

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/

RELIABILITY & SECURITY

IN THE MATTER OF COMCAST ALLEGED
VIOLATIONS OF THE UNDERGROUND FACILITY
PROTECTION ACT, N.J.S.A. 48:2-73 ET SEQ. COC
2018-0173

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ORDER ACCEPTING
SETTLEMENTS

DOCKET NO. CS26090594K,
et al. (see attached Appendix)

Parties of Record:

Leonardo Lopez, Altice USA Company
Stan Barrett, Comcast Company

BY THE BOARD:

I. BACKGROUND

The New Jersey Board of Public Utilities ("Board") has jurisdiction to oversee and enforce the provisions of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq. ("Act"). The Act established the One-Call Damage Prevention System ("One-Call System") for the protection of underground facilities that convey water, forced sewage, telecommunications, cable television, electricity, oil, petroleum products, gas, optical signals, traffic control, and/or hazardous liquids. In declaring its findings and the purpose of the Act, the Legislature stated, in pertinent part:

That damage to underground facilities caused by excavation and the discharge of explosives poses a significant risk to the public safety; that such damage to underground natural gas facilities poses a substantial risk to the public safety; and that the implementation of a comprehensive One-Call Damage Prevention System can substantially reduce the frequency of damage caused by these activities.

The Legislature therefore determines that it is in the public interest for the State to require all operators of underground facilities to participate in a One-Call Damage Prevention System and to require all excavators to notify the One-Call Damage Prevention System prior to excavation or demolition.

[N.J.S.A. 48:2-74.]

The Act defines “excavator” as “any person performing excavation or demolition” and “operator” as “a person owning or operating, or controlling the operation of, an underground facility.” N.J.S.A. 48:2-75.

Pursuant to the Act, violators of its provisions shall be subject to civil penalties of no less than \$1,000.00 and no more than \$2,500.00 per violation per day, not to exceed \$25,000.00 for any related series of violations. N.J.S.A. 48:2-88(a). Violations relating to natural gas or hazardous liquid underground pipelines, or distribution facilities, shall be subject to civil penalties not to exceed \$200,000.00 per violation per day, and not to exceed \$2,000,000.00 for any related series of violations. N.J.S.A. 48:2-86(c). In addition, costs may be assessed related to any Board investigation, inspection, or monitoring survey, which leads to the establishment of a violation, and/or the reasonable costs of preparing and litigating the matter. N.J.S.A. 48:2-86(b) (2).

Following reports of various alleged violations under the Act including, but not limited to failing to use reasonable care, failing to report damage to the Board and failing to mark out or properly mark out underground facilities, Board Staff issued Notices of Probable Violations and Offers of Settlement to the alleged violators and informed them of the date and location of the alleged violations. A complete list of accepted said Offers of Settlement is provided in Appendix A attached hereto and made a part hereof.¹

DISCUSSION AND FINDINGS

After consideration of the alleged violations and Offers of Settlement provided in Appendix A, the Board **HEREBY FINDS** that the Offers of Settlement are reasonable, in the public interest, and paid in full. As such, the Board **HEREBY ACCEPTS** the Offers of Settlement as full satisfaction of the alleged violations of the Act.

By acceptance of the Offers of Settlement and the timely payment thereof, the excavator or operator has waived any rights to a hearing, and the Board has waived any rights to bring an action for civil penalties as permitted by the Act in connection with the above-referenced alleged violations. It must also be noted that the acceptance of the Offers of Settlement is for settlement purposes only and applies strictly to the specific incidents described in Appendix A. This acceptance is without prejudice as to the position of the State of New Jersey or any agency or subdivision thereof if other violations are present, now or in the future.

NO FURTHER ACTION BY THE RESPONDENTS IS REQUIRED.

¹ The fifty (50) Offers of Settlement were accepted by the alleged violators, and each made full payment on the dates provided in Appendix A.

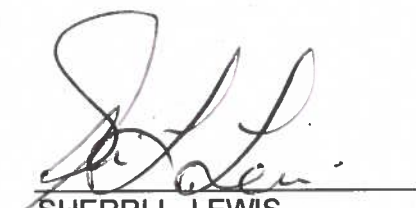
This Order shall be effective on November 4, 2026.

