



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center, Suite 801**  
**Newark, NJ 07102**  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CABLE TELEVISION

IN THE MATTER OF CABLEVISION OF NEW JERSEY, ) SECOND ORDER OF  
LLC FOR THE CONVERSION TO A SYSTEM-WIDE ) AMENDMENT  
FRANCHISE IN FIVE MUNICIPALITIES: THE BOROUGH )  
OF CLOSTER, THE BOROUGH OF EMERSON, THE )  
BOROUGH OF NORWOOD, THE BOROUGH OF )  
ROCKLEIGH AND THE BOROUGH OF WOODCLIFF )  
LAKE ) DOCKET NO. CE09030230

Adam Falk, Vice President, Government and Regulatory Affairs, Cablevision Systems Corporation, Bethpage, New York, for Cablevision of New Jersey, LLC

Borough Clerk, Borough of Closter, New Jersey, by Loretta Castano;  
Borough Clerk, Borough of Emerson, New Jersey, by Carol Dray;  
Borough Clerk, Borough of Norwood, New Jersey, by Lorraine McMackin;  
Borough Clerk, Borough of Rockleigh, New Jersey, by Marcella Giampiccolo; and  
Borough Clerk, Borough of Woodcliff Lake, New Jersey, by Lorinda Sciara, for the municipalities.

BY THE BOARD:

On June 10, 2009, the Board issued an order memorializing the conversion by Cablevision of New Jersey, Inc. ("CVNJ, Inc.") of its municipal consent-based franchise in the Borough of Fair Lawn to a System-wide Franchise in the above referenced docket number for a term of seven years to expire on March 20, 2016. Subsequently, CVNJ, Inc. underwent a name change and is now known as Cablevision of New Jersey, LLC ("Cablevision of New Jersey"). On August 4, 2010, the Board issued an Order of Amendment to include six additional municipalities: the Borough of Bergenfield, the Borough of Dumont, the Borough of Haworth, the Borough of Hillsdale, the Borough of Oradell and the Borough of Paramus.

Pursuant to N.J.S.A. 48:5A-25.1 and N.J.A.C. 14:18-14.13, a cable television operator with a municipal consent-based franchise or franchises issued prior to the effective date of the Act may automatically convert any or all of its municipal consent-based franchises upon notice to the Board and to the affected municipality or municipalities. In addition, pursuant to N.J.A.C. 14:18-14.14, a cable television company operating under a system-wide franchise may add municipalities to its system-wide franchise upon notice to the affected municipality or municipalities and the Board. On July 19, 2010, Cablevision of New Jersey filed notice with the

Borough of Closter, the Borough of Emerson, the Borough of Norwood, the Borough of Rockleigh and the Borough of Woodcliff Lake<sup>1</sup> (collectively, “the municipalities”) that it would convert its municipal consent ordinance-based franchises in the municipalities, thereby making them part of its Cablevision of New Jersey system-wide franchise; and confirmed that it would abide by the provisions of N.J.S.A. 48:5A-28 (h)-(n), as required by the System-wide Cable Television Franchise Act. That notice was received by the Board on July 20, 2010.

## DISCUSSION

Under N.J.S.A. 48:5A-25.1, a cable television operator with a municipal consent-based franchise or franchises issued prior to the effective date of P.L.2006 c. 83 may automatically convert any or all of its municipal consent-based franchises upon notice to the Board and to the affected municipality without meeting the requirements applicable to cable television operators applying for a system-wide franchise, except that the commitment requirements under N.J.S.A. 48:5A-28 (h)-(n) shall be applicable to all system-wide franchises, including conversions. N.J.S.A. 48:5A-28(h)-(n) impose requirements on all cable television companies operating under a system-wide franchise and includes commitments as to line extensions; public, educational and governmental (“PEG”) access channels; interconnection with other cable television companies; free cable and Internet service to public schools and municipal buildings; training and equipment for access users; PEG access return feeds; and compliance with customer protection regulations. As noted above, Cablevision of New Jersey has committed to provide service to the municipalities as required by these provisions.

