



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
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Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

OFFICE OF CABLE TELEVISION  
AND TELECOMMUNICATIONS

IN THE MATTER OF THE PETITION OF CSC )  
TKR, LLC. D/B/A CABLEVISION OF MORRIS, ) RENEWAL CERTIFICATE  
FOR RENEWAL OF A CERTIFICATE OF ) OF APPROVAL  
APPROVAL TO CONTINUE TO OPERATE AND )  
MAINTAIN A CABLE TELEVISION SYSTEM IN )  
THE TOWNSHIP OF MOUNT OLIVE, COUNTY OF )  
MORRIS, STATE OF NEW JERSEY ) DOCKET NO. CE20020135

**Parties of Record:**

**James Eric Andrews, Esq.**, Schenck, Price, Smith and King, LLP, for the Petitioner  
**Michelle Masser, Clerk**, Township of Mount Olive, New Jersey

**BY THE BOARD:**

On December 12, 1974, the Board granted Sammons Communications of New Jersey, Inc. a Certificate of Approval in Docket No. 735C-5002 for the construction, operation and maintenance of a cable television system in the Township of Mount Olive ("Township"). On January 23, 1987, the Board issued a Renewal Certificate of Approval to Sammons for the Township in Docket No. CE85020219. Through a series of transfers with required Board approvals, the holder of the Certificate became CSC TKR, Inc. d/b/a Cablevision of Morris ("Cablevision"). On May 6, 1998, the Board granted Cablevision a Renewal Certificate of Approval for the Township in Docket No. CE97070495. Based on a name change, the Certificate is currently held by CSC TKR, LLC d/b/a Cablevision of Morris ("Petitioner"). On November 7, 2008, the Board issued a Renewal Certificate of Approval to the Petitioner in Docket No. CE08070514. Although by its terms the Petitioner's above referenced Certificate expired on November 7, 2018, 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 of Approval.

The Petitioner filed an application for the renewal of its municipal consent with the Township on April 17, 2018, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13.1 to 9. The Township, after public hearing, adopted a municipal ordinance granting renewal consent to the Petitioner on September 3, 2019. The Petitioner formally accepted the terms and conditions of the ordinance on December 6, 2019. On February 10, 2020, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate for the Township.

The Board has reviewed the application for municipal consent, the municipal consent ordinance, and the petition for a Renewal Certificate of Approval. 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 of Approval. 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. Within ninety (90) days of issuance of this Certificate; the Petitioner shall provide the Office of Cable Television and Telecommunications, a map which meets the requirements of the application and any other documentation as requested.
4. The franchise period as stated in the ordinance is ten (10) years from the date of issuance of this Certificate, pursuant to N.J.S.A. 48:5A-19 and 25. The Board finds this franchise period reasonable.
5. The Petitioner shall maintain an informational schedule of prices, terms, and conditions for unregulated service and promptly file any revisions thereto.
6. 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. All complaints shall be received and processed in accordance with the applicable rules.
7. The Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating and resolving complaints. The current local office is located at 683 Route 10 East, Randolph, New Jersey.
8. The franchise fee to be paid to the Township is specified to be 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. Additional regulatory fees shall be paid to the State in an amount not to exceed 2% of Petitioner's gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.

