

## SUMMONS

Attorney(s) Theodore E. Baker, Esquire 020141979  
Office Address County of Cumberland  
164 W. Broad Street  
Town, State, Zip Code Bridgeton, NJ 08302  
Telephone Number (856) 453-2234  
Attorney(s) for Plaintiff \_\_\_\_\_  
County of Cumberland \_\_\_\_\_

## Superior Court of New Jersey

Mercer \_\_\_\_\_ COUNTY  
Law \_\_\_\_\_ DIVISION  
Docket No: L-679-16

Plaintiff(s) \_\_\_\_\_

Vs.  
State of New Jersey Board of Public Utilities \_\_\_\_\_

Defendant(s) - \_\_\_\_\_

From The State of New Jersey To The Defendant(s) Named Above:

**CIVIL ACTION  
DULY RETURNED**

DATE 5/5/16  
John A. Kemler, Sheriff  
BY [Signature]  
Special Deputy

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).

Michelle M. Smith  
Clerk of the Superior Court

DATED: 04/26/2016

Name of Defendant to Be Served: State of New Jersey Board of Public Utilities

Address of Defendant to Be Served: 44 S. Clinton Ave., 3rd Floor, Suite 314, Trenton, NJ 08625

MERCER COUNTY COURTHOUSE  
CIVIL CASE MANAGEMENT OFFICE  
175 SOUTH BROAD ST P O BOX 8068  
TRENTON NJ 08650-0068

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (609) 571-4490  
COURT HOURS 8:30 AM - 4:30 PM

DATE: MARCH 31, 2016  
RE: COUNTY OF CUMBERLAND ET AL V NJBOPU  
DOCKET: MER L -000679 16

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 1.

DISCOVERY IS 150 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON MARY C. JACOBSON

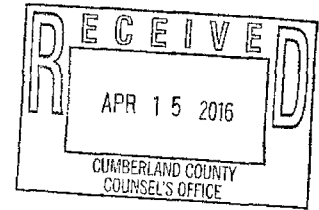
IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 030  
AT: (609) 571-4454.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.



ATTENTION:

ATT: THEODORE E. BAKER  
BAKER THEODORE E  
CUMBERLAND COUNTY COUNSEL  
164 W BROAD STREET  
BRIDGETON NJ 08302

JUNHER1



**Appendix XII-B1**

	<b>CIVIL CASE INFORMATION STATEMENT</b> <b>(CIS)</b> Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule</i> 4:5-1 <b>Pleading will be rejected for filing, under <i>Rule</i> 1:5-6(c),</b> <b>if information above the black bar is not completed</b> <b>or attorney's signature is not affixed</b>		FOR USE BY CLERK'S OFFICE ONLY PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA CHG/CK NO. AMOUNT: OVERPAYMENT: BATCH NUMBER:
	ATTORNEY / PRO SE NAME Theodore E. Baker, Esquire	TELEPHONE NUMBER (856) 453-2165	COUNTY OF VENUE Mercer
	FIRM NAME (if applicable) County of Cumberland		DOCKET NUMBER (when available) <b>L-679-16</b>
	OFFICE ADDRESS  164 W. Broad Street Bridgeton, NJ 08302		DOCUMENT TYPE Complaint
	NAME OF PARTY (e.g., John Doe, Plaintiff) Plaintiffs, County of Cumberland, et al		JURY DEMAND <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
CAPTION County of Cumberland, et al v. State of New Jersey Board of Public Utilities			
CASE TYPE NUMBER (See reverse side for listing) 802	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.	
RELATED CASES PENDING? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, LIST DOCKET NUMBERS MER-L-2898-15 and Petition before BPU, Docket No. TO15121325		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known)  <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN		
<b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.</b>			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION			
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION		
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, FOR WHAT LANGUAGE?		
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule</i> 1:38-7(b).			
ATTORNEY SIGNATURE _____			



# CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

## CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

### Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

### Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

### Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 802 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

### Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 166 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 608 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

