



Agenda Date: 9/4/24  
Agenda Item: IIID

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</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 APPLICATION OF )  
CABLEVISION OF MONMOUTH, LLC FOR ) RENEWAL CERTIFICATE OF  
RENEWAL OF A CERTIFICATE OF APPROVAL TO ) APPROVAL  
CONTINUE TO OPERATE AND MAINTAIN A CABLE )  
SYSTEM IN THE TOWNSHIP OF MANALAPAN, )  
COUNTY OF MONMOUTH, STATE OF NEW )  
JERSEY ) DOCKET NO. CE24010011

**Parties of Record:**

**Vaughn Parchment, Esq.,** Norris McLaughlin, P.A., on behalf of Cablevision of Monmouth, LLC  
**Shari Rose,** Clerk, Township of Manalapan, New Jersey

**BY THE BOARD:**

On March 19, 1980, the New Jersey Board of Public Utilities ("Board") granted Monmouth Cablevision Associates ("MCA") a Certificate of Approval ("Certificate"), in Docket No. 7912C-6609 for the construction, operation and maintenance of a cable television system in the Township of Manalapan ("Township"). On May 17, 1994, the Board approved the sale of MCA to Cablevision of Monmouth, Inc. ("Cablevision"), in Docket No. CM93120537, which was subsequently amended on June 7, 1994. On October 25, 1996, the Board issued a Renewal Certificate of Approval ("Renewal Certificate") to Cablevision in Docket No. CE95100483. The Board issued a Renewal Certificate to Cablevision for the Township on September 28, 2006, in Docket No. CE06060452. Based on a name change, the current holder of the Certificate is now known as Cablevision of Monmouth, LLC ("Petitioner"). Although, by its terms, the Petitioner's above referenced Certificate expired on September 28, 2021, the Petitioner is authorized to continue to provide cable television service to the Township pursuant to N.J.S.A. 48:5A-25, pending disposition of proceedings regarding the renewal of its Certificate.

The Petitioner filed an application for the renewal of its municipal consent with the Township on or about December 28, 2020, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13.1 to 9. On October 11, 2023, the Township, after public hearing, adopted an ordinance granting renewal municipal consent to the Petitioner ("Ordinance"). The Petitioner formally accepted the terms and conditions of the Ordinance on November 1, 2023. On January 4, 2024, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate for the Township.

## **DISCUSSION AND FINDINGS**

The Board has reviewed the application for municipal consent, the Ordinance, and the petition for a Renewal Certificate. Based upon this review and the recommendation of the Office of Cable Television and Telecommunications, the Board **HEREBY FINDS** the following:

1. The Petitioner possesses the requisite legal, character, financial, and technical qualifications for the awarding of a Certificate. Further, these qualifications were reviewed by the Township in conjunction with the municipal consent process.
2. The design and technical specifications of the system shall ensure that the Petitioner provides safe, adequate, and proper service.
3. The Petitioner has represented that all previously required construction within the franchise territory is complete.
4. The franchise period as stated in the Ordinance is ten (10) years from the effective date of this Renewal Certificate, pursuant to N.J.S.A. 48:5A-19 and 25. The Board finds this franchise period reasonable.
5. The Petitioner shall proffer service along any public right-of-way to any person's residence within the Primary Service Area, at no cost beyond standard and non-standard installation charges. Installations to commercial establishments shall be constructed in accordance with the Petitioner's commercial line extension policy attached to the Certificate (Appendix "I").
6. The Petitioner shall maintain an informational schedule of prices, terms and conditions for unregulated service, and promptly file any revisions thereto.
7. Pursuant to statutory requirements, the Ordinance specifies a complaint officer to receive and act upon complaints filed by subscribers in the Township. In this case, it is the Office of Cable Television and Telecommunications. All complaints shall be received and processed in accordance with any applicable rules.
8. During the term of this franchise, and any renewal thereof, the Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating, and resolving complaints regarding the quality of service, equipment malfunctions, and similar matters. The Petitioner currently maintains local offices located at 4340 Route 9 South, Freehold, New Jersey, and 798 Brewers Road, Jackson, New Jersey.
9. The franchise fee to be paid to the Township is specified to be two percent (2%) of the Petitioner's gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in the Township or any additional amount required by N.J.S.A. 48:5A-30. Additional regulatory fees shall be paid to the State in an amount not to exceed two percent (2%) of Petitioner's gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.
10. The Petitioner shall continue to provide public, educational, and governmental ("PEG") access channels and facilities in accordance with its renewal application and the Ordinance. Specifically, the Petitioner agrees to make available to the Township one

