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CASE MANAGEMENT

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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JAN 24 2020

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

January 23, 2020

Via FedEx Overnight Mail

Aida Camacho-Welch, Secretary
Board of Public Utilities
44 South Clinton Avenue
9th Floor
Trenton, NJ 08625

CE 20010069

Re: In the Matter of the Petition of Comcast of Garden State L.P., for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Wrightstown, County of Burlington, 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 Garden State L.P. ("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
For the Firm

LMM/dp

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)
Freda Gorman, Borough Clerk (via first class mail)
Fred J. DeAndrea, Senior Director of Government & Regulatory Affairs (via email)

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Legal
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RPA
CABLE (6)

2. Comcast maintains its principal offices at 1250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034.

3. On or about November 7, 1979, in Docket No. 798C-6537, 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 Audubon Electronics Inc. ("Audubon") to provide cable television service in the Borough. A copy of said Certificate is on file with the OCTV&T.

4. On November 6, 1980, in Docket No. 8010C-6721, the Board approved the transfer of the System, including the Certificate of Approval with respect to the Borough, from Audubon to New York Times Cable Company of New Jersey ("NYT").

5. On July 26, 1989, in Docket No. CM89030342, the Board approved the transfer of the System, including the Certificate of Approval with respect to the Borough, from NYT to Garden State Cablevision, L.P. ("Garden State").

6. On September 8, 1995, in Docket No. CE95010050, the Board issued to Garden State a Renewal Certificate of Approval to continue to provide cable television service in the Borough. A copy of said Renewal Certificate is on file with the OCTV&T.

7. On or about January 5, 2000, in Docket No. CM99110855 the Board authorized the merger of Lenfest Communications, Inc., which owned a 50% interest in Garden State, with and into a wholly-owned indirect subsidiary of Comcast Corporation, which owned the remaining 50% interest. As a result of said merger, Garden State, subsequently renamed Comcast of Garden State L.P., Petitioner herein, became indirectly wholly-owned by Comcast Corporation.

8. On or about May 5, 2005, pursuant to N.J.S.A. 48:5A-17(a) and (b), and 28(c), the Board issued a Renewal Certificate of Approval to Comcast in Docket No. CE04091045 to

construct, operate and maintain the System in the Borough (“2005 Renewal Certificate of Approval”). 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 Borough of Wrightstown’s franchise would be subject to automatic renewal for a period of ten (10) years following its scheduled expiration date November 7, 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 Wrightstown 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 October 7, 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 Wrightstown 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 CE04091045, to continue to construct, operate and maintain the System in the Borough.

14. The information pertaining to Petitioner 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 here with, all of which is adopted by reference thereto, establishes the requisite criteria for the continued construction, operation and maintenance of the System in Wrightstown 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 integrity and the 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.

16. 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 Wrightstown 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 cable television systems serving numerous other municipalities contiguous to or surrounding the Borough.

19. As also set forth in the COA Application, the Borough represents an integral part of the Comcast and Comcast-affiliated regional cable television systems serving the Counties of Burlington, Camden, Ocean, Salem and Gloucester. In addition, the demographics of Wrightstown, as well as its location and other factors, mandate that cable television service be provided by Comcast as part of Comcast's and its affiliates' regional systems.

20. The Borough portion of Comcast's and its affiliates' Burlington, Camden, Ocean, Salem and Gloucester 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 which would otherwise be detrimental to the development of adequate cable television service.

21. Comcast is entitled to a renewal of its 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.

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

b. The services to the 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 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 Wrightstown, 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 states in the District of Columbia.

WHEREFORE, it is requested that this Honorable Board of Public Utilities issue to Comcast of Garden State L.P., a Renewal Certificate of Approval to continue to construct, operate and maintain a cable television system in the Borough of Wrightstown.

Respectfully submitted,

SCARINCI & HOLLENBECK, LLC
Attorneys for Petitioner
Comcast of Garden State L.P.

By: 
Laura M. Miller

Dated: January 23, 2020

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

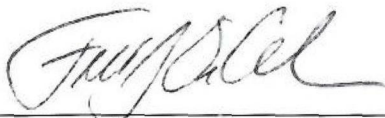
SCARINCI & HOLLENBECK, LLC
1100 Valley Brook Avenue
Lyndhurst, NJ 07071-0790
Phone: 201-896-4100
Attorneys for Petitioner
Comcast of Garden State L.P.
Our File No. 41000.3000

IN THE MATTER OF THE PETITION OF)
COMCAST OF GARDEN STATE L.P., FOR)
A RENEWAL CERTIFICATE OF) **VERIFICATION**
APPROVAL TO CONTINUE TO)
CONSTRUCT, OPERATE AND MAINTAIN)
A CABLE TELEVISION SYSTEM IN AND) Docket No.
FOR THE BOROUGH OF WRIGHTSTOWN,)
COUNTY OF BURLINGTON, STATE OF)
NEW JERSEY)

Fred J. DeAndrea hereby certifies as follows:

1. I am Senior Director of Government and Regulatory Affairs of Comcast of Garden State L.P., 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 J. DeAndrea

Dated: Jan -16, 2020



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

October 7, 2019

Ms. Freda Gorman
Wrightstown Borough Clerk
Wrightstown Borough Hall
21 Saylor's Pond Road
Wrightstown, NJ 08562

Dear Ms. Gorman:

Comcast's records of the Borough of Wrightstown's franchise renewal certificate with Comcast of Garden State, L.P., show an agreement expiration date of November 7, 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.

N J Board of Public Utilities Docket # CE04091045 granted Comcast of Garden State, L.P., 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 November 7, 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 Wrightstown.

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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