



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625-0350
www.nj.gov/bpu/

CABLE TELEVISION

IN THE MATTER OF VERIZON NEW JERSEY INC.,)
CABLEVISIONSYSTEMS CORPORATION, COMCAST) ORDER
CABLE COMMUNICATIONS, INC., TIME WARNER CABLE,)
SERVICE ELECTRIC BROADBAND CABLE, SERVICE) DOCKET NO. CO11090536
ELECTRIC TV OF HUNTERDON, INC, AND HOMETOWN)
ON LINE, INC. REQUESTS FOR A 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))

Gregory Romano, Esq. General Counsel, for Verizon New Jersey, Inc.

Dennis Linken, Esq., Scarinci & Hollenbeck, LLC, on behalf of Comcast Cable Communications, Inc. and Time Warner Cable

Kevin J. Drennan, for Cablevision Systems Corporation

John J. Capparell, for Service Electric Cable TV of Hunterdon, Inc.

Robert Williams, Jr., Esq., for Service Electric Broadband Cable

William Mosca, Esq., Bevan, Mosca, Guiditta & Zarillo, P.C., on behalf of Hometown On Line, Inc.

BY THE BOARD:

By letter dated July 5, 2011, Verizon New Jersey, Inc. ("Verizon"), sought a Board waiver, as within time, of the 30-day advanced notice requirement 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). Verizon asserts that on June 29, 2011, it received notice from the programmer that New Jersey Network (NJN) would cease its programming and operations throughout New Jersey effective June 30, 2011. On that date, the New Jersey State Senate approved the transfer of operations of New Jersey Network to WNET-TV, Channel 13, a non-commercial public television station. On July 1, 2011, WNET began operations and now broadcasts programming on channels which previously aired on NJN.

Subsequent to Verizon's waiver filing, on various dates, Comcast Cable Communications, Inc., Cablevision Systems Corporation, Time Warner Cable, Service Electric Broadband Cable, Service Electric Cable TV of Hunterdon, Inc., and Hometown On Line, Inc. (collectively, with Verizon, the "Petitioners") sought similar waiver requests for the common reason that all of them did not receive adequate notice in order to fulfill the requirements of N.J.A.C. 14:18-3.17 (a) and (b). Said regulation requires each cable company to notify the OCTV, subscribers and municipalities of any channel deletion at least 30 days prior to the effective date of the deletion.

However, 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. Based upon this regulation, Petitioners seek a waiver, as within time, of the 30-day notice requirements of N.J.A.C. 14:18-3.17 because Petitioners were unable to provide sufficient notice to the OCTV, subscribers and municipalities prior to the deletion of NJN. None of the Petitioner's subscribers were affected by any rate change as a result of the deletion of NJN.

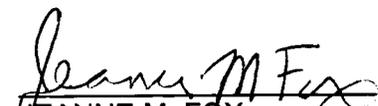
Having reviewed this matter, the Board **HEREBY FINDS** that the waiver is appropriate under the present circumstances. Petitioners were notified of the deletion by the programmer with insufficient time to comply with the required 30 days prior notice, but Petitioners informed the Board, subscribers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

DATED: 11/9/11

BOARD OF PUBLIC UTILITIES
BY:



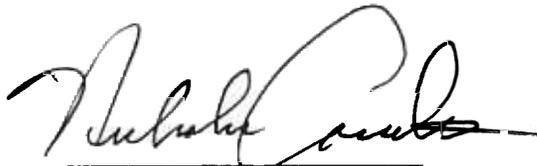
LEE A. SOLOMON
PRESIDENT



JEANNE M. FOX
COMMISSIONER



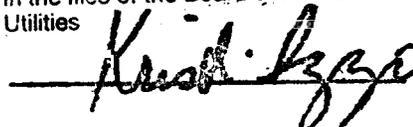
JOSEPH L. FIORDALISO
COMMISSIONER



NICHOLAS ASSELTA
COMMISSIONER

I HEREBY 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



Service List

IN THE MATTER OF VERIZON NEW JERSEY, INC.; COMCAST CABLE COMMUNICATIONS, INC; CABLEVISION SYTEMS CORPORATION; TIME WARNER CABLE; SERVICE ELECTRIC BROADBAND CABLE; SERVICE ELECTRIC CABLE TV OF HUNTERDON, INC; AND HOMETOWN ON LINE REQUESTS 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. CO11090535

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