 2017

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In the Matter of the Verified Joint Petition of Altice N.V. and Cablevision Systems Corporation and Cablevision Cable Entities for Approval to Transfer Control of Cablevision Cable Entities

BPU Docket No.: CM15111255

And

In the Matter of the Verified Joint Petition of Altice N.V. and Cablevision Systems Corporation, Cablevision Lightpath-NJ, LLC and 4Connections LLC for Approval to Transfer Control of Cablevision Lightpath-NJ, LLC and 4Connections, LLC and for Certain Financing Arrangements

BPU Docket No.: TM15111256

Dear Ms. Asbury:

On behalf of Altice USA (hereinafter "the Company"), we are providing this letter together with the attached affidavit of Paul Jamieson (hereinafter "Jamieson Affidavit"), the Company's Vice President, Government & Policy, to substantiate the Company's request for confidential treatment of portions of the supplemental information that the Company filed pursuant to the Board's Order in the above-captioned matter (hereinafter "Supplemental Information").

The Supplemental Information contains proprietary information regarding the Company's finances, operations, personnel and/or subscriber data. The Company has redacted data (hereinafter "the Redacted

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NEW YORK, NY

*Case mgmt
C. Antale*

*A. Voshni
L. Gilbert*

Data”) in the Supplemental Information because the Redacted Data constitutes highly confidential, proprietary, commercial information, which if disclosed, could pose a security risk and/or place the Company at a competitive disadvantage. See Affidavit of Paul Jamieson (hereinafter “Jamieson Affidavit”).

Confidential copies as well as public redacted copies of the Supplemental Information have been sent via Hand Delivery to the Office of Cable Television and Telecommunications. All notices under N.J.A.C. 14:1-12.7 or 12.9 should be provided to **Paul Jamieson, Esq., Altice USA, 1111 Stewart Avenue, Bethpage, New York 11714, telephone – (516) 803-2544, fax – (516) 803-2585, E-Mail Paul.Jamieson@AlticeUSA.com** and to the undersigned.

The Open Public Records Act (“OPRA”), N.J.S.A. 47:1A-1, et seq., sets forth the definition of a “government record”. Excluded from the definition of a “public record” and the concomitant obligation to disclose are “trade secrets and proprietary commercial or financial information obtained from any source” and “information which, if disclosed, would give an advantage to competitors or bidders.” N.J.S.A. 47:1A-1.1. The Board has denied requests for the release of information that could unfairly provide an advantage to competitors.¹

In In the Matter of the Request for Solid Waste Utility Customer Lists, the New Jersey Supreme Court reviewed the authority of the Board to order that solid waste companies provide customer lists to the Board. In affirming the Board’s right to the proprietary information, the Court stated:

Even so, we recognize that the lists are of value to appellants, and that the Board should provide adequate safeguards against public disclosure. . . . The Board itself recognized the confidential nature of the lists by providing in the order that “these lists will not be available for inspection or use by other collectors or the public as such public inspection is unnecessary to the Board’s purposes in requiring the lists”.

106 N.J. 508, 523-524 (1987) (citations omitted).

It is clear that our Legislature, the Board and the New Jersey Government Records Council (“GRC”) have recognized that businesses in New Jersey should not be placed at a competitive disadvantage because of their submission of information to state or local government agencies. As noted, the Legislature specifically excluded “information which, if disclosed, would give an advantage to competitors or bidders” from the disclosure requirements in OPRA. This has been confirmed by the GRC in Joseph Belth v. N.J. Department of Banking and Insurance, Complaint No. 2003-29, dated March 8, 2004. In that case, the complainant requested a copy of records that would disclose the financial condition of an insurance company. In its decision, the GRC determined that the Department of Banking and Insurance had met its burden to show that the requested information is exempt under the “advantage to competitors” provision of OPRA and that the

¹ See, e.g., Application of Jersey Central Power & Light Co. for Approval of the Power Purchase Agreement Between Jersey Central Power & Light Co. and Freehold Cogeneration Associates, L.P., Docket No. EM92030359, 1994 WL 53504, #2, Order Granting Motion for Protective Order (N.J. B.P.U. Sept. 8, 1994).