### Multicounty Litigation (Track IV)

- |  |   |
|--|---|
| 271 ACCUTANE/ISOTRETINOIN              | 290 POMPTON LAKES ENVIRONMENTAL LITIGATION                |
| 274 RISPERDAL/SEROQUEL/ZYPREXA         | 291 PELVIC MESH/GYNECARE                                  |
| 278 ZOMETHA/AREXIA                     | 292 PELVIC MESH/HARPO                                     |
| 279 GADOLINIUM                         | 293 DEPUY ASR HIP IMPLANT LITIGATION                      |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL | 295 ALLODERM REGENERATIVE TISSUE MATRIX                   |
| 282 FOSAMAX                            | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 285 STRYKER TRIDENT HIP IMPLANTS       | 297 MIRENA CONTRACEPTIVE DEVICE                           |
| 286 LEVAQUIN                           | 299 OLMESARTAN MEDOXOMIL MEDICATIONS/BENICAR              |
| 287 YAZ/YASMIN/OCELLA                  | 300 TALC-BASED BODY POWDERS                               |
| 288 PRUDENTIAL TORT LITIGATION         | 601 ASBESTOS  |
| 289 REGLAN                             | 623 PROPECIA  |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category ☐ Putative Class Action ☐ Title 59

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

Attorney for plaintiffs

COUNTY OF CUMBERLAND, TOWNSHIP )  
OF ALLOWAY, COMMERCIAL TOWNSHIP, )  
DOWNE TOWNSHIP, CITY OF ESTELL )  
MANOR, FAIRFIELD TOWNSHIP, )  
HOPEWELL TOWNSHIP, LAWRENCE )  
TOWNSHIP, LOWERS ALLOWAYS CREEK )  
MANNINGTON TOWNSHIP, MAURICE )  
RIVER TOWNSHIP, CITY OF MILLVILLE, )  
PILEGROVE TOWNSHIP, SOUTH )  
HARRISON TOWNSHIP, UPPER )  
DEERFIELD TOWNSHIP, UPPER )  
PITTS GROVE TOWNSHIP, and )  
WEYMOUTH TOWNSHIP )

plaintiffs )

vs. )

STATE OF NEW JERSEY BOARD OF )  
PUBLIC UTILITIES )

defendant )

FILED

MAR 11 2015

SUPERIOR COURT OF NJ  
MERCER VICINAGE  
CIVIL DIVISION

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MERCER COUNTY

Docket No. L-679-16

Civil Action

COMPLAINT

The plaintiffs, County of Cumberland, Alloway Township, Commercial Township, Downe Township, City of Estell Manor, Hopewell Township, Lawrence Township, Lower Alloways Creek, Mannington Township, Maurice River Township, City of Millville, Township of Pilesgrove, South Harrison Township, Upper Deerfield Township, Upper Pittsgrove Township, Fairfield Township, and Weymouth Township by way of Complaint against the defendant, State of New Jersey Board of Public Utilities, say:

1. This suit is brought against the State of New Jersey Board of Public Utilities alleging a violation of the Open Public Records Act, N.J.S.A. 47:1A-1, et seq. (OPRA) and the New Jersey Common Law Right of Access seeking to compel the defendant to disclose documents to the plaintiffs with respect to which access has been denied.

## PARTIES

2. The plaintiffs are public entities located in the southern part of New Jersey. The County of Cumberland is asking as the lead agency on behalf of the communities identified herein with respect to the documentation sought from the defendant in this action and the County of Cumberland is also the lead agency on behalf of the municipalities and townships identified herein in connection with a Petition before the Board of Public Utilities regarding the maintenance obligations of Verizon New Jersey respecting telephone service over copper landline infrastructure owned and maintained by Verizon New Jersey.

3. The information sought by way of OPRA request is being sought, *inter alia*, in order to gather information pertinent to the Petition filed before the BPU and to gain information with regard to the availability of Verizon's fiber network and service availability within the plaintiff communities.

4. The defendant, State of New Jersey Board of Public Utilities (BPU) is a public agency within the meaning of N.J.S.A. 47:1A-1.1 that has its principal place of business at 44 S. Clinton Ave. in the City of Trenton, County of Mercer, State of New Jersey.

## **JURISDICTION AND VENUE**

5. This Court has subject matter jurisdiction with respect to this matter pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1, et seq. and the Common Law. Venue is proper before this Court pursuant to R. 4:3-2(a)(2) because all of the relevant events occurred in the County of Mercer and the defendant is a public agency and subdivision of the State of New Jersey doing business in Mercer County.

