



Agenda Date: 11/13/19  
Agenda Item: 3A

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

OFFICE OF CABLE TELEVISION  
AND TELECOMMUNICATIONS

IN THE MATTER OF THE ALLEGED FAILURE OF ) CEASE AND DESIST  
ALTICE USA, INC. TO COMPLY WITH CERTAIN ) ORDER  
PROVISIONS OF THE NEW JERSEY CABLE )  
TELEVISION ACT, N.J.S.A. 48:5A-1 ET SEQ., AND )  
THE NEW JERSEY ADMINISTRATIVE CODE, N.J.A.C. )  
14:18-1.1 ET SEQ. ) DOCKET NO. CS18121288

**Parties of Record:**

**Sidney A. Sayovitz, Esq.**, Schenck Price Smith & King, LLP, on behalf of Altice USA, Inc.  
**Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel

**BY THE BOARD:**

The respondent, Altice USA, Inc. ("Altice" or "Company") was ordered to show cause on December 18, 2018, why its failure to prorate customer bills should not immediately be discontinued, and why the Board of Public Utilities ("Board") should not find Altice's actions for failure to properly prorate customer bills from the period of October 2016 to the present to constitute a violation of the Board's Rule Relief Order, I/M/O the Petition of Cablevision Systems Corporation for Relief Pursuant to N.J.A.C. 14:18-16.7, docket number CO11050279, (order dated September 22, 2011) ("Rule Relief Order"), and the Board's Merger Order, I/M/O the Verified Joint Petition of Altice N.V. and Cablevision Systems Corporation and Cablevision Cable Entities for Approval to Transfer Control of Cablevision Cable Entities, docket number CM15111255, (order dated May 25, 2016) ("Merger Order"), and, why the Board should not issue a penalty for Altice's failure to comply with the Rule Relief Order and the Merger Order and issue refunds to all customers that have suffered harm from Altice's failure to properly prorate customer bills. I/M/O the Alleged Failure of Altice USA, Inc. to Comply with Certain Provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq., and the New Jersey Administrative Code, N.J.A.C. 14:18-1.1 et seq., docket number CS18121288, (Order dated December 18, 2018) ("Order to Show Cause").

**BACKGROUND AND PROCEDURAL HISTORY**

Altice, formerly known as Cablevision Systems Corporation ("Cablevision"), owns and operates certain cable television systems in the State of New Jersey as that term is defined in N.J.S.A.

48:5A-3(d), pursuant to applicable State and federal law, and such cable systems provide cable television services in the State of New Jersey.

Altice is subject to the jurisdiction of the Board and the Office of Cable Television and Telecommunications ("OCTV&T") within the Board, pursuant to the provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 to 64, and the New Jersey Administrative Code, N.J.A.C. 14:17-1.1 to 11.4, and N.J.A.C. 14:18-1.1 to 16.8.

On May 5, 2011, Cablevision filed a petition with the Board requesting relief in the form of waivers of certain rules set forth in N.J.A.C. 14:18-16.7 ("Rule Relief Petition"). N.J.A.C. 14:18-16.7 provides that, "[u]pon a finding by the Board that the Federal Communications Commission has decertified rate regulation for any cable television system, pursuant to 47 C.F.R. 76.905, on a final finding of effective competition . . ." a cable television company may seek relief from nine provisions in N.J.A.C. 14:18 specifically set forth in N.J.A.C. 14:18-16.7.

For purposes of this order, discussion of the waiver will be limited to the provisions related to the Order to Show Cause, specifically, N.J.A.C. 14:18-3.8, "Method of billing" for cable television companies, which provides that:

(a) Bills for cable television service shall be rendered monthly, bi-monthly, quarterly, semi-annually or annually and shall be prorated upon establishment and termination of service. In unusual credit situations, bills may be rendered at shorter intervals.

(b) Cable television seasonal service may be billed in accordance with reasonable terms and conditions of service set forth in the filed schedule of prices, rates, terms and conditions.

