

shall be null and void, and instead shall be modified to match those provided by the incumbent's LEP.

4. Upon identification of a street, streets, or portions of streets within a municipality that will be subject to the attached LEP, Verizon shall provide notice with a list of the streets in question to the Board, Rate Counsel, and the affected municipality, during normal business hours and no less than 48 hours prior to activation. Upon request of a potential customer, Verizon shall also provide a copy of this information to the potential customer.
5. Verizon shall continue to comply with the statutory deployment commitments for the 70 required municipalities, pursuant to N.J.S.A. 48:5A-25.2(a)(1) and (2). Any failure by Verizon to comply with the completion of the deployment deadlines for the 70 required municipalities shall be considered a violation of the franchise, which may be enforced by the Board pursuant to N.J.S.A. 48:5A-28.2.
6. Verizon shall continue, on a quarterly basis, to provide to the Board and Rate Counsel a report of service activations for the prior quarter, which shall also include information on total addresses subject to pending MDU waiver and mandatory access petitions beginning with the 1st quarter 2014 report, to serve as one element of the foundation for the Board and Rate Counsel to use to fulfill their responsibilities for ensuring the service is provided on a non-discriminatory basis and to serve as one component of the basis for Petitioner's ongoing proof of compliance with the Franchise and the Act.
7. In the event Verizon believes it cannot deploy service as required under N.J.S.A. 48:5A-25.2 because: a) it cannot access a development or building because of a claimed exclusive arrangement with another cable television company; b) it cannot access a development or building using its standard technical solutions, under commercially reasonable terms and conditions after good faith negotiation; and/or c) it cannot access the public rights-of-way under reasonable terms and conditions, Verizon shall continue to provide the Board and Rate Counsel with notification by filing for relief of deployment requirements within 30 days of Verizon making such determination, pursuant to N.J.A.C. 14:18-15.3. Any petition by Verizon seeking relief of deployment requirements shall be filed prior to the required date of completion of deployment for the municipality in which the MDU is located.
8. Verizon may add additional municipalities to its System-wide Cable Television Franchise without seeking approval from the Board, in accordance with N.J.A.C. 14:18-14.14. Verizon must provide notice at least 48 hours prior to activation to the Board, Rate Counsel and the affected municipality via certified mail.
9. Verizon shall continue to maintain local service centers as set forth in its application and shall maintain local business offices and/or agents for assisting customers in making applications for service, resolving service inquiries, making bill payment and for the purpose of receiving, investigating and resolving complaints. Verizon shall maintain all required public records in a format suitable for viewing by the affected public at its offices. Verizon shall maintain its local offices in accordance with applicable law.
10. The designated complaint officer for all municipalities in Verizon's System-wide Cable Television Franchise is the Office of Cable Television.

11. Verizon shall pay a franchise fee to each municipality served in the amount of 3.5% of its gross revenues, as defined by N.J.S.A. 48:5A-3(x) and -30(d), paid by subscribers in the municipality.
12. Verizon shall pay to the State Treasurer, in accordance with its CATV Universal Access Fund now existing or as will exist in the future, an amount of up to 0.5% of its gross revenues, as defined by N.J.S.A. 48:5A-3(x) and -30(d), paid by subscribers in the municipality.
13. Verizon shall produce any and all books or records within 72 hours of a request by the Board or Board Staff.
14. Verizon shall maintain an informational schedule of prices, rates, terms and conditions for unregulated service and promptly file any revisions thereto. Rate and channel line-up changes shall be performed in accordance with applicable rules.
15. Upon written request of a municipality served by its System-wide Cable Television Franchise, Verizon shall provide or continue to provide and maintain return lines or other method of interconnection from any one location in the municipality, without charge, to a location of interconnection in its cable television system in order to allow live or taped cablecasting of PEG programming by the municipality. The return line or interconnection shall be provided in accordance with N.J.A.C. 14:18-15.4(c).
16. Upon written request of a municipality served by its System-wide Cable Television Franchise, Verizon shall provide and maintain up to two PEG access channels. If a municipality requests more than two PEG access channels, the municipality shall demonstrate the need for the additional PEG access channels in accordance with N.J.A.C. 14:18-15.4(a)1. The municipality shall assume all responsibility for the management, operations and programming of the PEG access channels in accordance with N.J.A.C. 14:18-15.4(a)4.
17. Verizon shall continue to provide equipment and training for municipalities covered by the system-wide franchise without charge, for use in the development of local programming content that can be shown on PEG access channels. Upon request of the Board or Board staff, Verizon shall provide status updates to the Board on its PEG Training and Equipment Program and its current program implementation coordinator, NJEDge.Net, Verizon shall update the PEG access equipment list in a timely fashion to ensure that individuals and municipalities have real access to the equipment in a non-discriminatory manner.
18. Upon written request of a municipality served by its System-wide Cable Television Franchise, Verizon shall install and maintain, without charge, one service outlet activated for basic cable television service and Internet service to each fire station, public school, police station, public library and any other such building used for municipal purposes, in accordance with N.J.A.C. 14:18-15.5.
19. Pursuant to applicable law, Verizon shall maintain sufficient bond for the faithful performance of all undertakings by the applicant as represented in the application; and shall have sufficient insurance including the Board, all municipalities served and the applicant as insureds, with respect to all liability for any death, personal injury, property

damage or other liability arising out of the applicant's construction and operation of its cable television system.

