

LAURA M. MILLER | Counsel
lmiller@sh-law.com
Direct Phone: 201-896-7121 | Fax: 201-896-7122

June 24, 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
MAIL ROOM
JUN 25 2019
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

RECEIVED
CASE MANAGEMENT
JUN 25 2019
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

CE 19060750

Re: In the Matter of the Petition of Comcast of Wildwood, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the City of Gloucester City, County of Atlantic, 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 Wildwood, 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/w/enc. Lawanda R. Gilbert, Director (via Fedex)
Stefanie A. Brand, Director (via first class mail)
Vanessa L. Parent, Acting City Clerk (via first class mail)
Fred J. DeAndrea, Senior Director of Government and Regulatory Affairs (via email)

CMS
Legal
DAG
RPA
CABLE(6)

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

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

_____)
IN THE MATTER OF THE PETITION OF)
COMCAST OF WILDWOOD, LLC, FOR A)
RENEWAL CERTIFICATE OF APPROVAL)
TO CONTINUE TO CONSTRUCT, OPERATE)
AND MAINTAIN A CABLE TELEVISION)
SYSTEM IN AND FOR THE CITY OF)
GLOUCESTER CITY, COUNTY OF)
CAMDEN, STATE OF NEW JERSEY)
_____)

VERIFIED PETITION

Docket No.

Comcast of Wildwood, 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 City of Gloucester City, Camden County, New Jersey ("City" or "Gloucester City"). 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 Rd., Cherry Hill, New Jersey 08034.

3. On or about June 24, 1974, in Docket No. 7312C-5069, 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 Certificate of Approval to Clearview Cable Corporation ("CCC") to own, operate and maintain a cable television system and to provide cable television service in the City. A copy of said Certificate of Approval is on file at the OCTV&T.

4. On October 29, 1980, in Docket No. 809C-6716, the Board approved the transfer of the System, including the Certificate of Approval pertaining to the City, from CCC to TCI of New Jersey, Inc. ("TCI").

5. On November 9, 1988, in Docket No. CM88091063, the Board approved the transfer of the System, including the Certificate of Approval pertaining to the City, from TCI, then known as TCI of Wildwood, Inc., to TKR Cable Company, subsequently renamed TKR Cable Company of Wildwood, Inc. ("TKR").

6. On or about May 10, 1989, in Docket No. CE88121332, the Board issued a Renewal Certificate of Approval to TKR to continue to provide cable television services within the City. A copy of said Certificate of Approval is on file with the OCTV&T.

7. On April 30, 2001, pursuant to the Order of Approval issued by the Board in Docket No. CM00110923, TKR became an indirect, wholly-owned subsidiary of Comcast Corporation. Subsequently, TKR's name was formally changed to Comcast Cablevision of Wildwood, Inc., which is now known as Comcast of Wildwood, LLC, Petitioner herein.

8. On or about August 19, 2009, in Docket No. CE08100887, pursuant to N.J.S.A. 48:5A-16 and 17, the Board issued a Renewal Certificate of Approval to Comcast (the "2009

Renewal Certificate of Approval”) for the continued construction, operation and maintenance of the System in and for the City. A copy of said 2009 Renewal Certificate of Approval is on file at the OCTV&T.

9. The 2009 Renewal Certificate of Approval, in accordance with its underlying municipal consent ordinance, reflected and included an automatic renewal provision, pursuant to which the Gloucester City franchise would be subject to automatic renewal for a period of ten (10) years following its scheduled expiration date of June 24, 2019.

10. 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 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.

11. Neither the City nor Comcast provided notice of its intention to not renew the Gloucester City franchise pursuant to N.J.A.C. 14:18-13.6 prior to the deadline set forth therein for such action, as confirmed in Comcast’s letter to the City dated May 24, 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 2009 Renewal Certificate of Approval.

12. As a result of the foregoing, Comcast’s franchise in Gloucester City shall be deemed to automatically renew.

13. Accordingly, pursuant to N.J.A.C. 14:18-13.6, Comcast hereby requests approval and implementation of the automatic renewal provision of the 2009 Renewal Certificate of Approval granted in Docket No. CE08100887, to continue to construct, operate and maintain the System in the City.

