



Agenda Date: 11/21/25
Agenda Item: IIIC

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

OFFICE OF CABLE TELEVISION
AND TELECOMMUNICATIONS

IN THE MATTER OF THE PETITION OF COMCAST)
OF NEW JERSEY II, LLC FOR A RENEWAL)
CERTIFICATE OF APPROVAL TO CONTINUE TO)
CONSTRUCT, OPERATE, AND MAINTAIN A CABLE)
TELEVISION SYSTEM IN AND FOR THE)
BOROUGH OF NEW PROVIDENCE, COUNTY OF)
UNION, STATE OF NEW JERSEY) DOCKET NO. CE24090625

Parties of Record:

Stan Barrett, Esq., Brach Eichler LLC, on behalf of Comcast of New Jersey II, LLC
Denise Brinkofski, Clerk, Borough of New Providence, New Jersey

BY THE BOARD:

On December 14, 1978, the New Jersey Board of Public Utilities ("Board") granted Suburban Cablevision ("Suburban") a Certificate of Approval ("Certificate"), in Docket No. 787C-6383, for the construction, operation and maintenance of a cable television system in the Borough of New Providence ("Borough"). On February 2, 1989, the Board granted Suburban a Renewal Certificate of Approval ("Renewal Certificate") for the Borough in Docket No. CE88070899. Through a series of transfers, with the required Board approvals, Comcast Cablevision of New Jersey, Inc. ("Comcast") became the holder of the Certificate. On February 2, 2000, the Board granted Comcast a Renewal Certificate for the Borough in Docket No. CE99100828. Based on a name change, the current holder of the Certificate is Comcast of New Jersey II, LLC ("Petitioner"). On June 21, 2010, the Board issued a Renewal Certificate to the Petitioner for the Borough, in Docket No. CE09110923. Although, by its terms, the Petitioner's above referenced Renewal Certificate expired on December 14, 2023, 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.

The Petitioner filed an application for the renewal of its municipal consent with the Borough on March 12, 2023, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13.1 to 9. On March 12, 2024, the Borough, after public hearing, adopted an ordinance granting renewal municipal consent to

the Petitioner ("Ordinance").¹ The Petitioner formally accepted the terms and conditions of the Ordinance on June 10, 2024. On September 3, 2024, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate for the Borough.²

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 date of expiration of the previous certificate of approval issued by the Board, pursuant to N.J.S.A. 48:5A-19 and 25. The Board finds this franchise period reasonable.
5. The Borough has reserved the right to review the Petitioner's performance with regard to the Ordinance. In the event that the Borough shall find that the Petitioner has not substantially complied with the material terms and conditions of the Ordinance, the Borough shall have the right to petition the Board for appropriate administrative action, pursuant to N.J.S.A. 48:5A-47, provided, however, that the Borough shall first have given the Petitioner written notice of all alleged instances of non-compliance and an opportunity to cure the same within ninety (90) days of that notification. If, after such reasonable notice and opportunity to cure, the Petitioner has not cured any such findings of non-compliance, the Borough may petition the Board for appropriate administrative action, including modification and/or termination of the Certificate.
6. The Petitioner shall offer service to any present or future dwelling unit, school, institution, and business located and to be located along any public rights-of-way in the primary service area, at no cost beyond standard and non-standard installation charges as set forth in the Petitioner's application. For any extension of plant beyond the Primary Service Area, the Petitioner shall utilize the line extension policy attached to the Certificate (Appendix "I") with a homes per mile ("HPM") figure of thirty-five (35).

¹ The ordinance adopted on March 12, 2024, erroneously stated the Petitioner's name as Comcast of New Jersey, LLC. On March 18, 2025, the Office of Cable Television and Telecommunications notified the Borough and the Petitioner that the Renewal Certificate would reflect the correct name as Comcast of New Jersey II, LLC.

² On June 6, 2025, the Petitioner filed an amendment to the Petition that corrected an error which misstated the Docket Number of the Board's February 2, 1989 Order. The amended Petition provided the correct Docket Number (CE88070899).

