



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

CABLE TELEVISION

IN THE MATTER OF US CABLE OF PARAMUS-HILLSDALE) )  
REQUEST FOR WAIVER, AS WITHIN TIME, OF THE ) ORDER  
30-DAY NOTICE PERIOD FOR FILING OF AN )  
ALTERATION IN CHANNEL ALLOCATION PURSUANT )  
TO N.J.A.C. 14:18-3.17(A) AND (B) ) BPU DOCKET NO. CO07040247

(SERVICE LIST ATTACHED)

BY THE BOARD<sup>1</sup>

By letter dated March 30, 2007, US Cable of Paramus-Hillsdale (US Cable or Petitioner), filed a request with the Board for a waiver, as within time, of the thirty (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).

US Cable claims that the waiver is necessary, because it was not given sufficient time to comply with the 30-day notice requirement. According to US Cable, it was notified on February 23, 2007, by its programming contractor, Head End in the Sky (HITS) that the Lime Channel, a Digital tier program carried on channel 114, would cease broadcasting effective February 25, 2007.

The decision to delete the programming, US Cable maintains, was made by HITS, and was therefore beyond its control. Thus, US Cable also claims that it did not receive the service discontinuance notice in sufficient time to alert the Office of Cable Television (OCTV) and its customers and municipal officials within the prescribed 30-day notice period.

According to US Cable, on March 1, 2007, subscribers were notified via on-screen notices and municipal officials were notified by mail of the change. On March 8, 2007, Petitioner notified the OCTV of the channel deletions.

N.J.A.C. 14:18-3.17 (a) and (b) require each cable company to notify the OCTV and subscribers 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) (3) provides for the relaxation of the time for providing notification when the programming service has been discontinued or withdrawn by the provider in such a manner as to leave the cable television operator without sufficient time to comply. In addition to this requirement, the cable television operator must "provide the required notice at the earliest possible date". Based upon this regulation, Petitioner seeks a waiver, as within time, of the 30-day notice requirements of N.J.A.C. 14:18-3.17 because Petitioner was unable to provide sufficient notice to the OCTV and subscribers prior to the deletion.

<sup>1</sup> Commissioner Frederick F. Butler did not participate in the deliberation of or vote on this matter.

The deletion of the Lime Channel will have no effect on any service rate to current US Cable subscribers.

Having reviewed this matter, the Board HEREBY FINDS that the waiver is appropriate under the present circumstances. US Cable was notified of the deletion by the programming supplier with insufficient time to comply with the required 30 days prior notice but acted to inform the Board, affected municipalities and subscribers of the impending deletion of services at the earliest date possible. Therefore, the Board HEREBY APPROVES, Petitioner's request for a waiver, as within time, of the alteration in channel allocation filing requirements as previously described.

DATED: 5/29/07

BOARD OF PUBLIC UTILITIES  
BY:

  
JEANNE M. FOX  
PRESIDENT

  
CONNIE O. HUGHES  
COMMISSIONER

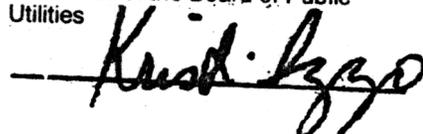
  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
CHRISTINE V. BATOR  
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



**US CABLE OF PARAMUS-HILLSDALE  
REQUEST FOR WAIVER, AS WITHIN TIME, OF THE 30-DAY NOTICE PERIOD FOR FILING OF  
AN ALTERATION IN CHANNEL ALLOCATION PURSUANT TO N.J.A.C. 14:18-3.17 (A) AND (B)  
DOCKET NO CO07040247**

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