



Agenda Date: 10/9/24

Agenda Item: IIIA

**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 PETITION OF )  
SPECTRUM NEW JERSEY, LLC, INDIRECT )  
SUBSIDIARY OF CHARTER COMMUNICATIONS, )  
INC., FOR A RENEWAL CERTIFICATE OF )  
APPROVAL TO CONTINUE TO CONSTRUCT, )  
OPERATE, AND MAINTAIN A CABLE TELEVISION )  
SYSTEM IN AND FOR THE BOROUGH OF )  
RIDGEFIELD, COUNTY OF BERGEN, STATE OF )  
NEW JERSEY ) DOCKET NO. CE23090644

**Parties of Record:**

**Stan Barrett, Esq.**, Scarinci Hollenbeck, LLC, on behalf of Spectrum New Jersey, LLC, Indirect  
Subsidiary of Charter Communications, Inc

**Linda Silvestri, Clerk**, Borough of Ridgefield, New Jersey

**BY THE BOARD:**

On October 7, 1976 the New Jersey Board of Public Utilities ("Board") granted Vision Cable Television ("Vision") a Certificate of Approval ("Certificate") in Docket No. 768C-6204 for the construction, operation and maintenance of a cable television system in the Borough of Ridgefield ("Borough"). On June 29, 1987, the Board granted Vision a Renewal Certificate of Approval ("Renewal Certificate") for the Borough in Docket No. CE86101162. The Board subsequently approved the transfer of the Certificate from Vision to Time Warner Entertainment – Advance/Newhouse Partnership ("TWEAN"). On September 14, 1998, the Board granted TWEAN an Automatic Renewal Certificate of Approval for the Borough in Docket No. CE97040218. The Board subsequently approved a transfer of the Certificate from TWEAN to TWFanch-One, Co. d/b/a Time Warner Cable ("TWFanch"). On July 29, 2009, the Board issued a Renewal Certificate to TWFanch for the Borough in BPU Docket No. CE02060370 and OAL Docket No. 11293-03. On December 17, 2009, in Docket No. CM09080719, the Board approved the merger and transfer of Certificates from TWFanch to Time Warner Entertainment Company, L.P. d/b/a Time Warner Cable ("TWE"), who was the holder of the Certificate at the time the application for the renewal of its municipal consent was filed with the Borough.

Due to a series of Board approved transfers, Charter Communications Inc. ("Charter") became the holder of the Certificate.<sup>1</sup> On October 14, 2020, the Board approved the internal reorganization of Charter and Spectrum New York Metro, LLC, f/k/a Time Warner Cable New York City, LLC ("SNYM") and the transfer of Charter's New Jersey cable assets and franchises into a newly created subsidiary, Spectrum New Jersey, LLC ("Petitioner") in Docket No. CO20090598. Although, by its terms, the Petitioner's above referenced Certificate expired on October 6, 2011, the Petitioner is authorized to continue to provide cable television service to the Borough pursuant to N.J.S.A. 48:5A-25, pending disposition of proceedings regarding the renewal of its Certificate.

TWE filed an application for the renewal of its municipal consent with the Borough on March 30, 2011, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13.1 to 9. On December 9, 2019, the Borough, after public hearing, adopted an ordinance granting renewal municipal consent to SNYM ("Ordinance"). SNYM formally accepted the terms and conditions of the Ordinance on February 3, 2020.<sup>2</sup> On September 11, 2023, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate for the Borough.

### **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 Borough 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 or business located in all areas of the franchise territory, at no cost beyond standard and non-standard installation charges as set forth in the Petitioner's application. Any additional extension of the system shall be made in accordance with the Petitioner's Line Extension Policy attached to the Certificate (Appendix "I") with a homes per mile ("HPM") figure of twenty-five (25).

---

<sup>1</sup> On September 13, 2012, the Board approved the asset transfer of TWE to Time Warner Cable New York City, LLC ("TWCNYC") in Docket No. CM12030252. On March 31, 2016, the Board approved the transfer of the equity interests of TWCNYC to Charter in Docket No. CM15070770.

<sup>2</sup> The Ordinance was adopted and SNYM accepted the terms of the Ordinance prior to the above referenced transfer of assets to the Petitioner in Docket No. CO20090598.