20. Pursuant to N.J.S.A. 48:5A-28(n), Verizon shall continue to comply with any applicable consumer protection requirements.

This Renewal System-wide Cable Television Franchise is subject to all applicable State and federal laws, the rules and regulations of the Office of Cable Television, and any such lawful terms, conditions and limitations as currently exist or may hereafter be attached to the exercise of the privileges granted herein. Verizon shall adhere to the applicable 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 Renewal System-wide Cable Television Franchise.

Failure to comply with all applicable laws, rules, regulations and orders of the Board or the Office of Cable Television and/or the terms, conditions and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Renewal System-wide Cable Television Franchise.

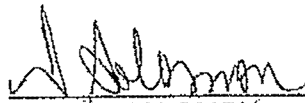
This Renewal System-wide Cable Television Franchise is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and be enforceable unless specific waiver is granted by the Board or the Office of Cable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

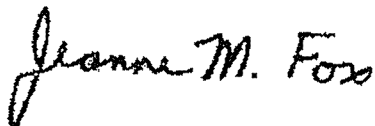
Verizon's Renewal System-wide Cable Television Franchise shall expire on December 18, 2020.

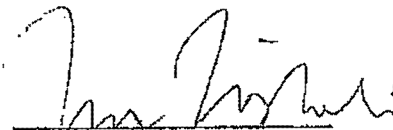
This Order shall be effective on February 7, 2014.

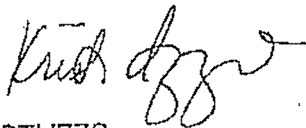
DATED: 1/30/14

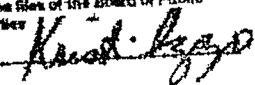
BOARD OF PUBLIC UTILITIES
BY:


DIANNE SOLOMON
PRESIDENT


JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
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


	Municipality	County		Municipality	County
73	East Hanover Township	Morris	120	Greenwich Township	Gloucester
74	East Newark Borough	Hudson	121	Guttenberg Town	Hudson
75	East Orange City	Essex	122	Hackensack City	Bergen
76	East Rutherford Borough	Bergen	123	Haddon Heights Borough	Camden
77	East Windsor Township	Mercer	124	Haddon Township	Camden
78	Eastampton Township	Burlington	125	Haddonfield Borough	Camden
79	Eatontown Borough	Monmouth	126	Hainesport Township	Burlington
80	Edgewater Borough	Bergen	127	Haledon Borough	Passaic
81	Edgewater Park Borough	Burlington	128	Hamilton Township	Atlantic
82	Edison Township	Middlesex	129	Hamilton Township	Mercer
83	Egg Harbor City	Atlantic	130	Hanover Township	Morris
84	Elizabeth City	Union	131	Harding Township	Morris
85	Elk Township	Gloucester	132	Harrington Park Borough	Bergen
86	Elmwood Park Borough	Bergen	133	Harrison Town	Hudson
87	Elsinboro Township	Salem	134	Harrison Township	Gloucester
88	Emerson Borough	Bergen	135	Hasbrouck Heights Borough	Bergen
89	Englewood City	Bergen	136	Haworth Borough	Bergen
90	Englewood Cliffs Borough	Bergen	137	Hawthorne Borough	Passaic
91	Englishtown Borough	Monmouth	138	Hazlet Township	Monmouth
92	Essex Fells Borough	Essex	139	Helmetta Borough	Middlesex
93	Evesham Township	Burlington	140	Highland Park Borough	Middlesex
94	Ewing Township	Mercer	141	Highlands Borough	Monmouth
95	Fair Haven Borough	Monmouth	142	Hightstown Borough	Mercer
96	Fair Lawn Borough	Bergen	143	Hillsborough Township	Somerset
97	Fairfield Township	Essex	144	Hillsdale Borough	Bergen
98	Fairview Borough	Bergen	145	Hillside Township	Essex
99	Fanwood Borough	Union	146	Hoboken City	Hudson
100	Far Hills Borough	Somerset	147	Ho-Ho-Kus Borough	Bergen
101	Farmingdale Borough	Monmouth	148	Holmdel Township	Monmouth
102	Fieldsboro Borough	Burlington	149	Hopewell Borough	Mercer
103	Florence Township	Burlington	150	Hopewell Township	Cumberland
104	Florham Park Borough	Morris	151	Hopewell Township	Mercer
106	Fort Lee Borough	Bergen	152	Howell Township	Monmouth
106	Franklin Lakes Borough	Bergen	153	Interlaken Borough	Monmouth
107	Franklin Township	Gloucester	154	Irvington Township	Essex
108	Franklin Township	Somerset	155	Island Heights Borough	Ocean
109	Freehold Borough	Monmouth	156	Jackson Township	Ocean
110	Freehold Township	Monmouth	157	Jamesburg Borough	Middlesex
111	Garfield City	Bergen	158	Jefferson Township	Morris
112	Garwood Borough	Union	159	Jersey City	Hudson
113	Glassboro Borough	Gloucester	160	Keansburg Borough	Monmouth
114	Glen Ridge Borough	Essex	161	Kearny Town	Hudson
115	Glen Rock Borough	Bergen	162	Kenilworth Borough	Union
116	Gloucester City	Camden	163	Keyport Borough	Monmouth
117	Gloucester Township	Camden	164	Lake Como Borough	Monmouth
118	Green Brook Township	Somerset	165	Lakehurst Borough	Ocean
119	Greenwich Township	Cumberland	166	Lakewood Township	Ocean