(c) A cable television company may, under uniform nondiscriminatory terms and conditions, require payment, in advance, for a period not to exceed that for which bills are regularly rendered, as specified in its applicable filed schedule of prices, rates, terms and conditions. Any such advance payment for a greater period shall reflect appropriate discount for the additional period involved. Unless otherwise provided for in the applicable filed schedule of prices, rates, terms and conditions, initial and final bills shall be prorated as of the date of the initial establishment and final termination of service.

(d) If a cable television company electronically disconnects or otherwise curtails, interrupts or discontinues all or a portion of the customer's services for non-payment of a valid bill or for other reasons provided under N.J.A.C. 14:18-4.3, the cable television company shall prorate the charges for all affected services as of the date of the electronic service curtailment, interruption or disconnection.

Cable companies are permitted to bill for service in a number of ways - monthly, quarterly, semi-annually or annually, or shorter intervals if necessary - and the Rule also allows for advanced billing. N.J.A.C. 14:18-3.8 also requires cable television companies to prorate service in the event of disconnection.

In the Rule Relief Petition, Cablevision based its request for relief on the relief previously granted to Verizon New Jersey, Inc. ("Verizon") earlier that same year. Rule Relief Petition at 3-4. See I/M/O Verizon New Jersey, Inc. for Relief of Compliance with Certain Provisions of N.J.A.C. 14:18 Pursuant to N.J.A.C. 14:18-6.7, docket number CO10040249 (Order dated March 30, 2011) ("Verizon Order"). In its filing, Cablevision noted that similar treatment should be afforded to Cablevision as a direct competitor of Verizon. Rule Relief Petition at 3-4. The Rule Relief Petition clearly stated that "[g]ranting Cablevision's petition is also necessary to ensure that there continues to be a level playing field between Cablevision and its largest, wireline cable television rival with regard to relief from the rules specified herein". Ibid. Thus, the relief sought was not intended to be beyond the scope of that granted to Verizon. Furthermore, in support of its request for relief from N.J.A.C. 14:18-3.8, Cablevision asserted that "[t]his rule [i]s not necessary in a competitive environment, and limits cable operators' flexibility to adapt billing procedures to meet customer needs" and "[f]orbearance from the rule would enable Cablevision to meet its customers' billing needs by allowing it to construct tailored billing arrangements and payment plans." Id. at 5. The Rule Relief Petition solely addressed the need for flexibility in customer billing arrangements. Nowhere in the Rule Relief Petition did Cablevision discuss and specifically request relief from the requirement to prorate.<sup>1</sup>

As part of the review process, and pursuant to N.J.A.C. 14:18-16.7(a)(1), Staff of the Board of Public Utilities ("Board Staff" or "Staff") requested that Cablevision provide a sample bill for approval by the Office of Cable Television ("OCTV").<sup>2</sup> In response, Cablevision in fact submitted a sample bill which demonstrated proper billing practices and provided an example of how it would continue to prorate customer bills.

In September 2011, after full consideration of the relief requested in the Rule Relief Petition and the potential consequences of granting any relief, the Board issued the Rule Relief Order. Based on the representations by Cablevision provided to the Board, which indicated that Cablevision would continue to prorate its bills pursuant to the requirements of the rules, and with reliance on that representation and the assurance that waiver of certain provisions of the rules "would not harm consumers", relief was granted in the Board's Order. Rule Relief Order at 7.

