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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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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
3rd Floor, Suite 314
Trenton, NJ 08625

CE20010070

Re: In the Matter of the Petition of Comcast of Gloucester 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 Wenonah, County of Gloucester, 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 Gloucester County, 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
For the Firm

LMM/dp

- cc/w/enc. Lawanda R. Gilbert, Director (via Fedex Overnight Mail)
- Nancy J. Wolf, Administrative Analyst 4 (via FedEx)
- Stefanie A. Brand, Director (via first class mail)
- Karen L. Sweeney, Municipal 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
P.O. Box 790
Lyndhurst, NJ 07071-0790
Phone: 201-896-4100
Attorneys for Petitioner
Comcast of Gloucester County, LLC
Our File No. 41000.3000

IN THE MATTER OF THE PETITION OF
COMCAST OF GLOUCESTER COUNTY,
LLC, FOR A CERTIFICATE OF APPROVAL
TO CONTINUE TO CONSTRUCT,
OPERATE AND MAINTAIN A CABLE
TELEVISION SYSTEM IN AND FOR THE
BOROUGH OF WENONAH, COUNTY OF
GLOUCESTER, STATE OF NEW JERSEY

VERIFIED PETITION

Docket No.

Comcast of Gloucester County, LLC (“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 a renewal of a Certificate of Approval to continue to construct, operate and maintain its cable television system (“System”) in the Borough of Wenonah, County of Gloucester, State of New Jersey (“Wenonah” or “Borough”). 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 Road, Cherry Hill, New Jersey 08034.

3. On or about January 9, 1980, pursuant to N.J.S.A. 48:5A-17(a) and (b), and 28(c), the Board issued a Certificate of Approval to Gloucester County CATV Associates (“Gloucester Cable”) to construct, operate and maintain the System in the Borough in Docket No. 7910C-6566. A copy of said Certificate of Approval is on file at the OCTV&T.

4. Pursuant to authorization granted by the Board in its Order of Approval dated May 29, 1980 in Docket No. 805C-6680, the System owned and operated by Gloucester Cable, including the Certificate of Approval pertaining to the Borough, was transferred to Comcast (previously known as Storer Cable Communications of Gloucester County, Inc.). A copy of said Order is on file at the OCTV&T.

5. On or about September 24, 1990, 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. CE89090804 to construct, operate and maintain the System in the Borough. A copy of said Renewal Certificate of Approval is on file at the OCTV&T.

6. On or about September 15, 2000, 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. CE00050315 to construct, operate and maintain the System in the Borough. A copy of said Renewal Certificate of Approval is on file at the OCTV&T.

7. On or about March 25, 2010, 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. CE09110901 to construct, operate and maintain the System in the Borough (“2010 Renewal Certificate of Approval”). A copy of said 2010 Renewal Certificate of Approval is on file at the OCTV&T.

8. The 2010 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 Wenonah's franchise would be subject to automatic renewal for a period of ten (10) years following its scheduled expiration date January 9, 2020.

9. 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.

10. Neither the Borough nor Comcast provided notice of its intention to not renew the Wenonah 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 December 9, 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 2010 Renewal Certificate of Approval.

11. As a result of the foregoing, Comcast's franchise in Wenonah shall be deemed to automatically renew.

12. Accordingly, pursuant to N.J.A.C. 14:18-13.6, Comcast hereby requests approval and implementation of the automatic renewal provision of the 2010 Renewal Certificate of Approval granted in Docket No. CE09110901, to continue to construct, operate and maintain the System in the Borough.

13. The information pertaining to Petitioner on file with the OCTV&T, together with the information contained in Petitioner's Application for Automatic 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 Wenonah by Comcast.

14. Comcast possesses the requisite character and suitability for the continued operation of the System. Further, as indicated in the material filed with the Borough and 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.

15. 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 Wenonah and the other municipalities in which it serves.

COUNT TWO

16. Comcast repeats paragraphs 1 through 15 of COUNT ONE as if set forth fully hereinafter.

17. As set forth in the COA Application, 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.

18. As also set forth in the COA Application, the Borough represents an integral part of the Comcast regional cable television system 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.

19. The Borough portion of Comcast's Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem County 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, a 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.

20. 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.

21. 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 provided by Comcast 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 the Borough, 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.

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

Respectfully submitted,

SCARINCI & HOLLENBECK, LLC
Attorneys for Petitioner
Comcast of Gloucester County, LLC

By: Laura M. Miller
Laura M. Miller

Dated: January 23, 2020

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

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Comcast of Gloucester County, LLC

IN THE MATTER OF THE PETITION OF
COMCAST OF GLOUCESTER COUNTY,
LLC, FOR A CERTIFICATE OF APPROVAL
TO CONTINUE TO CONSTRUCT,
OPERATE AND MAINTAIN A CABLE
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BOROUGH OF WENONAH, COUNTY OF
GLOUCESTER, STATE OF NEW JERSEY

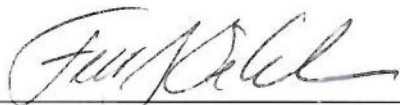
VERIFICATION

Docket No.

Fred J. DeAndrea hereby certifies as follows:

1. I am Senior Director of Government & Regulatory Affairs of Comcast of Gloucester County, 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 J. DeAndrea

Dated: January 16, 2020



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

December 9, 2019

Ms. Karen L. Sweeney
Borough Clerk
Borough of Wenonah
1 S. West Avenue
Wenonah, NJ 08090

Dear Ms. Sweeney:

Comcast's records of the Borough of Wenonah's franchise renewal certificate with Comcast of Gloucester County, LLC, show an agreement expiration date of January 9, 2020. 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 # CE09110901 granted Comcast of Gloucester County, 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 January 9, 2030.

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 Wenonah.

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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