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CASE MANAGEMENT

MAY 15 2019

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

May 14, 2019

Via FedEx Overnight Mail

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

CE 19050585

Re: In the Matter of the Petition of Comcast of New Jersey II, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Town of Secaucus, County of Hudson, 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 New Jersey II, 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,

Laura M. Miller
For the Firm
LMM/dp

- cc: Lawanda R. Gilbert, Director (w/enc. via Fedex)
- Stefanie A. Brand, Director (w/enc. via first class mail)
- Michael Marra, Town Clerk (via first class mail (w/enc. via first class mail)
- Charles L. Smith III, Senior Director of Government and Regulatory Affairs (w/enc. via first class mail)

CMS
Legal
DAG
RPA
CABLE

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

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TRENTON, NJ

SCARINCI & HOLLENBECK, LLC
ATTORNEYS AT LAW
1100 Valley Brook Avenue
Lyndhurst, NJ 07071-0790
Phone: 201-896-4100
Attorneys for Petitioner
Comcast of New Jersey II, LLC
File No. 41000.3000

IN THE MATTER OF THE PETITION OF)
COMCAST OF NEW JERSEY II, LLC, FOR A)
CERTIFICATE OF APPROVAL TO CONTINUE)
TO CONSTRUCT, OPERATE AND MAINTAIN A)
CABLE TELEVISION SYSTEM IN AND FOR)
THE TOWN OF SECAUCUS, COUNTY OF)
HUDSON, STATE OF NEW JERSEY)
_____)

VERIFIED PETITION

Docket No.

Comcast of New Jersey II, 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 Town of Secaucus, Hudson County, New Jersey ("Town" or "Secaucus"). 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 800 Rahway Avenue, Union, New Jersey 07083.

3. On or about December 21, 1978, in Docket No. 785C-6370, pursuant to N.J.S.A. 48:5A-17, the Board issued a Certificate of Approval to Suburban Cablevision (“Suburban”) for the construction, operation and maintenance of the System in and for the Town. A copy of said Certificate of Approval is on file at the OCTV&T.

4. On or about November 30, 1994, pursuant to authorization granted by the Board in its Order of Approval in Docket No. CM94080365, Suburban became a wholly-owned indirect subsidiary of Comcast Corporation; Suburban subsequently changed its name to Comcast Cablevision of New Jersey, Inc., and later to Comcast of New Jersey II, LLC, Petitioner herein.

5. On or about April 5, 2004, in Docket No. CE04010033, 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 Town. A copy of said Renewal Certificate of Approval is on file at the OCTV&T.

6. 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 March 19, 2018, Petitioner submitted an Application for Renewal of Municipal Consent (hereinafter the “Municipal Application”) to continue to construct, operate and maintain the System in the Town.

7. On or about July 24, 2018, a public hearing was held by the Town with respect to Petitioner's Municipal Application, during which all interested persons desiring to be heard were so heard.

8. On or about March 26, 2019, the Town adopted Ordinance No. 2019-8 (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 Town. A copy of said Ordinance is annexed hereto as Exhibit A.

9. On or about April 11, 2019, Comcast filed its formal acceptance of the terms and conditions of the Renewal of Municipal Consent granted by the Town, pursuant to N.J.S.A. 48:5A-24. A copy of said letter of acceptance is annexed hereto as Exhibit B.

10. 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 Secaucus by Comcast.

11. 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.

12. 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 Secaucus and the other municipalities in which it serves.

COUNT TWO

13. Comcast repeats paragraphs 1 through 12 of COUNT ONE as if set forth fully hereinafter.

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

15. As also set forth in the COA Application and other information on file at the OCTV&T, the Town represents an integral part of the Comcast regional cable systems serving the counties of Essex, Union, Middlesex and Hudson. In addition, the demographics of the Town, 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.

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

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

18. Comcast believes that a Renewal Certificate of Approval for the Town of Secaucus 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 Town;

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 Town;

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 Town; 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 Town, 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 Town of Secaucus.

Respectfully submitted,

SCARINCI & HOLLENBECK, LLC
Attorneys for Petitioner
Comcast of New Jersey II, LLC

By: 
Laura M. Miller

Dated: May 14, 2019

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

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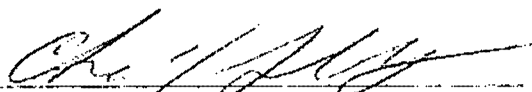
VERIFICATION

Docket No.

CHARLES L. SMITH III hereby certifies as follows:

1. I am Senior Director, Government and Regulatory Affairs, of Comcast of New Jersey II, 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.



Charles L. Smith III

Dated: May 14, 2019