



Agenda Date: 12/19/07
Agenda Item: 3B

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

CABLE TELEVISION

IN THE MATTER OF COMCAST OF WILDWOOD,
LLC. FOR PERMISSION TO RELOCATE CERTAIN)
OFFICE FUNCTIONS PURSUANT TO N.J.A.C. 14:18-5.1)

ORDER OF APPROVAL

BPU DOCKET NO. CO07080616

(SERVICE LIST ATTACHED)

BY THE BOARD:

This matter considers a request by Comcast of Wildwood, LLC. ("Comcast" or "Petitioner"), a cable company holding Certificates of Approval and conducting cable television business in the State of New Jersey with its principal office at 1500 Market Street, Philadelphia, Pennsylvania, to close its customer service office at 520 Monmouth Street, in the City of Gloucester City ("City"), County of Camden, State of New Jersey, and relocate it to a new location approximately 2.7 miles away in the Audubon Crossings Shopping Center, Black Horse Pike and Nicholson Road in the Borough of Audubon, County of Camden, State of New Jersey.

By way of background, on August 13, 2007, Comcast filed a verified petition, pursuant to N.J.A.C. 14:18-5.1 seeking Board approval of the proposed office closing and relocation. Petitioner asserts that it acquired the existing customer service office in April of 2001 from TKR Cable Company of Wildwood, Inc., and it is no longer desirable for subscriber usage because it has fallen into disrepair, and there are health and safety concerns arising from an on-going roach problem and instances of other tenants attempting to steal electricity service from Comcast's electrical line. In addition, Petitioner maintains that significant structural reinforcement would be necessary to accommodate the installation of safety glass to protect its employees. Petitioner also maintains that the relocation will provide an enhanced lobby area for customers, increased safety and the convenience of off-street parking, including parking spaces designated for handicapped accessibility.

The new office will also allow for the installation of safety glass and other security features. The new office will undergo extensive renovations to enhance workspace for employees and the available office space will increase from approximately 705 square feet at the current location to 2,610 square feet at the new location.

Petitioner indicates that no jobs will be eliminated as a result of the proposed relocation. Petitioner currently employs one cashier responsible for in person equipment exchanges and troubleshooting, in person payment processing, installation and service call scheduling, who will be relocated to the new office. Petitioner represents that all the services presently available at its current office will be provided at the new location, and that service hours will be increased. The hours of operation at the current office are from 8:30 a.m. to 5:00 p.m. on Monday,

Tuesday, Thursday and Friday and from 8:30 a.m. to 7:00 p.m. on Wednesdays. The Office is closed from 1:00 pm to 2:00 pm for lunch and is not open on Saturdays. The new office will be open from 8:30 a.m. to 6:00 p.m. on Monday, Tuesday, and Thursday and from 8:30 a.m. to 8:00 p.m. on Wednesdays and Fridays. The new office will also be open from 8:30 a.m. to 5:00 p.m. on Saturdays, and will remain open during lunch hours. As a result of this increase in office hours, Petitioner has indicated an intention of hiring additional staff.

As required by N.J.A.C. 14:18-5.1, Petitioner posted notice of the proposed office closing and relocation on September 13, 2007, at the current Monmouth Street office. Notice was also published on September 18, 2007 the "The Courier Post", a daily newspaper in general circulation in the City and surrounding areas served by Petitioner's current office, informing area subscribers of the proposal and their right to file written comments or objections with the Board by October 28, 2007. Also on or about September 13, 2007, the Petitioner sent notice of its petition to the City Administrator. Copies of the notice were also sent to the mayor, members of the City Council and the City Solicitor on the same date. All notification requirements specified by N.J.A.C. 14:18-5.1 were completed by September 18, 2007.

The City Solicitor, by letter dated October 22, 2007, filed a formal objection to the proposed relocation on behalf of the City. The staff of the Office of Cable Television ("Staff") explored the foundation of the objection with the City which centered on the needs of senior citizens and others with limited private transportation resources to have a nearby office to make payments.