In the Rule Relief Order, the Board explicitly stated that the waiver was granted based on an understanding that consumers would not be harmed. Ibid. The Rule Relief Order provides, "Relief can be sought provided that the cable television company provides a sample bill to be utilized in lieu of compliance with this section for approval by the Office of Cable Television (OCTV)" and found that "the sample bill [provided by Cablevision] demonstrates that the company is billing in a proper manner and shows how Cablevision will prorate its bills pursuant to the requirements of this section." Id. at 6. Furthermore, the Rule Relief Order itself

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<sup>1</sup> The Verizon Order contains language similar to the Rule Relief Order, specifically, it indicates that Verizon's "sample bill demonstrates how the company will prorate its bills pursuant to the requirements of [N.J.A.C. 14:18-3.8]." Verizon Order at 2. As of the date of this Cease and Desist Order, Verizon continues to comply with the proration requirements of N.J.A.C. 14:18-3.8.

<sup>2</sup> In September 2015, the Board's Division of Telecommunications was merged into OCTV, creating the current Office of Cable Television and Telecommunications ("OCTV&T").

discussed how the sample bill evidenced the intent to continue to prorate customer bills. Id. at 6.

By verified petition filed in November 2015, Altice N.V., Cablevision Systems Corporation and the Cablevision Entities initiated a proceeding before the Board seeking approval for Altice to acquire control of the Cablevision Cable Entities. I/M/O the Verified Joint Petition of Altice N.V. and Cablevision Systems Corporation and Cablevision Cable Entities for Approval to Transfer Control of Cablevision Cable Entities, docket number CM15111255 ("Merger Petition"). In their filing, the Petitioners indicated that Altice would abide by all of its obligations under existing local franchise agreements throughout the terms of such agreements, and averred that it intended to operate under existing rates, terms and service conditions. Further, the Petitioners indicated no specific plans were in place to change the customer service structure, or to undertake actions affecting the public interest. Merger Petition at 8.

Subsequently, in the Merger Order approving the Merger Petition, the Board adopted a Stipulation of Settlement wherein Altice agreed that it "will abide by applicable customer service standards, performance standards, and service metrics delineated under N.J.A.C. Title 14, including but not limited to Chapters 3, 10 and 18 and N.J.S.A. 48:5A, including but not limited to requirements related to billing practices and termination." Merger Order at 11.

In October 2016, Altice issued a bill notice to customers indicating they would no longer prorate bills and provide partial credits or refunds to customers cancelling service prior to the end of the billing period. Staff notified Altice that its actions were inconsistent with the rules and did not comport with the sample bill provided when Cablevision was granted relief from some of the provisions set forth in N.J.A.C. 14:18-3.8 in the Rule Relief Order.

On September 13, 2017, Altice responded to Staff's query regarding the prorating billing policy, indicating that based on their interpretation of the Board's Rule Relief Order, Altice is not subject to the provisions set forth in N.J.A.C. 14:18-3.8.

Following the change in Company policy in October 2016, and continuing to the present, Board Staff has received over 100 inquiries/complaints from customers regarding charges incurred for services no longer rendered after termination. For example, on July 23, 2017, a customer complained that while service was terminated and equipment returned to Cablevision on July 18, 2018, Cablevision refused to prorate the customer's bill because they failed to cancel service prior to the beginning of the billing cycle on July 14, 2018, and charged them for an entire month of service, although they only received service for four days. More recently, on September 18, 2019, a complaint was received from a customer who cancelled service on September 6, 2019 and when they inquired with the Company regarding their final bill, was informed that they would be charged for the entire month although they had only received service for six days.

After reviewing the complaints, in December 2018, the Board issued the Order to Show Cause. The Company was ordered to show cause before the Board why it should not be ordered to cease and desist immediately its failure to properly prorate customer bills; why the Board should not find Altice's actions for failure to properly prorate customer bills from the period of October 2016 to the present to constitute a violation of the Rule Relief Order and Merger Order; why a monetary penalty for failure to comply with the Rule Relief Order and Merger Order should not be assessed; and why the Board should not order Altice to issue refunds to all customers that have suffered harm from Altice's failure to properly prorate customer bills.

The Company was ordered to file an answer by January 15, 2019. It was properly served with the Order to Show Cause and filed a request for an extension of time by which to file its answer. The request for an extension of time to answer to January 31, 2019 was granted.

