

DENNIS C. LINKEN | Partner

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March 26, 2019

Via FedEx Overnight Mail

Aida Camacho-Welch, Secretary
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
Trenton, NJ 08625

RECEIVED
CASE MANAGEMENT
MAR 27 2019
RECEIVED
MAIL ROOM
MAR 27 2019
BOARD OF PUBLIC UTILITIES
TRENTON, NJ
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

CE 19030396

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

Dear Secretary Camacho-Welch:

Enclosed herewith please find the original and eleven (11) copies of the Verified Petition and Verification filed on behalf of Comcast of Gloucester 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 Application and please return the extra copy of this letter, Petition and documents 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 (via Fedex Overnight Mail)
Stefanie A. Brand, Director (via first class mail)
Dina Zawadski, Township Clerk (via first class mail)
Fred J. DeAndrea, Senior Director of Government and Regulatory Affairs (via email)

Cms
Legal
DAG
RPA
CABLE

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

SCARINCI & HOLLENBECK, LLC
1100 Valley Brook Avenue
P.O. Box 790
Lyndhurst, New Jersey 07071-0790
(201) 896-4100
Attorneys for Petitioner
Comcast of Gloucester County, LLC
File No. 41000.3000

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TRENTON, NJ

IN THE MATTER OF THE PETITION OF
COMCAST OF GLOUCESTER COUNTY,
LLC, FOR A CERTIFICATE OF
APPROVAL TO CONTINUE TO
CONSTRUCT, OPERATE AND
MAINTAIN A CABLE TELEVISION
SYSTEM IN AND FOR THE TOWNSHIP
OF DEPTFORD, COUNTY OF
GLOUCESTER, STATE OF NEW JERSEY

VERIFIED PETITION

Docket No.

Comcast of Gloucester County, LLC (hereinafter “Comcast” or “Petitioner”), hereby petitions the Honorable Board of Public Utilities (the “Board”), pursuant to 47 U.S.C. §546(c), N.J.S.A. 48:5A-15, -16 and -17, N.J.A.C. 14:17-6.9 and N.J.A.C. 14:18-13.1 et seq., for renewal of a Certificate of Approval. 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 1250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034.

3. On or about June 1, 1978, pursuant to N.J.S.A. 48:5A-17(a) and (b), and 28(c), the Board issued a Certificate of Approval to Gloucester County CATV Associates (“Gloucester Cable”) to construct, operate and maintain a cable television system (“System”) in the Township of Deptford (“Township” or “Deptford”) in Docket No. 7710C-6325. A copy of said Certificate of Approval is on file at the OCTV&T.

4. Pursuant to authorization granted by the Board in its Order of Approval dated May 29, 1980 in Docket No. 805C-6680, the System owned and operated by Gloucester Cable, including the Certificate of Approval pertaining to the Township, was transferred to Comcast (previously known as Storer Cable Communications of Gloucester County, Inc.). A copy of said Order is on file at the OCTV&T.

5. On or about March 13, 1995, in Docket No. CE94080344, the Board issued a Renewal Certificate of Approval to Petitioner, to continue to provide cable television service in the Township. A copy of said Certificate is on file at the OCTV&T.

6. On or about August 20, 2008, in Docket No. CE07120933, the Board issued a Renewal Certificate of Approval (the “2008 RCOA”) to Petitioner, to continue to provide cable television service in the Township. A copy of said 2008 RCOA is on file at the OCTV&T.

7. The 2008 RCOA, in accordance with its underlying municipal consent ordinance, reflected and included an automatic renewal provision, pursuant to which the Deptford franchise would be subject to automatic renewal for a period of ten (10) years following its scheduled expiration date of March 31, 2019.

8. As set forth under N.J.A.C. 14:18-13.6, 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.

9. Neither the Township nor Comcast provided notice of its intention to not renew the Deptford 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 Township dated February 28, 2019, 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 2008 RCOA.

10. As a result of the foregoing, Comcast's franchise in Deptford shall be deemed to automatically renew.

11. Accordingly, pursuant to N.J.A.C. 14:18-13.6, Comcast hereby requests approval and implementation of the automatic renewal provision of the 2008 RCOA in Docket No. CE07120933, to continue to construct, operate and maintain the System in the Township.

12. The information pertaining to Petitioner 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 Township, simultaneously submitted 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 Deptford by Comcast.

13. Comcast possesses the requisite character and suitability for the continued operation of the System. Further, as indicated in the material filed with the Township and on file with the OCTV&T, Comcast possesses the necessary financial integrity and the 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.

14. 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 Deptford and the other municipalities in which it serves.

COUNT TWO

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

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

17. As also set forth in the COA Application, the Township represents an integral part of the Comcast cable television system serving the counties of Atlantic, Burlington, Camden, Gloucester and Salem. In addition, the demographics of Deptford, 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.

18. The Township portion of Comcast's and its affiliates' Atlantic, Burlington, Camden, 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 Township and the larger cable television system generally. Further, continuation of Comcast's

operating authority in the Township will avoid an unreasonable duplication of services which would otherwise be detrimental to the development of adequate cable television service.

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

20. Comcast believes that an Automatic Renewal Certificate of Approval for the Township of Deptford 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 an Automatic Renewal Certificate of Approval to Comcast will ensure the continued provision of cable television service to the residents of the Township;

(b) The services provided by Comcast in its COA Application are of great benefit to the citizens and residents of the Township;

(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 Township;
and

(d) Comcast, its officers and 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 Township, 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, it is requested that this Honorable Board of Public Utilities issue to Comcast of Gloucester County, LLC a Renewal Certificate of Approval to continue to construct, operate and maintain a cable television system in the Township of Deptford.

Respectfully submitted,

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

By: *Dennis Linken ldp*
Dennis C. Linken

Dated: March 26, 2019

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

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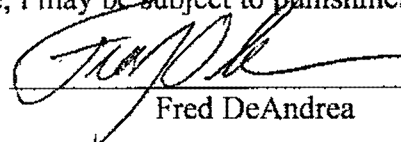
VERIFICATION

Docket No.

Fred DeAndrea, hereby certifies as follows:

1. I am Senior Director of Government and Regulatory Affairs of Comcast Gloucester County, 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: March 21, 2019



Comcast
1250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034
856-740-4146
856-694-6001
www.comcast.com
www.comcastcorporation.com

February 28, 2019

Mr. Dennis C. Linken, Esq
Scarinci Hollenbeck
1100 Valley Brook Avenue
Lyndhurst, NJ 07071-0790

Dear Dennis:

Please find enclosed four "confidential" copies and one "public" copy of an automatic renewal application for the Township of Deptford served by Comcast of Gloucester County, LLC. Seven maps, a copy of the MCO, a copy of the most recent COA and the automatic renewal notice also are enclosed.

Do not hesitate to contact me at 856-740-4146 if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred J. DeAndrea".

Fred J. DeAndrea
Senior Director of Government & Regulatory Affairs

cc w/o enc: Stephen Fitzgibbons, Comcast Division Senior Director of
Franchising
Stephanie Kosta, Comcast Regional Vice-President of
Government Affairs
file