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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

February 20, 2020

Via Email (aida.camacho@bpu.nj.gov) and FedEx

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

CE 20020154

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 City of Camden, 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 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 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
For the Firm

Cms
Legal
DAG
RPA
CABLE (6)

LMM:dp
enc.

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)
Luis Pastoriza, City Clerk (via first class mail)
Fred J. DeAndrea, Senior Director of Government & Regulatory Affairs (via email)

3. On or about October 12, 1979, in Docket No. 798C-6526, 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 City. 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 City, 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 City, from NYT to Garden State Cablevision, L.P. (“Garden State”).

6. On June 26, 1998, in Docket No. CE94040122, the Board issued to Garden State a Renewal Certificate of Approval to continue to provide cable television service in the City. 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 January 28, 2009, 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. CE08020094 to construct, operate and maintain the System in the City (“2009 Renewal Certificate of Approval”). A copy of said 2009 Renewal Certificate of Approval is on file at the OCTV&T.

9. The 2009 Renewal Certificate of Approval, in accordance with its underlying municipal consent ordinance, reflected and included an automatic renewal provision, pursuant to which the City of Camden's franchise would be subject to automatic renewal for a period of ten (10) years following its scheduled expiration date October 12, 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 City nor Comcast provided notice of its intention to not renew the Camden 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 City dated September 12, 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 2009 Renewal Certificate of Approval.

12. As a result of the foregoing, Comcast's franchise in Camden 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 2009 Renewal Certificate of Approval granted in Docket No CE08020094, to continue to construct, operate and maintain the System in the City.

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 City, 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 Camden 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 Camden 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 City is part of larger cable television systems serving numerous other municipalities contiguous to or surrounding the City.

19. As also set forth in the COA Application, the City 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 Camden, 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 City 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 City

and the larger cable television systems generally. Further, continuation of Comcast's operating authority in the City 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 City 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 City;

b. The services to be provided by Comcast as set forth in its COA Application are of great benefit to the citizens and residents of the City;

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 City; 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 Camden, 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 City of Camden.

Respectfully submitted,

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

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

Dated: 2/20/2020

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FEB 19 2020
CITY OF CAMDEN