	Municipality	County		Municipality	County
167	Lawnside Borough	Camden	214	Montville Township	Morris
168	Lawrence Township	Mercer	215	Moonachie Borough	Bergen
169	Leonia Borough	Bergen	216	Morris Plains Borough	Morris
170	Lincoln Park Borough	Morris	217	Morris Township	Morris
171	Linden City	Union	218	Morristown Town	Morris
172	Little Falls Township	Passaic	219	Mount Ephraim Borough	Camden
173	Little Ferry Borough	Bergen	220	Mount Holly Township	Burlington
174	Little Silver Borough	Monmouth	221	Mount Laurel Township	Burlington
175	Livingston Township	Essex	222	Mount Olive Township	Morris
176	Loch Arbour Village	Monmouth	223	Mountain Lakes Borough	Morris
177	Lodi Borough	Bergen	224	Mountainside Borough	Union
178	Long Branch City	Monmouth	225	National Park Borough	Gloucester
179	Long Hill Township	Morris	226	Neptune City Borough	Monmouth
180	Lumberton Township	Burlington	227	Neptune Township	Monmouth
181	Lyndhurst Township	Bergen	228	New Brunswick City	Middlesex
182	Madison Borough	Morris	229	New Hanover Township	Burlington
183	Mahwah Township	Bergen	230	New Milford Borough	Bergen
184	Manalapan Township	Monmouth	231	New Providence	Union
185	Manasquan Borough	Monmouth		Borough	
186	Manchester Township	Ocean	232	Newark City	Essex
187	Mansfield Township	Burlington	233	North Arlington Borough	Bergen
188	Mantoloking Borough	Ocean	234	North Bergen Township	Hudson
189	Mantua Township	Gloucester	235	North Brunswick	Middlesex
190	Marville Borough	Somerset		Township	
191	Maple Shade Township	Burlington	236	North Caldwell Borough	Essex
192	Maplewood Township	Essex	237	North Haledon Borough	Bergen
193	Marlboro Township	Monmouth	238	North Hanover Township	Burlington
194	Matawan Borough	Monmouth	239	North Plainfield Borough	Somerset
195	Maywood Borough	Bergen	240	Northvale Borough	Bergen
196	Medford Lakes Borough	Burlington	241	Norwood Borough	Bergen
197	Medford Township	Burlington	242	Nutley Township	Essex
198	Mendham Borough	Morris	243	Oakland Borough	Bergen
199	Mendham Township	Morris	244	Oaklyn Borough	Camden
200	Merchantville Borough	Camden	245	Ocean Township	Monmouth
201	Middle Township	Cape May	246	Oceanport Borough	Monmouth
202	Middlesex Borough	Middlesex	247	Old Bridge Township	Middlesex
203	Middletown Township	Monmouth	248	Old Tappan Borough	Bergen
204	Midland Park Borough	Bergen	249	Oradell Borough	Bergen
205	Millburn Township	Essex	250	Orange City	Essex
206	Millstone Township	Monmouth	251	Pailsades Park Borough	Bergen
207	Mine Hill Township	Morris	252	Paramus Borough	Bergen
208	Monmouth Beach	Monmouth	253	Park Ridge Borough	Bergen
	Borough		254	Parsippany-Troy Hills	Morris
209	Monroe Township	Gloucester		Township	
210	Monroe Township	Middlesex	255	Passaic City	Passaic
211	Montclair Township	Essex	256	Paterson City	Passaic
212	Montgomery Township	Somerset	257	Paulsboro Borough	Gloucester
213	Montvale Borough	Bergen	258	Peapack & Gladstone	Somerset

