



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
Post Office Box 350  
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 SERVICE )  
ELECTRIC CABLE TV OF NEW JERSEY, INC. FOR )  
RENEWAL OF ITS CERTIFICATE OF APPROVAL )  
TO OWN, OPERATE, EXTEND AND MAINTAIN A )  
CABLE TELEVISION SYSTEM IN THE BOROUGH )  
OF ANDOVER, COUNTY OF SUSSEX, STATE OF )  
NEW JERSEY. ) DOCKET NO. CE18121334

**Parties of Record:**

**Laura M. Miller, Esq.**, Norris McLaughlin, P.A., on behalf of Service Electric Cable TV of New Jersey, Inc.

**Beth Brothman, Clerk**, Borough of Andover, New Jersey

BY THE BOARD:

On December 18, 1980, the New Jersey Board of Public Utilities (“Board” or “BPU”) granted to Service Electric Cable TV of New Jersey, Inc., under the corporate name of Garden State CATV, Inc. (“Garden State”), a Certificate of Approval in BPU Docket No. 7911C-6592 for the construction, operation and maintenance of a cable television system in the Borough of Andover (“Borough”). Based on a name change, the holder of the Certificate was known as Service Electric Cable TV of New Jersey, Inc. (“Petitioner”). On December 24, 1991, the Board issued a Renewal Certificate of Approval (“Renewal Certificate”) to the Petitioner in BPU Docket No. CE91020163. The Board issued a Renewal Certificate to the Petitioner in BPU Docket No. CE99090714 on June 24, 2004. On July 2, 2020, the Board approved the transfer of the Certificate from the Petitioner to CSC TKR, LLC, a wholly-owned subsidiary of Altice USA, Inc. in BPU Docket No. CM20030211. Although the Petitioner’s Renewal Certificate expired on June 24, 2019, it is authorized to continue to provide cable television service to the Borough pursuant to N.J.S.A. 48:5A-25, pending disposition of proceedings regarding the renewal of its Renewal Certificate.

On December 17, 2018, the Petitioner filed with the Board for an Automatic Renewal of its Renewal Certificate for the Borough, pursuant to N.J.S.A. 48:5A- 15, 16, 17, 19, and 25 and N.J.A.C. 14:17-6.9 and 14:18-13.6 (“Petition”). The Petition is based on the Borough’s ordinance, adopted on September 9, 1996, and thereafter amended on April 10, 2000, granting municipal consent to the Petitioner. On June 7, 2004, the Petitioner accepted the ordinance, which provided

for an initial term of 15 years with an automatic renewal term of 10 years, in accordance with N.J.S.A. 48:5A-24.

### **DISCUSSION AND FINDINGS**

The Board has reviewed the Petition and the application filed therein by the Petitioner. 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 Renewal Certificate, pursuant to N.J.S.A. 48:5A-22 to 29, N.J.A.C. 14:18-13.1 to .9.
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.
4. The franchise period as stated in the ordinance is 10 years, pursuant to N.J.S.A. 48:5A-19 and 25. The Board finds this franchise period reasonable.
5. The Petitioner shall utilize the line extension policy attached to the Certificate ("Appendix "I"). The minimum homes per mile ("HPM") figure is 35.
6. The Petitioner shall maintain informational tariffs for unregulated service rates, and promptly file any revisions thereto.
7. Pursuant to statutory requirements, the ordinance specifies a complaint officer to receive and act upon complaints filed by subscribers in the Borough. In this case, it is the Office of Cable Television and Telecommunications. All complaints shall be received and processed in accordance with any applicable rules.
8. The Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating and resolving complaints. The Petitioner currently maintains a local office located at 320 Sparta Avenue, Sparta, New Jersey.
9. The franchise fee to be paid to the Borough 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 Borough or any additional amount required by N.J.S.A. 48:5A-30. 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.
10. The Petitioner shall provide the installation of one (1) outlet and basic cable service to the Borough's Municipal Building, the Borough's Senior Citizen/Community Center, and the Borough's Fire House, free of charge.
11. Upon the request of the Borough, the Petitioner and the Borough's designee shall meet to review all matters relating to cable television in the Borough.

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. Furthermore, that such consent and issuance thereof are in conformity with the requirements of N.J.S.A. 48:5A-1 to -64 and 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. The Board also **FINDS** that the Petitioner has sufficient financial and technical capacity; that the Petitioner 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 Automatic Renewal Certificate of Approval as evidence of the Petitioner's authority to construct and operate a cable television system within the entirety of the Borough.

