



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center, Suite 801
Newark, NJ 07102
www.nj.gov/bpu/

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF COMCAST)
OF SOUTH JERSEY, LLC FOR PERMISSION TO CLOSE) ORDER OF APPROVAL
A LOCAL BUSINESS OFFICE IN THE TOWNSHIP OF)
COMMERCIAL, COUNTY OF CUMBERLAND, STATE OF)
NEW JERSEY, PURSUANT TO N.J.A.C. 14:18-5.1) DOCKET NO. CO10110848

Dennis C. Linken, Esq., Stryker, Tams & Dill, LLC Newark, New Jersey for Petitioner

BY THE BOARD:

This matter concerns a request by Comcast of South Jersey, LLC ("Petitioner" or "Comcast"), a cable company holding Certificates of Approval and conducting cable television business in the State of New Jersey, with its principal office located at 1500 Market Street, Philadelphia, Pennsylvania, for approval to close an office currently located at 1729 Main St., Commercial Township ("Port Norris"), County of Cumberland, State of New Jersey 08349. Petitioner proposes to direct its customers currently served by the Port Norris office to its Millville customer service office located approximately 13.7 miles from the Port Norris office location. The Comcast Millville office is located at 2275 North 2nd St., Millville, County of Cumberland, State of New Jersey 08332.

By letter dated October 8, 2010, Petitioner filed a verified petition, pursuant to N.J.A.C. 14:18-5.1, seeking Board approval to close a customer service office. By letter dated October 22, 2010 Comcast withdrew its Petition. On November 17, 2010, Petitioner re-filed its petition, claiming that the Port Norris office, acquired from Lenfest Communications Inc. in 2000, is no longer desirable, as it is "under-utilized" by subscribers.

Petitioner asserts that the closing of the Port Norris office is reasonable for the following reasons:

1. Its subscriber needs will be fully and adequately met through other means.
2. Comcast's Millville office is located in the largest local area shopping mall, approximately 13.7 miles from Petitioner's Port Norris office location.
3. The Millville office has identical customer services, identical hours of service and adequate parking spaces which are similar if not greater in number to the Port Norris office

Petitioner avers that no adverse impact is expected on the level of service provided to customers as a result of the change. The customer services offered include: processing applications for service, service inquiries and service call scheduling, bill payments, exchanges, pick-ups and collection of equipment, and complaint responses. The office will be open to transact business from 9:00 a.m. to 5:00 p.m. on Monday through Friday and 9:00 a.m. to 1:00 p.m. on Saturday.

As required by N.J.A.C. 14:18-5.1(c), Petitioner posted notice of the proposed change of location at its Port Norris office located at 1729 Main St., Port Norris. Notice was also published on November 19, 2010 in The Daily Journal, a newspaper of general circulation in Petitioner's service area, informing area subscribers of the proposal and their right to file written comments or objections with the Board. Also, on November 16, 2010, Petitioner sent notice of its petition to the Mayors and Clerks of affected municipalities. The proposed office closing affects the following municipalities:

Commercial Township ("Port Norris"), Downe Township and Maurice River Township (Cumberland County).

Each of the municipalities was sent notice of the proposed office closing. Objections to the proposed office closing were filed by the attorney representing Port Norris via letter dated October 21, 2010, and by twenty-eight residential customers (one of the letters contained 26 signatures w/o addresses) who purportedly use the office which Comcast is proposing to close.

Port Norris objected to the closing based on its interpretation of the municipal consent ordinance which stated that Comcast shall maintain a local business office or agent for the purpose of receiving, investigating and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters. The twenty-eight (28) comments were generally in objection to traveling the extra 13.7 miles to the Millville office.

By letters dated November 17, 2010 and December 14, 2010, Comcast filed its response to Port Norris' objection, which cited the franchise documents and the State regulations governing office location and closings. Comcast contended that while it has agreed to a local office, its local franchises do not mandate that the local office be maintained within Port Norris or at any particular location. Port Norris did not reply to Comcast's position. A review of the relevant documents regarding the franchise agreements between Port Norris and Comcast indicates that Comcast is not required to locate its office within Port Norris and that Comcast is not precluded from closing its Port Norris office and directing its subscribers who use such office to the Millville office approximately 13.7 miles away.

Regarding the twenty-seven customer objections, a review of the franchise documents and applicable regulations indicates that while the closing of the Port Norris office may require subscribers to make a longer trip to Comcast's Millville office, the closing is not unreasonable and does not unduly prejudice the public interest, and the Millville office is a reasonable alternative for meeting customer needs.

By letter dated January 11, 2011, the Division of Rate Counsel filed comments opposing Comcast's petition. Rate Counsel's opposition was based on its belief that the Petitioner had failed to support closing (the office) on the claimed basis of underutilization. Based on a review of the relevant data, the Board has considered the level of customer usage between Petitioner's 2007 Board approved office relocation petition for Commercial Township office and Petitioner's

current request and found that there was indeed a marked drop in the number of customers using the local office on a daily basis.

Based on the aforementioned findings and the Board's review of the record, the Board has determined that the proposed office closing request conforms to all existing conditions regarding office location in the certificates of approval currently in effect for the systems served by the Petitioner and meets current regulations.

Accordingly, and based upon the petition and supporting documentation, the Board HEREBY FINDS that the proposed office closing is not unreasonable in light of the alternatives available to satisfy customer needs and will not unduly prejudice the public interest. Therefore, the Board HEREBY ORDERS that Petitioner is AUTHORIZED to close its existing customer service office located at 1729 Main St., Port Norris, New Jersey, 08349, subject to the following conditions:

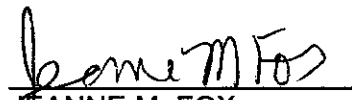
1. The order will be null and void if Comcast does not complete the closing of its customer service facility within 180 days from the date of the issuance of this Order.
2. Comcast shall upon request, make available suitable or appropriate postage-free return mailing envelopes for return of equipment to Comcast.

DATED: 1/19/11

BOARD OF PUBLIC UTILITIES
BY:



LEE A. SOLOMON
PRESIDENT



JEANNE M. FOX
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER

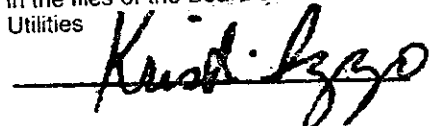


NICHOLAS ASSELTA
COMMISSIONER

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



KRISTI IZZO

SERVICE LIST

**I/M/O THE PETITION OF COMCAST OF SOUTH JERSEY, LLC FOR PERMISSION
TO CLOSE A LOCAL BUSINESS OFFICE IN THE TOWNSHIP OF COMMERCIAL, COUNTY
OF CUMBERLAND, STATE OF NEW JERSEY
PURSUANT TO N.J.A.C. 14:18-5.1**

DOCKET NO. CO10110848

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