



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

CABLE TELEVISION

IN THE MATTER OF VERIZON NEW JERSEY, INC.) ORDER
REQUEST FOR WAIVERS, AS WITHIN TIME, OF THE)
30-DAY NOTICE PERIOD FOR THE FILING OF AN)
ALTERATION IN CHANNEL ALLOCATION PURSUANT) DOCKET NOS.
TO N.J.A.C. 14:18-3.17(A) AND (B)) CO08080592 & CO08080636

(SERVICE LIST ATTACHED)

BY THE BOARD:

By letter dated August 6, 2008, in Docket No. CO08080092, Verizon New Jersey, Inc. (Verizon or Petitioner), sought Board waiver, as within time, of the 30-day notice period for the filing of a notice of an alteration in channel allocation pursuant to N.J.A.C. 14:18-3.17 (a) and (b).

Previously on June 26, 2008, Verizon had filed a notice of alteration in channel allocation for a realignment of all of its Northern New Jersey Channel line-ups served by the Freehold Video Hub Office (VHO), with an estimated effective date of July 29, 2008. Verizon also filed notice of dozens of HD channel additions with an estimated effective date of July 30, 2008. Shortly after implementation of these changes, it was determined that a different channel line-up may be necessary to correct a problem Verizon was encountering with model DCT 700 set-top box (STB) converter that subscribers were using to receive service. The corrective action required Verizon to reassign international premium channels to alternative channel numbers as an interim solution to consolidate capacity, enabling customers with that converter to view all of the channels in the channel line-up. Verizon contends that this corrective action was implemented on August 2, 2008 and that customers and municipal officials were notified of this change on or before the effective date of the change. Verizon requests the waiver of advance notification of the alteration in channel line-up in order to avoid negative consequences to customers.

By letter dated August 26, 2008, in Docket No. CO08080592, Verizon again sought Board waiver, as within time, of the 30-day notice period for the filing of a notice of an alteration in channel allocation pursuant to N.J.A.C. 14:18-3.17 (a) and (b). Verizon claims that the waiver is necessary because Petitioner did not have sufficient time to comply with the 30-day notice requirement. Verizon maintains that 30-days advance notice could not be provided for the addition of a channel for the Northern New Jersey channel line-up from the Freehold VHO and for the removal of temporary channels for coverage of the 2008 summer Olympic Games, given the nature of these temporary channels. Verizon asserts subscribers and municipal officials were notified of these changes on or before August 25, 2008.

Because of their similar and interrelated nature, the August 6, 2008 and August 26, 2008 waiver requests filed by Verizon have been consolidated into a single Docket No. CO08080592.

Additionally, by letter dated August 28, 2008 in Docket No. CO08080636, Verizon sought Board waiver, as within time, of the 30-day notice period for the filing of a notice of an alteration in channel allocation pursuant to N.J.A.C. 14:18-3.17 (a) and (b) resulting from advance notice of numerous channel additions and channel realignment for all of its Southern New Jersey and Mercer County Channel Line-ups served by the Philadelphia VHO.

Verizon asserts that the waiver is necessary in order to facilitate the availability of HD channels to Southern New Jersey and Mercer County customers that Northern New Jersey customers have access to. Subscribers and municipal officials were notified of these changes on August 28, 2008.

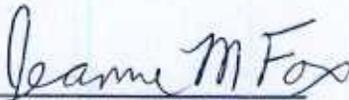
N.J.A.C. 14:18-3.17 (a) and (b) require each cable company to notify the OCTV, subscribers and municipalities of any channel deletions at least 30 days prior to the effective date of the deletion.

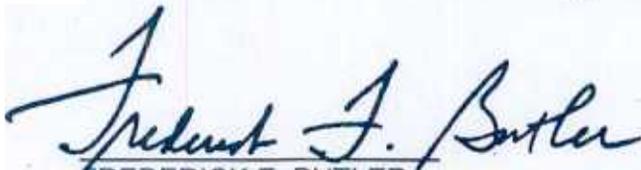
N.J.A.C. 14:18-3.17 (c) (4) provides for the relaxation of the time for providing notification when a substantial benefit to customers would be irretrievably lost. In addition to this requirement, the cable television operator must "provide the required notice at the earliest possible date". Pursuant to this regulation, Petitioner seeks waivers, as within time, of the 30-day notice requirements, because complying with N.J.A.C. 14:18-3.7 (a) and (b) would have produced negative consequences for subscribers.

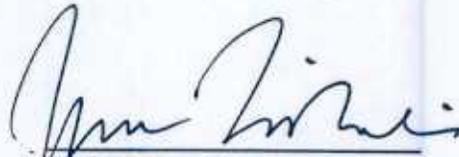
Having reviewed these matters, the Board HEREBY FINDS that the waivers are appropriate under the present circumstances. Verizon has notified the Board, subscribers and affected municipalities of the channel alterations at the earliest date possible. Therefore, the Board HEREBY APPROVES, as within time, Petitioner's three requests for waivers of the alteration in channel allocation filing requirements as permitted under N.J.A.C. 14:18-3.17(c) (4).

DATED: 12/9/08

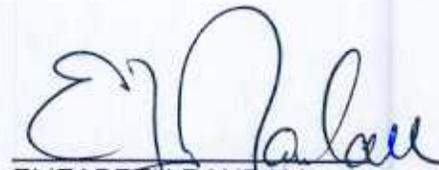
BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT

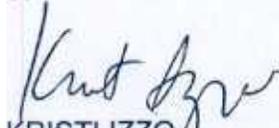

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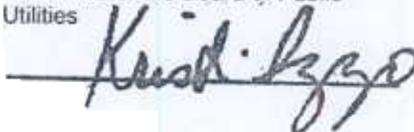

NICHOLAS ASSELTA
COMMISSIONER


ELIZABETH RANDALL
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

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



VERIZON REQUESTS FOR WAIVERS, OF THE FILING OF AN ALTERATION
IN CHANNEL ALLOCATION PURSUANT TO N.J.A.C. 14:18-3.17 (A)
DOCKET NOS. CO08080592 and CO08080636

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