	Municipality	County		Municipality	County
	Borough		305	Sea Girt Borough	Monmouth
259	Pemberton Township	Burlington	306	Secaucus Town	Hudson
260	Pennington Borough	Mercer	307	Shamong Township	Burlington
261	Pennsauken Township	Camden	308	Shiloh Borough	Cumberland
262	Perth Amboy City	Middlesex	309	Shrewsbury Borough	Monmouth
263	Pine Hill Borough	Camden	310	Shrewsbury Township	Monmouth
264	Piscataway Township	Middlesex	311	Somerville Borough	Somerset
265	Pitman Borough	Gloucester	312	South Amboy City	Middlesex
266	Plainfield City	Union	313	South Bound Brook Borough	Somerset
267	Plainsboro Township	Middlesex	314	South Brunswick Township	Middlesex
268	Pleasantville City	Atlantic	315	South Hackensack Township	Bergen
269	Point Pleasant Beach Borough	Ocean	316	South Orange Village Township	Essex
270	Point Pleasant Borough	Ocean	317	South Plainfield Borough	Middlesex
271	Princeton	Mercer	318	Southampton Township	Burlington
272	Prospect Park Borough	Passaic	319	Spotswood Borough	Middlesex
273	Quinton Township	Salem	320	Spring Lake Borough	Monmouth
274	Ramsey Borough	Bergen	321	Spring Lake Heights Borough	Monmouth
275	Randolph Township	Morris	322	Springfield Township	Burlington
276	Raritan Borough	Somerset	323	Springfield Township	Union
277	Readington Township	Hunterdon	324	Stow Creek Township	Cumberland
278	Red Bank Borough	Monmouth	325	Summit City	Union
279	Ridgefield Borough	Bergen	326	Tabernacle Township	Burlington
280	Ridgefield Park Village	Bergen	327	Tavistock Borough	Camden
281	Ridgewood Village	Bergen	328	Teaneck Township	Bergen
282	River Edge Borough	Bergen	329	Tenafly Borough	Bergen
283	River Vale Township	Bergen	330	Teterboro Borough	Bergen
284	Riverside Township	Burlington	331	Tinton Falls Borough	Monmouth
285	Robbinsville Township	Mercer	332	Toms River Township	Ocean
286	Rochelle Park Township	Bergen	333	Totowa Borough	Bergen
287	Rockaway Borough	Morris	334	Trenton City	Mercer
288	Rockaway Township	Morris	335	Union Beach Borough	Monmouth
289	Rockleigh Borough	Bergen	336	Union City	Hudson
290	Rocky Hill Borough	Somerset	337	Union Township	Union
291	Roosevelt Borough	Monmouth	338	Upper Deerfield Township	Cumberland
292	Roseland Borough	Essex	339	Upper Freehold Township	Monmouth
293	Roselle Borough	Union	340	Upper Saddle River Borough	Bergen
294	Roselle Park Borough	Union	341	Verona Township	Essex
295	Roxbury Township	Morris	342	Victory Gardens Borough	Morris
296	Rumson Borough	Monmouth	343	Vineland City	Cumberland
297	Runnemede Borough	Camden	344	Voorhees Township	Camden
298	Rutherford Borough	Bergen	345	Waldwick Borough	Bergen
299	Saddle Brook Township	Bergen			
300	Saddle River Borough	Bergen			
301	Salem City	Salem			
302	Sayreville Borough	Middlesex			
303	Scotch Plains Township	Union			
304	Sea Bright Borough	Monmouth			

	Municipality	County
346	Wall Township	Monmouth
347	Wallington Borough	Bergen
348	Warren Township	Somerset
349	Washington Township	Bergen
350	Washington Township	Gloucester
351	Washington Township	Morris
352	Watchung Borough	Somerset
353	Waterford Township	Camden
354	Wayne Township	Passaic
355	Weehawken Town	Hudson
356	West Amwell Township	Hunterdon
357	West Caldwell Township	Essex
358	West Deptford Township	Gloucester
359	West Long Branch Borough	Monmouth
360	West New York Town	Hudson
361	West Orange Township	Essex
362	West Windsor Township	Mercer

	Municipality	County
363	Westampton Township	Burlington
364	Westfield Town	Union
365	Westwood Borough	Bergen
366	Weymouth Township	Atlantic
367	Wharton Borough	Morris
368	Willingboro Township	Burlington
369	Winfield Township	Union
370	Winslow Township	Camden
371	Woodbridge Township	Middlesex
372	Woodbury City	Gloucester
373	Woodbury Heights Borough	Gloucester
374	Woodcliff Lake Borough	Bergen
375	Woodland Park Borough	Passaic
376	Woodlynne Borough	Camden
377	Wood-Ridge Borough	Bergen
378	Wrightstown Borough	Burlington
379	Wyckoff Township	Bergen