## **FACTUAL ALLEGATIONS**

1. Two OPRA requests were made by the plaintiffs to the BPU. The first was made on January 25, 2016, requesting copies of all fiber optic build out maps, requesting a copy of such build out maps with respect to the build out of fiber in every County seat as well as within the County of Cumberland and the following communities: Alloway Township, Commercial Township, Downe Township, City of Estell Manor, Hopewell Township (Cumberland County), Lawrence Township, Lower Alloways Creek, Mannington Township, Maurice River Township, City of Millville, Township of Pilesgrove, South Harrison Township, Upper Deerfield Township, Upper Pittsgrove Township, Fairfield Township, and Weymouth Township, copy attached hereto as Exhibit A.

2. The second was made on January 28, 2016, attached hereto as Exhibit B, with respect to a request for service activation reports filed by Verizon New Jersey with the BPU.

3. In addition, to clarify any issue with respect to such requests being made under both OPRA, N.J.S.A. 47A:1-1, et seq. and the Common Law, the plaintiffs supplemented their OPRA

requests to clarify any misunderstanding that the Common Law was also being relied upon as a basis to disclose information to the plaintiffs (see Exhibit C).

4. The response to the January 28<sup>th</sup> OPRA request for service activation reports is attached hereto as Exhibit D. The documents received were partially responsive but contained substantial redactions.

5. The OPRA request with respect to build out maps was denied in its entirety on the basis that the release of such documents would present security concerns (see Exhibit E). The BPU stated "The documents you have requested are exempt from public disclosure pursuant to the security exemption, as well as the exception for information that would provide an advantage to competitors contained at N.J.S.A. 47:1A-1.1."

6. The response to the supplemental request pursuant to the Common Law has not, as of this date, been responded to by the BPU.

7. As to the OPRA request dated January 25<sup>th</sup>, regarding Service Activation Reports, the defendant responded by providing documents that redacted categories of information as follows: the Video Serving Office, the total addresses validated for FIOS TV service as of September 30, 2015, the number of MDU/MTU addresses validate for FIOS TV service, and the number of SFU/SBU addresses validated for FIOS TV service. The information pertaining to 70 communities as to which a required fiber optic build out was required pursuant to N.J.S.A. 48:5A-25.2 was complete with the exception of the information relating to the Video Servicing Office. None of the plaintiff communities is required to be built out pursuant to N.J.S.A. 48:5A-25.2.



8. The information as to Service Activation Reports was, therefore, redacted as to the number of addresses receiving service in the communities for which this information was sought, among other things (see Exhibit D).

9. The plaintiffs clarified on March 14<sup>th</sup> (Exhibit C) that the request was also being made pursuant to the Common Law but to date no response to that supplemental request has been received.

10. The plaintiffs are public entities in the southern part of New Jersey and, therefore, have a public interest in determining the extent of service activations in these communities and the availability of cable TV, telephone, and internet service in these communities. Therefore the plaintiffs have a legitimate interest pursuant to the Common Law in receiving this information.

11. The plaintiffs also have an interest in determining whether or not the build out of cable TV service within the plaintiff communities has been achieved in compliance with the Cable Television Act, N.J.S.A. 48:5A-1, et seq., as well as the provisions of N.J.S.A. 48:5A-25.2.

12. The plaintiffs are municipal or public entities which have the right pursuant to N.J.S.A. 48:5A-25.2(4)(b) to initiate a proceeding with the Board in order to enforce the provisions of N.J.S.A. 48:5A-25.2(3) in order to insure that such service is being offered "...without discrimination against any group of potential residential cable subscribers because of the income levels of the residents of the local area in which such groups reside;". In addition, the plaintiffs are defined as "affected persons: because of their status a municipalities pursuant to N.J.S.A. 48:5A-25.2. As such, the plaintiffs have a strong public interest in assuring

compliance with respect to compliance by Verizon New Jersey with its obligations to achieve build out in the Cable Television Act, and pursuant to the Board's System-wide Cable Television Franchise Renewal, Docket No. CE13080756 decided on February 7, 2014 (see Exhibit F attached hereto). The plaintiffs' interest in seeking both build out maps and Service Activation Reports is to insure compliance with the requirements of the system-wide cable television franchise renewal and the Cable Television Act, and also to obtain additional information as to fiber build out with respect to which telecommunication service is available in the plaintiff communities.

