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JAMES ERIC ANDREWS

Admitted in NJ Direct Line: 973-540-7354 Email: jea@spsk.com

220 Park Avenue PO Box 991 Florham Park, NJ 07932 Telephone: 973-539-1000

www.spsk.com

Fax: 973-540-7300

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September 8, 2015

Via First Class Mail

Irene Kim Asbury, Secretary Board of Public Utilities 44 South Clinton Avenue, 9th Floor PO Box 350 Trenton, New Jersey 08625-0350

CE 150 91033

Re:

In the Matter of the Application of Cablevision of Monmouth, LLC for Renewal of a Certificate of Approval to Operate and Maintain a Cable Television System in the Borough of Seaside Heights, County of Ocean, State of New Jersey

Dear Ms. Asbury:

Enclosed please find with regard to the above referenced matter, an original and eleven copies of a Verified Petition, Exhibits A through G, filing fee in the amount of \$200.00 and Proof of Service. Kindly file the same and return a conformed copy to my office in the enclosed envelope.

Respectfully submitted,

SCHENCK, PRICE, SMITH & KING

James Eric Andrews

CABLELLE)

JEA/rmr Enclosures

Lawanda Gilbert, Acting Director – OCTV (w/o encl.)

Nancy Wolf, OCTV (w/encl.)

Clifford Harris, Esq., Cablevision (w/encl.)

Richard Barnes, Gov't Affairs, Cablevision (w/encl.)

Michael Olsen, Esq., Cablevision (w/o encl.)

Diane Stabley, Clerk, Borough of Seaside Heights (w/enc.) (via Certified Mail)



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SEP 1 0 2015

BOARD OF PUBLIC UTILITIES

SCHENCK, PRICE, SMITH & KING, LLP

P.O. Box 991 220 Park Avenue Florham Park, NJ 07932 (973) 539-1000

Attorneys for Petitioner, Cablevision of Monmouth, LLC

STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES OFFICE OF CABLE TELEVISION

IN THE MATTER OF THE APPLICATION OF : CABLEVISION OF MONMOUTH, LLC FOR : RENEWAL OF A CERTIFICATE OF APPROVAL :

TO CONTINUE TO OPERATE AND MAINTAIN:
A CABLE TELEVISION SYSTEM IN THE:

THE BOROUGH OF SEASIDE HEIGHTS,

COUNTY OF OCEAN, STATE OF NEW JERSEY:

DOCKET NO.

VERIFIED PETITION FOR RENEWAL OF A

CERTIFICATE OF APPROVAL

Cablevision of Monmouth, LLC, a limited liability company existing under the laws of the State of Delaware (hereinafter "Cablevision") and having its place of business at 1501 18th Avenue, Wall, New Jersey 07719, hereby states in support of the within Petition:

Cable Television is a cable company as defined under the provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-3(g), and is the current holder of a Certificate of Approval issued by this Honorable Board on July 23, 1998, for the construction, operation and maintenance of a cable system in the Borough of Seaside Heights (hereinafter "Borough"), County of Ocean, State of New Jersey. The Certificate of Approval was amended by this Board's Order of Amendment dated August 19, 2004. The Certificate of Approval, as amended,

expired on December 18, 2010. Copies of the Renewal Certificate of Approval and Order of Amendment are attached hereto as Exhibit A. A copy of the Borough's Ordinance No. 97-10 is attached hereto as Exhibit B. A copy of amending Ordinance No. 2002-25, which amends and supplements Ordinance No. 97-10, is attached hereto as Exhibit C.

- 3. On March 12, 2008, Cablevision provided notice to the Borough of its desire to initiate renewal proceedings pursuant to 47 <u>U.S.C.</u> § 521, <u>et seq.</u>, as amended. A copy of said correspondence is attached hereto as Exhibit D.
- 4. Thereafter, Cablevision provided its Application for Municipal Consent to the Borough pursuant to N.J.S.A. 48:5A-23 and Section 626 of the Federal Cable Act. Three copies of Cablevision's Application for a Cable Television Franchise will be filed under separate cover with this Board's Office of Cable Television.
- 5. On December 18, 2013, the Borough adopted Municipal Ordinance No. 13-30, renewing the consent of the Borough for Cablevision to own, operate and maintain a cable system within the Borough for a term of fifteen (15) years from the date of issuance of the Certificate of Approval requested herein. A copy of Ordinance No. 13-30 is attached hereto as Exhibit E. A copy of the Borough's April 1, 2015 Resolution No. 2015-125 acknowledging the correction of a clerical error in Ordinance No. 13-30, is attached hereto as Exhibit F.
- 6. By letter dated July 7, 2015, Cablevision accepted the terms of the Borough's Ordinance. A copy of said correspondence is attached hereto as Exhibit G.
- 7. Cablevision maintains a local office for the use of its customers at 1501 18th Avenue, Wall, New Jersey 07719.
 - 8. Cablevision has been operating its cable system within the Borough in compliance

with applicable federal and state law and in conformance with the rules, regulations and orders of the Board. Cablevision has fulfilled its material commitments set forth in the existing Certificate of Approval.

9. The granting of the within Petition for renewal of Cablevision's Certificate of Approval is necessary and proper for the public convenience and will serve the public interest as Cablevision has the financial, legal and technical ability to provide the proposed cable services during the term of the renewal.

WHEREFORE, Cablevision of Monmouth, LLC respectfully requests that the Board of Public Utilities issue to it a renewal Certificate of Approval for the continued operation of its cable system in the Borough of Seaside Heights, County of Ocean, State of New Jersey, for a period of fifteen (15) years from the date of issuance of the Certificate of Approval requested herein.

Respectfully submitted,

SCHENCK, PRICE, SMITH & KING, LLP Attorneys for Petitioner

JAMES ERIC ANDREWS

Dated: September 8, 2015

ALL COMMUNICATIONS REGARDING THIS VERIFIED PETITION SHOULD BE ADDRESSED TO SCHENCK, PRICE, SMITH & KING, LLP, ATTORNEYS FOR PETITIONER CABLEVISION MONMOUTH, LLC, AT P.O. BOX 991, 220 PARK AVENUE, FLORHAM PARK, NEW JERSEY 07932, ATTENTION: JAMES ERIC ANDREWS, ESQ., (973) 539-1000.

VERIFICATION

STATE OF NEW YORK:

SS.:

COUNTY OF NASSAU:

Michael Olsen, of full age, being duly sworn according to law, deposes and says:

- 1. I am Senior Vice President of Legal Legislative and Regulatory Affairs, for Cablevision of Monmouth, LLC.
- 2. I have read the attached Petition, including the exhibits attached thereto, and state that the statements contained therein are true and correct to the best of my knowledge, information and belief.

Sworn and subscribed to before me this 2nd day of September 2015

Notary Public

Westehester County, New York 02H06002764 Commission Expires 2/17/2018