



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

TELECOMMUNICATIONS

IN THE MATTER OF THE PETITION OF UNITED	)	ORDER
TELEPHONE COMPANY OF NEW JERSEY INC.,	)	
D/B/A AS CENTURYLINK FOR APPROVAL OF THE	)	
RENEWAL OF TWO MUNICIPAL CONSENTS	)	DOCKET NOS. TE20120760
PURSUANT TO <u>N.J.S.A.</u> 48:2-14	)	and TE20120761

**Parties of Record:**

**Pamela Sherwood**, on behalf of CenturyLink Inc., Petitioner  
**Stefanie Brand, Esq.**, on behalf of the New Jersey Division of Rate Counsel

**BY THE BOARD:**

By verified petition filed pursuant to N.J.S.A. 48:2-14 on December 22, 2020, United Telephone Company of New Jersey Inc. D/B/A CenturyLink ("CenturyLink" or "Petitioner") requested Board of Public Utilities ("Board") approval of consent ordinances adopted by: (1) the Franklin Township in Somerset County (Docket No. TE20120760) and (2) the Washington Township in Morris County (Docket No. TE20120761). These consents grant CenturyLink the continued right to install, maintain and operate its facilities in public streets and rights-of-way in order to provide customers within the affected municipalities with telecommunications services.

CenturyLink is a public utility subject to the jurisdiction of the Board pursuant to the applicable provisions of Title 48 of the New Jersey statutes, and is authorized to provide telecommunications services in the State of New Jersey, including in the municipalities noted above.

After appropriate notice, a virtual hearing in these matters was held on May 20, 2021, before Lanhi H. Saldana, Esq., a legal specialist at the Board and the Board's duly designated Hearing Examiner.

At the hearing, CenturyLink entered into the record a Stipulation dated May 5, 2021 between Petitioner and the New Jersey Division of Rate Counsel ("Rate Counsel") (collectively, the "Parties"). By the Stipulation, the Parties agreed that the ordinances referred to in the Petition were properly and lawfully adopted by the subject municipalities. It was further stipulated that the terms of duration for the consents vary from ten (10) to twenty (20) years, with no ordinance extending for an indefinite or perpetual term of years.

According to the Stipulation, the ordinances are similar in substance to the ordinances adopted by other municipalities and counties throughout the State that have been accepted by the Petitioner and approved by the Board in prior proceedings similar to this in which Rate Counsel

has participated. It was also stipulated that the referenced ordinances do not confer any exclusive rights to Petitioner for use of the public rights-of-way and that the approval of the Ordinances will not result in any increase in rates or charges for the services performed by the Petitioner.

At the hearing, CenturyLink relied upon the testimony of Joshua S. Motzer, its Director of Government Affairs. Mr. Motzer testified that he is responsible for regulatory and government affairs and his duties include negotiating municipal consents. He testified that the provisions of the ordinances are reasonably necessary for Petitioner to provide telecommunications services to residents and businesses in the subject municipalities and that approval of the Petition would serve and promote the public interest.

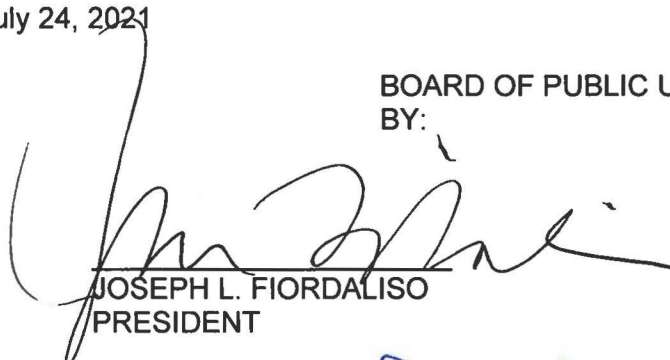
Based upon a thorough review of the record, the Board **HEREBY FINDS** that said record reflects that CenturyLink complies with all pertinent local ordinances, including those that pertain to street openings and restorations, and provides indemnification for damages arising from any work performed by the utility. The record further reflects that CenturyLink pays real estate tax and personal property tax to municipalities as well as all reasonable fees charged by governmental entities for related work, such as engineering reviews, associated with CenturyLink's activities.

The Board **FURTHER FINDS** that the consents granted to CenturyLink by Franklin Township in Somerset County and Washington Township in Morris County are reasonable and are necessary and proper for the public convenience and properly conserve the public interest. Therefore, the Board, pursuant to N.J.S.A. 48:2-14, **HEREBY APPROVES** the above-referenced municipal consents granted to CenturyLink by the aforementioned municipalities.

This order shall be effective July 24, 2021

DATED: 7/14/21

BOARD OF PUBLIC UTILITIES  
BY:



JOSEPH L. FIORDALISO  
PRESIDENT

  
MARY-ANNA HOLDEN  
COMMISSIONER  
DIANNE SOLOMON  
COMMISSIONER  
UPENDRA J. CHIVUKULA  
COMMISSIONER  
ROBERT M. GORDON  
COMMISSIONER

ATTEST:   
AIDA CAMACHO-WELCH  
SECRETARY

IN THE MATTER OF THE PETITION OF UNITED TELEPHONE COMPANY OF NEW JERSEY  
INC. D/B/A AS CENTURYLINK FOR APPROVAL OF THE RENEWAL OF TWO MUNICIPAL  
CONSENTS PURSUANT TO N.J.S.A. 48:2-14

DOCKET NOS. TE20120760 and TE20120761

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