

LAURA M. MILLER | Counsel
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October 16, 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
OCT 22 2019
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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TRENTON, NJ
MAIL ROOM
OCT 22 2019
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

CE19101408

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

Laura M. Miller
For the Firm

CMS
LEGAL
DAG
RPA
CABLE (6)

LMM/dp

- cc/w/enc. Lawanda R. Gilbert, Director (w/enc. via Fedex)
- Nancy J. Wolf, Administrative Analyst 4 (w/enc. via FedEx)
- Stefanie A. Brand, Director (w/enc. via first class mail)
- Jenny Gleghorn, RMC/CMR, Clerk (w/enc. via first class mail)
- Robert D. Clifton, Senior Director of Government and Regulatory Affairs (w/enc. via email)

WHEREFORE, it is requested that this Honorable Board of Public Utilities issue to Comcast of New Jersey, LLC, a Renewal Certificate of Approval to continue to construct, operate and maintain a cable television system in the Borough of Tuckerton.

Respectfully submitted,

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

By: *Laura M. Miller*
Laura M. Miller

Dated: October 16, 2019

**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 New Jersey, LLC
File No. 41000.3000

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

VERIFIED PETITION

Docket No.

Comcast of New Jersey, 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 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 195 Leonardville Rd., Belford, New Jersey 07718.

3. On or about October 10, 1974, in Docket No. 744C-6018, 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 Cable Haven TV, Inc. ("Cable Haven") for the construction, operation and maintenance of a cable television system ("System") in and for the Borough of Tuckerton ("Borough" or "Tuckerton"). A copy of said Certificate of Approval is on file at the OCTV&T.

4. On January 29, 1981, in Docket No. 8012C-6736, the Board approved the transfer of the System, including the Certificate of Approval pertaining to the Borough, from Cable Haven to Clear Cable TV, Inc. ("Clear Cable").

5. On April 19, 1984, in Docket No. 8312C-7044, the Board approved the transfer of the System, including the Certificate of Approval pertaining to the Borough, from Clear Cable to Adelphia Cablevision, Inc., an indirect wholly-owned subsidiary of Adelphia Communications Corporation ("Adelphia").

6. On or about April 12, 1991, in Docket No. CE90010017, the Board issued a Renewal Certificate of Approval to Adelphia 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 with the OCTV&T.

7. On December 21, 2000, in Docket No. CM00030127, the Board approved the transfer of the System, including the Certificate of Approval pertaining to the Borough, from Adelphia to Petitioner (previously known as Comcast Cablevision of New Jersey, LLC), a wholly-owned indirect subsidiary of Comcast Corporation.

8. On or about September 14, 2005, in Docket No. CE05060519, 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 with the OCTV&T.

9. 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 January 10, 2019, 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.

10. On or about May 20, 2019, 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.

11. On or about July 15, 2019, the Borough adopted Ordinance No. 7 of 2019 (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 the Ordinance is annexed hereto as Exhibit A.

12. On or about August 6, 2019, 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.

13. 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 Borough, 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 Borough by Comcast.

14. 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

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

20. 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.

21. Comcast believes that a Renewal Certificate of Approval for the Borough of Tuckerton 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 safe, adequate and proper cable television service to the residents of the Borough;

(b) The services provided and to be provided by Comcast as set forth in its COA Application are and will be 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 of Tuckerton; 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 Tuckerton, 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.

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

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Attorneys for Petitioner
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IN THE MATTER OF THE PETITION OF)
COMCAST OF NEW JERSEY, LLC, FOR A)
RENEWAL CERTIFICATE OF APPROVAL TO)
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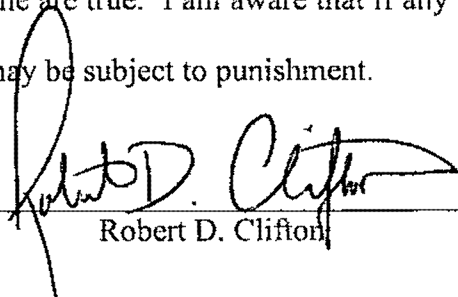
VERIFICATION

Docket No.

Robert D. Clifton, hereby certifies as follows:

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



Robert D. Clifton

Date: October 4, 2019

ORDINANCE NO. 7 OF 2019

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF MONMOUTH COUNTY, LLC. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE MUNICIPALITY OF TUCKERTON, OCEAN COUNTY, NEW JERSEY

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF TUCKERTON, OCEAN COUNTY, NEW JERSEY, AS FOLLOWS:

SECTION 1. PURPOSE OF THE ORDINANCE.

The Borough hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets alleys, sidewalks, easements, public ways and public places in the Borough, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus, and equipment as may be necessary for the construction, operation and maintenance in the Borough of a cable television and communications system.