(1) public access channel. The Petitioner shall maintain a public access studio located at 1501 Eighteenth Avenue, Wall, New Jersey, which is available for access users upon advance request. The location of said studio and the method of providing such services is subject to change.

11. Within thirty (30) days of the effective date of this Certificate, the Petitioner shall provide to the Township a one-time grant of \$35,000, which may be used by the Township for any PEG capital purpose as the Township in its discretion may deem appropriate. Upon completion, the Petitioner shall submit proof to the Office of Cable Television and Telecommunications indicating its compliance with this provision.
12. The Petitioner shall continue to maintain a fiber access return feed at the Township Hall, located at 120 Route 522 Manalapan, New Jersey, and will continue to provide the Township with its own designated PEG channel available for the exclusive use of the Township. The designated PEG channel provided to the Township under this franchise shall accept programming from the fiber access return feed installed at the Township Hall.
13. The Petitioner shall, upon written request, provide free of charge, one (1) standard installation and monthly cable television reception service to all State or locally accredited public schools, and all municipal public libraries, as well as municipal buildings located within the Township listed as follows: Municipal Building located at 120 Route 522; Public Works Department located at 207 Freehold Road; Senior Center located at 211 Freehold Road; Community Center located at 110 Route 33; Millhurst Fire Co. #1 located 5 Sweetmans Lane; Gordons Corner Fire Co. #2 located at 683 Tennent Road; Manalapan/Englishtown First Aid located at 11 Sanford Ave; Fire Department #2 – Satellite located at 220 Pease Road; and (Future Location if built during term of this Franchise) New Community Center located at 93 Freehold Road.
14. Upon written request from the Township, the Petitioner shall provide to State and locally accredited elementary and secondary schools and municipal public libraries in the Township, without charge, the following: one (1) standard installation per school or library; one (1) cable modem per installation; and basic cable modem service for the term of this franchise for each installation. This offer shall be subject to the terms, conditions and use policies of the Petitioner, as those policies may exist from time to time.
15. Upon written request from the Township, the Petitioner shall provide to the Township Hall, without charge, the following: one (1) standard installation; one (1) cable modem per installation; and basic cable modem service for the term of this franchise for each installation. This offer shall be subject to the terms, conditions and use policies of the Petitioner, as those policies may exist from time to time.
16. Upon reasonable request, the Petitioner shall report to the Township Committee and/or Cable Television Advisory Committee on an annual basis, and shall do so at a public meeting if so requested.

17. The Petitioner shall implement a senior citizen discount in the amount of ten percent (10%) off the monthly broadcast basic level of cable television service rate to any person sixty-two (62) years of age or older, who subscribes to cable television services provided by the Petitioner, subject to the terms stated in the Ordinance.

Based upon these findings, the Board **HEREBY CONCLUDES**, pursuant to N.J.S.A. 48:5A-17(a) and 28(c), that the Petitioner has the municipal consent necessary to support the petition; that such consent and issuance thereof are in conformity with the requirements of N.J.S.A. 48:5A-1 to 64; that the Petitioner has complied or is ready, willing, and able to comply with all applicable rules and regulations imposed by or pursuant to State and federal law as preconditions for engaging in the proposed cable television operations; that the Petitioner has sufficient financial and technical capacity, and meets the legal, character and other qualifications necessary to construct, maintain, and operate the necessary installations, lines, and equipment; and that the Petitioner is capable of providing the proposed service in a safe, adequate and proper manner.

