



Agenda Date: 10/07/19
Agenda Item: IVA

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/

TELECOMMUNICATIONS

IN THE MATTER OF THE PETITION OF VERIZON)	ORDER
NEW JERSEY INC. FOR APPROVAL OF MUNICIPAL)	
CONSENTS PURSUANT TO <u>N.J.S.A.</u> 48:2-14)	DOCKET NOS. TE19070856
)	THROUGH TE19070861

Parties of Record:

Sidney D. Weiss, Esq., on behalf of Verizon New Jersey Inc., Petitioner
Stefanie Brand, Esq., on behalf of the New Jersey Division of Rate Counsel

BY THE BOARD:

By verified petition filed pursuant to N.J.S.A. 48:2-14 on July 26, 2019 ("Petition"), Verizon New Jersey Inc. ("Verizon" or "Petitioner") requested Board of Public Utilities ("Board") approval of consent ordinances adopted by: (1) the City of Elizabeth in Union County (Docket No. TE19070856); (2) the Township of Harmony in Warren County (Docket No. TE19070857); (3) the Borough of Laurel Springs in Camden County (Docket No. TE19070858); (4) the City of Linwood in Atlantic County (Docket No. TE19070859); (5) the Borough of Manasquan in Monmouth County (Docket No. TE19070860); and (6) the Township of Scotch Plains in Union County (Docket No. TE19070861) (collectively, "Consents" or "Ordinances"). These six (6) Consents grant Verizon the continued right to install, maintain and operate its facilities in public streets and rights-of-way in order to provide customers within the affected municipalities with telecommunications services.

Verizon is a public utility subject to the jurisdiction of the Board pursuant to the applicable provisions of Title 48 of the New Jersey statutes, and is authorized to provide telecommunications services in the State of New Jersey, including in the municipalities noted above.

After appropriate notice, a hearing in these matters was held on September 11, 2019, at the Board's offices in Trenton before Lanhi H. Saldana, Esq., a legal specialist at the Board and the Board's duly designated Hearing Examiner.

At the hearing, Verizon entered into the record a Stipulation dated September 11, 2019 between Petitioner and the New Jersey Division of Rate Counsel ("Rate Counsel") (collectively, the "Parties"). By the Stipulation, the Parties agreed that all six (6) ordinances referred to in the Petition were properly and lawfully adopted by the subject Municipalities. ("Municipalities"). It was further stipulated that the terms of duration for the consents vary from fifteen (15) to fifty (50) years, with no ordinance extending for an indefinite or perpetual term of years.

According to the Stipulation, the Ordinances are essentially similar in substance to the ordinances adopted by other municipalities and counties throughout the State that have been accepted by the Petitioner and approved by the Board in prior proceedings similar to this in which Rate Counsel has participated. It was also stipulated that the referenced Ordinances do not confer any exclusive rights to Petitioner for use of the public rights-of-way and that the approval of the Ordinances will not result in any increase in rates or charges for the services performed by the Petitioner.

At the hearing, Verizon relied on the testimony of Mark Bocchieri, its Director of State Government Affairs for Verizon New Jersey. Mr. Bocchieri testified that he is responsible for maintaining municipal, county, and State government affairs and his duties include monitoring, updating and negotiating municipal consents. He testified that the provisions of the Ordinances are reasonably necessary for Petitioner to provide telecommunication services to residents and businesses in the six (6) subject Municipalities and that approval of the Petitions would serve and promote the public interest.

Based on a review of the entire record, the Board **HEREBY FINDS** that said record reflects that Verizon complies with all pertinent local ordinances, including those that pertain to street openings and restorations, and provides indemnification for damages arising from any work performed by the utility. The record further reflects that Verizon pays real estate tax and personal property tax to municipalities as well as all reasonable fees charged by governmental entities for related work, such as engineering reviews, associated with Verizon's activities.

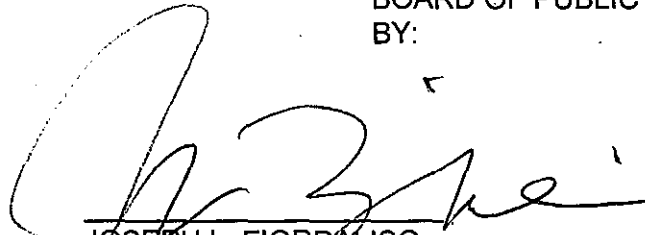
The Board **FURTHER FINDS** that the consents granted to Verizon New Jersey by the City of Elizabeth in Union County, the Township of Harmony in Warren County, the Borough of Laurel Springs in Camden County, the City of Linwood in Atlantic County, the Borough of Manasquan in Monmouth County, and the Township of Scotch Plains in Union County are reasonable and are necessary and proper for the public convenience and properly conserve the public interest.

Therefore, the Board, pursuant to N.J.S.A. 48:2-14, **HEREBY APPROVES** the above-referenced municipal consents granted to Verizon New Jersey by the six (6) Municipalities.

This order shall be effective October 17, 2019.

DATED: 10/7/19

BOARD OF PUBLIC UTILITIES
BY:

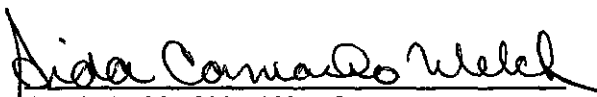

JOSEPH L. FIORDALISO
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MARY-ANNA HOLDEN
COMMISSIONER


DIANNE SOLOMON
COMMISSIONER


UPENDRA J. CHIVUKULA
COMMISSIONER


ROBERT M. GORDON
COMMISSIONER

ATTEST: 
AIDA CAMACHO-WELCH
SECRETARY

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

I/M/O THE PETITION OF VERIZON NEW JERSEY INC. FOR APPROVAL OF MUNICIPAL
CONSENTS PURSUANT TO N.J.S.A. 48:2-14

DOCKET NOS. TE19070856 THRU TE19070861

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