

LAWANDA R. GILBERT DIRECTOR

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State of New Jersey BOARD OF PUBLIC UTILITIES 44 SOUTH CLINTON AVENUE, 9TH FLOOR Post Office Box 350 TRENTON, NEW JERSEY 08625-0350 WWW.NJ.GOV/BPU

APPLICATION FOR A TRADITIONAL MUNICIPAL **CONSENT CABLE TELEVISION FRANCHISE**

Application for the ______ of _____

County of ______.

Note: Read all instructions carefully.

Check as appropriate:

 Application for initial Municipal Consent
 Application for initial Certificate of Approval
 Application for renewal of Municipal Consent
 Application for renewal of Certificate of Approval

I. Organization and Management (to be completed by all applicants)

- 1. Name of Applicant:
- 2. Address & Telephone:
- 3. System Name:
- 4. Office Address:
- 5. Existing/Proposed Tower Address:
- Existing/Proposed Head End Address: 6.

7. Type of Business Activity:

		(a) Corporation	
			(Date of incorporation and state) (Attach a copy of the incorporation, new applicants only)
		(b) Partnership	
			(Date of partnership agreement) (Attach a copy of the agreement, new applicants only)
		(c)Proprietorship	(Type)
		(d)Other (Describe	e)
Note:	or othe	er entity in ownership co	ation, a principal is any individual, business organization ntrol of 3% or more of the voting stock or any equivalent or joint venture of an applicant.
8.	owner	ship interest in applicant	and beneficial holders of 3% or more stock or their . Principals include individuals, corporations, d unincorporated associations:
	(1)	Name:	Tel.:
		Address:	
		(street) Nature of interest:	(municipality) (state) (zip code) stockholderofficeother(describe)
		Profession, occupation or type of business:	
		Name and address of en	
			(street) (municipality) (state) (zip code) ek and percentage of ownership interest, including stock and/or voting rights in each class:
	(2)	Name:	Tel.:
		Address:	
		(street)	(municipality) (state) (zip code)
		Nature of interest:	partnerstockholderofficeother(describe)
		Profession, occupation or type of business:	
		Name and address of en	mployer:(street) (municipality) (state) (zip code)

Number of share of each class of stock <u>and</u> ownership interest, including stop and/or partnership options, and the type and voting rights of each class.

(3)	Name:	Tel.:				
	Address:					
		(street)	(municipality)	(state)	(zip code)
	Nature of in	terest:	partner <u>s</u>	tockholderoffi	ce <u>o</u> ther	_(describe)
	Profession, or type of b	-				
	Name and a	ddress of empl	oyer:			
			(street)	(municipali	ity) (a	state) (zip code)

Number of share of each class of stock <u>and</u> ownership interest, including stop and/or partnership options, and the type and voting rights of each class.

(4)	Name:	Tel.:				
	Address:					
		(street)		(municipality)	(state)	(zip code)
	Nature of in	iterest:	_partner	_stockholderoff	ficeother	_(describe)
	Profession, or type of b	-				
	Name and a	ddress of em	ployer:			
			(stree	t) (municipa	lity) (s	state) (zip code)

Number of share of each class of stock <u>and</u> ownership interest, including stop and/or partnership options, and the type and voting rights of each class.

(5)	Name:		Tel.:				
	Address:						
		(street)	(municipality)	(state)	(zip code)		
	Nature of ir	nterest:	partnerstockholdero	officeother_	(describe)		
	Profession, or type of b	-					
	Name and a	ddress of empl					
			(street) (munici	pality) (state) (zip code)		

Number of share of each class of stock and ownership interest, including stop and/or partnership options, and the type and voting rights of each class.

(6)	Name:			Tel.:		
	Address:					
	Nature of interest:	partner	stockholder	_office_	_other_	_(describe)
	Profession, occupation or type of business:					
	Name and address of en	nployer:				

Number of share of each class of stock and ownership interest, including stop and/or partnership options, and the type and voting rights of each class.