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 Borough. 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 a local office located at 2040 Lemoine Avenue, Fort Lee, New Jersey.
9. Pursuant to N.J.S.A. 48:5A-30, the franchise fee to be paid to the Borough is specified to be three and one half percent (3.5%) of the Petitioner's gross revenues, as defined in N.J.S.A. 48:5A-3(x), derived from cable television charges or fees paid by subscribers for its cable television service in the Borough.<sup>3</sup> 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 provide public, educational, and governmental ("PEG") access channels and facilities in accordance with its renewal application and the Ordinance. Specifically the Petitioner provides PEG access programming on two (2) channels, which are shared with other communities in the Charter Bergen system. The Petitioner shall provide access time for non-commercial use to PEG entities on one (1) PEG Access Channel, with which the Petitioner has a cable franchise. The Petitioner shall provide the Borough with use of a studio. Currently the studio is located at 200 Roosevelt Place, Palisades Park, New Jersey.
11. The Petitioner shall provide, without charge, Standard Installation and one (1) outlet and equipment of Basic Cable Service to the locations identified as follows: the Slocum Skewes School located at 650 Prospect Avenue; the Police Department located at 604 Broad Avenue; the Health Department located at 725 Slocum Avenue, Apartment 1; the Ridgefield Ambulance located at 403 Shaler Boulevard; the Ridgefield Recreation located at 555 Walnut Street; the Firehouse No. 1 located at 803 Broad Avenue; the Firehouse 2 located at 588 Bergen Boulevard; the Firehouse 3 located at 530 Shaler Boulevard; the Fire Prevention located at 515 Church Street; and the OEM located at 515 Church Street. The Basic Cable Service provided pursuant to the Ordinance shall not be used for commercial purposes. The Borough shall take reasonable precautions to prevent any inappropriate use or loss or damage to the Petitioner's Cable System.

The Board notes that the Borough's Ordinance omitted a provision to incorporate the terms of the Petitioner's application into the Ordinance pursuant to N.J.A.C. 14:18-11.16 and N.J.S.A.

---

<sup>3</sup> See In re Verizon New Jersey, Inc. Certification of Capability to Provide Cable Television Service to 60 Percent of Households in Ten Designated Municipalities, BPU Docket No. CO10010039, Order dated March 17, 2010.

48:5A-24. The Provision indicates that all of the commitments and statements contained in the application and any amendment thereto submitted by the Petitioner except as modified by the Ordinance, are binding upon the Petitioner as terms and conditions of the municipal consent. Additionally, the provision stipulates that the application and any other relevant writings submitted by the Petitioner shall be annexed to the Ordinance and made a part thereof. By reference herein, this Renewal Certificate incorporates all of the terms and conditions of the application for renewal of municipal consent, as presented to the Borough by the Petitioner, as if the application was attached in its entirety. Therefore, the Board **HEREBY CLARIFIES** that the missing provision is included in the order.

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, subject to the exception noted above; 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 Borough.

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.

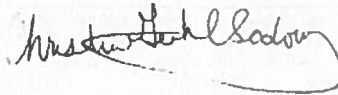
This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and be enforceable unless specific waiver is granted by the Office of Cable Television and Telecommunications pursuant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

This Certificate shall expire on October 16, 2034.

This Order shall be effective on October 16, 2024.

DATED: October 9, 2024

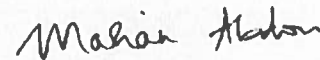
BOARD OF PUBLIC UTILITIES  
BY:



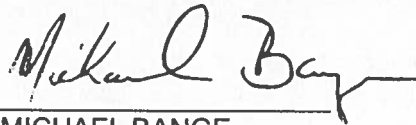
CHRISTINE GUHL-SADOVY  
PRESIDENT



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"

### LINE EXTENSION POLICY

#### SPECTRUM NEW JERSEY, LLC

#### BOROUGH OF RIDGEFIELD

Spectrum New Jersey, LLC shall be required to absorb the cost of extensions to the system in the same proportion that the extension is to the remainder of the system, as detailed herein below. Actual subscribers served by the extension are required to absorb the remainder of the cost, as also detailed herein below.

If new subscribers are added within two years to the area served by an extension, the cost shall be adjusted by recomputing step 5 below and those who previously paid a portion of the cost of the extension shall receive an appropriate rebate (provided, however, that no such rebate shall exceed the subscriber's contribution).