### **ALTICE'S ANSWER**

On January 31, 2019, Altice submitted its Answer to the OSC ("Answer"). In its Answer, Altice outlines its understanding of the Rate Relief Order which, it explains, provided the Company with flexibility upon which to modify its billing procedures to respond to effective competition. Altice, in defense of its position, avers that the Board cannot require Altice to prorate because mandatory proration is a form of rate regulation preempted by the Federal Cable Act. Answer at 2. Altice indicates that it implemented monthly billing across its 21 state footprint as of October 10, 2016. Id. at 5. The Company explains that by this policy customers are billed for service monthly in advance. Ibid. In relying on the Rule Relief Order, Altice contends that the waiver is unconditional as the language in the order does not specify any restrictions to the waiver granted. Id. at 6.

In describing the relief requested, Altice asserts that N.J.A.C. 14:18-3.8 mandates essentially nothing besides the requirement to prorate. Id. at 8. It also claims that it never represented that it would continue to prorate indefinitely. Id. at 7. In addition, it claims that the sample bills presented included both prorated and non-prorated bills in response to Staff's requests. Id. at 9. Altice asserts that it told Staff, even after bills reflecting proration were submitted, that the waiver sought was for "future" flexibility and that the samples reflected the Company's existing billing practices to establish compliance at the time and were not intended to establish a continued practice of compliance. Id. at 10.

Regarding enforcement and the Board's ability to require that the Company refund customers for its failure to prorate, Altice contends the Board's authority is confined to the terms of N.J.S.A. 48:5A-51, which authorizes specific penalties, not customer refunds. Id. at 14. Customer refunds, Altice claims, are for limited instances and can be imposed only in the event of a service outage. Ibid.

Lastly, Altice asserts that this matter is not a contested case under New Jersey's Administrative Procedure Act because there are no material facts in issue that must be decided after a full hearing. Id. at 15. None of the material facts, according to Altice, are in dispute. Ibid. Instead, Altice asserts that this matter rests upon a question of law regarding the Board's legal interpretation of its order and the scope of its authority. Ibid.

### **RATE COUNSEL'S RESPONSE**

On March 6, 2019, the New Jersey Division of Rate Counsel ("Rate Counsel") responded to Altice's Answer to the Board's Order to Show Cause ("Response"). Rate Counsel was a party to both proceedings that resulted in issuance of the Rule Relief Order and Merger Order. Rate Counsel asserts, in the Response, that the Rule Relief Order did not relieve the Company from its continuing regulatory obligation of prorating customer bills under N.J.A.C. 14:18-3.8. Response at 3. Throughout its Response, Rate Counsel stresses the Board's overarching responsibility to protect customers and ratepayers from policies and practices that run counter to the public interest, while highlighting the fact that the requirement to prorate initial and final bills is meant to protect against abuse of captive departing customers, and to ensure that customers do not pay for cable services that they are not requesting. Id. at 3, 4, 5. Rate Counsel recommends that Altice immediately cease and desist the non-proration of customer

bills upon termination of service; provide Board Staff and Rate Counsel with a plan for issuing customer refunds; provide proof of customer refunds; and provide annual reports during a three year period demonstrating prorated customer accounts where service was discontinued. Id. at 2.

Rate Counsel emphasizes that the Rule Relief Order did not alter the Company's continuing obligation to prorate bills upon initiation and discontinuance of a customer's cable service. Id. at 3. Rate Counsel asserts that the Rule Relief Order was based upon sample bills that indicated the Company would continue to prorate billing. Ibid. In addition, Rate Counsel points to the fact that the Company did not raise any interest in changing the billing process during the merger review period which had concluded six months prior to the Company's change in billing practices. Id. at 4. The Company's ultra vires practice, as per Rate Counsel, violates Board regulations and the Rule Relief Order. Id. at 5. According to Rate Counsel, this action by Altice is the equivalent of "negative option billing"<sup>3</sup> which is prohibited under federal law, specifically, Section 623(f) of the Communications Act of 1934, and is contrary to Section 76.981(a) of the Federal Communications Commission's rules under the Cable Television Consumer Protection and Competition Act of 1972. Ibid.