## DISPOSITION OF CERTIFICATE OF APPROVAL AND UNDERLYING MUNICIPAL CONSENT

As discussed above, the Act allows a cable television company, operating under a municipal consent ordinance-based franchise, to “automatically convert” its system in any or all of its municipalities without approval from the Board or the impacted municipalities. N.J.S.A. 48:5A-25.1(a). Furthermore, N.J.S.A. 48:5A-19 provides that a “certificate of approval issued by the board shall be valid for 15 years from the date of issuance... or until the expiration, revocation, termination or renegotiation of any municipal consent upon which it is based, whichever is sooner.”

Cablevision of New Jersey’s Certificate of Approval and the underlying municipal consent ordinance in the Borough of Norwood was set to expire on December 18, 2010. Cablevision initiated renewal proceedings with the Borough of Norwood but did not complete those negotiations, instead opting to convert to a system-wide franchise in the Borough of Norwood. Cablevision of New Jersey’s Certificate of Approval and the underlying municipal consent ordinance in the Borough of Closter was set to expire on October 8, 2024; in the Borough of Emerson on October 22, 2014; in the Borough of Rockleigh on February 11, 2014; and in the Borough of Woodcliff Lake on December 22, 2014. Because Cablevision of New Jersey has now converted these municipal consent based-franchises to a system-wide franchise, pursuant to N.J.S.A. 48:5A-19 and N.J.S.A. 48:5A-25.1(a), the Board **FINDS** that Cablevision of New Jersey’s Certificates of Approval for the Borough of Closter, the Borough of Emerson, the Borough of Norwood, the Borough of Rockleigh and the Borough of Woodcliff Lake are hereby terminated.

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<sup>1</sup> Cablevision of New Jersey also filed notice with the Borough of Old Tappan and the Board but on July 22, 2010, withdrew its notice of conversion of its system in the Borough.

Cablevision of New Jersey is authorized to provide cable television service to the municipalities, pursuant to its converted System-wide franchise and the requirements of N.J.S.A. 48:5A-28(h)-(n) and applicable law.

With regard to N.J.S.A. 48:5A-28(h), a system-wide cable television franchise operator is required to meet or exceed the line extension policy (“LEP”) commitments of the cable television company operating under a municipal consent ordinance-based franchise at the time the franchise is granted. Therefore, because Cablevision of New Jersey was the incumbent municipal consent-based franchise holder in these municipalities, it is required to continue to provide, at a minimum, service to any residence in the six municipalities in accordance with its policies in effect at the time of conversion. Accordingly, in the Borough of Closter and the Borough of Woodcliff Lake, Cablevision of New Jersey shall provide service to residents in residentially zoned areas at no cost beyond the installation rates contained in its schedule of prices, rates, terms and conditions filed with the Board and in commercially zoned areas in accordance with the LEP attached to the original order based upon a minimum of 20 homes per mile. In the Borough of Emerson, the Borough of Norwood and the Borough of Rockleigh, Cablevision of New Jersey shall provide service to all residents in the Borough at no cost beyond the installation rates contained in its schedule of prices, rates, terms and conditions filed with the Board and without regard to an LEP.

Based upon the elements of the System-wide Franchise, and the legal mandates under which the Board operates, this Order **HEREBY COMMEMORATES** the addition of the municipalities to Cablevision of New Jersey’s System-wide Franchise.

This Second Order of Amendment to the System-wide Franchise serves to add the Borough of Closter, the Borough of Emerson, the Borough of Norwood, the Borough of Rockleigh and the Borough of Woodcliff Lake to Cablevision of New Jersey’s System-wide Franchise, and does not, in any manner, modify, change or otherwise affect the terms and conditions of that June 10, 2009 Order, except with respect to the LEP as discussed above.

Without limitations to the full requirements set forth in that Order, the Board reminds Cablevision of New Jersey that, under the System-wide Franchise, it 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. To the extent possible based upon the technology used in providing service, Cablevision of New Jersey shall adhere to the operating 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 the System-wide Franchise.