The following will be utilized to determine the respective costs to be borne by Spectrum and potential subscribers in connection with a proposed extension of plant:

A If the average density of homes per mile ("HPM") (measured within 150 feet of the existing public right-of-way, if the area is to be served aerially, or 100 feet if the area is to be served underground) to be passed by the proposed extension is 25 or more, Spectrum will build the extension at its full cost.

B If the average density HPM is less than 25, the cost of the extension will be shared in accordance with the following formula:

- |  |   |   |
|--|---|---|
| 1. $\frac{\text{\# homes in extension}}{\text{mileage of extension}}$                                    | = | homes per mile (HPM) of extension   |
| 2. $\frac{\text{HPM of extension}}{\text{Minimum HPM that company constructs in the system (i.e., 25)}}$ | = | ratio of the density of the extension to the minimum density which the company constructs in the system ("A") |
| 3. Total cost of building the extension times "A"  | = | Charter's share of extension cost   |
| 4. Total cost of building extension less Charter's share of extension cost                               | = | total amount to be recovered from subscribers   |
| 5. $\frac{\text{Total amount to be recovered from subs}}{\text{Total subscribers in extension}}$         | = | each subscriber's share   |

IN THE MATTER OF THE PETITION OF SPECTRUM NEW JERSEY, LLC, INDIRECT SUBSIDIARY OF  
CHARTER COMMUNICATIONS, INC., FOR A RENEWAL CERTIFICATE OF APPROVAL TO  
CONTINUE TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE TELEVISION SYSTEM IN AND  
FOR THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY

DOCKET NO. CE23090644

SERVICE LIST

Stan Barrett, Esq.  
Scarinci Hollenbeck, LLC  
331 Newman Springs Road  
Building 3, Suite #310  
Red Bank, NJ 07701-5692  
[sbarrett@sh-law.com](mailto:sbarrett@sh-law.com)

Dennis C. Linken, Esq.  
Scarinci Hollenbeck, LLC  
150 Clove Road, 9th Fl  
Little Falls, NJ, 07424  
[dlinken@sh-law.com](mailto:dlinken@sh-law.com)

Linda Silvestri  
Borough Clerk  
Borough of Ridgefield  
700 Shaler Boulevard  
Ridgefield, NJ 07657  
[clerks@ridgefieldboro.com](mailto:clerks@ridgefieldboro.com)

Rodney Capel, Vice President  
State Government Affairs, Northeast  
Charter Communications  
120 East 23rd Street  
New York, New York 10010  
[rodney.capel@charter.com](mailto:rodney.capel@charter.com)

Alex Camarda  
Senior Director, State Government Affairs  
Charter Communications/Spectrum  
120 East 23rd St. – 11th floor  
New York, NY 10010  
[alexander.camarda@charter.com](mailto:alexander.camarda@charter.com)

Meliha Arnautovic, DAG  
NJ Department of Law & Public Safety  
Division of Law  
Richard J. Hughes Justice Complex  
Public Utilities Section  
25 Market Street  
Post Office Box 112  
Trenton, NJ 08625  
[meliha.arnautovic@law.njoag.gov](mailto:meliha.arnautovic@law.njoag.gov)

**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
Post Office Box 350  
Trenton, NJ 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

Sherri L. Golden, Board Secretary  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Stacy Peterson, Deputy Executive Director  
[stacy.peterson@bpu.nj.gov](mailto:stacy.peterson@bpu.nj.gov)

Office of Cable Television and Telecommunications

Lawanda R. Gilbert, Esq., Director  
[lawanda.gilbert@bpu.nj.gov](mailto:lawanda.gilbert@bpu.nj.gov)

Nancy J. Wolf, Administrative Analyst 4  
[nancy.wolf@bpu.nj.gov](mailto:nancy.wolf@bpu.nj.gov)

Stephanie Katz, Administrative Analyst 1  
[stephanie.katz@bpu.nj.gov](mailto:stephanie.katz@bpu.nj.gov)

Counsel's Office

Carol Artale, Deputy General Counsel  
[carol.artale@bpu.nj.gov](mailto:carol.artale@bpu.nj.gov)

Kit Burnette, Regulatory Officer  
[kit.burnette@bpu.nj.gov](mailto:kit.burnette@bpu.nj.gov)