



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center**  
**Newark, NJ 07102**  
**www.nj.gov/bpu**

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF	)	RENEWAL
COMCAST OF MONMOUTH COUNTY, LLC FOR	)	CERTIFICATE OF APPROVAL
A RENEWAL CERTIFICATE OF APPROVAL TO	)	
CONTINUE TO CONSTRUCT, OPERATE AND	)	
MAINTAIN A CABLE TELEVISION SYSTEM IN	)	
AND FOR THE BOROUGH OF HIGHLANDS,	)	
COUNTY OF MONMOUTH, STATE OF	)	
NEW JERSEY	)	DOCKET NO. CE08060456

(SERVICE LIST ATTACHED)

BY THE BOARD:

On February 4, 1981, the Board of Public Utilities ("Board") granted Monmouth Cablevision, Inc. a Certificate of Approval in Docket No. 8010C-6720 for the construction, operation and maintenance of a cable television system in the Borough of Highlands ("Borough"). Through a series of transfers with required Board approvals, Comcast Cablevision of Monmouth County, Inc. ("Comcast") became the holder of the Certificate. On March 28, 1996, the Board granted Comcast a Renewal Certificate of Approval for the Borough in Docket No. CE96010085. Based on a name change, the current holder of the Certificate is Comcast of Monmouth County, LLC ("Petitioner"). Although by its terms the Petitioner's above referenced Certificate expired on February 4, 2006, the Petitioner is authorized to continue to provide cable television service to the Borough pursuant to N.J.S.A. 48:5A-25, pending disposition of proceedings regarding the renewal of its Certificate of Approval.

The Petitioner filed an application for the renewal of its municipal consent with the Borough on May 4, 2005, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13.1 et seq. The Borough, after public hearing, adopted a municipal ordinance granting renewal consent to the Petitioner on February 20, 2008. On March 3, 2008, the Petitioner formally accepted the terms and conditions of the ordinance. On June 30, 2008, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate of Approval for the Borough.

The Board has reviewed the application for municipal consent, the petition for a Renewal Certificate of Approval, and the municipal consent ordinance. Based upon this review and the recommendation of the Office of Cable Television, the Board **HEREBY FINDS** the following:

1. The Petitioner possesses the requisite legal, character, financial and technical qualifications for the awarding of a Renewal Certificate of Approval. Further, the Borough reviewed these qualifications in conjunction with the municipal consent process.
2. The design and technical specifications of the system will ensure that the Petitioner provides safe, adequate and proper service.
3. The Petitioner has represented that all previously required construction within the franchise territory is complete.
4. The franchise period as stated in the ordinance is 15 years. The Board finds this period to be of reasonable duration.
5. The Borough may review the performance of the Petitioner with regard to the ordinance at its discretion. If the Borough determines that the Petitioner has failed to substantially comply with the material terms and conditions of the ordinance, the Borough shall provide written notice to the Petitioner of such alleged instances of non-compliance, and shall grant the Petitioner 90 days to cure such deficiency. The Borough may petition the Board for appropriate administrative action, including revocation of the franchise or reduction of the franchise term, but only after the 90-day opportunity to cure has passed and the deficiency has not been cured.
6. The Petitioner's rates shall be regulated and tariffs shall be filed for all services, in accordance with the rules and regulations of the Federal Communications Commission, the Board and the Office of Cable Television. The Petitioner shall maintain and file with the Board an informational schedule of prices, terms and conditions for unregulated service and promptly file any revisions thereto.
7. Pursuant to statutory requirements, the ordinance specifies a complaint officer to receive and act upon complaints filed by subscribers in the Borough. In this case, it is the Office of Cable Television. All complaints shall be received and processed in accordance with the applicable rules.
8. The Petitioner shall maintain a local business office for the purpose of receiving, investigating and resolving complaints. Currently, the local business office serving this provision is located at 403 South Street, Eatontown, New Jersey.
9. The franchise fee to be paid to the Borough is specified to be 2% of the Petitioner's gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in the Township, and shall be increased as required by N.J.S.A. 48:5A-30. Additional regulatory fees shall be paid to the State in an amount not to exceed 2% of Petitioner's gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.
10. The Petitioner shall provide service along the public right-of-way to any person's residence or business located in the entirety of the Borough at no cost beyond standard and non-standard installation charges. Therefore, no line extension

policy ("LEP") shall apply. It is noted here that the Borough's ordinance contained reference to an LEP which was not used in the previous franchise. The Petitioner confirmed that the Borough will continue to be a full build municipality.

