



Agenda Date: 3/18/26
Agenda Item: IVC

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 PLAINFIELD, LLC, FOR A CERTIFICATE OF)
APPROVAL TO CONTINUE TO CONSTRUCT,)
OPERATE, AND MAINTAIN A CABLE TELEVISION)
SYSTEM IN AND FOR THE BOROUGH OF NORTH)
PLAINFIELD, COUNTY OF SOMERSET, STATE OF)
NEW JERSEY) DOCKET NO. CE25020087

Parties of Record:

Stan Barrett, Esq., Brach Eichler LLC, on behalf of Comcast of Plainfield, LLC
Michele Garry, Clerk, Borough of North Plainfield, New Jersey

BY THE BOARD:

On January 17, 1980, the New Jersey Board of Public Utilities (“Board”) granted Plainfield Cablevision, Inc., a wholly owned subsidiary of Storer Cable Communications, Inc. a Certificate of Approval (“Certificate”) in Docket No. 797C-6507, for the construction, operation and maintenance of a cable television system in the Borough of North Plainfield (“Borough”). Due to an internal reorganization, the holder of the Certificate was Storer Cable Communications of the Plainfields, Inc. d/b/a Storer Cable Communications (“Storer Plainfields”). On April 13, 1989, the Board granted Storer Plainfields a Renewal Certificate of Approval (“Renewal Certificate”) for the Borough in Docket No. CE88101182. Due to a series of transfers with required Board approval, the current holder of the Certificate is Comcast of Plainfield, LLC (“Petitioner”). On November 10, 2004, the Board granted the Petitioner an Automatic Renewal Certificate in Docket No. CE04080875. On February 10, 2011, the Board issued a Renewal Certificate to the Petitioner in Docket No. CE10110853. Although the Petitioner’s Renewal Certificate expired on January 17, 2025, it 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 its Renewal Certificate.

The petition is based on the Borough’s ordinance adopted on September 27, 2010, granting renewal municipal consent to the Petitioner. On October 6, 2010, the Petitioner accepted the ordinance, which provided for an initial term of fifteen (15) years, expiring on January 17, 2025, with an automatic renewal term of ten (10) years. On December 10, 2024, the Petitioner notified the Borough of its intention to exercise its right under the automatic renewal provision of the

Borough's municipal consent and the Renewal Certificate. No objection was filed by the Borough. On February 25, 2025, the Petitioner filed with the Board for Automatic Renewal of its Renewal Certificate for the Borough, pursuant to N.J.S.A. 48:5A-15, 16, 17, 19, and 25, N.J.A.C. 14:17-6.9, and 14:18-13.6.

DISCUSSION AND FINDINGS

The Board has reviewed the petition and the application filed therein by the Petitioner. 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 Renewal Certificate, pursuant to N.J.S.A. 48:5A-22 to 29, N.J.A.C. 14:18-13.1 through 9.
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, pursuant to N.J.S.A. 48:5A-19 and 25. The Board finds this franchise period reasonable.
5. The Borough may review the performance of the Petitioner with regard to the ordinance at its discretion. If the Borough determines that the Petitioner has failed to substantially comply with the material terms and conditions of the ordinance, the Borough shall provide written notice to the Petitioner of such alleged instances of non-compliance, and shall grant the Petitioner ninety (90) days to cure such deficiency. The Borough may petition the Board for appropriate administrative action, including revocation of the franchise or reduction of the franchise term, but only after the ninety (90)-day opportunity to cure has passed and the deficiency has not been cured.
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. The Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating, and resolving complaints. Currently the local office satisfying this provision is located at 315 Rt. 206, Hillsborough, 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. 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 service to any residence or business along any public right-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 outside of the Primary Service Area, the Petitioner shall utilize the line extension policy attached to the Certificate (Appendix "I"). The minimum homes per mile ("HPM") figure is thirty-five (35).
11. The Petitioner shall provide public, educational, and governmental access channels and facilities in accordance with its renewal application and the ordinance. Specifically, the Petitioner shall continue to provide one (1) system-wide public access channel for use by the Borough and other municipalities in the Petitioner's system. Qualified individuals and organizations may utilize the public access channel for the purpose of cablecasting non-commercial access programming in accordance with the Petitioner's published public access rules. Cameras and post production equipment are available to residents of the Borough for the creation of access programming.
12. The Petitioner shall provide standard installation and basic cable television service on up to ten (10) outlets, free of charge, at each public and private elementary, intermediate and secondary school in the Borough. To qualify for free installation, the facility must be within 200 feet of the Petitioner's active cable television plant. Each additional outlet installed, if any, shall be paid for on a materials, equipment plus labor basis by the school requesting additional service. Monthly service charges shall be waived on all additional outlets.
13. The Petitioner shall provide one (1) standard installation and basic cable television service, free of charge, to one (1) outlet, to all municipal facilities in the Borough, including but not limited to: Borough Hall; Vermuele Mansion and other community center; police, fire, emergency management facilities; Department of Public Works Facility and public library. To qualify for free installation, the facility must be within 200 feet of the Petitioner's active cable television plant. Each additional outlet installed, if any, shall be paid for on a materials, equipment plus labor basis by the Borough. Monthly service charges shall be waived on all additional outlets.
14. The Petitioner shall provide or continue to provide standard installation and one (1) non-networked outlet of Internet service via high speed cable modem, free of charge, to each public library and all public and private schools located within the Borough. To qualify for free installation, the facility must be within 200 feet of the Petitioner's active cable television plant. The connection shall be installed in a location accessible for community and student use, and shall not be restricted to administrative use.