Rate Counsel further asserts that Altice's claim that the Rule Relief Order failed to express conditional language limiting the waiver is erroneous. Id. at 6. Rate Counsel explains that the Rule Relief Order did not contain a carve-out because the sample bills established that the Company would continue to prorate customer bills and therefore it was unwarranted. Ibid.

Rate Counsel refutes the cases cited by the Company and supports application of Section 76.942 of the Code of Federal Regulations which recognizes the Board's authority to order a cable operator to refund subscribers for overcharges, such as in this instance, where the Company has charged customers for service that was not received. Id. at 15. See 47 C.F.R. § 76.942(a).

### **ALTICE'S REPLY**

Altice filed a reply on April 2, 2019 ("Reply"). In its Reply, the Company emphasizes that the plain language of the Rule Relief Order does not include any condition on the waiver of N.J.A.C. 14:18-3.8, and again asserts that, effectively, there is no other requirement within that Rule except proration. Reply at 1-2: The Company states that the sample bills provided by the Company during the pendency of the Rule Relief Petition should not have been relied upon by the Board or Rate Counsel as indicative of the Company's future billing practices. Id. at 3. Altice asserts that it was always Cablevision's intention to seek a waiver of the proration requirement found in N.J.A.C. 14:18-3.8. Ibid. The Company suggests that Rate Counsel and the Board should have asked Cablevision for a commitment to prorate customer bills if that was what Rate Counsel and the Board intended. Id. at 4-5. Altice reiterates that the Board lacks authority to order the Company to issue refunds and argues that if the Board were now to order the Company to prorate bills, it would be a modification or rescinding of the Rule Relief Order, which would be improper by way of order to show cause, the purpose of which is to enforce an existing order. Id. at 7, 9.

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<sup>3</sup> Section 623(f) of the Communications Act of 1934, found at 47 U.S.C. § 543, provides, "A cable operator shall not charge a subscriber for any service or equipment that the subscriber has not affirmatively requested by name."

## DISCUSSION

The Board has been granted general power, authority and jurisdiction to receive or initiate complaints of the alleged violation of any provisions of N.J.S.A. 48:5A-1 to 64 or of any of the rules and regulations made pursuant thereto or the terms and conditions of any municipal consent or franchise granted pursuant thereto. Additionally, the Board, pursuant to N.J.S.A. 48:5A-9, is vested with the authority to supervise and regulate every cable television company operating within this State and its property, property rights, equipment, facilities, contracts, certificates, and franchises and to do all things necessary or convenient in the exercise of such power and authority. The Board has reviewed the current practices of Altice with respect to prorating of monthly bills, and **HEREBY FINDS** the failure to prorate customer bills at commencement and termination of service to be in violation of the Rule Relief Order and the Merger Order.

The Rule Relief Order clearly indicates the reliance of the Board upon Altice continuing to prorate bills following the issuance of the Order. The Rule Relief Order stated, as set forth in N.J.A.C. 14:18-16.7(a)(1), that relief sought from the rule could only be provided subject to the provision of "a sample bill to be utilized in lieu of compliance with [NJAC 14:18-3.8] for approval by the Office [of Cable Television]." Rule Relief Order at 6. It then reads, "[Cablevision's] . . . sample bill demonstrates that the company is billing in a proper manner and shows how Cablevision will prorate its bills pursuant to the requirements of this section." *Id.* at 18. The purpose of the sample bill submission required by the rule is to show the Board how the Company will bill customers should a waiver be granted. This requirement would be meaningless if a cable television company could then, in practice, drastically deviate from its representation and alter the way it bills, especially to the detriment of customers, as Altice has done in this instance. Furthermore, the Order indicates that waivers requested are only granted "where the Board is satisfied such relief would not harm consumers." *Id.* at 7. Altice's failure to seek Board approval prior to changing its proration policy reflected in the sample bills presented to the Board in 2011, and the basis upon which relief of certain provisions of the rules was reliant upon, violated the terms of the grant of relief in this instance, and caused harm to consumers..