13. Currently, there is a lack of adequate telecommunications service to the plaintiff communities as alleged in a Petition filed before the Board of Public Utilities entitled "Petition on Behalf of Rural New Jersey Communities to Compel Verizon New Jersey to Maintain Landline Telecommunication Systems" (attached as Exhibit G). Therefore, the relevance and interest in build out maps and service availability also relates to whether and to what extent fiber optic build out in the petitioner communities or near petitioner communities should be evaluated by the plaintiff communities in order to improve or replace aging and allegedly deficient plain old telephone service (POTS) within the plaintiff communities and the proximity of fiber optic service through which telephone service may be provided otherwise within or near to the plaintiff communities.

14. On information and belief, the redacted portions of the Service Activation Reports contain information which shows the current extent of FIOS service that may be available and

also whether or not such service is being provided on a nondiscriminatory basis pursuant to N.J.S.A. 48:5A-25.2(3).

15. The plaintiffs' interest in obtaining copies of the build out maps and the complete versions of the Service Activation Reports is not outweighed by the defendant's interest in secrecy or confidentiality with respect to such documentation.

16. The plaintiff communities have a direct interest in knowing when and where fiber optic build out was completed, where it exists, in part, within the plaintiff communities, and where fiber build out and service may be available even alongside existing copper landline telephone infrastructure.

17. Plaintiffs, therefore, have a clear and direct interest in seeking information from the defendant with respect to fiber optic build out and fiber optic availability in and around the plaintiff communities in order to better meet the needs and concerns of the plaintiffs' residents with respect to available telecommunication and internet service over traditional copper landlines as opposed to fiber optic availability.

18. While there does exist a National Broadband Map (see <http://www.broadbandmap.gov>) the plaintiffs are seeking the actual build out maps filed with the defendant, BPU, because such build out maps published elsewhere designate coverage to an entire defined census tract, irrespective of whether or not fiber or other cable TV coverage to such census tracts is built out in whole or part. Therefore, the plaintiffs' desire to have actual build out information to gain a better understanding as to the availability of fiber within and touching the Petitioner communities.

19. The refusal of the defendant to provide build out maps from Verizon New Jersey indicating actual build out within the plaintiff communities constitutes a violation of OPRA, N.J.S.A. 47:1A-1, et seq. and the Common Law.

20. The defendant's denial of unredacted copies of service activations is in violation of OPRA, N.J.S.A. 47:1A-1, et seq. and the Common Law.

### **COUNT ONE VIOLATION OF OPRA**

21. The same allegations as were made in paragraphs 1, 1-5 regarding Parties and Jurisdiction, and paragraphs 1 through 20 regarding Factual Allegations are repeated and incorporated herein by reference in the same manner as where originally stated as if fully set forth at length.

22. The defendant's refusal to provide build out maps with respect showing all service areas within the plaintiff communities constitutes a violation of the Open Public Records Act, N.J.S.A. 47:1A-1, et seq. as well as the Common Law.

### **COUNT TWO VIOLATION OF COMMON LAW RIGHT OF ACCESS**

23. The same allegations as were made in paragraphs 1, 1-5 regarding Parties and Jurisdiction, and paragraphs 1 through 22 regarding Factual Allegations are repeated and

incorporated herein by reference in the same manner as where originally stated as if fully set forth at length.

24. The plaintiffs have a Common Law right of access to copies of the documents sought pursuant to its requests dated January 25, 2016, and January 28, 2016, as supplemented on March 14, 2016 (Exhibits A, B, and C). The plaintiffs, as local governmental units, have a direct interest in ascertaining the extent of fiber optic service within their communities in order to protect the rights and interest of residents of the plaintiff communities with respect to the system-wide build out requirements imposed on Verizon and to ascertain the locations and availability of fiber optic service in any part of the plaintiff communities.

25. The interest of the plaintiffs in acquiring and having access to the information sought in their OPRA requests outweighs the defendant's interest in maintaining confidentiality or secrecy with respect to the documentation that has been sought.


WHEREFORE, plaintiffs demand judgment against the defendant as follows:

1. For an order requiring defendant to fully comply with the plaintiffs' OPRA requests dated January 25, 2016, and January 28, 2016, as supplemented on March 14, 2016.
2. Ordering and directing that the defendant provide fully unredacted versions of Service Activation Reports for the first quarter of 2016.
3. For an order directing the defendant to provide accurate build out maps with respect to the availability of fiber optic service within the plaintiff communities.
4. For an order awarding and directing that the defendant pay counsel fees on behalf of the plaintiffs.