Theodore E. Baker, County Counsel
ID No. 020141979
County of Cumberland
164 W. Broad Street
Bridgeton, NJ 08302
(856) 453-2165

Attorney for

IN THE MATTER OF VERIZON NEW)	
JERSEY'S DISCONTINUANCE OF)	BOARD OF PUBLIC UTILITIES
LAND LINE TELECOMMUNICATIONS)	
MAINTENANCE, FACILITIES, AND)	
INFRASTRUCTURE)	Docket No.
)	

PETITION ON BEHALF OF RURAL NEW JERSEY COMMUNITIES TO
COMPEL VERIZON NEW JERSEY TO MAINTAIN LANDLINE
TELECOMMUNICATION SYSTEMS

I. INTRODUCTION

This Petition is being filed on behalf of numerous rural communities within southern New Jersey seeking an order from the BPU to investigate and rectify Verizon New Jersey's (hereinafter referred to as "Verizon") discontinuance of maintenance of copper landline facilities and infrastructure which are instrumental to the continued provision of adequate landline telephone and data service to New Jersey customers who are without fiber optic service. The failure of Verizon to comply with its obligations in accordance with Opportunity New Jersey (ONJ) to provide fiber optic service throughout the State of New Jersey and the determination by Verizon to discontinue landline maintenance will effectively cripple the capability of customers in rural areas to maintain adequate telephone, data, and internet service. If fiber optic service is not provided by Verizon then rural customers will be compelled to resort to landline service

which, at best, would provide them with DSL service over existing copper landline infrastructure. In such an event, without adequate landline maintenance, all of these customers will, over time, have their telephone, data, and internet service deteriorate and such service will effectively be lost to these customers. Customers in these areas may also be compromised and at risk due to poorly operating or failures of 9-1-1 communications (including reverse 9-1-1 communications) during emergencies. In addition, the migration to cellular service is inadequate in the rural areas of the State to serve as an adequate substitute for landline or fiber optic service. This creates an enormous disparity between telecommunication service to rural areas as opposed to the more urban, developed, and affluent areas, where it is believed Verizon is attempting to concentrate its profit centers. Verizon has provided fiber optic service availability in other areas of New Jersey but has neglected and refused to provide such service to the Petitioners' communities. This Petition is being filed in an effort to have the Board investigate Verizon's refusal to continue landline copper infrastructure maintenance and to issue an order or orders to Verizon requiring that landlines be maintained and preserved until such time as rural communities have been fully built out with fiber optic telecommunication services, affording them the same quality telephone, internet, and data services as are enjoyed by other communities within the State of New Jersey. Alternately, the Petitioners assert that Verizon should be compelled to meet its Opportunity New Jersey obligations to provide statewide fiber optic service and to ensure that all areas of the State are being provided with equal service.

II. **EXISTING LANDLINE SERVICE WHICH IS NOT SAFE, ADEQUATE, OR PROPER REQUIRES INVESTIGATION AND ACTION BY THIS BOARD.**

PETITIONERS: from the County of Atlantic: City of Estell Manor, Weymouth Township; from the County of Salem: Alloway Township, Lower Alloways Creek, Mannington Township, Township of Pilesgrove, and Upper Pittsgrove Township; from the County of Gloucester: South Harrison Township, from Cumberland County: Commercial Township, Downe Township, Hopewell Township, Lawrence Township, Maurice River Township, City of Millville, Upper Deerfield Township, Fairfield Township, and the County of Cumberland hereby petition the Board of Public Utilities for investigation and an order directing and requiring that Verizon New Jersey be obligated to maintain landline infrastructure until a complete statewide built out of fiber optic occurs, and in support thereof state the following:

1. Verizon New Jersey is an entity providing telephone, data, internet, and telecommunications services to customers within the State of New Jersey.
2. The Board of Public Utilities has jurisdiction over disputes regarding safe and adequate service by a regulated entity to its customers including but not limited to, *inter alia*, any association, corporation, or company that owns, operates, manages, or controls any telephone system for public use pursuant to N.J.S.A. 48:2-13.
3. Pursuant to its regulatory authority, the Board of Public Utilities has promulgated regulations, N.J.S.A. 14:10-1A.6 and 14:10-1A.7 requiring that each telephone utility shall

provide and maintain equipment and facilities as necessary to insure the provision of safe, adequate, and proper service.

4. The responsibilities of a public utility to provide safe, adequate, and proper service pursuant to N.J.S.A. 48:2-21 and 48:3-3 is well established as part of its primary obligation to serve the public interest. See, IMO Valley Road Sewerage Co., 154 N.J. 224, 240 (1998).

5. Pursuant to N.J.S.A. 48:2-23, the Board of Public Utilities, after public hearing and notice may require any public utility to furnish safe, adequate, and proper service.

6. Verizon New Jersey has neglected, failed, and refused to provide adequate, and proper service pursuant to the foregoing statutory authority to residents and customers within the Petitioners' communities.

