



Agenda Date: 11/30/11
Agenda Item: IIIC

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CABLE TELEVISION

IN THE MATTER OF COMCAST OF LONG BEACH)	ORDER
ISLAND, LLC AND COMCAST OF MONMOUTH)	
COUNTY, LLC REQUESTS FOR WAIVER, AS)	
WITHIN TIME, OF THE 30-DAY NOTICE PERIOD)	BPU DOCKET NOS.
FOR FILING OF A REVISED SCHEDULE OF)	
PRICES, RATES, TERMS AND CONDITIONS)	CO11090537 AND
PURSUANT TO <u>N.J.A.C.</u> 14:17-6.16)	CO11100639

Dennis Linken, Esq. Scarinci & Hollenbeck, LLC, on behalf of Petitioners

BY THE BOARD

By letters dated September 6, 2011 and September 30, 2011, Comcast of Long Beach Island, LLC, and Comcast of Monmouth County, LLC ("Comcast"), respectively, requested a Board waiver, as within time, of the 30-day notice period for the filing of a revised schedule of prices, rates, terms and conditions pursuant to N.J.A.C. 14:17-6.16. The September 6 request was docketed as CO11090537, and the September 30 request was docketed as CO11100639.

Comcast maintains that the waiver request is necessary because it did not file the revised schedules of prices, rates, terms and conditions with the Office of Cable Television ("OCTV") in sufficient time to comply with the 30-day notice requirement of N.J.A.C. 14:17-6.16. By the September 6 request, Comcast filed a revised schedule with the OCTV with an effective date of October 4, 2011, for the purpose of converting the limited basic-only tier from analog to digital transmission in the Long Beach Island system. Also, by the September 30 request, Comcast filed a revised schedule with the OCTV with an effective date of October 25, 2011 for the Monmouth County system for the purpose of converting the limited basic-only tier from analog to digital transmission. Subscribers who are only receiving limited basic tier programming will need to change their equipment from analog to digital in order to continue to receive programming.

Comcast asserts that for both systems, pursuant to N.J.A.C. 14:18-3.16, subscribers and municipal officials were properly notified of the change by mail in sufficient time to comply with the 30-day notice requirement. Comcast also asserts that the public interest would not be harmed by a grant of Comcast's waiver requests, especially since it will have no adverse

whatsoever on subscribers or municipalities.

N.J.A.C. 14:17-6.16(a)(4) requires each cable company to provide the OCTV with "[a] statement as to the date on which it is proposed to make the schedule of all prices, rates, terms and conditions or change effective" at least 30 days prior to the effective date, unless otherwise permitted by the OCTV with the approval of the Board.

Having reviewed this matter, the Board HEREBY FINDS that the waiver is appropriate under the present circumstances. Comcast notified subscribers and affected municipalities of the revisions to the schedule of prices, rates, terms and conditions more than thirty days in advance of the effective date of the change. Therefore, the Board HEREBY APPROVES, as within time, Comcast's request for a waiver of the filing requirements previously described.

DATED: 11/30/11

BOARD OF PUBLIC UTILITIES
BY:



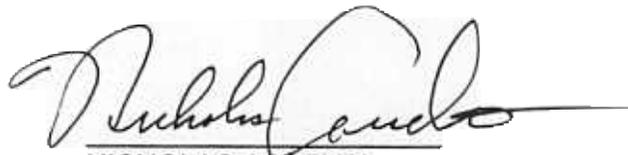
LEE A. SOLOMON
PRESIDENT



JEANNE M. FOX
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER



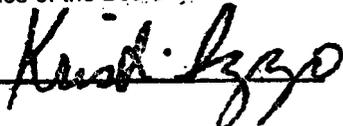
NICHOLAS ASSELTA
COMMISSIONER

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



KRISTI IZZO

**IN THE MATTER OF COMCAST OF LONG BEACH ISLAND, LLC AND COMCAST OF
MONMOUTH, LLC REQUESTS FOR A WAIVER, AS WITHIN TIME, OF THE 30-DAY
NOTICE PERIOD FOR THE FILING OF A REVISED SCHEDULE OF PRICES, RATES,
TERMS AND CONDITIONS PURSUANT TO N.J.A.C. 14:17-6.16
DOCKET NOS. CO11090537 AND CO11100639**

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