



Agenda Date: 1/20/10
Agenda Item: IIIE

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

CABLE TELEVISION

IN THE MATTER OF US CABLE OF PARAMUS-	)	<u>ORDER</u>
HILLSDALE, LLC – TERMINATION OF CERTIFICATES	)	
OF APPROVAL FOR THE BOROUGH OF HILLSDALE	)	
AND THE BOROUGH OF PARAMUS, BOTH IN THE	)	DOCKET NO. CE98121395
COUNTY OF BERGEN, STATE OF NEW JERSEY	)	DOCKET NO. CE98121414

Dennis C. Linken, Esq., Stryker, Tams and Dill, Newark, New Jersey, for US Cable of Paramus-Hillsdale, LLC

Borough Clerk, Borough of Hillsdale, by Robert P. Sandt, for the Borough

Borough Clerk, Borough of Paramus, by Ian Shore, for the Borough

BY THE BOARD:

On August 19, 2009, the Board approved the transfer of certain assets from US Cable of Paramus-Hillsdale, LLC ("US Cable") to Cablevision of New Jersey, LLC ("Cablevision"), in Docket No. CM09060449. The petition did not include a request for transfer of Certificates of Approval. Both US Cable and Cablevision hold Certificates of Approval to provide service to the entirety of the Boroughs of Hillsdale and Paramus.¹ The petition provided that Cablevision will continue to operate under its existing franchises and US Cable will withdraw its Application for a renewal of its cable television franchise² in Hillsdale and terminate its renewal Certificate of Approval in Paramus. The Board ordered that US Cable was authorized to withdraw its application for renewal municipal consent in the Borough of Hillsdale and terminate its renewal Certificate of Approval in the Borough of Paramus effective as of the date it ceases to operate its system in these communities.

On November 11, 2009, US Cable submitted a letter to the Board notifying it that it was surrendering its franchise for the Borough of Paramus and simultaneously withdrawing its application for renewal municipal consent for the Borough of Hillsdale.

¹ Cablevision of New Jersey, LLC holds a Certificate of Approval for the entirety of Borough of Hillsdale approved in Docket No. CE99020099 and for the entirety of the Borough of Paramus approved in Docket No. CE05010102.

² US Cable had a pending Application for Renewal of its Certificate of Approval that expired by its terms on May 2, 2009. However, pursuant to N.J.S.A. 48:5A-25, US Cable's right to continue providing cable television service in the Borough of Hillsdale through the expiration of the 60 day period following the closing of the transaction continued by virtue of such filing.

Although US Cable's Certificate of Approval and the underlying municipal consent ordinance from the Borough of Hillsdale expired on May 2, 2009, US Cable initiated renewal proceedings with the Borough on September 8, 2008 and was authorized to continue to provide cable television service to the Borough of Hillsdale pursuant to N.J.S.A. 48:5A-25, pending disposition of the proceedings regarding the renewal of its Certificate. Because US Cable has withdrawn its application for renewal municipal consent for the Borough of Hillsdale, the Board FINDS that US Cable's Certificate of Approval for the Borough of Hillsdale in Docket No. CE98121395 has expired by operation of law.

US Cable's Certificate of Approval and the underlying municipal consent ordinance from the Borough of Paramus do not expire until April 27, 2010. However, as noted above, US Cable has notified the Board that it is terminating its Certificate of Approval in the Borough of Paramus, pursuant to the authority granted in Docket No. CM09060449. Accordingly, the Board FINDS that US Cable's Certificate of Approval for the Borough of Paramus in Docket No. CE98121414 is hereby terminated.

Notwithstanding the expiration and termination of the above-referenced franchises, US Cable remains liable for all franchise fees, CATV Universal Fund Fees and the State Assessment fee accrued for the period January 1, 2009 through its last day of business and to be reflected in its CATV-1 and CATV-2 filings required to be submitted pursuant to the Board's Order in Docket No. CM09060449.

DATED: 1/21/10

BOARD OF PUBLIC UTILITIES
BY:


ELIZABETH RANDALL
ACTING PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER


JEANNE M. FOX
COMMISSIONER

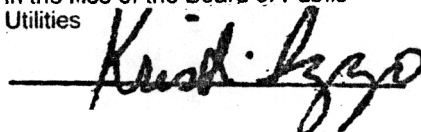

JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER

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



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