((7)	Name:			Tel.:	
		Address	:			
		Nature of	of interest:	partnerstockhold	eroffice	other (describe)
			on, occupation of business:	n 		
		Name an	nd address of e	employer:		
	nplete Name:			ot individuals) listed in It		
Ν	Name:	: _			Tel.:	
Ν		:			Tel.:	
N A	Name: Addre	: ess:((street)		Tel.:	

9. System Personnel (if not applicable so indicate):

(a)	System Manager:	_ Tel No.:
	Present Position:	_ Yrs. Exp
(b)	Chief Engineer:	_Tel No.:
	Present Position:	_Yrs. Exp
(c)	Accountant:	_ Tel No.:
	Address:	
(d)	Attorney:	_ Tel No.:
	Address:	
(e)	Consultant:	_ Tel No.:
	Address:	
(f)	Registered Agent:	_Tel No.:
	Address:	

Note: Personnel indicated for operations positions shall be those persons who, in fact, will have responsibility, authority and control of the day-to-day system construction and operation. Include those individuals who should be contacted by OCTV representatives during the normal course of business.

(g) Other:

- 10. Names and addresses, home and business, of all officers of applicant and office held by each:
- 11. Names and addresses, home and business, of all members of the board of directors of applicant and position held by each:

12. Address and telephone number of each office in New Jersey from which business is or will be conducted, indicating the principal office and the office at which records will be kept pursuant to <u>N.J.S.A</u> 48:5A-45:

13. Address and telephone number of the designated local office or agent available to receive, investigate and resolve any problems that the subscriber may encounter regarding equipment malfunctions, quality of service and other similar matters, pursuant to <u>N.J.S.A</u> 48:5A-26:

II. Legal and Character Qualifications (All applicants)

1. Has the applicant (including parent corporation or any principal) ever been convicted by any court or administrative agency of any felony, libel, slander, obscenity, invasion of privacy, lotteries or unfair methods of competition? <u>Yes</u> No.

If "Yes," attach a statement containing the background of the charge and the final resolution.

2. Has the applicant (including parent corporation or any principal) ever had any public licenses revoked or suspended by legal or administrative action by any governmental agency? <u>Yes</u> No.

If "Yes," attach a statement containing the specifics.

3. Has the applicant (including parent corporation or any principal) ever been involved in any bankruptcy proceeding? ____Yes ____No.

If "Yes," attach a statement containing the specifics.

4. Has the applicant or any party to the application (including parent corporation or any principal) ever been convicted by a U.S. Federal Court concerning any violation relating to unlawful restraints and to any agreements in restraint of trade? <u>Yes</u> No.

If "Yes," attach a statement containing the specifics.

5. Are any of the above actions relating to the applicant (including parent corporation or any principal) currently pending? ____Yes ____No.

If "Yes," attach a statement containing the specifics.

6. Does the applicant, or any principal, directly or indirectly own, operate, control or have more than three percent interest in any of the following:

		<u>YES</u>	<u>NO</u>
a.	A national broadcast television network		
b.	Any broadcast television station (including VHF)		
c.	Any newspaper published or distributed in the State of New Jersey		
d.	A national broadcast radio network		
e.	Any broadcast radio station (including FM)		
f.	Any other media enterprise		

For each affirmative response, attach a statement containing specifics including percentage of ownership.

7. Are there any outstanding unsatisfied judgments or decrees against the applicant or party to the application (including parent corporation or any principal)? ____Yes ____No.

If "Yes," attach a statement containing the specifics.

<u>III. Cable Experience</u> (new applicants only)

1. List all cable television systems ever owned by applicant or any principal (or parent corporation or another subsidiary of parent) in which any of the former owned 3% or more of the equity interest.

Note: List the following information for each system.	ystem.
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(a) Name of system, principal municipalities, address and telephone number of principal office, date of franchise(s), percentage of franchise area constructed, approximate number of subscribers and percentage of penetration as of the date of this application, and date of disposition, if applicable.

(b) Has the applicant or any principal (or the parent corporation or any other subsidiary of the parent) ever had any equity interest in any cable television system, in the State of New Jersey, as defined by <u>N.J.S.A.</u> 48:5A-1 <u>et seq</u>.

