



Agenda Date: 8/4/10  
Agenda Item: 3A

**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 A REQUEST BY HOMETOWN )  
ONLINE, INC. FOR A WAIVER OF CERTAIN BILLING )  
FORMAT REQUIREMENTS )

ORDER

DOCKET NO. CO10030195

William K. Mosca, Jr., Esq., Bevan, Mosca, Giuditta & Zarillo, P.C., Watchung, New Jersey for Petitioner

**BY THE BOARD:**

On March 17, 2010, Hometown Online, Inc. ("Hometown") filed a letter in lieu of petition seeking Board approval of a waiver of a component of its rules governing the format for bills. Specifically, Hometown requests a waiver of N.J.A.C. 14:18-3.7(a) 2, which requires cable companies to identify on all customer bills each service for which a separate charge or price is imposed and the rate for each service.

In a letter dated March 10, 2010, Hometown contends the waiver is necessary because it is a small system with limited resources, relatively few customers and it does not have its own billing system. Hometown employs the services of a billing vendor to provide bills to all of its customers. In addition, Hometown contends it would be disproportionately costly for it to require its billing vendor, Quintrex Data Systems Corp. ("QDS"), to develop a separate module that would be used to comply with N.J.A.C. 14:18-3.7(a) 2 for its few customers. Hometown also withdraws a waiver petition dated May 21, 2009 previously filed with the Board.

In responses to discovery requests propounded by the Office of Cable Television ("OCTV") Hometown contends that QDS has not provided a requested quote for the costs for programming to enable Hometown to bill separately for each video-related service and/or feature ordered by Hometown's video service subscribers. Nonetheless, Hometown, based on past experience and the scope of the request, estimates the costs to upgrade the billing in order to comply with N.J.A.C. 14:18-3.7(a) 2 will exceed \$14,000.

The Cable Television Act (the "Act") provides that it is the goal of the Legislature that the regulation of cable companies "promote adequate, economical and efficient cable television service to the citizens and residents of this State" and to "promote and encourage harmony between cable television companies and their subscribers and customers." N.J.S.A. 48:5A-2 (c). Moreover, the Board is charged with the promoting the objectives of the Act, which includes ensuring "a high level of consumer protection and customer service." N.J.S.A. 48:5A-2(d) and (h).

N.J.A.C. 14:18-3.7(a) 2 provides that all bills shall show the “[i]dentification of each service for which a separate charge is imposed and the rate or price for each service.” This provision is necessary to ensure that customers are fully aware of the prices for the services they receive so that they may make informed decisions regarding their continued subscription to those services. A waiver of this rule would deny customers the opportunity to easily scrutinize their cable bill. Furthermore, it is a long standing matter of Board policy and rule that customers of utility and cable services have a right and expectation to see a fully itemized bill for services rendered. The Board sees no reason, based on this record, why Hometown customers, which total approximately 960, should be denied a fully-itemized bill. The Board HEREBY FINDS that the requirement that customers be provided a fully-itemized bill serves the customer protection objectives of the Act and a waiver of the rule would not be in the public interest. Additionally, the Board FINDS that Hometown has failed to provide sufficient evidence to support a waiver of this rule. Hometown’s own estimate of the costs to comply with the Board’s regulation is inadequate to justify a waiver of this rule.

Moreover, the Board notes that N.J.A.C. 14:18-3.7(a) 2 is consistent with the federal requirement under 47 C.F.R. §76.1619(a), which requires that “[b]ills must be fully itemized, with itemizations including, but not limited to, basic and premium service charges and equipment charges.”

The Board HEREBY DENIES Hometown’s request for a waiver of a component of the format of bills for service N.J.A.C. 14:18-3.7(a) 2. Accordingly, the Board DIRECTS Hometown to comply with the provisions of N.J.A.C. 14:18-3.7(a) 2 within thirty (30) days of the date of this Order.

DATED: 8/4/10

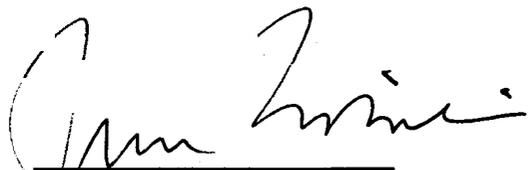
BOARD OF PUBLIC UTILITIES  
BY:



LEE A. SOLOMON  
PRESIDENT



JEANNE M. FOX  
COMMISSIONER



JOSEPH L. FIORDALISO  
COMMISSIONER



NICHOLAS ASSELTA  
COMMISSIONER



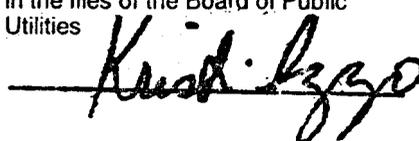
ELIZABETH RANDALL  
COMMISSIONER

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 A REQUEST BY HOMETOWN ONLINE, INC. FOR A WAIVER OF  
CERTAIN BILLING FORMAT REQUIREMENTS**

**DOCKET NO. CO10030195**

J. Scott Sommerer  
Virginia Quackenbush  
Dorinda Masker  
WVT Communications  
47 Main Street  
Warwick, NY 10990

Amy Drummond  
Administrative Analyst 1  
Board of Public Utilities  
Office of Cable Television  
Two Gateway Center  
Newark, NJ 07102

William K. Mosca, Jr., Esq.  
Bevan, Mosca, Giuditta & Zarillo, P.C.  
776 Mountain Boulevard  
Watchung, New Jersey 07069

Lawanda R. Gilbert  
Legal Specialist  
Board of Public Utilities  
Two Gateway Center  
Newark, NJ 07102

Celeste M. Fasone, Director  
Board of Public Utilities  
Office of Cable Television  
Two Gateway Center  
Newark, NJ 07102

Jessica Campbell  
Deputy Attorney General  
State of New Jersey, Division of Law  
124 Halsey Street  
Newark, NJ 07102

William H. Furlong, Chief  
Bureau of Inspection & Enforcement  
Board of Public Utilities  
Office of Cable Television  
Two Gateway Center  
Newark, NJ 07102