5. For such other relief as the Court may deem proper and just.

Dated: 3/29/16

COUNTY OF CUMBERLAND

  
\_\_\_\_\_  
Theodore E. Baker  
Attorneys for plaintiffs

**CERTIFICATION PURSUANT TO RULE 4:5-1**

I, Theodore E. Baker, Esquire, hereby certifies:

1. The matter in controversy is not the subject of any other action pending in any other Court or Arbitration proceeding and no such action or proceeding is contemplated except as otherwise stated herein. There is another action pending seeking documents from the defendant entitled Communication Workers of America, AFL-CIO v. State of New Jersey Board of Public Utilities, Docket No. MER-L-2898-15 pending before this Court. In addition, there is a pending Petition before the Board of Public Utilities filed by the plaintiff communities which touches upon or impacts the information sought pursuant to the OPRA request which is the subject matter of the litigation herein entitled "Petition on Behalf of Rural New Jersey Communities to Compel Verizon New Jersey to Maintain Landline Telecommunications Systems", Docket No. TO15121325.

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

Dated: 3/29/16

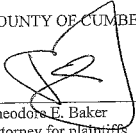
  
\_\_\_\_\_  
Theodore E. Baker

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, Theodore E. Baker, Esquire is hereby designated as trial counsel on behalf of the plaintiffs in the above captioned litigation.

COUNTY OF CUMBERLAND

Dated: 3/29/16

  
\_\_\_\_\_  
Theodore E. Baker  
Attorney for plaintiffs

# **EXHIBIT A**





State of New Jersey  
New Jersey Board of Public Utilities  
**GOVERNMENT RECORDS REQUEST FORM**  
www.nj.gov/bpu

**Important Notice**

The reverse side of this form contains important information related to your rights concerning government records. Please read it carefully.

In addition please note that you may complete and submit requests electronically on the Internet at [www.nj.gov/opra/](http://www.nj.gov/opra/)

**Requestor Information - Please Print**

First Name Theodore MI E Last Name Baker  
Company Cumberland County  
Mailing Address 164 W. Broad Street  
City Bridgeton State NJ Zip 08302 Email theodoreba@co.cumberland.nj.us  
Business Hours Telephone: Area Code 856 Number 453-2234 Extension \_\_\_\_\_  
Preferred Delivery: Pick Up \_\_\_\_\_ US Mail X On Site Inspect \_\_\_\_\_

Check One: Under penalty of N.J.S.A. 2C:28-3, I certify that ☐ I HAVE ☒ I HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state or the United States.

Signature [Signature] Date 1/25/16

**Payment Information**

Maximum Authorization Cost \$ \_\_\_\_\_

**Select Payment Method**

Cash \_\_\_\_\_ Check \_\_\_\_\_ Money Order \_\_\_\_\_

Fees: Letter size - 10¢ /page

Legal size - 15¢ /page

Delivery: Delivery / postage fees additional depending upon delivery type.

Extras: Extraordinary service fees dependent upon request.

**Record Request Information:** To expedite the request, be as specific as possible in describing the records being requested. Also, please include the type of access requested (copying or inspection); and if data, the medium requested.

Docket Number: T015121325

Agenda Date & Item: \_\_\_\_\_

Copies of all fiber optic buildout maps filed with the BPU by Verizon New Jersey at any time until the present in every county seat with respect to which a build out was required and in the following communities: Alloway Township, Commercial Township, Downe Township, City of Estell Manor, Hopewell Township, Lawrence Township, Lower Alloways Creek, Mannington Township, Maurice River Twp., City of Millville, Pilesgrove, South Harrison Twp., Upper Deerfield Twp., Upper Pittsgrove Twp., Weymouth Twp. and every other community in Cumberland County, New Jersey.

**STATE USE ONLY**

Est. Document Cost \_\_\_\_\_  
Est. Delivery Cost \_\_\_\_\_  
Est. Extras Cost \_\_\_\_\_  
Total Est. Cost \_\_\_\_\_  
Deposit Amount \_\_\_\_\_  
Estimated Balance \_\_\_\_\_

Deposit Date \_\_\_\_\_

**STATE USE ONLY**

Custodian: If any part of request cannot be delivered in 7 business days, detail reasons here.