SECTION 2. DEFINITIONS.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms in supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. § 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal and state definitions:

- a. "Borough" is the Borough of Tuckerton, County of Ocean, State of New Jersey.
- b. "Company" or "Comcast" is the grantee of rights under this Ordinance and is known as Comcast of New Jersey LLC.
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. § 48:5A-1, et seq.
- d. "FCC" is the Federal Communications Commission.
- e. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.
- f. "Office" or "OCTV" is the Office of Cable Television of the Board.
- g. "Basic Cable Service" means any service tier, which includes the retransmission of local television broadcast signals as defined by the FCC.
- h. "Application" is the Company's Application for Renewal of Municipal Consent.
- i. "Primary Service Area" or "PSA" consists of the area of the Borough currently served with existing plant as set forth in the map annexed to the Company's Application for Municipal Consent.

SECTION 3. STATEMENT OF FINDINGS.

Public hearings conducted by the Borough, concerning the renewal of Municipal Consent herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearings, having been fully open to the public, and the Borough, having received at said public hearings all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Borough hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE.

The non-exclusive Municipal Consent granted herein shall expire 10 years from the date of expiration of the previous Certificate of Approval issued by the Board.

In the event that the Borough shall find that the Company has not substantially complied with the material terms and conditions of this Ordinance, the Borough shall have the right to petition the OCTV, pursuant to N.J.S.A. § 48:5A-47, for appropriate action, including modification AND/OR termination of the Certificate of Approval; provided, however, that the Borough shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

SECTION 5. FRANCHISE FEE.

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Borough two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable television reception service in the Borough or any higher amount permitted by the Act or otherwise allowable by law, whichever is greater.

SECTION 6. FRANCHISE TERRITORY.

The consent granted under this Ordinance for the renewal of the franchise shall apply to the entirety of the Borough and any property subsequently annexed hereto.

SECTION 7. EXTENSION OF SERVICE.

The Company shall be required to proffer service to any residence along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. Any extension of plant beyond the Primary Service Area shall be governed by the Company's Line Extension Policy, as set forth in the Company's Application, with a HPM ("homes-per-mile") of 35 dwellings per linear mile from the nearest active trunk or feeder line.

SECTION 8. CONSTRUCTION REQUIREMENTS.

a. Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good a condition as existed prior to

the commencement of said work.

b. Relocation: If at any time during the period of this consent, the Borough shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the Borough, shall remove, re-lay or relocate its equipment, at the expense of the Company prior to approval of the board.

c. Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks or other public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

d. Temporary removal of cables: The Company shall, upon request of the Borough, at the company's expense, temporarily raise, lower or remove its lines in order to facilitate the moving of buildings or machinery or in other like circumstances, subject to the prior approval of the board.

e. Installation of equipment: The Company shall install equipment in the same location and manner as existing public utilities whenever possible, in order to minimize the impact of same on surrounding property.

SECTION 9. CUSTOMER SERVICE.

In providing services to its customers, the Company shall comply with N.J.A.C. § 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service and shall be prepared to report on it to the Borough upon written request of the Borough Administrator or Clerk.

a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.

b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.

c. The Company shall use every reasonable effort to meet or exceed voluntary standards for telephone accessibility developed by the National Cable Television Association ("NCTA").

d. Nothing herein shall impair the right of any subscriber or the Borough to express any comment with respect to telephone accessibility to the Complaint Officer, or impair the right of the Complaint Officer to take any action that is permitted under law.

SECTION 10. MUNICIPAL COMPLAINT OFFICER.

The Office of Cable Television is hereby designated as the Complaint Officer for the Borough pursuant to N.J.S.A. § 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. § 14:17-6.5. The Borough shall have the right to request copies of records and reports pertaining to complaints by Borough customers from the OCTV.

SECTION 11. LOCAL OFFICE.

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. § 14:18-5.1 for the purpose of receiving, investigating and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters. Such a business office shall have a publicly listed toll-free telephone number and be open during standard business hours.

SECTION 12. PERFORMANCE BOND.

During the life of the franchise the Company shall give to the Borough a bond in the amount of Twenty-Five Thousand Dollars (\$25,000). Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

SECTION 13. SUBSCRIBER RATES.

The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 14. COMMITMENTS BY THE COMPANY.

a. The Company shall provide Expanded Basic or a similar tier of cable television service to one (1) outlet at no cost to each qualified existing and future school in the Borough, public and private, elementary, intermediate and secondary, provided the school building is within two hundred (200) feet of active cable distribution plant or through customer owned conduit. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school requesting service.

b. The Company shall provide Expanded Basic or a similar tier of cable television service at no cost to one (1) outlet to each qualified existing and future municipal building, police, fire, emergency management facility and public library in the Borough, provided the facility is located within two hundred (200) feet of active cable distribution plant or through customer owned conduit. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Borough.

c. Within six months of the issuance of a Renewal Certificate of Approval by the BPU, the Company shall provide to the Borough a one-time Technology Grant in the amount of \$8,000 to meet the technology and/or cable related needs of the community.

d. The Communications Act of 1934, as amended [47 U.S.C. § 543 (b)], allows the Company to itemize and/or identify: (1.) the amount on the subscriber bill assessed as a franchise fee and the identity of the governmental authority to which the fee is paid; (2.) the amount on the bill assessed to satisfy any requirements imposed on the Company by the cable franchise to support public, education, and/or

governmental access channels or the use of such channels; and (3.) any grants or other fees on the bill or any tax, assessment, or charge of any kind imposed by any governmental authority on the transaction between the operator and the subscriber. The Company reserves its external cost, pass-through rights to the full extent permitted by law.

