



**State of New Jersey**  
**Board of Public Utilities**  
Two Gateway Center  
Newark, NJ 07102  
[www.nj.gov/bpu](http://www.nj.gov/bpu)

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF  
CABLEVISION OF ROCKLAND/RAMAPO, INC.  
TO CLOSE A LOCAL BUSINESS OFFICE )  
PURSUANT TO N.J.A.C. 14:18-5.1

ORDER OF APPROVAL

BPU DOCKET NO CO08050362

(SERVICE LIST ATTACHED)

BY THE BOARD<sup>1</sup>:

This matter considers a request by Cablevision of Rockland/Ramapo ("Cablevision" or "Petitioner"), a cable company holding Certificates of Approval and conducting cable television business in the State of New Jersey, and with its principal office at 1111 Stewart Avenue, Bethpage, New York, for approval to close an office currently located at 330 Franklin Turnpike, Mahwah, County of Bergen ("Mahwah office"). Petitioner proposes to direct its customers currently served by the Mahwah office to an existing customer service location approximately 14 miles away at 40 Potash Road, Borough of Oakland, County of Bergen, State of New Jersey ("Oakland office").

On May 29, 2008, Cablevision filed a verified petition, pursuant to N.J.A.C. 14:18-5.1, seeking Board approval to close its Mahwah customer service office. Petitioner asserts that the relocation is necessary due to, among other reasons, the expiration of its lease for the Mahwah office location and its belief that the Oakland and other existing customer service locations will provide benefits greater than or comparable to the benefits available at the Mahwah office.

In support of its proposal, the Petitioner asserts as follows:

- 1) Customer service functions will be available at five existing customer service centers serving Northern New Jersey located in Oakland, Fair Lawn and Cresskill in Bergen County, Hewitt in Passaic County, and West Nyack in Rockland County, New York.
- 2) The Oakland office, which is the designated location for Mahwah customers under the Petition, will be open six days a week while the Mahwah location is open five days a week.

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Commissioner Frederick Butler did not participate in this matter.

- 3) The Oakland location's customer service space is more than three times larger than the space at the Mahwah location and it has additional parking. Parking at the Mahwah location is limited to three parking spaces, with one reserved for handicapped parking. The Oakland office offers 12 customer parking spaces with four reserved for handicapped parking.
- 4) In addition to the five other existing customer service centers, customers may also pay their bills on line, pay by phone and at two local payment centers located at the Paragon Federal Credit Union and Pathmark, both within two miles of the Mahwah office.

Petitioner indicates that no jobs will be eliminated as a result of the proposed relocation. Petitioner employs two full time Customer Services Relations Coordinators at the Mahwah office to assist walk-in customers by taking payments, exchanging customer equipment and receiving, investigating and resolving customer complaints. Petitioner represents that these employees will be relocated to the Oakland office which provides all services presently available at the Mahwah location. Similarly, the hours of operation at Oakland include weekend hours not offered at the Mahwah office location. The hours of operation at the Mahwah office are Monday, Tuesday, Wednesday and Friday between the hours of 8:30 am to 5:30 pm and on Thursday from 11:00 am to 8:00 pm. The hours for the Oakland office are Monday to Saturday between 8:00 am to 5:00 pm. No public transportation is available for customer access to either office.

As required by N.J.A.C. 14:18-5.1, Petitioner posted notice of the proposed office closing and relocation on June 24, 2008 at the Mahwah office. Notice was also published on May 30, 2008 in the "Bergen Record," a daily newspaper of general circulation in the Petitioner's service area, informing area subscribers of the proposal and their right to file written comments or objections to the Board. Further, at the time of filing, the Petitioner served a copy of its petition on the Clerk of the Township of Mahwah advising the municipality of the proposed relocation. Also, on July 9, 2008, Petitioner sent copies of its newspaper notice to the Mahwah Township Clerk as proof of notice to Mahwah residents of their right to file comments or objections to the proposal.

Staff advises that objections to the proposed office closing were filed by the Township of Mahwah, the Reverend Dale Cranston of the Christ Episcopal Church of Ramapo, Mr. John Roth, a Councilman and Mahwah resident, and Mr. Richard Nathan, a resident of Mahwah. In light of these objections, on July 31, 2008, the Division of Rate Counsel notified Cablevision of its intention to participate in this matter and requested copies of all discovery as well as the company's response to Mahwah's objections and alternatives to the proposed office closing.