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

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

IN THE MATTER OF COMCAST ALLEGED VIOLATIONS OF THE UNDERGROUND FACILITY PROTECTION
ACT, N.J.S.A. 48:2-73 ET SEQ. COC2018-0173

DOCKET NO. CS26090594K et al. (see attached Appendix)

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APPENDIX A

**IN THE MATTER OF COMCAST ALLEGED VIOLATIONS OF THE UNDERGROUND FACILITY
PROTECTION ACT, N.J.S.A. 48:2-73 ET SEQ. COC 2018-0173**

Facility Damaged	One Call Case #	Docket Number	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
CABLE	COC 2018-0173	CS26090594K	Did Not Properly Mark	\$2,500	COMCAST	07/10/2018	4 Larch Ln. Poplar Rd. Hillsborough	06/01/2026
CABLE	COC 2018-0163	CS26090595K	Did Not Properly Mark	\$2,500	COMCAST	07/26/2018	851 Springfield Ave. New Providence	06/01/2026
CABLE	COC 2018-0187	CS26090596K	Did Not Properly Mark	\$2,500	COMCAST	07/26/2018	1037-1054 Dell Dr. Cherry Hill Township	06/01/2026
CABLE	COC 2018-0188	CS26090597K	Did Not Properly Mark	\$2,500	COMCAST	08/02/2018	200-399 Britton Pl. Voorhees Township	06/01/2026
CABLE	COC 2018-0326	CS26090598K	Did Not Properly Mark	\$2,500	Altice USA DBA Cablevision	9/14/2018	4 Damiano Dr. Upper Freehold	12/19/2025
CABLE	COC 2018-0245	CS26090599K	Did Not Properly Mark	\$2,500	COMCAST	12/12/2018	17 2Nd St. Princeton Ave. Hopewell	06/01/2026
CABLE	COC 2018-0289	CS26090600K	Did Not Properly Mark	\$2,500	COMCAST	12/12/2018	3037 Harbour Dr. Palmyra	06/01/2026
CABLE	COC 2021-0005	CS26090601K	Did Not Properly Mark	\$2,500	COMCAST	03/25/2021	4 Oak Ln. Secaucus	06/01/2026
CABLE	COC 2021-0053	CS26090602K	Did Not Properly Mark	\$2,500	COMCAST	08/12/2021	416 Scott Ct. Union	06/01/2026
CABLE	COC 2021-0072	CS26090603K	Did Not Properly Mark	\$2,500	COMCAST	09/23/2021	896 Ft North of Sunny Branch Along Rt 202 Far Hills	06/01/2026
CABLE	COC 2021-0094	CS26090604K	Did Not Properly Mark	\$2,500	COMCAST	11/01/2021	Buttonwood Rd. Voorhees	06/01/2026
CABLE	COC 2021-0087	CS26090643K	Failure to Report Damage	\$2,500	COMCAST	11/03/2021	Brunswick Square Mall 755 Nj-18 East Brunswick	06/01/2026
CABLE	COC 2022-0017	CS26090605K	Did Not Properly Mark	\$2,500	COMCAST	4/12/2022	6 Christopher Dr. Long Valley	06/01/2026
CABLE	COC 2022-0029	CS26090606K	Did Not Properly Mark	\$2,500	COMCAST	4/27/2022	85 Worths Mill Ln. Princeton	06/01/2026
CABLE	COC 2022-0055	CS26090607K	Did Not Properly Mark	\$2,500	COMCAST	7/3/2022	341 Monmouth St. Jersey City	06/01/2026
CABLE	COC 2022-0051	CS26090608K	Did Not Properly Mark	\$2,500	COMCAST	07/08/2022	316 Windsor Ln. Evesham	06/01/2026
CABLE	COC 2022-0049	CS26090609K	Did Not Properly Mark	\$2,500	COMCAST	07/12/2022	12 Wilkins Rd. Hainesport	06/01/2026
CABLE	COC 2022-0047	CR26090610K	Did Not Properly Mark	\$2,500	COMCAST	08/12/2022	50-70 Sisters Farmstead, Mt. Laurel	06/01/2026

