



Agenda Date: 9/12/07
Agenda Item: IIIB

State of New Jersey
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

CABLE TELEVISION

IN THE MATTER OF CABLEVISION SYSTEMS)	
CORPORATION REQUEST FOR WAIVER, AS WITHIN)	
TIME, OF THE 30-DAY NOTICE PERIOD FOR FILING)	ORDER
OF AN ALTERATION IN CHANNEL ALLOCATION)	
PURSUANT TO <u>N.J.A.C. 14:18-3.17</u> (A) AND (B))	BPU DOCKET NO. CO07080596

(SERVICE LIST ATTACHED)

BY THE BOARD:

By letter dated August 7, 2007, Cablevision Systems Corporation, (Cablevision or Petitioner), sought a Board waiver, as within time, of the 30-day notice period for the filing of a notice of an alteration in channel allocation pursuant to N.J.A.C. 14:18-3.17 (a) and (b).

Cablevision maintains that the waiver request is necessary, because Petitioner did not have sufficient time to comply with the 30-day notice requirement. According to Cablevision, on August 6, 2007, OlympuSat, one of its programming suppliers, gave notice that, effective as of August 7, 2007, it would cease delivering the Latin Television channel programming previously carried on a Digital Service Tier and as a digital a-la-carte choice.

Cablevision asserts that municipal officials were notified of the change by mail on or about August 7, 2007, and subscribers were notified on or about August 7, 2007 via on-screen notices, and then by bill messages.

N.J.A.C. 14:18-3.17 (a) and (b) require each cable company to notify the Office of Cable Television (OCTV), subscribers and municipalities of any channel deletions at least 30 days prior to the effective date of the deletion.

N.J.A.C. 14:18-3.17 (c) (3) provides for the relaxation of the time for providing notification when the programming service has been discontinued or withdrawn by the provider in such a manner as to leave the cable television operator without sufficient time to comply. In addition to this requirement, the cable television operator must "provide the required notice at the earliest possible date." Based upon this regulation, Petitioner seeks a waiver, as within time, of the 30-day notice requirements of N.J.A.C. 14:18-3.17 because Petitioner was unable to provide sufficient notice to the OCTV, subscribers and municipalities prior to the deletion.

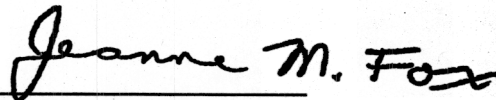
The deletion of the Latin Television channel programming was not accompanied by a rate change in any service provided to current Cablevision subscribers. Cablevision has represented that it replaced the Latin Television channel programming with Latele Novela, which began broadcasting on

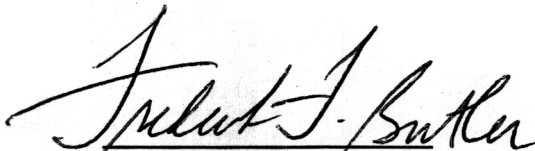
August 10, 2007, so that subscribers have not experienced a loss of programming on the digital service tier.

Having reviewed this matter, the Board HEREBY FINDS that the waiver is appropriate under the present circumstances. Cablevision was notified of the deletion by the programming supplier with insufficient time to comply with the required 30 days prior notice, but informed the Board, subscribers and affected municipalities of the deletion of service at the earliest date possible. Therefore, the Board HEREBY APPROVES, as within time, Petitioner's request for a waiver of the alteration in channel allocation filing requirements previously described.

DATED: 9/13/07

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER

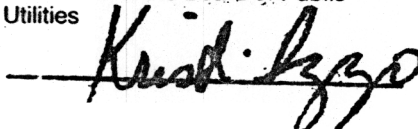

JOSEPH L. FIORDALISO
COMMISSIONER


CHRISTINE V. BATOR
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

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



CABLEVISION SYSTEMS CORPORATION
REQUEST FOR WAIVER, AS WITHIN TIME, OF THE 30-DAY NOTICE PERIOD FOR FILING OF
AN ALTERATION IN CHANNEL ALLOCATION PURSUANT TO N.J.A.C. 14:18-3.17 (A) AND (B)
DOCKET NO CO07080596

SERVICE LIST

Adam Falk
Vice President
Cablevision Systems Corp.
683 Route 10 East
Randolph, NJ 07869

Celeste M. Fasone, Director
Office of Cable Television
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

Charles A. Russell, Esq.
Deputy Director
Office of Cable Television
Board of Public utilities
Two Gateway Center
Newark, NJ 07102

Babette Tenzer, Esq.
Deputy Attorney General
State of New Jersey
Division of Law
124 Halsey Street
Newark, NJ 07102

Nueva D. Elma, Chief
Bureau of Accounts
Office of Cable Television
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

William H. Furlong, Chief
Bureau of Inspection
& Enforcement
Office of Cable Television
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

Kimberly Holmes, Esq.
Acting Director,
Division of Rate Counsel
31 Clinton Street
Newark, NJ 07102

Lawanda Gilbert, Esq.
Legal Specialist
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102