- 11 The Petitioner shall provide public, educational and governmental ("PEG") access channels and facilities in accordance with its renewal application. Specifically, the Petitioner shall continue to maintain a system-wide public access channel and a system-wide municipal access channel for the purpose of cablecasting non-commercial access programming for individuals, groups and organizations from the municipalities that the Petitioner serves. The Petitioner has S-VHS cameras and related equipment available for the production of PEG access programming. In addition, the Petitioner's access coordinator is available to answer technical questions.
12. Within 12 months of the date of this Certificate, the Petitioner shall pay to the Borough a one-time technology support contribution in the amount of \$20,500.00. Upon payment, the Petitioner shall provide the Office of Cable Television with proof of satisfaction of this obligation.
13. Within 12 months of the issuance of this Certificate, the Petitioner shall pay to the Henry Hudson High School in the names of the Borough and the Borough of Atlantic Highlands, a one-time grant in the amount of \$20,000.00. Henry Hudson High School serves the two municipalities. Upon payment, the Petitioner shall provide the Office of Cable Television with proof of satisfaction of this obligation.
14. The Petitioner shall provide or continue to provide one standard installation and monthly basic cable television service, free of charge, to each school in the Borough, public and private, elementary, intermediate and secondary. To qualify for free installation, the facility must be within 175 feet of the Petitioner's active cable television plant.
15. The Petitioner shall provide or continue to provide one standard installation and monthly basic cable television service, free of charge, to the following locations in the Borough: each police, fire, emergency management facility and public library. To qualify for free installation, the facility must be within 175 feet of the Petitioner's active cable television plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Borough. Monthly service charges shall be waived on all additional outlets.

Based upon these findings, the Board **HEREBY CONCLUDES**, pursuant to N.J.S.A. 48:5A-17(a) and 28(c), the Petitioner has the municipal consent necessary to support the petition, that such consent and issuance thereof are in conformity with the requirements of N.J.S.A. 48:5A-1 et seq., that the Petitioner has complied or is ready, willing and able to comply with all applicable rules and regulations imposed by or pursuant to State or federal law as preconditions for engaging in the proposed cable television operations, that the Petitioner has sufficient financial and technical capacity, meets the legal, character and other qualifications necessary to construct, maintain and operate the necessary installations, lines and equipment, and is capable of providing the proposed service in a safe, adequate and proper manner.

Therefore, the Petitioner is **HEREBY ISSUED** this Renewal Certificate of Approval as evidence of Petitioner's continued authority to construct and operate a cable television system within the entirety of the Borough.

This Renewal Certificate is subject to all applicable State and federal laws, the rules and regulations of the Office of Cable Television, and any such lawful terms, conditions and limitations as currently exist or may hereafter be attached to the exercise of the privileges granted herein. The Petitioner shall adhere to the standards set forth by the Federal Communications Commission's rules and regulations, 47 C.F.R. §76.1 et seq., including but not limited to, the technical standards 47 C.F.R. §76.601 through §76.630. Any modifications to the provisions thereof shall be incorporated into this Certificate.

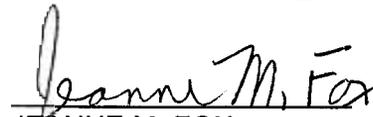
Failure to comply with all applicable laws, rules, regulations and orders of the Board or Office of Cable Television and/or the terms, conditions and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Certificate.

This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and enforceable unless specific waiver is granted by the Office of Cable Television pursuant to the authority contained in N.J.S.A. 48:5A-1 et seq.

This Certificate shall expire on February 4, 2021

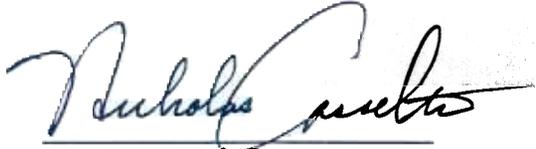
DATED: 12/18/08

BOARD OF PUBLIC UTILITIES  
BY:

  
JEANNE M. FOX  
PRESIDENT

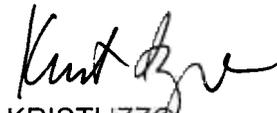
  
FREDERICK F. BUTLER  
COMMISSIONER

  
JOSEPH L. FIORDALISO  
COMMISSIONER

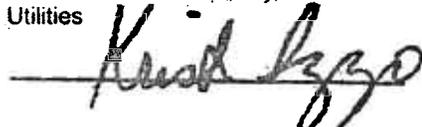
  
NICHOLAS ASSELTA  
COMMISSIONER

  
ELIZABETH RANDALL  
COMMISSIONER

ATTEST:

  
KRISTI IZZO  
SECRETARY

HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities



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