7. Although Verizon is required to provide such service, its failure to do so, and its continued failure and refusal to meet its maintenance and repair responsibilities to ensure that safe and adequate landline telephone and data transmission are provided throughout New Jersey, is in violation of N.J.S.A. 48:3-3 which forbids a utility from providing or maintaining a service which is improper or inadequate.

8. There are numerous and widespread service deficiencies impacting on safe and adequate service by Verizon to residents and customers in Petitioners' communities. Landline telephone service as well as data and internet transmission over landlines have been interrupted, impeded or lost altogether in adverse weather conditions, including rain, snow, wind, or fog. Static, crackling, and service interruptions impeding voice transmission, complete service

outages in bad weather, and lack of audible voice transmission, have been regularly reported to the Petitioners' governing bodies. In addition, these problems not only affect voice transmission, but data and internet service as well. 9-1-1 service is also affected. Hundreds of customers have complained to the governing bodies regarding the foregoing problems.

9. By way of illustration, these complaints include but are not limited to: A municipality with landline service which, because of deteriorating and unreliable operation, cancelled its landline service and migrated to VOIP through a cable provider; another community with unreliable copper line service (and patchy cellular coverage) which has had safety communications compromised and is in close proximity to a nuclear plant. There have been numerous customer reports in every community that adverse weather conditions (even fog and drizzle) have caused static, crackling, and loss of voice transmission on copper telephone lines and similar interruptions or loss of DSL service. Literally hundreds of such complaints have been received in the Petitioners' communities. At least one of the Petitioners' communities has also documented unreliable and incompetent measures employed to maintain or repair landline service, further compromising reliability.

10. The foregoing widespread service deficiencies impact not only upon adequate and proper service, but also impact upon the health and safety of residents who are using landline telephone service for medical monitoring devices, smoke detectors, carbon monoxide detectors and alarm systems which are directly linked to physicians, hospitals, or to fire and police stations. In addition, 9-1-1 communications and responses are and will be adversely affected by deteriorating landline facilities, resulting in a compromise of public safety response capability,

for which inconsistent cell phone coverage is an inadequate substitute. As a result of deterioration of landline transmission infrastructure these residents' health and property may be at great risk without mandating that copper landlines be adequately maintained by Verizon.

11. In May, 2015, in connection with IMO the Board Investigation Regarding the Reclassification of Incumbent Local Exchange Carrier (ILEC) Services as Competitive-Phase II, Docket No. TX11090570 (at page 31) the Board specifically committed to "monitor the status of Verizon's residential basic exchange service and other services along with the quality of service provided by the company".

12. Accordingly, petitioners request the Board of Public Utilities to investigate the aforesaid service issues and issue an appropriate order to require the needed repairs and maintenance to landline infrastructure providing telephone, data, and internet service to the Petitioners' communities.

13. Verizon's refusal and failure to meet its landline maintenance obligations has caused and will cause significant damage and harm to the residents and businesses within the Petitioner communities.

Wherefore, the Petitioners request that the Board of Public Utilities undertake such inquiries and investigation as may be necessary to address Petitioners' allegations and to issue such order or orders as may be necessary to prevent existing and future damage and harm to Petitioners' communities.

to accurately record reporting of service problems such that they are in violation of the quality service standards set forth in N.J.A.C. 14:10-1A.8(f) and reporting requirements set forth in N.J.A.C. 14:10-1A.9.

7. Because of misleading and inaccurate quality of service reports and a lack of adequate response and cataloging of such complaints, petitioners request that this Board investigate quality of service issues independently, engage in fact finding, and issue such orders as may be necessary to require and enforce obligations imposed upon Verizon New Jersey to comply with both service quality standards and service quality reporting as required pursuant to the regulatory standards.

8. Verizon's failure to maintain adequate quality service and quality reporting records has prevented an accurate assessment of the damage and harm to Petitioners' communities from being measured, thereby contributing and causing a continued lack of adequate and proper service to these communities.

WHEREFORE, Petitioners request that the BPU initiate such inquiries and investigation as may be necessary to address Petitioners' allegations and to issue such order or orders as may be necessary to require that accurate service quality standards and reporting are complied with by Verizon.

impairment, and retirement of landline service constitutes impairment, loss, or retirement of service and that this Board should undertake the necessary investigation and determination as to an impairment or loss of service and to take such measures as may be required to order and direct that Verizon refrain from impairment of service and comply with service quality standards and service quality reporting requirements as mandated by existing State regulations to ensure that adequate, safe, and proper service is provided to Petitioners' communities.

5. As a result of Verizon's refusal or failure to comply with Federal law pursuant to 47 U.S.C. 214(a) the residents and businesses in Petitioners' communities have suffered and will continue to suffer damages and harm arising from Verizon's continued efforts to discontinue landline and copper infrastructure maintenance.

