



Agenda Date: 10/28/26
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 SERVICE)
ELECTRIC CABLE T.V. OF HUNTERDON, INC. FOR) RENEWAL CERTIFICATE OF
RENEWAL CERTIFICATE OF APPROVAL FOR THE) APPROVAL
CONTINUED CONSTRUCTION, OPERATION AND)
MAINTENANCE OF A CABLE TELEVISION SYSTEM)
IN THE TOWNSHIP OF HARMONY, COUNTY OF)
WARREN, STATE OF NEW JERSEY) DOCKET NO. CE26040112

Parties of Record:

Martin C. Rothfelder, Esq., Norris McLaughlin, P.A., on behalf of Service Electric Cable T.V. of Hunterdon, Inc.
Kelley D. Smith, Clerk, Township of Harmony, New Jersey

BY THE BOARD:

On October 9, 1980, the New Jersey Board of Public Utilities ("Board") granted Sammons Communications of New Jersey, Inc. a Certificate of Approval ("Certificate"), in Docket No. 804C-6673 for the construction, operation and maintenance of a cable television system in the Township of Harmony ("Township").¹ Due to a transfer with the required Board approval, the current holder of the Certificate is Service Electric Cable T.V. of Hunterdon, Inc. ("Petitioner"). On May 8, 1996, the Board granted the Petitioner a Renewal Certificate of Approval ("Renewal Certificate") for the Township, in Docket No. CE94110540.² On November 10, 2010, the Board issued a Renewal Certificate to the Petitioner for the Township, in Docket No. CE10070496.³ Although, by its terms,

¹ Petition of Sammons Communications of New Jersey, Inc. for a Certificate of Approval for the Construction and Operation of a Cable Television System in the Township of Harmony, County of Warren, State of New Jersey, BPU Docket No. 804C-6673, Order dated October 9, 1980.

² In re the Petition of Sammons Communications of New Jersey, Inc. for a Renewal of Its Certificate of Approval to Own, Operate, Extend and Maintain a Cable Television System in the Township of Harmony, County of Warren, State of New Jersey, BPU Docket No. CE94110540, Order dated May 8, 1996.

³ In re the Petition of Service Electric Cable T.V. of Hunterdon, Inc. for the Renewal of the Certificate of Approval for the Continued Construction, Operation and Maintenance of a Cable Television System in the Township of Harmony, County of Warren, State of New Jersey, BPU Docket No. CE10070496, Order dated November 10, 2010.

the Petitioner's above referenced Renewal Certificate expired on October 9, 2025, 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 November 25, 2024, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13.1 to 9. On March 12, 2026, 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 March 16, 2026. On April 7, 2026, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate for the Township.⁴

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 fifteen (15) years from the expiration date of the previous Certificate issued by the Board, pursuant to N.J.S.A. 48:5A-19 and 25. The Board finds this franchise period reasonable.
5. The Petitioner shall offer service along any public right-of-way to any person's residence or business located in all areas of the territory, at no cost beyond standard and non-standard installation charges. For any additional extension to all areas not currently served as reflected in the system map, the Petitioner shall utilize the line extension policy attached to the Certificate (Appendix "I") with a minimum homes per mile ("HPM") figure of thirty-five (35).
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

⁴ On May 27, 2026, the Petitioner filed an amendment to the petition that corrected an error which misstated the term of the franchise for the Township. The amended petition provided the correct term, as stipulated in the Ordinance.

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 37 Sitgreaves Street, Phillipsburg, 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 provide public, educational, and governmental ("PEG") access channels and facilities in accordance with its renewal application. Specifically, the Petitioner shall continue to make available one (1) shared PEG access channel, which is shared with leased access. The PEG access is determined by the sharing municipalities.
11. The Petitioner shall provide free installation and basic cable service through one (1) service outlet to the following facilities: the municipal building, Township School, each police, fire, first aid, emergency management facility, Department of Public Works, and the Township-operated community center at no cost. This obligation shall apply to any new facilities in the preceding categories constructed during the term of the franchise.
12. Upon request of the Township, the Petitioner and the Township's designee shall meet at least semiannually to review all matters relating to the Cable Communications System and the Cable Television System ("CATV") in the Township, with the minutes of such meetings to be delivered to the Petitioner and to be filed with the Township.
13. The Petitioner has agreed to implement a senior citizen's discount rate in the amount of ten percent (10%) of the monthly Basic Cable Service rate to any person sixty-two (62) years of age or older who subscribes to cable 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(a)-(g), 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.

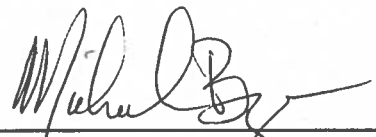
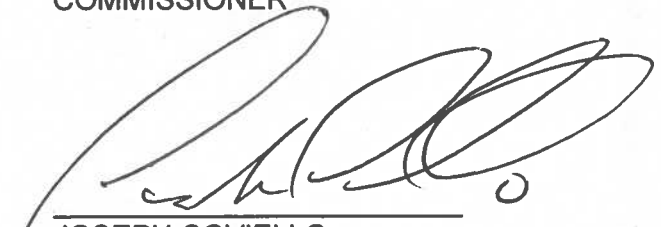
This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and be enforceable unless specific waiver is granted by the Office of Cable Television and Telecommunications pursuant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

This Certificate shall expire on October 9, 2040.

This Order shall be effective on November 4, 2026.

DATED: October 28, 2026

BOARD OF PUBLIC UTILITIES
BY:


BEN HERTZ-SHARGEL
PRESIDENT
CHRISTINE GUHL-SADOVY
COMMISSIONER
MICHAEL BANGE
COMMISSIONER
EMMA REBHORN
COMMISSIONER
JOSEPH COVIELLO
COMMISSIONER

ATTEST:


SHERRI L. LEWIS
BOARD SECRETARY

APPENDIX "I"
Office of Cable Television and Telecommunications
Line Extension Policy

Company: Service Electric Cable T.V. of Hunterdon, Inc.
Municipality: Township of Harmony, County of Warren

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.

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STATE OF NEW JERSEY

DOCKET NO. CE26040112

SERVICE LIST

Martin C. Rothfelder, Esq.
Norris McLaughlin, P.A.
400 Crossing Boulevard, 8th Floor
P.O. Box 5933
Bridgewater, NJ 08807
mcrothfelder@norris-law.com

Kelley D. Smith
Municipal Clerk
Township of Harmony
3003 Belvidere Road
Phillipsburg, NJ 08865
clerk@harmonytwp-nj.gov

Jennifer Brown
Regulatory Affairs Director
Service Electric Cable TV of Hunterdon, Inc.
2260 Avenue A, LVIP #1
Bethlehem, Pennsylvania 18017
brownj@sectv.com

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, DAG
meliha.arnautovic@law.njoag.gov

Terel Klein, DAG, Section Chief
terel.klein@law.njoag.gov

Rachel Reckeweg
rachel.reckeweg@law.njoag.gov

Tanya Lloyd-Samuel
tanya.lloyd-samuel@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

Malike Cummings, Deputy Director
malike.cummings@bpu.nj.gov

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

Stephanie Katz, Administrative Analyst 2
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

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