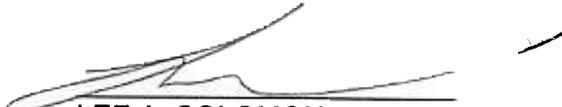
Failure to comply with all applicable laws, rules, regulations and orders of the Board or the Office of Cable Television and/or the terms, conditions and limitations set forth herein may subject Cablevision of New Jersey to penalties, as enumerated in N.J.S.A. 48:5A-51, and/or may constitute sufficient grounds for the suspension or revocation of the System-wide Franchise.

This Second Order of Amendment to the System-wide Franchise is issued on the representation that the statements contained in Cablevision of New Jersey's applications, notices, and other writings are true, and the undertakings therein contained shall be adhered to and be enforceable

unless specific waiver is granted by the Board or the Office of Cable Television pursuant to the authority contained in N.J.S.A. 48:5A-1 et seq.

DATED: 9/16/10

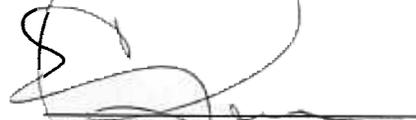
BOARD OF PUBLIC UTILITIES  
BY:

  
LEE A. SOLOMON  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

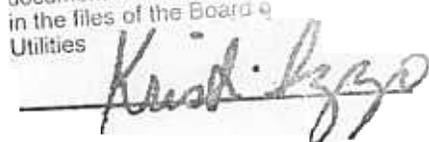
  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
NICHOLAS ASSELTA  
COMMISSIONER

  
ELIZABETH RANDALL  
COMMISSIONER

ATTEST:

  
KRISTI IZZO  
SECRETARY

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


**SERVICE LIST**

**IN THE MATTER OF CABLEVISION OF NEW JERSEY FOR THE CONVERSION TO A  
SYSTEM-WIDE CABLE TELEVISION FRANCHISE IN FIVE MUNICIPALITIES: THE  
BOROUGH OF CLOSTER, THE BOROUGH OF EMERSON, THE BOROUGH OF  
NORWOOD, THE BOROUGH OF ROCKLEIGH AND THE BOROUGH OF WOODCLIFF  
LAKE**

**SECOND ORDER OF AMENDMENT  
DOCKET NO. CE09030230**

Adam Falk, Vice President  
Government and Public Affairs  
Cablevision Systems Corporation  
1111 Stewart Avenue  
Bethpage, NY 11714-3581

Sidney Sayovitz, Esq.  
Schenck, Price, Smith & King  
PO Box 991  
Florham Park, NJ 07932-0991

Loretta Castano  
Borough Clerk  
Borough of Closter  
295 Closter Dock Road  
Closter, NJ 07624

Carol Dray, Borough Clerk  
Borough of Emerson  
Municipal Place  
Emerson, NJ 07630-1166

Lorraine McMackin, Borough Clerk  
Borough of Norwood  
455 Broadway  
Norwood, NJ 07648-1219

Marcella Giampiccolo, Borough Clerk  
Borough of Rockleigh  
26 Rockleigh Road  
Rockleigh, NJ 07647-2706

Lorinda Sciara, Borough Clerk  
Borough of Woodcliff Lake  
188 Pascack Road  
Woodcliff Lake, NJ 07677-7999

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

Alex Moreau  
Deputy Attorney General  
State of New Jersey, Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

Karen A. Marlowe  
Administrative Analyst I  
Board of Public Utilities  
Office of Cable Television  
Two Gateway Center  
Newark, NJ 07102

Stefanie A. Brand, Director  
Division of Rate Counsel  
31 Clinton Street, 11<sup>th</sup> Floor  
Newark, NJ 07102

Chris White, Esq.  
Division of Rate Counsel  
31 Clinton Street, 11<sup>th</sup> Floor  
Newark, NJ 07102