WHEREFORE, Petitioners request that the BPU initiate such investigation and inquires as may be necessary to address Petitioners' allegations and issue such order or orders as may be necessary to require that impairment of, discontinuance of, or retirement of safe, adequate, and proper landline service to Petitioners' communities is prevented.

V. THIS BOARD SHOULD UNDERTAKE TO RECLASSIFY VERIZON NEW JERSEY'S BASIC TELEPHONE SERVICE IN ACCORDANCE WITH N.J.A.C. 14:10-5.6(c).

1. On or about May 19, 2015, the Board of Public Utilities approved a Stipulation Agreement with Verizon New Jersey pursuant to which a reclassification was granted of Verizon's ILEC (Incumbent Local Exchange Carrier) services as competitive pursuant to N.J.S.A. 48:2-21.19(b).

2. In that proceeding, IMO of the Board of Investigation regarding the Reclassification of Incumbent Local Exchange Carrier Services as Competitive, Phase II, Docket No. TX11090570 (5/19/15) numerous parties opposed the agreement including municipalities and the League of Municipalities.

3. Due to a significant lack of meaningful competition in the Petitioners' communities there is a lack of widely available VOIP through fiber optic or cable service and there is no widely available and reliable cell phone service. Despite coverage mapping indicating that cell coverage is available throughout many, if not all of Petitioners' communities, such mapping is patently lacking in accuracy and gaps in cell phone service exist throughout Petitioners' communities (see State Broadband Map and coverage issues existing in Cumberland and Burlington Counties, <http://connectingnj.state.nj.us/map/about/>). In addition, voice over internet protocol (VOIP) is also not widely available and cable service in rural areas through which telephone communications could be provided, is not widely available, and if available is only available in the more densely populated areas of the Petitioners' communities.

4. As a result of the lack of services mentioned in the preceding paragraph, there is a "lack of like or substitute services in the relevant geographic area" N.J.A.C. 14:10-5.6. This problem is exacerbated by Verizon's refusal to meet its Opportunity New Jersey (ONJ) fiber optic build out of the entire State of New Jersey.

5. As a result of the problems encountered respecting Verizon's service, together with its service quality standards and service quality reporting, there is a lack of appropriate and

meaningful competition with respect to telephone and telephone communications, internet and data services.

6. Pursuant to N.J.A.C. 14:10-5.6(c) the Board of Public Utilities can not only monitor the competitiveness of telecommunications services and/or providers, but can also request information to conduct an analysis as to whether or not such services are becoming more or less competitive. It is respectfully requested that such an investigation, monitoring, and requests for necessary information should be undertaken by the Board.

7. Pursuant to N.J.A.C. 14:10-5.6 the Board of Public Utilities has the authority to reclassify a service that had previously been found to be competitive if, after notice and a hearing, one or more of conditions set forth therein are met. Included among those conditions are such criteria as a lack of significant presence of competitors, the lack of substitute or like services in a relevant geographic area or the failure of a carrier to provide safe, adequate, or proper service. Additional reasons include that the public interest is no longer served by regulatory flexibility that has been provided to a carrier.

8. Providing the Petitioners' communities with safe, adequate, or proper service and a reclassification of Verizon pursuant to N.J.A.C. 14:10-5.6 should be undertaken pursuant to investigation, notice, and hearing to reclassify Verizon's basic telephone service in accordance with N.J.A.C. 14:10-5.6.

WHEREFORE, Petitioners request that the BPU undertake a reclassification review of Verizon's basic telephone service and its competitive and noncompetitive business operations pursuant to N.J.A.C. 14:10-5.6(c).

4. Given the Stipulation between Verizon and the Board staff regarding Verizon's obligations under Opportunity New Jersey and Verizon's subsequent declaration to discontinue landline infrastructure maintenance, the deterioration of and eventual loss of DSL and telephone service becomes an inevitability. Moreover, numerous complaints are already being received within the Petitioners' communities that many residents have interruptions to their internet DSL service and it becomes unavailable or blocked as heretofore described.

5. Digital subscriber lines (DSL) require dependable land line copper infrastructure which, due to a lack of maintenance, will deteriorate and render DSL service unreliable or unavailable to provide safe and proper service to Verizon's customers.

6. As a result of Verizon's intention to discontinue copper land line infrastructure maintenance, Verizon is not and will not meet its ONJ obligations. It is, therefore, requested that this Board investigate or take appropriate action to ensure that ONJ commitments by Verizon to provide safe, adequate, and proper DSL and telephone service.

7. The Petitioners' communities and residents and businesses therein have been caused and will be caused future harm and damage arising from Verizon's failure to meet its Opportunity NJ obligations.

WHEREFORE, Petitioners request that the BPU investigate Petitioners' allegations and issue such order or orders as may be necessary to enforce Verizon's compliance with its Opportunity NJ obligations.