In support of its argument that the Board granted Cablevision permission to discontinue prorating customers' initial and final bills, Altice claims that Board Staff and Rate Counsel were, in fact, provided with some sample bills that did not show proration, and therefore it was unreasonable for Board Staff and Rate Counsel to rely only upon the prorated bills. Answer at 9-10. While it is true that some sample bills provided by Cablevision showed full months of charges, nowhere did Cablevision, in its submission of those bills, nor do the actual bills themselves, indicate that they were bills for partial billing cycles, when service had been initiated or terminated. The bills appear to be for full billing periods, where customers received and requested service the entire time. Conversely, the bills that were prorated clearly indicated a credit for partial months of service, indicating that service was not for a full billing period. Those sample bills were the only bills submitted that showed service for less than a full billing cycle. It was therefore entirely reasonable for the Board to accept those as examples of how Cablevision would continue to prorate the account for the date of the initial establishment and final termination of service.

In addition, Altice argues that the ordering paragraph of the Board's 2011 Order provides an absolute waiver of the provisions of N.J.A.C. 14:18-3.8 addressing bill proration. The Board's review is that the language in the 2011 Order is clear that Cablevision (now Altice) was

committing to continue prorating customer bills and that the Board granted the waiver on that basis.

In requesting relief, the burden was on Cablevision to be specific as to the relief it sought. As stated above, when requesting relief from N.J.A.C. 14:18-3.8, Cablevision asserted that the "rule [i]s not necessary in a competitive environment, and limits cable operators' flexibility to adapt billing procedures to meet customer needs" and "[f]orbearance from the rule would enable Cablevision to meet its customers' billing needs by allowing it to construct tailored billing arrangements and payment plans." Rule Relief Petition at 5. The Rule Relief Petition solely addressed the need for flexibility in customer billing arrangements, and nowhere in the Rule Relief Petition did Cablevision discuss and specifically request relief from the requirement to prorate. In fact, it asserted that a waiver would allow it to better serve customers, focusing on the ability to tailor billing arrangements to meet customer needs, as opposed to assigning each customer a billing option specifically set forth in the Rule. Cablevision neglected to represent that contrary to the sample bill provided, it planned to discontinue prorating customer bills, a practice that would actually harm customers by billing them for service that they did not request or receive.

The Company argues that the Board is unable to require proration by Altice as it is preempted by federal law, namely, the Effective Competition Preemption Order, which bars states or franchising authorities from regulating the rates of a cable system operator if that system is subject to effective competition, and by 47 U.S.C. Section 543(a)(2) and N.J.S.A. 48:5A-11(f), which serve to prohibit the Board from regulating rates in effective competition areas. As stated by Rate Counsel in its reply, requiring service providers to follow the rules and to enforce regulations that protect the public interest and ensure customers are not harmed by anticompetitive Company practices does not rise to the level of rate regulation under the law.

N.J.S.A. 48:5A-51(b) provides for monetary penalties for noncompliance with a Board Order. In such instances of noncompliance, penalties may be assessed of "not more than \$1,000 for a first offense, not less than \$2,000 nor more than \$5,000 for a second offense, and not less than \$5,000 no more than \$10,000 for a third and every subsequent offense." The Board **FINDS** that, by its own admission, Altice has discontinued the proration of customer bills since October 2016, resulting in scores of customers who have been billed in full for months that they did not receive or request service.

Additionally, the Board is authorized to order Altice to refund subscribers for overcharges, such as here where the Company has charged customers for service they did not receive. See 47 C.F.R. § 76.942(a).