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. Furthermore, that such consent and issuance thereof are in conformity with the requirements of N.J.S.A. 48:5A-1 to 64 and 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. The Board also **FINDS** that the Petitioner has sufficient financial and technical capacity; that the Petitioner 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 Automatic Renewal Certificate of Approval as evidence of the Petitioner's authority to construct and operate a cable television system within the entirety of the Borough.

This Automatic Renewal Certificate of Approval 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 or the terms, conditions, and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Certificate.

The Board **HEREBY ORDERS** the Automatic Renewal Certificate of Approval be 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 January 17, 2035.

This Order shall be effective on March 25, 2026.

DATED: March 18, 2026

BOARD OF PUBLIC UTILITIES
BY:


CHRISTINE GUHL-SADOVY
PRESIDENT


DR. ZENON CHRISTODOULOU
COMMISSIONER


MICHAEL BANGE
COMMISSIONER


EMMA REBHORN
COMMISSIONER


JOSEPH COVIELLO
COMMISSIONER

ATTEST: 
SHERRIL 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 Plainfield, LLC
Municipality: Borough of North Plainfield, County of Somerset

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. $\frac{\text{\# of homes in extension}}{\text{mileage of extension}}$ = homes per mile ("HPM") of extension
- 2. $\frac{\text{HPM of extension}}{\text{Minimum HPM that company actually constructs in the system*}}$ = ratio of the density of the extension to the minimum density that the company constructs in the system ("A")
- 3. Total cost of building the extension times "A" = company's share of extension cost
- 4. Total cost of building extension less company'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 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 PLAINFIELD, LLC, FOR A CERTIFICATE OF APPROVAL
TO CONTINUE TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE TELEVISION SYSTEM IN AND FOR THE
BOROUGH OF NORTH PLAINFIELD, COUNTY OF SOMERSET, STATE OF NEW JERSEY

DOCKET NO. CE25020087

SERVICE LIST

Stan Barrett, Esq.
Brach Eichler LLC
101 Eisenhower Parkway
Roseland, NJ 07068
sbarrett@bracheichler.com

Dennis C. Linken, Esq.
Brach Eichler LLC
101 Eisenhower Parkway
Roseland, NJ 07068
dlinken@bracheichler.com

Michele Garry
Borough Clerk
Borough of North Plainfield
263 Somerset Street
North Plainfield, NJ 07060-4846
mgarry@northplainfieldnj.gov

Robert Clifton
Senior Director
Govt. & Regulatory Affairs
Comcast Cable
403 South Street
Eatontown, New Jersey 07724
robert_clifton@comcast.com

Fred DeAndrea
Director of Govt. & Regulatory Affairs
Comcast
1250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034
fred_deandrea@comcast.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

Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, NJ 08625-0350
www.nj.gov/bpu/

Sherri L. Lewis, Board Secretary
board.secretary@bpu.nj.gov

Stacy Peterson, Deputy Executive Director
stacy.peterson@bpu.nj.gov

Office of Cable Television and
Telecommunications

Lawanda R. Gilbert, Esq., Director
lawanda.gilbert@bpu.nj.gov

Nancy J. Wolf, Administrative Analyst 4
nancy.wolf@bpu.nj.gov

Stephanie Katz, Administrative Analyst 1
stephanie.katz@bpu.nj.gov

Counsel's Office

Ava-Marie Madeam, General Counsel
avamarie.madeam@bpu.nj.gov

Elsbeth Faiman Hans, Deputy General Counsel
elsbeth.hans@bpu.nj.gov

Kit Burnette, Associate Counsel
kit.burnette@bpu.nj.gov

TyShawn Key, Associate Counsel
tyshawn.key@bpu.nj.gov