Department of Banking and Insurance had properly denied access to the information. The GRC reasoned that the information sought pertained to the insurance company's financial condition which if disclosed would give competitors an advantage. Therefore, New Jersey's approach is clear on its face. Adherence to this approach will serve to protect all competitors in the broadband market, will allow for fair competition, and will permit regulated entities to disclose information to state agencies in a fair and orderly manner.

N.J.A.C. 14:1-12.8 sets forth criteria for substantiating a claim for the confidential treatment of information. Subsection (a) (6) of the above regulation calls for a description of the harm that would befall the Company should the specified information be disclosed. As noted above and stated in the Jamieson Affidavit, the Company has removed the Redacted Data to prevent a security risk and/or to avoid giving an advantage to competitors. It is clear that this information is highly confidential and proprietary in nature. See Jamieson Affidavit.

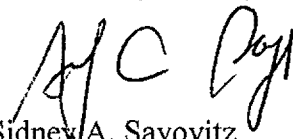
Access to the Supplemental Information would reveal sensitive information regarding the Company's deployment of human resources and emergency planning. Release of such operational and infrastructure information is inherently risky and would allow terrorists and hackers to target the Company's facilities and operations, thereby impacting upon public safety and security. In addition, the Redacted Data is proprietary and release could adversely impact the Company's economic standing.

In conclusion, it is respectfully submitted that the Redacted Data does not constitute a government record as that term is defined under N.J.S.A. 47:1A-1.1 and should be maintained by the Board of Public Utilities as confidential information. This information is clearly proprietary to the Company and, if released, would pose a security risk and give an unfair, competitive advantage to its competitors that would have a significant adverse impact on the Company's financial position.

Based on the foregoing, pursuant to N.J.A.C. 14:1-12.8 (a) (7), we ask that the Redacted Data be maintained by the Board in a confidential file for five (5) years from the date of this letter.

Respectfully submitted,

SCHENCK, PRICE, SMITH & KING, LLP


Sidney A. Sayovitz

Encls.

cc: Lawanda Gilbert, Director
Office of Cable Television and Telecommunications (*via hand delivery*)
Marilyn Davis, Altice USA (*via e-mail*)
Paul Jamieson, Altice USA (*via e-mail*)



SCHENCK, PRICE, SMITH & KING, LLP

220 Park Avenue
P.O. Box 991
Florham Park, New Jersey 07932
(973) 539-1000
Attorneys for Altice USA

**AFFIDAVIT OF
PAUL JAMIESON**

**IN THE MATTER OF THE VERIFIED JOINT :
PETITION OF ALTICE N.V. AND :
CABLEVISION SYSTEMS CORPORATION :
AND CABLEVISION CABLE ENTITIES FOR :
APPROVAL TO TRANSFER CONTROL OF :
CABLEVISION CABLE ENTITIES :**

BPU DOCKET NO. CM15111255

and

**IN THE MATTER OF THE VERIFIED JOINT :
PETITION OF ALTICE N.V. AND :
CABLEVISION SYSTEMS CORPORATION, :
CABLEVISION LIGHTPATH-NJ, LLC AND :
4CONNECTIONS LLC, FOR APPROVAL TO :
TRANSFER CONTROL OF CABLEVISION :
LIGHTPATH-NJ, LLC AND 4CONNECTIONS :
LLC AND FOR CERTAIN FINANCING :
ARRANGEMENTS :**

BPU DOCKET NO. TM15111256

BOARD OF PUBLIC UTILITIES

AUG 30 2017

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**STATE OF NEW YORK :
: SS:
COUNTY OF NASSAU :**

I, PAUL JAMIESON, being of full age, being duly sworn, deposes and says:

1. I am Vice President, Government and Policy, for Altice USA (hereinafter "the Company").

2. I am familiar with the information referenced in this affidavit provided pursuant to the Order in the above-captioned matters issued by the New Jersey Board of Public Utilities issued on or about May 26, 2016 (hereinafter "Board's Order"). I submit this affidavit in support of the Company's request for confidential and proprietary treatment of same. If called as a witness, I could and would testify competently to the same.