9. The Petitioner shall provide service to any residence along any public right-of-way in the Township designated as built in its application (Primary Service Area) at no cost beyond standard and non-standard installation. For any extension outside of the Primary Service Area, the Petitioner shall provide service to any residential area with a housing density of twenty-five homes per mile or greater. In addition, the Petitioner shall utilize the line extension policy ("LEP") attached to the Certificate as Appendix "I" with a homes per mile of twenty-five (25).
10. The Petitioner shall provide public, educational and governmental ("PEG") access channels and facilities in accordance with its renewal application and the ordinance. As specified in the application, the Petitioner shall continue to provide two channels for PEG access usage. The Petitioner maintains a public access studio available for access users upon advance request.
11. The Petitioner shall provide the Township with a grant for the support of PEG access programming in the total amount of \$25,000.00. The grant is to be paid as follows: \$7,000.00 within ninety (90) days of issuance of this Certificate; and within ninety (90) days from receipt of written request of the Township, the Petitioner shall provide an additional grant payment of \$2,000.00 annually for the following nine (9) years. The Petitioner shall be relieved of any additional payment if it converts its system to a system-wide franchise as provided by N.J.S.A. 48:5A-25.1(a). Upon payment of both portions of the contribution, the Petitioner shall provide the Office of Cable Television with proof of satisfaction of this obligation.
12. Upon written request of the Township, the Petitioner shall provide one (1) standard installation and monthly basic cable service, free of charge, to all state and locally accredited public schools, as well as to all municipal public libraries and municipal buildings located within the Township.
13. Upon written request of the Township, the Petitioner shall provide, free of charge, one (1) high-speed cable modem and monthly Internet access service, including standard installation, to all state and locally accredited elementary and secondary schools, all municipal public libraries, and to one municipally-owned facility, in the Township.
14. The Petitioner shall offer a 10% discount off the basic monthly rate of broadcast basic service to senior citizens meeting the eligibility requirements of the Pharmaceutical Assistance to the Aged and Disabled program, as allowed by N.J.S.A. 48:5A-11.2. The Petitioner shall have no further obligation to provide the senior discount in the event it converts its system to a system-wide franchise as provided by N.J.S.A. 48:5A-25.1(a), or if the Board certifies another cable television company as being capable of serving 60% or more of the households in the Township. Notice shall be provided in accordance with applicable law, in the event the Petitioner ceases to provide the discount.

Based upon these findings, the Board **HEREBY CONCLUDES**, pursuant to N.J.S.A. 48:5A-17(a) and 28(c), 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 of Approval as evidence of Petitioner's authority to construct and operate a cable television system within the entirety of the Township. It is noted here that a portion of the Township is serviced by Comcast of Northwest New Jersey, LLC ("Comcast"). Comcast was issued a Renewal Certificate of Approval in Docket No. CE11060344 on September 21, 2011 to service a portion 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.

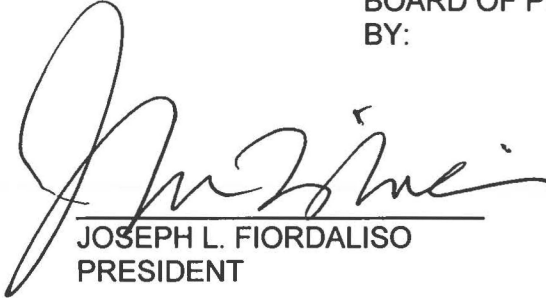
This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and be enforceable unless specific waiver is granted by the Office of Cable Television and Telecommunications pursuant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

This Certificate shall expire on July 21, 2031.

This Order shall be effective on July 21, 2021.

DATED: 7/14/21

BOARD OF PUBLIC UTILITIES  
BY:

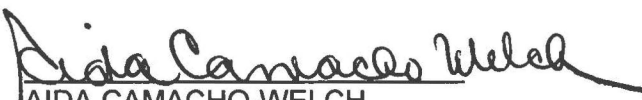
  
\_\_\_\_\_  
JOSEPH L. FIORDALISO  
PRESIDENT

  
\_\_\_\_\_  
MARY-ANNA HOLDEN  
COMMISSIONER

  
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DIANNE SOLOMON  
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UPENDRA J. CHIVUKULA  
COMMISSIONER

  
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ROBERT M. GORDON  
COMMISSIONER

ATTEST:   
\_\_\_\_\_  
AIDA CAMACHO-WELCH  
SECRETARY

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

Company: CSC TKR, LLC d/b/a Cablevision of Morris  
Municipality: Township of Mount Olive

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.  $\frac{\text{\# of homes in extension}}{\text{mileage of extension}}$  = homes per mile ("HPM") of extension
2.  $\frac{\text{HPM of extension}}{\text{Minimum HPM that company actually constructs in the system*}}$  = ratio of the density of the extension to the minimum density that the company constructs in the system ("A")
3. Total cost of building the extension times "A" = company's share of extension cost
4. Total cost of building extension less company's share of extension cost = total amount to be recovered from subscribers
5.  $\frac{\text{Total amount to be recovered from subs}}{\text{Total subscribers in extension}}$  = 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.

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\* 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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MAINTAIN A CABLE TELEVISION SYSTEM IN THE TOWNSHIP OF MOUNT OLIVE,  
COUNTY OF MORRIS, STATE OF NEW JERSEY

DOCKET NO. CE20020135

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