The Township of Mahwah and Councilman Roth each maintain that the proposed relocation would make the services provided at the current Mahwah office inaccessible to many residents, particularly seniors and others with limited transportation. They further maintain that the increased cost of gas and the 26 mile round trip to the Oakland office would be burdensome on their residents. These sentiments were echoed by Reverend Cranston and Mr. Nathan. Councilman Roth also indicates a belief that Cablevision was disingenuous in the assurances it made to Mahwah as part of recent franchise negotiations, wherein he maintains that Cablevision assured Mahwah that the office would be maintained in the Township unless there was an unforeseen substantial reduction in its subscriber base. Eight additional objections from Mahwah residents, two of whom identified themselves as seniors, were filed with the Board, citing similar concerns.

In response to the objections, Cablevision cites the relatively low volume of daily transactions at the Mahwah office compared to the Oakland and West Nyack offices, as well as the other alternatives available to Mahwah residents to transact business with the company. Those alternatives include other customer service offices, nearby payment centers, on-line and phone payment options. Cablevision also cites what it sees as a competitive imbalance between it and Verizon in terms of the number of available customer service offices (19 for Cablevision verses 8 for Verizon) as reasons to support its filing.

On January 15, 2009, the Board's Office of Cable Television received a letter from the counsel of the Township of Mahwah officially withdrawing the Township's objections together with a Memorandum of Understanding reflecting an agreement between the Township and Cablevision allowing for the proposed relocation and effectively disposing of the objections filed by the Township, Councilman Roth and area residents.

Under the terms of the agreement (attached), the Township of Mahwah agrees not to object to the closing of Cablevision's walk-in customer service center located at 330 Franklin Turnpike, Mahwah, New Jersey and the relocation of its functions to Cablevision's Oakland, New Jersey Office. In return, Cablevision agrees to keep the office open until April 30, 2009; provide advance notice to customers of the closing date of the office, the address and hours of operation of the Oakland Office, and information on alternate equipment exchange and payment options, including locations of nearby third party payment agents; and accelerate its remaining Public, Education and Governmental support payment obligations (\$40,000.00) in three annual payments on or before April 8, 2009, 2010 and 2011.

On January 26, 2008, the Division of Rate Counsel filed comments with the Board noting the agreement between Cablevision and the Township of Mahwah and recommending approval consistent with the resolved objections submitted on behalf of the Township.

Staff notes that notwithstanding the objections filed and the above noted agreement, the proposed office closing is in conformance with all existing franchise commitments and obligations as stated in the Certificates of Approval and municipal consent agreements for the Township of Mahwah. It is noted that in the process of franchise renewal, Cablevision negotiated certain local office provisions with Township of Mahwah that that did not include a requirement that a customer service office be maintained within the Township. The current municipal ordinance requires Petitioner to have a local office, which is listed as the company's West Nyack, New York location in the municipal consent application appended to the Certificate of Approval. Both the West Nyack office and the Oakland office are approximately 14 miles away from the existing Mahwah office.

Concerning Cablevision's position about competitive imbalance, the Board notes that a chief reason Cablevision currently operates more customer service offices than Verizon is its position as the incumbent provider in its service territory and the requirements in its local franchise commitments that are not imposed on new entrant, Verizon, as a system-wide franchisee. Under the law, Cablevision could, if it chose, convert its existing local franchises to a system-wide franchise like Verizon and would thus be bound by the provisions governing system-wide franchisees.

Accordingly, and based upon the petition and supporting documentation, the Board HEREBY FINDS that the proposed office closing and relocation of customer service functions will not adversely affect the subscribers in the system. Therefore, the Board HEREBY ORDERS that Petitioner's request for permission to close its customer service office located at 330 Franklin

Turnpike, Township of Mahwah, County of Bergen, State of New Jersey be GRANTED subject to the following conditions:

- 1 Cablevision may not transfer operations or close its 330 Franklin Turnpike customer service office until April 30, 2009, pursuant to the terms of its agreement with the Township of Mahwah, or the date it fully satisfies those conditions under the agreement scheduled to be completed on or before that date, whichever is later.
2. The order will be null and void if Cablevision does not complete the necessary actions to affect the closing and relocation of its customer service facility within 180 days from the date of the issuance of the order.

DATED: 3/16/09

BOARD OF PUBLIC UTILITIES  
BY:

  
JEANNE M. FOX  
PRESIDENT

  
JOSEPH L. FIORDALISO  
COMMISSIONER

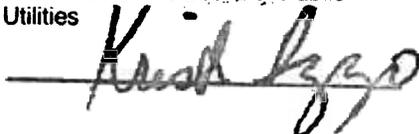
  
NICHOLAS ASSELTA  
COMMISSIONER

  
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



IN THE MATTER OF THE APPLICATION OF CABLEVISION OF ROCKLAND/RAMAPO  
FOR PERMISSION TO RELOCATE CERTAIN OFFICE FUNCTIONS PURSUANT TO N.J.A.C.  
14:18-5.1

DOCKET NO. CO08050362

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