SECTION 15. EMERGENCY USES.

- a. The Company will comply with the Emergency Alert System ("EAS") rules in accordance with applicable state and federal statutes and regulations.
- b. The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for any reason the Borough is unable to make full use of the cable television system as contemplated herein.

SECTION 16. LIABILITY INSURANCE.

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of One Million Dollars (\$1,000,000) covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of Five Million Dollars (\$5,000,000).

SECTION 17. INCORPORATION OF THE APPLICATION.

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with application State or Federal law.

SECTION 18. COMPETITIVE EQUITY.

Should the Borough grant municipal consent for a franchise to construct, operate and maintain a cable television system to any other person, corporation or entity on terms materially less burdensome or more favorable than the terms contained herein, the Company may substitute such language that is more favorable or less burdensome for the comparable provision of this Ordinance subject to the provisions of N.J.A.C. § 14:17-6.7.

SECTION 19. SEPARABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and its validity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

SECTION 20. THIRD PARTY BENEFICIARIES.

Nothing in this Franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or Franchise.

SECTION 21. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

NOTICE

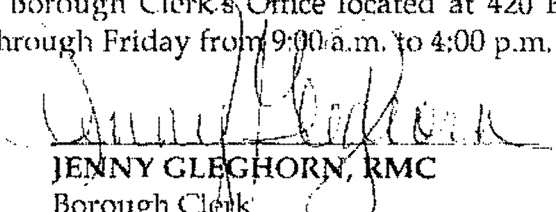
NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Tuckerton held on the 1st day of July, 2019, and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 15th day of July, 2019 at 7:00 pm at the Municipal Building, located at 420 East Main Street, Tuckerton, New Jersey, at which time and place, any person desiring to be heard upon same will be given the opportunity to be so heard.

JENNY GLEGHORN, RMC
BOROUGH CLERK

ORDINANCE NO. 7 OF 2019

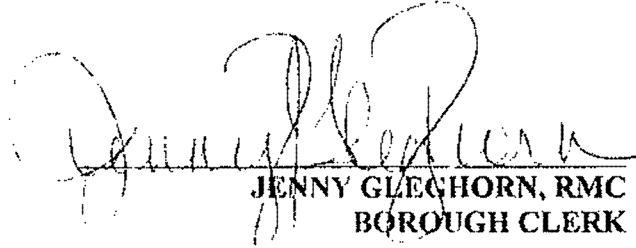
AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF MONMOUTH COUNTY, LLC. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE MUNICIPALITY OF TUCKERTON, OCEAN COUNTY, NEW JERSEY

The Borough of Tuckerton introduced the above ordinance at its July 1, 2019 meeting. The Ordinance authorizes a renewal of Municipal Consent to Comcast Cable. The Ordinance will be considered on second and final reading at the July 15, 2019 meeting of the governing body. All meetings are held at the Borough Hall located at 420 East Main St., Tuckerton, New Jersey, commencing at 7:00 p.m. Copies of all Ordinances are available at no cost at the Borough Clerk's Office located at 420 East Main St., Tuckerton, New Jersey, Monday through Friday from 9:00 a.m. to 4:00 p.m.


JENNY GLEGHORN, RMC
Borough Clerk
Borough of Tuckerton

PUBLIC NOTICE

PLEASE TAKE NOTICE that Ordinance #7 of 2019, an ordinance entitled, AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF MONMOUTH COUNTY, LLC TO CONSTRUCT, CONNECT OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE MUNICIPALITY OF TUCKERTON, OCEAN COUNTY, NEW JERSEY was adopted by the Tuckerton Borough Council at a meeting held on July 15, 2019.



**JENNY GLEGHORN, RMC
BOROUGH CLERK**



195 Leonardville Road
Belford, New Jersey 07718
732.281.3704

August 6, 2019

The Honorable Susan R. Marshall
And Members of the Governing Body
Borough of Tuckerton
420 East Main Street
Tuckerton, New Jersey 08087


Dear Mayor Marshall and Members of the Governing Body:

Please accept this letter as our formal acceptance of Ordinance No. 7 of 2019 granting renewal of municipal consent to Comcast of New Jersey, LLC. We must now petition the New Jersey Board of Public Utilities for issuance of a Renewal Certificate of Approval in this matter.

Comcast appreciates the favorable consideration of our Application and we look forward to a long and continued mutually beneficial relationship with Borough of Tuckerton.

As always, should you have any questions regarding this or any other Comcast matter, please do not hesitate to contact me directly at 732-281-3704.

Sincerely,



Rob Clifton
Director of Government and Community Affairs

cc: Jenny Gleghorn, Borough Clerk
Lawanda Gilbert, Director, OCTV, NJ BPU