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Facility Damaged	One Call Case #	Docket Number	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
CABLE	COC 2022-0039	CS26090611K	Did Not Properly Mark	\$2,500	COMCAST	08/25/2022	Grant & Corbett, Pennsauken	06/01/2026
CABLE	COC 2022-0068	CS26090612K	Did Not Properly Mark	\$2,500	COMCAST	09/24/2022	42 H Chicopee Dr. Princeton	06/01/2026
CABLE	COC 2022-0079	CS26090613K	Did Not Properly Mark	\$2,500	COMCAST	10/17/2022	0 Ravine Rd. Holmdel	06/01/2026
CABLE	COC 2022-0077	CS26090614K	Did Not Properly Mark	\$2,500	COMCAST	11/11/2022	Sherman Ct. Bloomfield	06/01/2026
CABLE	COC 2022-0083	CS26090615K	Did Not Properly Mark	\$2,500	COMCAST	11/16/2022	20 Delar Pkwy. Franklin Park	06/01/2026
CABLE	COC 2022-0084	CS26090616K	Did Not Properly Mark	\$2,500	COMCAST	11/22/2022	591 Auten Rd. Hillsborough	06/01/2026
CABLE	COC 2022-0085	CS26090617K	Did Not Properly Mark	\$2,500	COMCAST	11/29/2022	257 Bloomsbury Rd. Somerset	06/01/2026
CABLE	COC 2023-0001	CS26090618K	Did Not Properly Mark	\$2,500	COMCAST	01/04/2023	150 Century Pkwy. Mt. Laurel	06/01/2026
CABLE	COC 2023-0012	CS26090619K	Did Not Properly Mark	\$2,500	COMCAST	01/19/2023	18 Lincoln Dr. Gloucester	06/01/2026
CABLE	COC 2023-0017	CS26090620K	Did Not Properly Mark	\$2,500	COMCAST	01/20/2023	488 Auten Rd. Hillsborough	06/01/2026
CABLE	COC 2023-0011	CS26090621K	Did Not Properly Mark	\$2,500	COMCAST	01/20/2023	2 Whyte Ct. Voorhees	06/01/2026
CABLE	COC 2023-0002	CS26090622K	Did Not Properly Mark	\$2,500	COMCAST	01/26/2023	23 Kimberly Dr. Marlton	06/01/2026
CABLE	COC 2023-0018	CS26090623K	Did Not Properly Mark	\$2,500	COMCAST	01/31/2023	Kidlee Rd. & East St. Bell Meade	06/01/2026
CABLE	COC 2023-0019	CS26090624K	Did Not Properly Mark	\$2,500	COMCAST	02/03/2023	Karl Light Blvd. Princeton	06/01/2026
CABLE	COC 2023-0020	CS26090625K	Did Not Properly Mark	\$2,500	COMCAST	02/14/2023	65-69 Hampshire Dr. Mendham	06/01/2026
CABLE	COC 2023-0022	CS26090626K	Did Not Properly Mark	\$2,500	COMCAST	03/08/2023	1 Page Dr. Red Bank	06/01/2026
CABLE	COC 2023-0023	CS26090627K	Did Not Properly Mark	\$2,500	COMCAST	03/16/2023	100 Seaview Ave. Monmouth Beach	06/01/2026
CABLE	COC 2023-0024	CS26090628K	Did Not Properly Mark	\$2,500	COMCAST	03/17/2023	405 Jefferson Ave. Lindenwold	06/01/2026
CABLE	COC 2023-0062	CS26090629K	Did Not Properly Mark	\$2,500	COMCAST	04/10/2023	305 Village Dr. Avenel	06/01/2026
CABLE	COC 2023-0047	CS26090630K	Did Not Properly Mark	\$2,500	COMCAST	04/12/2023	9 Heritage Dr. Chatham	06/01/2026
CABLE	COC 2023-0034	CS26090631K	Did Not Properly Mark	\$2,500	COMCAST	04/26/2023	313 Westover Rd. Moorestown	06/01/2026

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Facility Damaged	One Call Case #	Docket Number	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
CABLE	COC 2023-0050	CS26090632K	Did Not Properly Mark	\$2,500	COMCAST	04/27/2023	1 Uptom Pine Rd. Lebanon	06/01/2026
CABLE	COC 2023-0051	CS26090633K	Did Not Properly Mark	\$2,500	COMCAST	04/27/2023	20 Tall Cedar Ct. Belle Mead	06/01/2026
CABLE	COC 2023-0052	CS26090634K	Did Not Properly Mark	\$2,500	COMCAST	05/10/2023	16 Nepote Pl. Somerset	06/01/2026
CABLE	COC 2023-0053	CS26090635K	Did Not Properly Mark	\$2,500	COMCAST	5/25/2023	124 Bluebird Dr. Hillsborough	06/01/2026
CABLE	COC 2023-0043	CS26090636K	Did Not Properly Mark	\$2,500	COMCAST	6/20/2023	91 Oneil Ct. Lawrence Twp	06/01/2026
CABLE	COC 2023-0075	CS26090637K	Did Not Properly Mark	\$2,500	COMCAST	7/5/2023	63 Chelsea Cir. Flemington	06/01/2026
CABLE	COC 2023-0131	CS26090638K	Did Not Properly Mark	\$2,500	COMCAST	7/11/2023	579 Sanderling Ct. Secaucus	06/01/2026
CABLE	COC 2023-0085	CS26090639K	Did Not Properly Mark	\$2,500	COMCAST	7/13/2023	405 East Dr. Hillsborough	06/01/2026
CABLE	COC 2023-0116	CS26090640K	Did Not Properly Mark	\$2,500	COMCAST	7/16/2023	520 Jacksonville Rd. Mount Holly	06/01/2026
CABLE	COC 2023-0129	CS26090641K	Did Not Properly Mark	\$2,500	COMCAST	7/27/2023	108 & 109 Elizabeth Town Ct. Middlesex	06/01/2026
CABLE	COC 2023-0114	CS26090642K	Did Not Properly Mark	\$2,500	COMCAST	8/2/2023	8 Lark St. Manchester	06/01/2026
Total Cases: 50 Total Penalties: \$125,000								