14. The information pertaining to Comcast 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 City, simultaneously filed herewith, all of which is adopted by reference thereto, establishes the requisite criteria for the continued construction, operation and maintenance of the System in the City by Comcast.

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

16. Comcast 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 the City and the other municipalities in which it serves.

COUNT TWO

17. Comcast repeats paragraphs 1 through 16 of COUNT ONE as if set forth fully hereinafter.

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

19. As also set forth in the COA Application and other information on file at the OCTV&T, the City represents an integral part of the Comcast regional cable television systems serving the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem. In addition, the demographics of the City, as well as its location and other factors, mandate that cable television service be provided by Comcast as part of Comcast's regional systems.

20. The City portion of Comcast's Atlantic, Burlington, Camden, Cape May, Cumberland, 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 City and the larger cable television systems generally. Further, continuation of Comcast's operating authority in the City will avoid an unreasonable duplication of services that would otherwise be detrimental to the development of adequate cable television service.

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

22. Comcast believes that a Renewal Certificate of Approval for the City of Gloucester City 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 City;

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

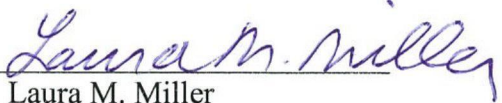
c. The financial strength and technical expertise of Comcast are more than adequate to continue to construct, operate and maintain its cable television system in the City; and

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 City, Comcast and other Comcast 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 an Automatic Renewal Certificate of Approval to continue to construct, operate and maintain a cable television system in and for the City of Gloucester City.

Respectfully submitted,

SCARINCI & HOLLENBECK, LLC
Attorneys for Petitioner
Comcast of Wildwood, LLC

By: 
Laura M. Miller

Dated: June 24, 2019

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

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

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COMCAST OF WILDWOOD, LLC, FOR A)
RENEWAL CERTIFICATE OF APPROVAL)
TO CONTINUE TO CONSTRUCT, OPERATE)
AND MAINTAIN A CABLE TELEVISION)
SYSTEM IN AND FOR THE CITY OF)
GLOUCESTER CITY, COUNTY OF)
CAMDEN, STATE OF NEW JERSEY)

VERIFICATION

Docket No.

FRED DeANDREA hereby certifies as follows:

1. I am Senior Director of Government and Regulatory Affairs of Comcast of Wildwood, 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: June __, 2019



Comcast
1250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034
856.740.4146 Tel.
www.comcast.com
www.comcastcorporation.com

May 24, 2019

Ms. Vanessa L. Parent
Acting City Clerk
City of Gloucester
512 Monmouth Street
Gloucester City, NJ 08030

Dear Ms. Parent:

Comcast's records of the City of Gloucester's franchise renewal certificate with Comcast of Wildwood, LLC, show an agreement expiration date of June 24, 2019. Comcast is pleased to serve this franchise and we will continue to provide quality cable television service while introducing new services and entertainment options to city residents.

N J Board of Public Utilities Docket # CEO8100887 granted Comcast of Wildwood, LLC, a ten-year automatic renewal. In accordance with the procedure set forth in State Act N.J.S.A. 48:5A-19 and 48:5A-25, and in state regulations promulgated thereunder at N.J.A.C. 14:18-13.6, and, having received no written notice that Comcast has not substantially performed in accordance with the franchise, please be informed that Comcast plans to exercise its rights and continue its faithful performance under the franchise for an additional ten years. In doing so, Comcast will abide by the current terms and conditions now in place. This being the case, the franchise will now remain in effect until June 24, 2029.

Please update your records accordingly and do not hesitate to contact me at 856-740-4146 if you have any questions or require additional information. Comcast looks forward to continuing a long and successful relationship with the City of Gloucester.

Sincerely,

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

Fred J. DeAndrea
Senior Director of Government & Regulatory Affairs

FD/kf

cc: Nancy Wolf, Coordinator of State & Local Planning, NJ BPU, Office of Cable Television & Telecommunications
Dennis C. Linken, Esq., Scarinci Hollenbeck
Stephanie Kosta, Comcast Regional Vice-President of Government & Regulatory Affairs
Stephen Fitzgibbons, Comcast Division Senior Director of Franchising
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