



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center, Suite 801
Newark, NJ 07102
www.nj.gov/bpu/

CABLE TELEVISION

IN THE MATTER OF WVT COMMUNICATIONS)
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)

ORDER

DOCKET NO. CO10120974

Virginia Quakenbush, Director, Residential Marketing and Sales, WVT Communications, for the Petitioner

BY THE BOARD:

By letter dated December 22, 2010, WVT Communications, (WVT or Petitioner) on behalf of Hometown Online, Inc. (Hometown), sought a Board waiver, as within time, of the 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).

WVT is the parent company of Hometown, a cable television company that provides service to subscribers in two municipalities in Sussex and Passaic Counties, New Jersey.

WVT maintains that the waiver request is necessary, because Petitioner did not have sufficient time to comply with the 30-day notice requirement. According to WVT, on December 17, 2010, the National Cable Television Cooperative (NCTC) advised that, effective January 1, 2011 it would cease delivering The Discovery Health Channel (Discovery Health) and replace it with the Oprah Winfrey Network (OWN) in its New Jersey System.

Hometown asserts that subscribers and municipal officials were notified of the channel alterations via letters on December 22, 2010.

N.J.A.C. 14:18-3.17 (a) and (b) require each cable company to notify the OCTV, subscribers and municipalities 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for the relaxation of the time for providing notification when the programming service has been discontinued or withdrawn by the provider in such a manner as to leave the cable television operator without sufficient time to comply.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, subscribers and municipalities prior to the deletion.

The deletion of Discovery Health was not accompanied by a rate change in any service provided to Hometown subscribers.

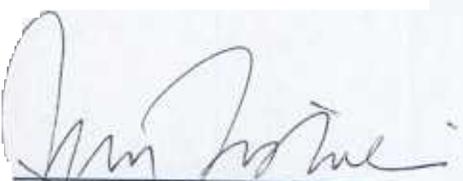
Having reviewed this matter, the Board HEREBY FINDS that the waiver is appropriate under the present circumstances. WVT was notified of the deletions by the programming supplier with insufficient time to comply with the required 30 days prior notice, but informed the Board, subscribers and affected municipalities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

DATED: 3/9/11

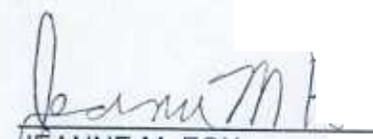
BOARD OF PUBLIC UTILITIES
BY:



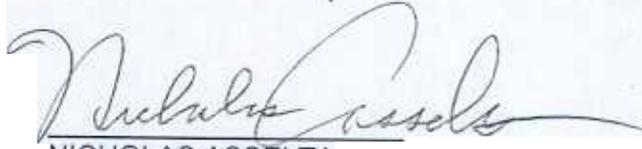
LEE A. SOLOMON
PRESIDENT



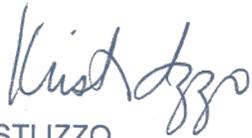
JOSEPH L. FIORDALISO
COMMISSIONER



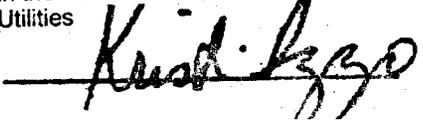
JEANNE M. FOX
COMMISSIONER



NICHOLAS ASSELTA
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



SERVICE LIST

IN THE MATTER OF WVT COMMUNICATIONS 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. CO10150974

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