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January 17, 2020

Via FedEx Overnight Mail  
Aida Camacho-Welch, Secretary  
Board of Public Utilities  
44 South Clinton Avenue  
9<sup>th</sup> Floor  
Trenton, NJ 08625

RECEIVED  
CASE MANAGEMENT

JAN 21 2020

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

BOARD OF PUBLIC UTILITIES

JAN 21 2020

MAIL RECEIVED

CE20010061

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 Rumson, County of Monmouth, State of New Jersey  
Our File No. 41000.3000

Dear Secretary Camacho-Welch:

I write on behalf of Comcast of Monmouth County, LLC (“Comcast”), in connection with the above-captioned matter. In support of its Verified Petition filed simultaneously with the Board of Public Utilities, Comcast submits herewith three copies of its Application for Renewal of a Certificate of Approval (“Application”). In accordance with N.J.A.C. 14:1-12 *et seq.*, Comcast respectfully submits that certain designated information contained therein is proprietary commercial information and, as such, that the Application does not constitute a government record under the New Jersey Open Public Records Act, P.L. 2001, c. 404 (N.J.S.A. 47:1A-1 *et seq.*). Such information is therefore exempt from public disclosure. To substantiate this confidentiality claim, Comcast relies on the Affidavit of its Senior Director of Government and Regulatory Affairs, Robert D. Clifton, attached hereto. You may direct all custodian communications to the undersigned.

Kindly file the Affidavit and Application. Please return the extra copy of these documents stamped “RECEIVED” in the self-addressed, stamped envelope provided herein.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

*Laura Miller Ldp*

Laura M. Miller  
For the Firm  
LMM/dp

CMS  
CABLE

cc/w/enc. Lawanda R. Gilbert, Director (via FedEx)  
Nancy J. Wolf, Administrative Analyst 4 (via FedEx)  
Stefanie A. Brand, Director (via first class mail)  
Robert D. Clifton, Senior Director of Government & Regulatory Affairs (via email)

**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 Monmouth County, LLC  
File No. 41000.3000

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IN THE MATTER OF THE PETITION OF	)	
COMCAST OF MONMOUTH COUNTY, LLC,	)	
FOR A RENEWAL CERTIFICATE OF	)	
APPROVAL TO CONTINUE TO CONSTRUCT,	)	Docket No.
OPERATE AND MAINTAIN A CABLE	)	
TELEVISION SYSTEM IN AND FOR THE	)	
BOROUGH OF RUMSON, COUNTY OF	)	
MONMOUTH, STATE OF NEW JERSEY	)	

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**AFFIDAVIT**

STATE OF NEW JERSEY	)	
	)	SS:
COUNTY OF OCEAN	)	

ROBERT D. CLIFTON, being of full age and duly sworn according to law, does hereby depose and state as follows:

1. I am Senior Director of Government & Regulatory Affairs of Comcast of Monmouth County, LLC (“Comcast” or “Petitioner”), the petitioner in the above-captioned matter. As such, I am familiar with the nature and contents of the Petition and the Application for a Renewal Certificate of Approval (“Application”) filed in this matter.

2. I make this affidavit in support of the accompanying Petition and Application simultaneously being filed by Comcast for renewal of a Certificate of Approval to continue to construct, operate and maintain its cable television system in the Borough of Rumson, County of Monmouth, New Jersey (“Municipality”).

3. Comcast’s Petition and Application are being filed pursuant to N.J.S.A. 48:5A-1 et seq. and the Regulations of the New Jersey Board of Public Utilities (“Board”), N.J.A.C. 14:18-13 et seq.

4. In support of the Application in the above-captioned matter, Comcast has provided certain information regarding its Receiving Site/Head End (Section V, subsections 4 and 5), System Plant (Section VI) and System Design Standards (Section VII), including a map of the entire Municipality that includes the location of Comcast’s facilities placed therein (Appendix B) (collectively referred to as “System Specifications”). The System Specifications contain sensitive proprietary commercial information (“Confidential Information”) that is confidential and non-public information and therefore does not constitute a “government record” under N.J.S.A. 47:1A-1.1.