This Automatic Renewal Certificate of Approval 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 or the terms, conditions, and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Certificate.

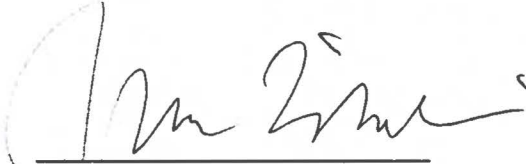
The Board **HEREBY ORDERS** the Automatic Renewal Certificate of Approval be issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and be enforceable unless specific waiver is granted by the Office 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 June 24, 2029.

This Order shall be effective on January 18, 2023.

DATED: January 11, 2023

BOARD OF PUBLIC UTILITIES  
BY:



JOSEPH L. FIORDALISO  
PRESIDENT



MARY-ANNA HOLDEN  
COMMISSIONER



DIANNE SOLOMON  
COMMISSIONER

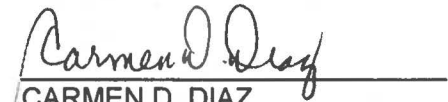


ROBERT M. GORDON  
COMMISSIONER



DR. ZENON CHRISTODOULOU  
COMMISSIONER

ATTEST:



CARMEN D. DIAZ  
ACTING SECRETARY

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

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

Company: Service Electric Cable TV of New Jersey, Inc.  
Municipality: Borough of Andover, County of Sussex

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

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.

\* 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.

IN THE MATTER OF THE PETITION OF SERVICE ELECTRIC CABLE TV OF NEW JERSEY, INC. FOR RENEWAL OF ITS CERTIFICATE OF APPROVAL TO OWN, OPERATE, EXTEND AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY.

DOCKET NO. CE18121334

SERVICE LIST

Laura M. Miller, Esq.  
Norris McLaughlin, P.A.  
400 Crossing Boulevard, 8th Floor  
P.O. Box 5933  
Bridgewater, NJ 08807-5933  
[lmiller@norris-law.com](mailto:lmiller@norris-law.com)

Beth Brothman  
Borough Clerk  
Borough of Andover  
137 Main Street  
Andover, NJ 07821  
[clerk@andoverboroughnj.org](mailto:clerk@andoverboroughnj.org)

Marilyn Davis  
Sr. Director, Government Affairs  
Altice USA  
275 Centennial Avenue  
Piscataway, NJ 08854  
[marilyn.davis16@alticeusa.com](mailto:marilyn.davis16@alticeusa.com)

Robert Hoch  
Sr. Counsel, Government Affairs  
Altice USA, Inc.  
1 Court Square West  
Long Island City, NY 11101  
[robert.hoch@alticeusa.com](mailto:robert.hoch@alticeusa.com)

Meliha Arnautovic, DAG  
NJ Department of Law & Public Safety  
Division of Law  
Richard J. Hughes Justice Complex  
Public Utilities Section  
25 Market Street  
Post Office Box 112  
Trenton, NJ 08625  
[meliha.arnautovic@law.njoag.gov](mailto:meliha.arnautovic@law.njoag.gov)

**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
Post Office Box 350  
Trenton, NJ 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

Carmen D. Diaz, Acting Secretary  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Stacy Peterson, Deputy Executive Director  
[stacy.peterson@bpu.nj.gov](mailto:stacy.peterson@bpu.nj.gov)

Office of Cable Television and  
Telecommunications

Lawanda R. Gilbert, Director  
[lawanda.gilbert@bpu.nj.gov](mailto:lawanda.gilbert@bpu.nj.gov)

Nancy J. Wolf, Administrative Analyst 4  
[nancy.wolf@bpu.nj.gov](mailto:nancy.wolf@bpu.nj.gov)

Ashley Bliss, Administrative Analyst 1  
[ashley.bliss@bpu.nj.gov](mailto:ashley.bliss@bpu.nj.gov)

Counsel's Office

Carol Artale, Deputy General Counsel  
[carol.artale@bpu.nj.gov](mailto:carol.artale@bpu.nj.gov)

Lanhi Saldana, Legal Specialist  
[lanhi.saldana@bpu.nj.gov](mailto:lanhi.saldana@bpu.nj.gov)

Steven Athanassopoulos, Legal Specialist  
[Steven.athanassopoulos@bpu.nj.gov](mailto:Steven.athanassopoulos@bpu.nj.gov)