Therefore, the Petitioner is **HEREBY ISSUED** this Renewal Certificate as evidence of Petitioner's authority to construct and operate a cable television system within the entirety of the Township.

This Renewal Certificate is subject to all applicable State and federal laws, the rules and regulations of the Office of Cable Television and Telecommunications, and any such lawful terms, conditions, and limitations as currently exist or may hereafter be attached to the exercise of the privileges granted herein. The Petitioner shall adhere to the operating standards set forth by the Federal Communications Commission's rules and regulations, 47 C.F.R. § 76.1 et seq., including, but not limited to, the technical standards 47 C.F.R. § 76.601 through § 76.630. Any modifications to the provisions thereof shall be incorporated into this Certificate.

Failure to comply with all applicable laws, rules, regulations, and orders of the Board or the Office of Cable Television and Telecommunications and/or the terms, conditions, and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Certificate.

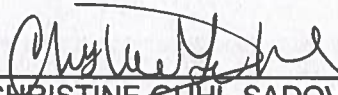
This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and be enforceable unless specific waiver is granted by the Office of Cable Television and Telecommunications pursuant to the authority contained in N.J.S.A. 48:5A-1 to 64.

This Certificate shall expire on September 11, 2034.

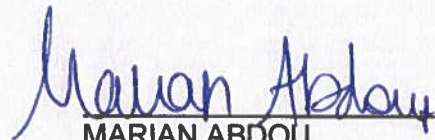
This Order shall be effective on September 11, 2024.

DATED: September 4, 2024

BOARD OF PUBLIC UTILITIES  
BY:

  
CHRISTINE GUHL-SADOVY  
PRESIDENT

  
DR. ZENON CHRISTODOULOU  
COMMISSIONER

  
MARIAN ABDOU  
COMMISSIONER

  
MICHAEL BANGE  
COMMISSIONER

ATTEST:

  
SHERRI L. GOLDEN  
SECRETARY

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

## **APPENDIX "I"**

### **CABLEVISION**

#### **COMMERCIAL LINE EXTENSION RATE POLICY**

1. Intent. It is the intent of CABLEVISION that a rate policy be established under which any businesses within the company's franchise areas would have the opportunity to obtain cable television service.

2. Applicability. This line extension rate shall apply to all cable television service extensions, aerial and underground, on public and private lands, provided by CABLEVISION.

3. Definitions.

(a) Line or Service. That situation where the company must extend its existing trunk line and/or distribution cable in order to make a tap available from which a drop line can be run so as to provide cable television service to the applicant's premises. The line or service extension shall include, but not be limited to, all poles, cables, amplifiers, extenders, splitters, taps, right-of-way acquisitions and clearing, trenching, backfilling and any other one-time costs incurred by CABLEVISION in connection with extending service to the applicant. A line or service extension shall not include facilities provided by CABLEVISION pursuant to its applicable installation rates then existing.

(b) Applicant. Any person, firm, corporation or association that applies to CABLEVISION for service to a commercial establishment in the franchise area.

(c) Commercial Establishment. Any building or structure, or portion thereof, not used for residential purposes including, but not limited to, profit and non-profit corporations or associations, which has requested the installation of cable television service requiring line or service extension as defined herein.

(d) Drop Line. That cable which connects the subscriber's television receiver to the cable transmission system by way of a tap.

(e) Tap. A connecting device inserted in the cable transmission line which allows for the connection of a drop line. An aerial or underground "drop line" constitutes a transmission cable running from the distribution or feeder cable to the subscriber's connection or receiver.

(f) Trunk Line. Transmission cable running from headend to trunk amplifiers and through each trunk amplifier in cascade in the system from which connections for distribution and feeder cable are provided.