### **FINDINGS**

After careful consideration of the record and an examination of the Answer and Reply filed by Altice and the response filed by Rate Counsel to the Order to Show Cause issued on December 18, 2018, the Board **HEREBY FINDS** that Altice, pursuant to N.J.A.C. 14:18-3.8, the Rule Relief Order, and the Merger Order, is required to prorate customer bills, and that its failure to do so violates the Rule, the Relief Order and the Merger Order.

As a result of these violations, the Board **HEREBY ORDERS** Altice to immediately Cease and Desist from its failure to comply with existing rules that require Altice to prorate monthly bills upon inception and termination of service. It is **FURTHER ORDERED** that within sixty (60) days from the date of this Order, Altice must issue refunds to each customer affected by the



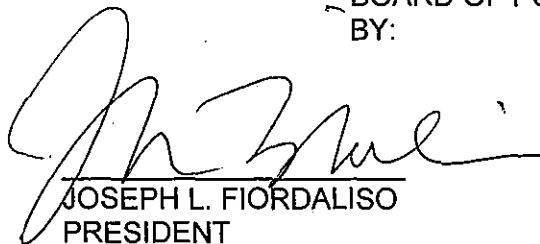
Company's failure to prorate charges for partial billing cycles upon inception and/or termination of service from the time the Company discontinued prorated billing in 2016; and it is **FURTHER ORDERED** that Altice shall remit a one-time non-recoverable contribution totaling \$10,000 toward the Altice Advantage Internet program to provide low cost internet service to New Jersey customers who are eligible for or participate in the National School Lunch Program (NSLP); or eligible for or receive Supplemental Security Income (SSI) and are 65 years of age or older; or a veteran and receives State or federal public assistance.

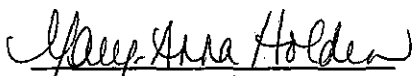
The Board **FURTHER ORDERS** Altice to conduct an audit of its customer billing records from the date the Company ceased proration of customer bills for initiation and termination of service, in October 2016, and to report to the Board the names and account numbers of all customers who were improperly billed and the amount each customer was improperly billed due to the Company's failure to prorate, within 30 days of the effective date of this order. The Board **ALSO ORDERS** Board Staff to then review the submission and inform the Company of any perceived errors. Within 30 days of the completion of Board Staff's review, the completion of which to be determined by Board Staff, the Company is **HEREBY ORDERED** to refund the overage amount to each customer and provide proof of such refunds to the Board and Rate Counsel, by way of certification attaching a sample bill showing either a credit toward a future bill, in the case of an existing customer, or a check to a former customer in the total amount of the appropriate refund. The Company is **ORDERED** to file a certification within 30 days of the effective date of this Order demonstrating the accounting of the \$10,000 one-time non-recoverable contribution toward the Altice Advantage program.

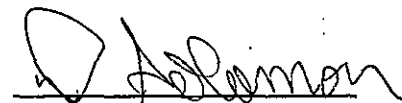
This Order shall be effective on November 23, 2019.


DATED: 11/13/19

BOARD OF PUBLIC UTILITIES  
BY:

  
JOSEPH L. FIORDALISO  
PRESIDENT

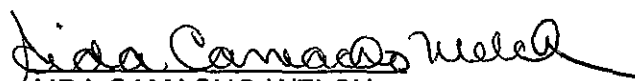
  
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AIDA CAMACHO-WELCH  
SECRETARY

IN THE MATTER OF THE ALLEGED FAILURE OF ALTICE USA, INC. TO COMPLY WITH  
CERTAIN PROVISIONS OF THE NEW JERSEY CABLE TELEVISION ACT,  
N.J.S.A. 48:5A-1 ET SEQ., AND THE NEW JERSEY  
ADMINISTRATIVE CODE, N.J.A.C. 14:18-1.1 ET SEQ.

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