As a result of further discussions initiated by Staff, the Petitioner and the City agreed that establishment of a local payment center in the City would address the City's concerns. The City Solicitor, thereafter, filed a letter withdrawing the City's objection.

No other objection or comment from the subscribers served by the office in question has been received.

As part of its due diligence review of the proposed office closing and relocation, Staff confirmed with the Petitioner that construction is needed at the Main Street location before it can be occupied as a customer service office. While the Board understands the Petitioner's desire to obtain Board approval prior to expending the cost and effort necessary to complete construction, the Board must ensure that a customer service facility is open and operational during the course of the construction. Thus, the Board believes it is appropriate to include conditions on the office closing to ensure that customers will continue to have seamless access to customer service during the transition period.

The proposed office closing and relocation conforms to all existing franchise commitments and obligations in the Certificate of Approval and municipal consent agreements for the municipalities served by the current office.

Accordingly, and based upon the petition and supporting documentation, the Board HEREBY FINDS that the proposed office relocation is not unreasonable and will not unduly prejudice the public interest. Therefore, the Board HEREBY GRANTS Petitioner's request for permission to close its customer service office located at 520 Monmouth Street, in the City of Gloucester City and to relocate it to a new location in the Audubon Crossings Shopping Center, in the Borough of Audubon, subject to the following conditions:

- 1) Comcast may not transfer operations or close its 520 Monmouth Street customer service office until all construction at the location in the Audubon Crossings Shopping Center has been completed, inspected by all applicable local code officials, and approved as being in compliance with all applicable building /construction code requirements, and approved by the Staff as outlined below.

- 2) Upon completion of construction of the customer service facility at the Audubon Crossings Shopping Center, and upon receipt of all necessary building and occupation approvals, Comcast shall notify the Board's Office of Cable Television. Within ten (10) business days of receipt of notice, Staff shall conduct an on-site inspection to verify the status of the permits and the condition of the facility. Following inspection, the Office of Cable Television shall forward to Comcast via US mail and facsimile a letter setting forth either its approval of the construction or any concerns it may have.
- 3) In the event Staff identifies any concerns with the construction or permitting of the facility, Comcast shall address those concerns and give notice to Staff of such correction. Within ten (10) business days of receipt of the notice of correction, Staff shall issue a letter of approval or shall indicate any remaining concerns to Comcast via US mail and facsimile letter.
- 4) Upon receipt of the letter from the Office of Cable Television indicating its approval of the construction, Comcast may close its 520 Monmouth Street customer service office, and transfer operations to the Audubon Crossings Shopping Center, in the Borough of Audubon. Any transfer of operations or personnel prior to receipt of this approval from the Office of Cable Television will render null and void the approval granted in this order, and will subject Comcast to any and all appropriate action on the part of the Board.

The order will be null and void if Comcast does not complete the closing and relocation of its customer service facility within 180 days from the date of the issuance of this order.

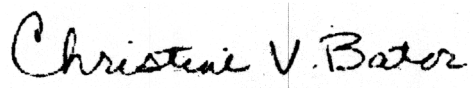
DATED: 12/21/07

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER

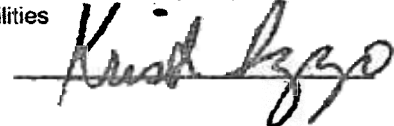

JOSEPH L. FIORDALISO
COMMISSIONER


CHRISTINE V. BATOR
COMMISSIONER

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

ATTEST:


KRISTI IZZO
SECRETARY



**IN THE MATTER OF COMCAST OF WILDWOOD, LLC FOR
PERMISSION TO RELOCATE CERTAIN OFFICE FUNCTIONS
PURSUANT TO N.J.A.C. 14:18-5.1**

DOCKET NO. CO07080616

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