Yes _____ No _____

If yes, explain:

IV. System Design

- 1. Each applicant shall describe in narrative form the existing or contemplated system design concept indicating initial construction proposed and the development and extension of the system within the franchise boundaries over the period of the proposed municipal consent. Information should also be provided concerning:
 - (a) Extent to which two-way capability will be available initially and what provisions will be made for future development.
 - (b) Total signals to be carried and any auxiliary equipment to be provided to subscribers.
 - (c) A description of the methods to be employed for securing premium services and the extent that subscribers will be required to use equipment supplied by the applicant to receive those services.
 - (d) In the case of a renewal, the extent to which the applicant will <u>rebuild</u> or <u>upgrade</u> the system, or extend plant into previously unserved areas. Provide estimated dates of commencement and completion. Indicate what will be replaced.

2. Provide the following information concerning Standard or FM broadcast radio stations carried by applicant (If all-band FM, write "all-band").

Call letters
and affiliation

City and State

Frequency broadcast cable

3. Provide information as to the number, cable channel designation, type of access channels and their manner of operation, including proposed date for commencement of services and channel sharing.

4. Each applicant shall title by category and <u>list</u> the following information concerning program origination;

<u>Type</u>

Proposed Inception Cable Channel <u>Designation</u> 5. Provide information, in narrative form, regarding production equipment and facilities to be made available by the applicant for its own use and for the use of others in the community. Describe by type (do not use brand names) and number, indicating when equipment will be available.

Note:	Some production equipment may be made available for use by access channel users.
	See Guide to Franchise Renewal for further information.

6. Each applicant shall describe, in narrative form, any other services available to subscribers. Such description shall include, but not be limited to, the applicant's capability to contract with the community for such services as emergency override, interconnection of schools or local government offices, and availability of equipment and technical advice to the community.

Note:Provision of free services and equipment are limited by the F.C.C. and the Office. SeeGuide to Franchise Renewalfor background information.

V. Receiving Site/Head End

If a r	enewal, indicate	existing; proposed.	
1.	Tower:		
	(a)	Is F.A.A. approval required? Yes () No ()	
	(b)	Fill in the following or attach as an appendix a copy of F.A.A. application	ation:
		(1) Tower height above sea level	_ft.
		(2) Tower height above ground	ft.
		(3) Type structure to be used	
		(4) Lighting to be provided	
		(5) Latitude Longitude	
2.	Signal survey	v. (optional for renewal applicants)	
	(a)	Note: The Office will not accept a computer survey by itself. An actus survey including signal levels and viewing of television pictures, with on what was observed is required.	
	(b)	Date:	
	(c)	Test antenna(s)(manufacturer) (ty	rpe)
	(d)	Test Equipment:	
	(e)	Fill in the following:	
	<u>Off-</u> A	Signal reading ir Channel <u>Call Letters</u> <u>City</u> in Micro-Volts <u>Remarks</u>	

- (f) Describe method and results of interference survey:
- (g) List any and all other existing conditions which impact on picture quality (i.e. existence of electrical interference).

3. Microwave.

- (a) Is microwave to be used? (transmitted or received) () Yes () No
- (b) If yes, complete the following:
 - (1) Signal to be received from _____ Path distance _____.
 - (2) Retransmitted to ______ Path distance ______.
 - (3) If facilities are to be leased give the name and address of lessor.

4. Head End.

	(a)	Signal processors			
			(number)	(model)	(mfg.)
	(b)	Base band modulators			
			(numb	ber) (model)	(mfg.)
	(c)	F.M. () all band sing		(number of channels)	(mfg.)
(d)	Mixing	g method			
			(passi	ve or electronic)	
(e)	Pilot ca	arrier frequency(ies)			
(f)	Block	tilt Yes () No ()	If Yes	
(g)	Pass ba	and filters used Yes ()	No ()	(db's)	
	(1)	Designate type			
	(2)	Channels used on			

5. Hub Sites.

If a hub site is used to deliver signal, indicate the location of the site and the method by which signal is delivered to it.