7. The Petitioner shall maintain an informational schedule of prices, terms and conditions for unregulated service, and promptly file any revisions thereto.
8. 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 Borough Administrator or their designee. All complaints shall be received and processed in accordance with any applicable rules.
9. 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 2345 U.S. Highway 22, Union, New Jersey.
10. 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. 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.
11. 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 shall continue to provide residents with one (1) system-wide public access channel maintained by the Company. The channel is available to all customers and entities that the Petitioner serves including qualified individuals and organizations that may utilize public access for the purpose of cablecasting non-commercial access programming. Upon reasonable advance notice, the Petitioner will conduct training seminars for potential access users and groups.
12. The Petitioner shall continue to provide one (1) shared local municipal access channel to be maintained by the Petitioner and operated by the Borough's access or PEG designee (so long as the organization or its successor continues to be the Borough's access or PEG designee), for the purpose of local governmental and educational access programming in conformance with the Petitioner's guidelines and applicable state and federal statutes and regulations. If the shared local access channel goes black or is devoid of all programming and ceases to be used for a period of ten (10) consecutive weeks, the Borough shall therewith forego its rights to use the shared local channel and thereafter, the Petitioner, in its full discretion, shall be entitled to utilize the channel without restriction.
13. The Petitioner shall continue to provide one (1) dedicated local municipal access channel that is utilized by the New Providence High School and the Borough, which is to be maintained by the Petitioner and operated by the Borough for the purpose of local government and educational access programming in conformance with the Petitioner's guidelines and applicable state and federal statutes and regulations. The Petitioner shall continue to provide and maintain the existing channel return lines and switching capabilities at the high school and municipal building. The Petitioner shall provide an additional return feed for this channel at the high school football field or other location of the Borough's choosing, provided that such location is within 200 feet

of active cable plant. The system also has one (1) additional local municipal access channel.

14. Within six (6) months of the effective date of this Certificate, the Petitioner shall provide to the Borough a one (1) time PEG Access Capital Grant of \$25,000 to meet the Access capital needs of the community. Upon completion, the Petitioner shall submit proof to the Office of Cable Television and Telecommunications indicating its compliance with this provision.
15. The Petitioner shall continue to provide standard installation and basic television service on a total of fifty (50) outlets to the four (4) existing public schools in the Borough; ten (10) outlets for future schools constructed in the Borough, and on ten (10) outlets to each private school at no cost, provided the school is within 200 feet of active cable distribution plant. Provision of digital equipment (converter boxes, etc.) for all outlets installed, if any, and shall be paid for on a materials/equipment plus labor basis by the school requesting services. Monthly service charges shall be waived on all additional outlets, except for equipment. Conversion of non-Petitioner authorized outlets to the Petitioner's standard, including wiring, equipment and installation charges shall also be charged on a material plus labor basis.
16. The Petitioner shall provide standard installation and basic cable television service at no cost, on one (1) outlet to the Municipal Center, Police Station, Fire House, EMS Station, Municipal Center Maintenance (lower level), Department of Public Works ("DPW"), Waste Water Treatment Plant ("WWTP"), Board of Education (Municipal Center), Public Library, Senior Citizen Center, Board of Education (Maintenance Facility) behind Salt Brook School, Community Pool, William Paca Club, Academy Building and Salt Box Museum, provided the facility is within 200 feet of active cable distribution plant. Each outlet installed, if any, shall be paid for on a materials/equipment plus labor basis by the facility requesting services. Monthly service charges shall be waived on all additional outlets, except for equipment. Conversion of non-Petitioner authorized outlets to the Petitioner's standard, including wiring, equipment and installation charges shall also be charged on a material plus labor basis.
17. The Petitioner shall continue to provide one (1) free non-network high speed Internet connection and service [one (1) outlet at each location] at public library buildings and all public and private schools. Connections are to be located in areas accessible to student and community use, and not restricted to administrative use, provided the facility is within 200 feet of an active cable distribution plant.
18. Upon written request of the Borough Council or its designee, the Petitioner shall meet with the Borough Council or its designee to discuss customer service issues.

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 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.

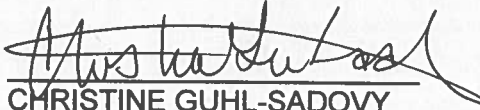
This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and be enforceable unless specific waiver is granted by the Office of Cable Television and Telecommunications pursuant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

This Certificate shall expire on December 14, 2033.

