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March 8, 2018

Via FedEx Overnight Mail

Board Secretary

Attn: **Aida Camacho**

Board of Public Utilities

44 South Clinton Avenue

3rd Floor, Suite 314

Trenton, NJ 08625

CE18030250

RECEIVED

MAIL ROOM

MAR 09 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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

Dear Ms. Camacho:

Enclosed herewith please find the original and eleven (11) copies of the Verified Petition and Verification filed on behalf of Comcast of Monmouth County, 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,

Dennis Linken dp

Dennis C. Linken

For the Firm

DCL:dp

cc:w/enc. Lawanda R. Gilbert, Director (w/enc. via Fedex Overnight Mail)

Maria T. Novas-Ruiz, Assistant Deputy Rate Counsel (via first class mail)

Joyce L. Escalante, Borough Clerk (via first class mail)

Robert D. Clifton, Senior Director of Government and Regulatory Affairs (via first class mail)

CMS
LEGAL
DAG
RPA
CABLE(L)

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

SCARINCI & HOLLENBECK, LLC
ATTORNEYS AT LAW
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Phone: 201-896-4100
Attorneys for Petitioner
Comcast of Monmouth County, LLC
File No. 41000.3000

RECEIVED
BOARD OF PUBLIC UTILITIES
MAR 19 2019
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

_____)
IN THE MATTER OF THE PETITION OF)
COMCAST OF MONMOUTH COUNTY, LLC,)
FOR A CERTIFICATE OF APPROVAL TO)
CONTINUE TO CONSTRUCT, OPERATE AND)
MAINTAIN A CABLE TELEVISION SYSTEM IN)
AND FOR THE BOROUGH OF MONMOUTH)
BEACH, COUNTY OF MONMOUTH, STATE OF)
NEW JERSEY)
_____)

VERIFIED PETITION

Docket No.

Comcast of Monmouth County, 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 its cable television system ("System") in the Borough of Monmouth Beach, Monmouth County, New Jersey ("Borough" or "Monmouth Beach"). 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 403 South St., PO Box 598, Eatontown, New Jersey 07724.

3. On or about January 29, 1981, in Docket No. 7912C-6604, pursuant to N.J.S.A. 48:5A-17, the Board issued a Certificate of Approval to Futurevision Cable Enterprises, Inc. (“Futurevision”) for the construction, operation and maintenance of the System in and for the Borough. A copy of said Certificate of Approval is on file at the OCTV&T.

4. On or about July 1, 1988, pursuant to authorization granted by the Board in its Order of Approval in Docket No. CM86050542, Comcast (previously known as Storer Cable Communications) succeeded to the rights of Futurevision as part of an internal corporate reorganization.

5. On or about June 20, 1996, pursuant to N.J.S.A. 48:5A-17(a) and (b), and N.J.S.A. 48:5A-28(c), the Board issued a Renewal Certificate of Approval in Docket No. CE96040269 to Comcast Cablevision of Monmouth County, Inc., now known as Comcast of Monmouth County, LLC, to continue to construct, operate and maintain the System in the Borough. A copy of said Renewal Certificate of Approval is on file at the OCTV&T.

6. On January 18, 2012, in Docket No. CE11030139, pursuant to N.J.S.A. 48:5A-16 and 17, the Board issued a Renewal Certificate of Approval to Petitioner for the continued construction, operation and maintenance of the System in and for the Borough. A copy of said Renewal Certificate of Approval is on file at the OCTV&T.

7. Pursuant to N.J.S.A. 48:5A-1 et seq. and N.J.A.C. 14:18-13.3(a)3, on or about April 29, 2017, Petitioner submitted an Application for Renewal of Municipal Consent (hereinafter the “Municipal Application”) to continue to construct, operate and maintain the System in the Borough.

8. On or about September 26, 2017, a public hearing was held by the Borough with respect to Petitioner's Municipal Application, during which all interested persons desiring to be heard were so heard.

9. On or about December 12, 2017, the Borough adopted Ordinance # O-08-17 (the "Ordinance") granting to Petitioner renewal of its Municipal Consent ("Renewal of Municipal Consent") to continue to construct, operate and maintain the System in the Borough. A copy of said Ordinance is annexed hereto as Exhibit A.

10. On or about December 14, 2017, Comcast filed its formal acceptance of the terms and conditions of the Renewal of Municipal Consent granted by the Borough, pursuant to N.J.S.A. 48:5A-24. A copy of said letter of acceptance is annexed hereto as Exhibit B.

11. The information pertaining to Petitioner on file with the OCTV&T, together with the information contained in Petitioner's Municipal Application and its Application for Renewal of a Certificate of Approval ("COA Application"), simultaneously filed herewith, all of which is adopted by reference thereto, establishes the requisite criteria for the continued construction, ownership, operation and management of the System in Monmouth Beach by Comcast.

12. Comcast possesses the requisite character and suitability for the continued operation of the System. Further, as indicated in the Municipal Application, the COA Application and other information on file with the OCTV&T, Comcast possesses the necessary financial responsibility and ability to perform efficiently the proposed services and those services which 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 to Petitioner.

13. Petitioner 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 Monmouth Beach and the other municipalities in which it serves.

COUNT TWO

14. Comcast repeats paragraphs 1 through 13 of COUNT ONE as if set forth fully hereinafter.

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

16. As also set forth in the COA Application and other information on file at the OCTV&T, the Borough represents an integral part of the Comcast regional cable systems serving the counties of Essex, Union, Middlesex and Monmouth. In addition, the demographics of the Borough, as well as its location and other factors, mandate that cable television service be provided by Comcast as part of the Comcast regional cable systems.

17. The Borough portion of Comcast’s and its affiliates’ Essex, Union, Middlesex and Monmouth 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 Borough and the larger cable television systems generally. Further, continuation of Comcast’s operating authority in the Borough will avoid an unreasonable duplication of services that would otherwise be detrimental to the development of adequate cable television service.

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

19. Comcast believes that a Renewal Certificate of Approval for the Borough of Monmouth Beach 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 Borough;

b. The services to be provided by Comcast as set forth in its COA Application are of great benefit to the citizens and residents of the Borough;

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 Borough; 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 Borough, Comcast and its 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 Borough of Monmouth Beach.

Respectfully submitted,

SCARINCI & HOLLENBECK, LLC
Attorneys for Petitioner
Comcast of Monmouth County, LLC

By: *Dennis Linken Idp*
Dennis C. Linken

Dated: March 8, 2018