In Progress \_\_\_\_\_ Open \_\_\_\_\_  
Denied \_\_\_\_\_ Closed \_\_\_\_\_  
Filled \_\_\_\_\_ Closed \_\_\_\_\_  
Partial \_\_\_\_\_ Closed \_\_\_\_\_

**STATE USE ONLY**

**Tracking Information**

Tracking # _____	Total _____
Rec'd Date _____	Deposit _____
Ready Date _____	Balance Due _____
Total Pages _____	Balance Paid _____

Records Provided \_\_\_\_\_

Custodian Signature \_\_\_\_\_

Date \_\_\_\_\_

**Requesting Access to Government Records Under the  
New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.)**

1. In order to request access to government records under OPRA, you must complete all the required portions of and date this request form and deliver it in person during regular business hours or by mail to the appropriate custodian of the record requested. This form is also available for electronic filing at [www.nj.gov/opra/](http://www.nj.gov/opra/). Your request is not considered filed until the appropriate custodian of the record requested has received the request form. If you submit the request form to any other officer or employee of the Board of Public Utilities, that officer or employee does not have the authority to accept your request form on behalf of the Board of Public Utilities and you will be directed to the appropriate custodian.
2. If you submit a request for access to government records to someone other than the appropriate custodian, do not complete the Board of Public Utilities request form, or attempt to make a request for access by telephone or fax, the Open Public Records Act and its deadlines, restrictions and remedies will not apply to your request.
3. The fees for duplication of a government record in printed form are listed on the front of this document. We will notify you of any special charges, special service charges or other additional charges authorized by State law or regulation before processing your request. *Payment shall be made by cash, check or money order payable to the State of New Jersey.*
4. A 50% deposit may be required for requests with estimated fees exceeding \$25. Anonymous requests, when permitted, require a deposit of 100% of estimated fees. You agree to pay the balance due upon delivery of the records.
5. By State law, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family.
6. Under OPRA, the Board of Public Utilities must notify you that it grants or denies a request for access to government records within 7 business days after the custodian of the record requested receives the request, provided that the record is currently available and not in storage. If the record requested is not currently available or is in storage, the custodian will advise you within 7 business days when the record can be made available and the estimated cost. You may agree with the custodian to extend the time for making records available, or granting or denying your request.
7. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
8. If the Board of Public Utilities is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form and send you a signed and dated copy.
9. Except as otherwise provided by law or by agreement with the requester, if the custodian of the record requested fails to respond to you within 7 business days of receiving a request form, the failure to respond will be considered a denial of your request.
10. If your request for access to a government record has been denied or unfilled within the time permitted by law, you have a right to challenge the decision by the Board of Public Utilities to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint in writing with the Government Records Council (GRC). You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at [grc@dca.state.nj.us](mailto:grc@dca.state.nj.us), or at its web site at [www.state.nj.us/grc](http://www.state.nj.us/grc). The Council is also available to answer other questions about the law.
11. Information provided on this form may be subject to disclosure under the Open Public Records Act.
12. The Board of Public Utilities Records Custodian may be contacted at:

Records Custodian  
Board of Public Utilities  
P.O. Box 350  
Trenton, NJ 08625-0350  
609-292-1599  
[records.custodian@bpu.state.nj.us](mailto:records.custodian@bpu.state.nj.us)

# **EXHIBIT B**



State of New Jersey  
New Jersey Board of Public Utilities  
GOVERNMENT RECORDS REQUEST FORM  
www.nj.gov/bpu

Important Notice

The reverse side of this form contains important information related to your rights concerning government records. Please read it carefully.  
In addition please note that you may complete and submit requests electronically on the Internet at [www.nj.gov/opra/](http://www.nj.gov/opra/)

Requestor Information - Please Print

Payment Information

First Name Theodore MI E Last Name Baker  
Company County of Cumberland  
Mailing Address 1144 W. Broad St.  
City Bridgeton State NJ Zip 08302 Email theodore.ba.e.ca@cumberland.nj.us  
Business Hours Telephone: Area Code 856 Number 453-2234 Extension \_\_\_\_\_  
Preferred Delivery: Pick Up \_\_\_\_\_ US Mail ☒ On Site Inspect \_\_\_\_\_  
Check One: Under penalty of N.J.S.A. 2C:28-3, I certify that ☐ I HAVE ☒ I HAVE NOT been convicted of any  
Indictable offense under the laws of New Jersey, any other state or the United States.  
Signature \_\_\_\_\_ Date 1/28/16

Maximum Authorization Cost \$ \_\_\_\_\_

Select Payment Method

Cash \_\_\_\_\_ Check \_\_\_\_\_ Money Order \_\_\_\_\_

Fees: Letter size - 10¢ /page  
Legal size - 15¢ /page

Delivery: Delivery / postage fees  
additional depending upon  
delivery type.