VI. <u>System Plant</u>

For a	renewa	l indicate: exis	sting, proposed.			
1.	 Fill in the following: (If construction is complete, provide completed mileage figures.) 					
			Aerial	<u>Underground</u>		
	(a)	Trunk	miles	miles	8	
	(b)	Distribution	miles	miles	8	
	(c)	Mileage determined	l by the following met	nod:		
2.		of annual construction v systems, rebuilds an	n (in terms of total prin d extensions)	nary service area).		
			<u>miles of</u> supertrunk trunl	-	<u>% of Primary</u> Service Area	
1 st yea	ar:	aerial underground				
2 nd ye	ear:	aerial underground				
3 rd ye	ar:	aerial underground				
4 th ye	ar:	aerial underground				
5 th ye	ar:	aerial underground				

- 3. Attach as an appendix a technical description of proposed system including: equipment to be used; use of standby power supplies; utility bonding methods; and the overall capabilities of the system.
- 4. Attach as an appendix a map of the entire municipality with borders designating the following:

(the scale shall be approximately 1000 feet/1/2 inch or larger)

- (a) Head end.
- (b) Hubs if any.
- (c) Super trunk and amplifier locations.
- (d) Trunk route and amplifier locations.
- (e) All streets which are to receive service; designating aerial and underground separately.
- (f) Phases of construction.
- (g) All streets which will be served under a "Line Extension Policy."

Note: The map(s) must show inter-municipal connections.

5. Cable.

Diameter

Type

- (a) Super trunk
- (b) Trunk _____
- (c) Distribution _____
- (d) House drops
- (e) If cable is not jacketed, what tests were made to determine that there were no corrosive properties in the atmosphere?
- 6. Equipment.

(a)

Manufacturer

Model

	T 1			
(b)	Trunk	 		

(c) Bridger _____

Super trunk

7. Grounding.

Will your system be grounded and bonded in accordance with the applicable provisions of the National Electric Safety Code (NESC) and National Electric Code (NEC)? () Yes () No

8. Is fiber optic technology in use or proposed? ()Yes ()No. If yes, please explain.

VII. System Design Standards

1.	For _		channels	downstream an	d channels	upstream.	
2.	System	m spaci	ng.				
		(a)	Super trunk				
		(b)	Trunk				
		(c)	Distribution				
3.	Maxii	num ca	scade from hea	d end			
	(a)	Line e	extenders in cas	scade			
	(b)	Ratio	A.G.C. to M.G	ł.C	Slope		
4.	System	m signa	l level at subsc	riber's terminal	. (maximum cascade)		
		(a)	At highest fre	equency video o	carrier		
		(b)	At channel 2	video carrier			
		(c)	Channel 2 vio video carrier		be within	db. of highest	
5.	Withi	n the pa	ssband, the the	oretical system	design performance v	vill be equal to or	better than:
				Super Trunk	Trunk Distribution	Total System	
	(a)	Video noise	carrier to ratio				
	(b)		er to cross lation ratio				
	(c)	Carrie hum r					
	(d)		er to second beat ratio				
	(e)		er to third beat ratio				
	(f)	respon	o frequency nse across any Z TV channel				

(g)	Signal levels will not vary more than indicated as measured at any automatic gain or slope control location with maximum trunk amplifiers in cascade for 40 degree change in temperature from last balanced temperaturedb.				
(h)	From Channel 2 to maximum usable channel as measured across 75 ohms all cable will exhibit a minimum structural loss ofdb.				
(i)	R.F. Leakage				
	(1)	Will your system meet or exceed the F.C.C regulations limiting R.F. energy leakage permitted by CAT systems as set forth by <u>F.C.C. Rules and</u> <u>Regulations</u> , 47 <u>CFR</u> 76.1 <u>et seq</u> .? () Yes () No			
(j)	(1)	Are converters to be used? () Yes () No			
	(2)	If yes,			
(k)	Premi	um service security method:			
(1)	(1)	Amplifier power sourcevac.			
	(2)	Is standby power to be used? Yes () No ()			
	(3)	If yes, where?			

VIII. System Channel Allocation

Provie	Provide the following for all signals carried: (1) (Attach additional sheets if necessary)							
Syster	m Name:		Date e	Date effective:				
Cable Channel/ Lower Edge Frequency (MHz)	Converter Channel	Call Letters	Location	Reception Method	Pay (P) Tier (T) FCC Must Carry (MC) Broadcast Basic (BB) Non- Broadcast Basic (NBB), PEG Access (A) Local Origination (LO)	Nature of Programming		
				1	1			

Page revised: October 23, 2006

IX. Line Extension Policy

If applicable, attach as an appendix a copy of the proposed line extension policy. Be sure to provide a homes per mile figure for use with the line extension policy.

