



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

CABLE TELEVISION

IN THE MATTER OF CABLEVISION – SCRIPPS)
NETWORK IMPASSE RESULTING IN ELIMINATION)
OF HGTV AND THE FOOD NETWORK)

ORDER TO SHOW CAUSE

DOCKET NO. CO10010017

Adam E. Falk, Vice President of Government and Regulatory Affairs, for Cablevision Systems Corporation

Jessica L. Campbell, Deputy Attorney General for the Board of Public Utilities

BY THE BOARD:

Whereas, the Board of Public Utilities ("Board") and its Office of Cable Television ("OCTV") have jurisdiction over the franchising and operations of cable television companies in this State pursuant to the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq. ("Cable Act") and to the extent authorized by federal law; and

Whereas, pursuant to N.J.S.A. 48:5A-9(b), the Board has the right, power, authority and jurisdiction to supervise and regulate every cable television company operating with the State and may do all things which are necessary or convenient in the exercise of such power and jurisdiction; and

Whereas, pursuant to N.J.S.A. 48:5A-9(c), the Board has the right, power, authority and jurisdiction to institute all proceedings and investigations and render all decisions necessary to enforce the provisions of the Cable Act, of the rules and regulations adopted thereunder, and of any municipal consents; and

Whereas, pursuant to N.J.S.A. 48:5A-36(c), all cable television companies shall obey and comply with every rule, regulation and Order adopted or issued by the Director of OCTV; and

Whereas, pursuant to N.J.A.C. 14:18-3.17(a), a duly promulgated regulation of the Board, each cable television company shall file with OCTV written notice of the elimination or deletion of a channel at least 30 days prior to the effective date of that elimination; and

Whereas, pursuant to N.J.A.C. 14:18-3.17(b), a duly promulgated regulation of the Board, each cable television company shall notify its customers and affected municipalities of an elimination

or deletion of a channel. Such notice shall be given at least 30 days prior to the effective date to the customers and affected municipalities in a manner reasonably calculated to provide such information; and

Whereas, pursuant to N.J.S.A. 48:5A-51, any person who violates any rules, regulation or order shall be liable for a penalty of no more than \$10,000 for a third and subsequent offense; and

Therefore, the Board hereby alleges as follows:

- 1 Respondent, Cablevision Systems Corporation, itself and through its subsidiaries (referred collectively as "Cablevision"), is a cable television company possessing Certificates of Approval issued by the Board and System-wide Franchises to provide cable television service to various municipalities in New Jersey.
2. On or about January 1, 2010, the HGTV and Food Network channels stopped being provided to Cablevision customers.
3. Upon information and belief, Cablevision did not provide notice of the elimination of Food Network to OCTV at least 30 days prior to January 1, 2010.
4. Upon information and belief, Cablevision did not provide notice of the elimination of HGTV to OCTV at least 30 days prior to January 1, 2010.
5. Upon information and belief, Cablevision did not provide notice of the elimination of Food Network to its customers at least 30 days prior to January 1, 2010.
6. Upon information and belief, Cablevision did not provide notice of the elimination of HGTV to its customers at least 30 days prior to January 1, 2010.
7. Upon information and belief, Cablevision did not provide notice of the elimination of Food Network to the affected municipalities at least 30 days prior to January 1, 2010.
8. Upon information and belief, Cablevision did not provide notice of the elimination of HGTV to the affected municipalities at least 30 days prior to January 1, 2010.
9. The aforesaid action by Cablevision constitutes six (6) violations of N.J.A.C. 14:18-3.17, which provides that notice of a channel elimination must be provided to OCTV, customers and affected municipalities at least 30 days prior to the effective date of the channel elimination.
10. The Board has previously accepted five (5) Offers of Settlement proffered by Cablevision, in which Cablevision agreed to take corrective action to ensure its compliance with N.J.A.C. 14:18-3.17. Orders accepting Offers of Settlement have been issued in docket numbers CO09080600; CO07080635; CX05040335; CO03090707; and CO01120806.

Therefore, the Board HEREBY ORDERS Cablevision to SHOW CAUSE before this Board

Why the Board should not find that Cablevision failed to satisfy the requirements of N.J.A.C. 14:18-3.17 by failing to provide timely notice of

channel deletions for HGTV and the Food Network of at least 30 days prior to the effective date of the deletions; and

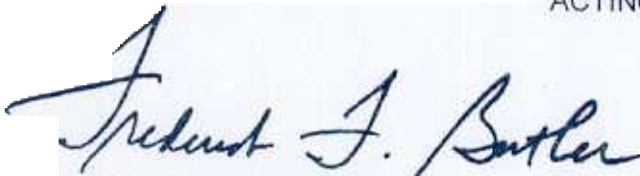
2. Why the Board should not impose the maximum penalties upon Cablevision, pursuant to N.J.S.A. 48:5A-51 or any appropriate statute, for its failure to comply with the rules of the Board.

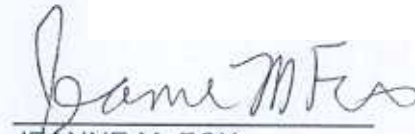
Cablevision is HEREBY ORDERED to file an answer to this Order to Show Cause within thirty (30) days of the date of issuance, by serving the same upon both the Secretary of the Board, Two Gateway Center, 8th Floor, Newark, New Jersey 07102 and Deputy Attorney General Jessica Campbell, 124 Halsey Street, P.O. Box 45029, Newark, New Jersey 07101.

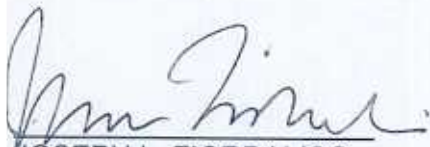
DATED: 1/27/10

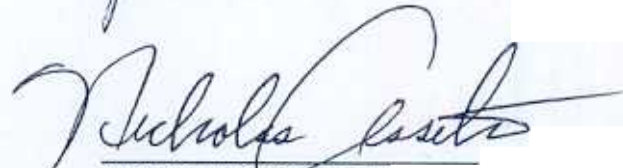
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ATTEST:


CARMEN DIAZ
ACTING SECRETARY

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