This Order shall be effective on November 28, 2025.

DATED: November 21, 2025

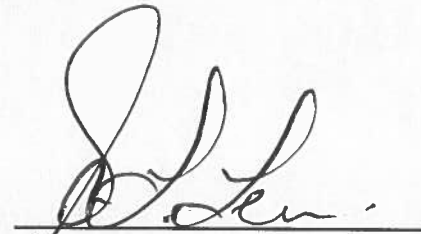
BOARD OF PUBLIC UTILITIES
BY:


CHRISTINE GUHL-SADOVY
PRESIDENT


DR. ZENON CHRISTODOULOU
COMMISSIONER


MICHAEL BANGE
COMMISSIONER

ATTEST:


SHERRI L. LEWIS
BOARD 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"
Office of Cable Television and Telecommunications
Line Extension Policy

Company: Comcast of New Jersey II, LLC
Municipality: Borough of New Providence, County of Union

A cable operator is required to absorb the cost of extensions to the system in the same proportion that the extension is to the remainder of the system.

Actual subscribers served by the extension are required to absorb the remainder of the cost.

If new subscribers are added to the extension, the cost is adjusted and those who previously paid receive an appropriate rebate.

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

In any case, the company shall extend its plant along public rights of way to:

1. All residences and businesses within 150 aerial feet of the operator's existing plant at no cost beyond the normal installation rate.
2. All residences and businesses within 100 underground feet of the operator's plant at no cost beyond the normal installation rate.

* The minimum HPM that the company actually constructs in the system or municipality is the minimum number of homes that the company has historically constructed at its own cost. This is a function of the operator's breakeven point and its rate of return. Unbuilt systems will use the primary service area rather than construction.

The operator's installation policies shall apply to construction beyond the public right of way.

Detailed accounting or financial information to support the minimum HPM shall be supplied to the Office for its approval in such form as required. The minimum HPM shall be updated as appropriate.

When a request for service is received, and unless good cause is shown, cable companies shall:

1. Provide a written estimate within thirty (30) days of such a request.
2. Begin construction within sixty (60) days of receipt of any deposit monies from potential subscribers.
3. Complete construction within six (6) months of receipt of any deposit monies from potential subscribers.
4. Inform each home passed along the extension of the potential costs for subscribers.

Subscribers who pay for an extension shall be entitled to rebates in the following manner:

1. If the company acquires new subscribers subsequent to the initial calculation of step 5 above, the formula will be adjusted and those who have previously paid for the extension will be entitled to an appropriate rebate. In no event shall the amount of the rebate exceed the subscriber's contribution.
2. The company shall keep accurate records of the cost of the extension, the amounts paid by subscribers, and any appropriate adjustments.
3. The company shall notify subscribers in the extension of their rights and responsibilities concerning the extension.
4. Once an individual dwelling has paid its share of the extension cost, future reconnections or installations shall be made at the company's standard rates.
5. After a period of five (5) years from the installation of the first dwelling unit in the extension, no further adjustments shall be made. Installations after five (5) years shall be at the company's standard rate.
6. Once a subscriber is installed, that person shall not normally be entitled to a refund of any monies paid for the installations, except in accordance with the rebate procedure outlined in this policy.

Definitions

Primary Service Area

The Primary Service Area ("PSA") can be an entire municipality, but in many instances the PSA is a limited area within a community outside of which a line extension policy may apply. The PSA is depicted by a franchise map and narrative, presented and recorded during the franchise proceedings. It normally remains a fixed geographic area throughout the life of the franchise.

Line Extension Survey

Potential subscribers residing outside the PSA who request service are entitled to an estimate of their share of the cost to secure service. When conducting a survey and estimating costs, a cable company should factor in all potential subscribers who could practicably be included in the extension and give consideration to apparent residential construction in areas contiguous to the proposed extension.

IN THE MATTER OF THE PETITION OF COMCAST OF NEW JERSEY II, LLC FOR A RENEWAL CERTIFICATE
OF APPROVAL TO CONTINUE TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE TELEVISION SYSTEM IN
AND FOR THE BOROUGH OF NEW PROVIDENCE, COUNTY OF UNION, STATE OF NEW JERSEY

DOCKET NO. CE24090625

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