3. Board Staff has requested that the Company provide further information related to the Board's Order. The Company has submitted this information in a letter to the Board Secretary dated August 21, 2017.

4. Some of the information in the August 25, 2017 letter is proprietary, involving finances, operations, personnel and/or subscriber data. Such information has been redacted (hereinafter "Redacted Data") because the information is highly confidential. If disclosed, such information could place the Company at a competitive disadvantage and could constitute a security risk.

5. Access to the Redacted Data would give competitors detailed information regarding the Company's commercial operations, employment data and insight into its business plans. In contrast, the Company would not have similar intimate knowledge of its competitors' commercial operations and business plans to allow it to respond effectively to this kind of marketing strategy. Analysis of the Redacted Data would be of great benefit to the Company's competitors resulting in a distortion of competition in New Jersey, to the Company's financial detriment. Moreover, disclosure of the Redacted Data and, in particular, the information regarding operations, could also pose a security risk.

6. It is clear that commercial information that provides details on the Company's finances, operations, personnel and subscriber data, constitutes sensitive proprietary information that should never be released to the general public.

7. The Redacted Data is not available to the general public and has not been publicly divulged. The Company has taken precautions to make sure that this information does not enter the public domain.

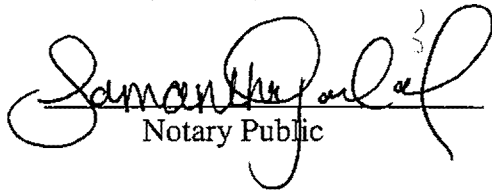
8. Maintaining the confidentiality of the Redacted Data will not harm the general public.

9. In view of the foregoing, it is clear that the Redacted Data is confidential and if disclosed, may pose a security risk and would give competitors an undue competitive advantage that would have a significant adverse impact on the Company's financial position. The clear prejudice to the Company requires continued confidential treatment for at least five years from the date of this affidavit.



PAUL JAMIESON

Sworn before me this
25 day of August, 2017



Notary Public

SAMANTHA M. PARDAL
Notary Public, State of New York
No. 01PA6275026
Qualified in Nassau County
Commission Expires: January 14, 2021

Final Aug-31, 2017

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August 30, 2017

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BPU Docket No.: TM15111256

Dear Ms. Asbury:

On behalf of Altice USA, in response to the request by Board Staff for supplemental information related to the Board's Order in the above-captioned matters, enclosed please find the original and one copy of a letter dated August 25, 2017 (confidential and redacted versions). The August 25, 2017 letter contains data relating to employee headcount and subscribers. The confidential version is being provided

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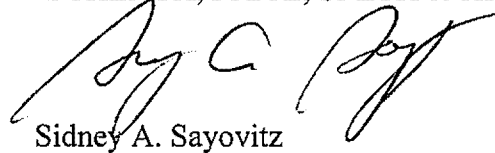
*Case mgmt
C. Natale*

*C. Vashani
J. Gilbert - Conf*

under seal. We have also enclosed, pursuant to N.J.A.C. 14:1-12.1 et seq., the affidavit of Paul Jamieson, Esq. with supporting letter brief substantiating Altice USA's claim of confidentiality.

Respectfully submitted,

SCHENCK, PRICE, SMITH & KING, LLP



Sidney A. Sayovitz

Encls.

cc: Lawanda Gilbert, Director
Office of Cable Television and Telecommunications (*via hand delivery*)
Paul Jamieson, Esq. (*via e-mail*)
Marilyn Davis (*via e-mail*)