5. I make this affidavit in accordance with N.J.A.C. 14:1-12.9 to substantiate Comcast’s claim that the System Specifications submitted to the Board are confidential.

6. Public safety concerns related to the reliability of communications networks such as Comcast’s system, and the increasingly competitive marketplace, warrant confidential treatment of this information. Circumstances in this regard have changed, such that while Comcast may have provided similar information to the Board or to municipalities in the past without requesting confidential treatment, such treatment is now warranted. More specifically, significant additional competitors, such as Verizon, have begun to offer service in Comcast’s New Jersey cable systems.

7. The System Specifications are protected by Comcast by making them available only to senior management of Comcast or such other management or employees who have a need to know such information in order to perform their functions on behalf of Comcast. The System Specifications may also be made available to Comcast's lenders or outside accounting and legal professionals who are obligated to maintain confidentiality or privilege. However, to the extent that the System Specifications have been or may be disclosed to others, Comcast has done so or will do so by way of a confidentiality agreement, whereby it has been or will be agreed by the parties thereto that the Confidential Information: (i) shall be used solely for purposes relating to the matter specified therein, and (ii) shall be maintained in secure files, separate from public information. Such agreements provide or will provide that no other disclosure shall be made to any person or entity, except with the express written consent of Comcast or its legal counsel.

8. The Confidential Information is not contained in materials that are routinely available to the general public, including but not limited to Board Orders, press releases, copies of speeches, promotional or educational materials (although some prior similar information may sometimes have been made available in years past).

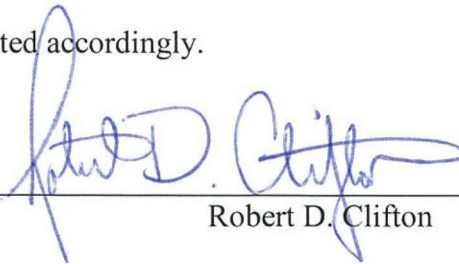
9. To the best of my knowledge, the System Specifications have not previously been subject to a confidentiality determination by the Board or any other State or federal agency or court of competent jurisdiction.

10. The System Specifications would provide vandals, criminals, terrorists, competitors and/or potential competitors with certain sensitive technical information that would provide insight into Comcast's network design, thereby allowing such wrongdoers, competitors and/or potential competitors to gain knowledge of Comcast's system capabilities and as such, would have a deleterious effect with respect to system integrity and/or Comcast's competitive position.

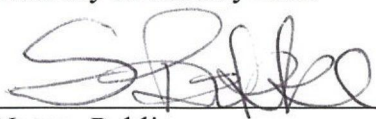
11. Comcast requests that the System Specifications provided to the Board be treated as confidential before, during, and after the proceedings in the above-captioned matter, unless the information or documents are formally adjudicated by the Board, the Office of Administrative Law, or other administrative agency of competent jurisdiction, or any court of competent jurisdiction, to be non-confidential.

12. Due to the sensitive nature of the System Specifications, Comcast respectfully submits that it is appropriate for the Board to limit access to such information. The Confidential Information being provided is for the use of the Board, the Office of the New Jersey Attorney General (“AG”), and the New Jersey Division of Rate Counsel (“RC”) in exercising their governmental functions. There is no legitimate purpose to be served in disclosing this proprietary material to Comcast’s competitors or, indeed, to any person other than the appropriate staff of the Board, AG and RC.

13. Comcast therefore respectfully requests that the Board issue a determination that the System Specifications are confidential and as such exempt from public disclosure and that the availability of such information will be limited accordingly.

  
\_\_\_\_\_  
Robert D. Clifton

Sworn and subscribed to before me this  
10th day of January 2020

  
\_\_\_\_\_  
Notary Public