Note: The <u>Cable Television Act</u> requires the applicant agree to cable the entirety of the franchise area. The applicant is not required, however, do so under all circumstances or at its own cost. The primary service area is the section of the community the cable television company will provide service to residents at standard and non-standard installation rates and charges. Sections outside the primary service area may be governed by a line extension policy delineating the terms and conditions by which service will be provided. Primary service areas and any area the cable television company will provide service pursuant to a line extension policy must be designated on the map filed in accordance with § VI. System Plant.

Page revised October 23, 2006 (to remove Smart Growth provisions)

X. Rates

(all applicants; renewal applicants should indicate if information contained herein differs from current rates)

- 1. Provide the following information with reference to rates for service:
 - (a) Residential
 - (1) Installation
 - (a) Definition of Standard Installation and nonstandard installation:
 - (b) Rate for Standard Installation: plus tax:
 - (c) Rate for Non-Standard Installation:
 - (2) Monthly service include basic, premium and packages or tiers.
 - (3) Rental charges for any required ancillary equipment
 - (4) Other
 - (b) Hotel, motel, rooming house
 - (1) Installation
 - (2) Monthly Service Charges
 - (3) Rental charges for any required ancillary equipment
 - (4) Other
 - (5) If rates are set by contract, list general terms and conditions which would be applicable to potential customers.

Section revised: October 23, 2006 (remove section (a); remaining sections renumbered)

(c) Commercial Enterprise

- (1) Installation
- (2) Monthly service charges
- (3) Rental charges for any ancillary equipment
- (4) Other include restrictions on premium services

(d) Apartment, condominium, cooperative, multiple unit dwelling

- (1) Installation
- (2) Monthly service charges
- (3) Rental charges for any required ancillary equipment
- (4) Other
- (2) List and describe all advertising rates.
- (3) List and describe all leased channel rates.
- (4) List and describe all equipment and personnel charges.
- (5) Do any of the above rates and/or terms and conditions of service differ from the existing ones? Yes () No ()

If yes, please explain.

Section revised October 23, 2006 (remove section (a); remaining sections renumbered)

XI. Financing

(New applicants; renewal applicants must complete only if rebuild and/or upgrade is planned or if areas of the original territory are not yet built).

1. Estimate the capital requirements for construction of the proposed system including but not limited to estimates as to the transmission system and distribution and drop cable, office equipment, studio equipment, vehicles, telephone and power pole make ready, converter costs, administrative and technical personnel, wages and bonuses.

			Years		
Pre-operating Period	1	2	3	4	5

2. Describe the sources of funds to be provided.

			<u>Years</u>		
Pre-operating Period	1	2	3	4	5

3. Estimate the annual revenues anticipated from system operation and operating expenses and working capital needed in excess of that required for construction.

			<u>Years</u>		
Pre-operating Period	1	2	3	4	5

- 4. The following financial data and supporting schedules will be required for <u>both the</u> <u>individual</u> municipality and for the <u>applicant's overall financial status</u> (including commitments in other municipalities designating each municipality separately for each respective municipality covered in projections);
 - a. Statements of personal net worth of the stockholders owning or controlling 3% or more of the voting stock or any equivalent voting interest of the applicant corporation or individuals if other than a corporation.
 - b. Current financial statement of applicant (balance sheet, profit and loss statements, statement of cash flows).
 - c. Pro forma estimate of balance sheet, projecting the pre-operating period and the first five (5) years.
 - d. Pro forma estimate of profit and loss statement, projecting the pre-operating period and the first five (5) years, <u>in detail</u>;
 - 1. Indicate <u>categories</u> of projected revenues (see "3" above).
 - 2. Indicate <u>categories</u> of projected expenses (see "3" above).
 - e. Submit schedules indicating pertinent subscriber data for periods similar to "c" and "d" above;
 - 1. Homes passed.
 - 2. Where applicable, anticipated subscribers at the beginning and ending of each respective year and corresponding penetration estimates for:
 - (i) Cable television reception service.
 - (ii) Cable communications system (i.e. pay cable)
 - (iii) Seasonal subscribers
 - (iv) Other; second outlet, reconnections, etc., (designate).

