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January 22, 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

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CASE MANAGEMENT  
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MAIL ROOM  
BOARD OF PUBLIC UTILITIES  
TRENTON, NJ  
JAN 24 2020  
BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

CE20010072

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 Borough of Mount Ephraim, County of Camden, 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 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,

*Laura M. Miller*

Laura M. Miller  
For the Firm  
LMM/dp

Cms  
Legal  
DAG  
RPA  
CABLE (6)

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)  
Terry Shannon, Borough Clerk (via first class mail)  
Fred J. DeAndrea, 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  
 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 BOROUGH OF )  
 MOUNT EPHRAIM, 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 Borough of Mount Ephraim, Camden County, New Jersey ("Borough" or "Mount Ephraim"). 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 October 10, 1974, in Docket No. 7476C-6352, 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 Borough. 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 Borough, 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 Borough, 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. CE88121333, the Board issued a Renewal Certificate of Approval to TKR to continue to provide cable television services within the Borough. 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 June 8, 2005, in Docket No. CE04101094, pursuant to N.J.S.A. 48:5A-16 and 17, the Board issued a Renewal Certificate of Approval to Comcast (the "2005

Renewal Certificate of Approval”) for the continued construction, operation and maintenance of the System in and for the Borough. A copy of said 2005 Renewal Certificate of Approval is on file at the OCTV&T.

9. The 2005 Renewal Certificate of Approval, in accordance with its underlying municipal consent ordinance, reflected and included an automatic renewal provision, pursuant to which the Mount Ephraim franchise would be subject to automatic renewal for a period of ten (10) years following its scheduled expiration date of October 10, 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 Borough nor Comcast provided notice of its intention to not renew the Mount Ephraim 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 Borough dated September 10, 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 2005 Renewal Certificate of Approval.

12. As a result of the foregoing, Comcast’s franchise in Mount Ephraim 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 2005 Renewal Certificate of Approval granted in Docket No. CE04101094, to continue to construct, operate and maintain the System in the Borough.

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 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.

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 Borough 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 Borough 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 Borough is part of larger regional cable television systems serving numerous other municipalities contiguous to and surrounding the Borough.

19. As also set forth in the COA Application and other information on file at the OCTV&T, the Borough 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 Borough, 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 Borough 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 Borough and the larger cable television systems generally. Further, continuation of Comcast's operating authority in the Borough 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 Borough, 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 Borough of Mount Ephraim 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 Borough;
- b. The services provided by Comcast as set forth in its COA Application are 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; 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 Borough, 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 Borough of Mount Ephraim.

Respectfully submitted,

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

By:   
Laura M. Miller

Dated: January 22, 2020

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

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1100 Valley Brook Avenue  
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Attorneys for Petitioner  
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SYSTEM IN AND FOR THE BOROUGH OF )  
MOUNT EPHRAIM, 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: 1/16/20





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

September 10, 2019

Ms. Terry Shannon  
Borough Clerk  
Borough of Mt. Ephraim  
121 S. Black Horse Pike  
Mount Ephraim, NJ 08059

Dear Ms. Shannon:

Comcast's records of the Borough of Mount Ephraim's franchise renewal certificate with Comcast of Wildwood, LLC, show an agreement expiration date of October 10, 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 borough residents.

NJ Board of Public Utilities Docket #CEO4101094 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 October 10, 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 Borough of Brooklawn.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred J. DeAndrea", written over a white background.

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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