VII. AS A RESULT OF ITS FAILURE TO MAINTAIN LANDLINE INFRASTRUCTURE, VERIZON HAS VIOLATED N.J.S.A. 48:2-21.18(e) BY MISDIRECTING FUNDS FROM ITS RATE REGULATED BUSINESS IN ORDER TO SUBSIDIZE ITS COMPETITIVE SERVICES.

1. Pursuant to N.J.S.A. 48:2-16, the Board of Public Utilities has supervisory and regulatory powers over every public utility. Such regulatory power includes but is not limited to compliance with the laws of the State, any municipal ordinance, or the charter of the public utility. Verizon is subject to the aforesaid regulatory power.

2. Included among the regulatory powers to which Verizon New Jersey is subject, the Board may investigate, on its own initiative, or upon a complaint, any matter concerning a public utility including the condition of property of a public utility pursuant to N.J.S.A. 48:2-19, as well as testing the products or equipment of a utility and the service it provides to its customers, pursuant to N.J.S.A. 48:2-20.

3. Pursuant to N.J.S.A. 48:2-21.18, Verizon New Jersey is a local exchange telecommunications company regulated under an alternative form of regulation. Pursuant to such an approved plan, Verizon is required to not "unduly or unreasonably prejudice or disadvantage a customer class or providers of competitive services." Further, the regulatory framework must be in the public interest, and enhance economic development together with a program of service quality standards.

4. In addition, any local exchange telecommunications company which is subject to an alternative form of regulation pursuant to N.J.S.A. 48:2-21.18 shall not use revenues earned or expenses incurred in conjunction with noncompetitive services to subsidize competitive services.

necessary investigation and take such other action as may be appropriate to enforce legal compliance with respect to the use and misuse of such revenue. Such a review should include, as the Board may direct, "an independent audit or accounting as may be necessary to allow a proper allocation of investment, costs, or expenses, subject to the jurisdiction of the Board" pursuant to N.J.S.A. 48:2-21.18(d).

WHEREFORE, Petitioners request that the BPU investigate Petitioners' allegations respecting Verizon's alleged violation by Verizon of N.J.S.A. 48:2-21.18 regarding the use of income from its regulated business to fund its competitive services and issue such order or orders as may be necessary to prevent such a misuse from occurring in the future.

VIII. THIS BOARD SHOULD ASSIST PETITIONERS' COMMUNITIES TO OBTAIN COMPLETE FIBER OPTIC BUILD OUT.

1. Petitioners are rural communities or contain portions of rural areas which are underserved with respect to the most modern and up to date telephone, data, and internet service.

2. In the event that regulated providers of such services such as Verizon either fail to or are not required to provide adequate, modern, and up to date service to residents in Petitioners' communities, such that Verizon will enhance economic development while maintaining affordable rates, as required by law, Petitioners' communities will experience lack of economic growth and deterioration of economic opportunities, including but not limited to educational opportunities for students and families living within the Petitioners' communities.

3. As recognized by the Broadband Opportunity Council Report and Recommendations, August 20, 2015 (at 6) rural and tribal regions of the nation have inadequate coverage to meet community needs. See, National Telecommunication and Information Administration, U.S. Dept. of Commerce, Broadband Opportunity Council Report and Recommendations, August 20, 2015, and March 23, 2015, Presidential Memorandum "Expanding Broadband Development and Adoption by Addressing Regulatory Barriers and Encouraging Investment & Training."

4. In addition, adequate service today has "... steadily shifted from an optional amenity to a core utility for households, businesses, and community institutions, and ... is taking its place alongside water, sewer, and electricity as essential infrastructure for communities." See, Broadband Opportunity Council Report at page 12.

5. As a means toward insuring that all residents and communities within the State of New Jersey have equal access to communication facilities for voice, data, and internet services, petitioners are requesting that the Board of Public Utilities take such steps and engage in such investigation and efforts as may be required and necessary to insure that alternative forms of funding and development opportunities exist for Petitioners' communities to insure that adequate, affordable, and the most modern and up to date telephone, internet, and data communication facilities are available to the residents and business in such communities.

6. Petitioners, therefore, urge and request that this Board investigate alternative funding sources, measures, and opportunities that will insure that Petitioners' communities are not placed in a disadvantaged position with respect to telephone, data, and internet services as compared to other areas within the State of New Jersey.

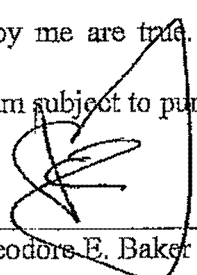
VERIFICATION

I, Theodore E. Baker, Esquire, of full age, certify and say as follows:

1. I am County Counsel to the County of Cumberland. I have read the foregoing Petition and the factual allegations contained therein are true and accurate to the best of my information, knowledge, and belief.

I certify that the foregoing statements made by me are true. I am aware that if the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 11/24/15


Theodore E. Baker