(g) Distribution or Feeder Cable. Transmission cable which extends from the distribution amplifiers serving specific areas within the system and from which drop lines are extended.

(h) Qualified Subscriber. Any applicant who, as a potential subscriber, has committed to purchase at least the basic service from CABLEVISION for a period of not less than two (2) years.

4. Schedule.

(a) Within thirty (30) days after the date on which the service is requested, but not more than ninety (90) days from the date upon which the request for service was made, CABLEVISION shall furnish the applicant with (1) an estimate request form, (2) a copy of this line extension policy, and (3) notification that service can only be provided by means of a line or service extension.

(b) If the applicant requests a written estimate within thirty (30) days after being advised that service can only be provided by means of a line or service extension, CABLEVISION shall, within sixty (60) days of such request, furnish a written estimate, a construction schedule, and a service extension contract to be signed by the applicant.

(c) The applicant must return a signed service extension agreement within thirty (30) days after receipt of the material described in Paragraph (b) together with a check in the amount of \$50.00 representing a service extension deposit which will be credited against the applicant's contribution in aid of construction invoice to the applicant which must be signed and returned to CABLEVISION with the full payment before construction will commence.

(d) If the applicant fails to meet any of the applicable deadlines or any of the terms herein before set forth without the approval of CABLEVISION, any obligations pertaining to the proposed line or service extension shall cease and be of no further force or effect.

5. Commercial Line Extension Rate Charges.

A commercial establishment requesting line or service extension shall bear all of the following costs to make a tap available from which a drop line may be installed:

(a) The actual cost to CABLEVISION of materials and equipment necessary to make service available plus shipping charges and applicable taxes.

(b) The actual labor costs incurred by CABLEVISION, exclusive of benefits.

(c) The actual costs of designs, surveys, prints and engineering or other such labor involved in the preparation or actual construction required.

(d) The direct costs of any easements, make-ready or other third party actions required to perform and complete construction such as, but not limited to, power companies, telephone companies, road work, trenching or the like.

(e) In addition, the applicant shall pay to CABLEVISION a sum equal to twenty percent (20%) of the entire actual cost of construction as set forth above.

(f) In the event additional commercial subscribers come on-line in an area in which service extension has been provided in accordance herewith, each additional subscriber shall, in addition to the applicable installation rate, be required to contribute their pro-rata share of the original construction costs. Said pro-rata share shall be derived by dividing the original construction cost by the number of then existing on-line subscribers including the additional subscriber(s).

(g) Any funds collected from additional subscribers will be retained by CABLEVISION in an interest-bearing account and distributed equitably so as to equalize all subscriber construction contributions. Distribution will be made two (2) years after the original service extension was provided. After said two (2) year period, there shall be no further apportionment of the original construction cost.

6. Record Keeping and Annual Reports. CABLEVISION shall maintain appropriate records of its costs, subscriber and applicant billings, and revenues resulting from a request for or the construction of a service extension.

7. Ownership of Facilities. CABLEVISION shall own and maintain the facilities for which a service extension is made and any applicant-subscriber shall not acquire any interest herein.

8. Method of Service Extension. CABLEVISION reserves the right to provide either an aerial or underground service extension.

9. Term of Service. The minimum term of at least basic subscriber service for an applicant requesting service extension, or his successors and assigns, shall be twenty-four (24) months after the service extension has been energized. Said term shall be guaranteed by the applicant in the service extension contract specified in Paragraph 4(c) hereof.

IN THE MATTER OF THE APPLICATION OF CABLEVISION OF MONMOUTH, LLC FOR RENEWAL OF A  
CERTIFICATE OF APPROVAL TO CONTINUE TO OPERATE AND MAINTAIN A CABLE SYSTEM IN THE  
TOWNSHIP OF MANALAPAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

DOCKET NO. CE24010011

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