- f. Revenue by category (see "4d").
- g. Pro forma estimate of source and application of funds, projecting for the pre-operating period and the first five (5) years (see "2" above).
- h. Schedule showing assumptions used (i.e. costs per mile, converter costs, make-ready cost, expense ratio, projected penetration, revenue charge, etc.).
- i. Pro forma estimate of capital expenditures, projecting for the pre-operating period and the first five (5) years. Indicate depreciation life expectancy of each category of plant, equipment and the method of depreciation used. (Please note that this total is to correspond with balance sheet figure).

All information which does not fit in the space provided should be attached as appendices.

XII. Financial Terms and Conditions

- 1. Provide, as appendices, written evidence of commitments from person who will provide funds including parent and subsidiary companies, together with detailed terms and conditions of those commitments, any obligation which may affect the operation of the system, and submit current financial statements as to present status of cable operator together with current financial statements of parent, subsidiary companies and/or other financial interests, if applicable. Provide audited financial or an explanation of why they are unavailable.
- 2. Provide, as appendices, copies of all agreements, contracts and leases pertaining to the construction and operation of the proposed system.
- Note For each document attached in accordance with XII above, as part of the Appendix entitled <u>Financing</u>, include the following:

For item 1:

- 1. Source of financing.
- 2. Terms of financing (payment, interest rates, etc.).
- 3. Amount of financing.
- 4. How funds are to be utilized.
- 5. Type of funds (equity, intercompany debt, third party financing, cash flow, etc.).

For item 2:

- 1. Parties to agreement.
- 2. Term of agreement.
- 3. Date of agreement.
- 3. Furnish all other pertinent financial data affecting either present or future operations, and/or plant construction as well as other services to be rendered or contemplated which could affect the proposed system.

XIII. Bonding and Insurance

- 1. Provide complete information, as to the type and amounts of insurance, applicant will have as of franchise date.
- 2. Indicate the amount of performance bond applicant will have as of franchise date.

Note: Insurance and bonding requirements are established by law. See <u>Guide to Franchise Renewal</u> and <u>N.J.S.A.</u> 48:5A-28 for further information.

XIV. Liability

The applicant holds the municipality harmless from any liability arising out of the company's operation and construction of its cable television systems.

XV. Special Requirements for Proposed Overbuilds

All applicants proposing to overbuild an existing cable television system are requested to supply information on the following:

- 1. Construction of the System. Describe any anticipated additional construction problems associated with an overbuild; include costs, make-ready, service to underground areas and MDU's and steps to be taken to avoid unreasonable disruption of service. Provide specific data indicating how make-ready estimates were determined.
- 2. Financing. Describe any anticipated additional costs and the basis for revenue projections, including anticipated penetration, associated with an overbuild.
- 3. A description of any other operating or attempted cable television overbuilds or dual builds by the applicant.

XVI. Verification

State of New Jersey County of))))	ss:
(h	ereinafter referi	ed to as affiant) being duly sworn upon his(her) oath
according to law, deposes and s	ays that (s)he is	for
		(title of affiant)
		_; that (s)he is authorized on the part of the applicant to
(name of applicant)		
verify and file with the(r	nunicipality)	this application and appendices attached hereto;
that (s)he has carefully examin	ed all of the stat	tements contained in such application and the
appendices attached hereto and	made a part her	eof; that (s)he has knowledge of the matters set forth
herein and that all such stateme	nts made and m	atters set forth herein are true and correct to the best of
his knowledge, information and	beliefs. Affiar	t further says that the applicant makes this application
intending in good faith to prese	nt evidence whi	ch the applicant believes will support the application as
to which authority to operate is		
		of Affiant

(Address)

(telephone)

Subscribed and sworn to,

before me this _____ day of _____ , ____

(Signature, and seal, if any, of Officer authorized to administer oaths.)

Index to Appendices

Note: List all material contained in attached appendices.

<u>Page</u>

Section

Item

Subject