Extras: Extraordinary service fees  
dependent upon request.

Record Request Information: To expedite the request, be as specific as possible in describing the records being requested. Also, please include the type of access requested (copying or inspection); and if data, the medium requested.

Docket Number: T015121325

Agenda Date & Item:

Service Activation Reports filed by Verizon New Jersey with the BPU regarding fiber optic service in the following communities: Alloway Township, Commercial Twp., Downe Twp., City of Estell Manor, Hopewell Twp., Lawrence Twp., Lower Alloways Creek, Manington Twp., Maurice River Twp., City of Millville, Pilesgrove, South Harrison Twp., Upper Deerfield Twp., Upper Pittsgrove Twp., Weymouth Twp. and any other community in Cumberland County, New Jersey. Names, addresses, and personal identifiers may be redacted.

STATE USE ONLY

Est. Document Cost \_\_\_\_\_  
Est. Delivery Cost \_\_\_\_\_  
Est. Extras Cost \_\_\_\_\_  
Total Est. Cost \_\_\_\_\_  
Deposit Amount \_\_\_\_\_  
Estimated Balance \_\_\_\_\_  
  
Deposit Date \_\_\_\_\_

STATE USE ONLY

Custodian: If any part of request cannot be delivered in 7 business days, detail reasons here.

In Progress - Open \_\_\_\_\_  
Denied - Closed \_\_\_\_\_  
Filed - Closed \_\_\_\_\_  
Partial - Closed \_\_\_\_\_

STATE USE ONLY

Tracking Information

Final Cost

Tracking # \_\_\_\_\_ Total \_\_\_\_\_  
Rec'd Date \_\_\_\_\_ Deposit \_\_\_\_\_  
Ready Date \_\_\_\_\_ Balance Due \_\_\_\_\_  
Total Pages \_\_\_\_\_ Balance Paid \_\_\_\_\_

Records Provided

Custodian Signature

Date

**Requesting Access to Government Records Under the  
New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.)**

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2. If you submit a request for access to government records to someone other than the appropriate custodian, do not complete the Board of Public Utilities request form, or attempt to make a request for access by telephone or fax, the Open Public Records Act and its deadlines, restrictions and remedies will not apply to your request.
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6. Under OPRA, the Board of Public Utilities must notify you that it grants or denies a request for access to government records within 7 business days after the custodian of the record requested receives the request, provided that the record is currently available and not in storage. If the record requested is not currently available or is in storage, the custodian will advise you within 7 business days when the record can be made available and the estimated cost. You may agree with the custodian to extend the time for making records available, or granting or denying your request.
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Records Custodian  
Board of Public Utilities  
P.O. Box 350  
Trenton, NJ 08625-0350  
609-292-1599  
[records.custodian@bpu.state.nj.us](mailto:records.custodian@bpu.state.nj.us)

# **EXHIBIT C**

**COUNTY OF CUMBERLAND**

164 W. Broad Street  
Bridgeton, NJ 08302

Theodore E. Baker  
County Counsel

Telephone  
856-453-2165  
Fax: 856-453-2168

March 14, 2016

Irene Kim Asbury, Records Custodian  
Board of Public Utilities  
P.O. Box 350  
Trenton, NJ 08625-0350

Re: OPRA Request

Dear Ms. Asbury:

I have your response to our OPRA request, a copy of which is attached. So that there is no misunderstanding, this request is being made on behalf of the County of Cumberland and all of the related municipal entities in the docket number before the BPU who are requesting the information being sought.

In addition, the request was made under the Open Public Records Act, N.J.S.A. 47A:1-1, et seq. as well as the common law. To the extent that there is any belief that a common law basis was not being relied upon in connection with our records request, I am writing to make sure that the understanding is clear.

Therefore, if this clarification of the request would change your response please provide the requested records. We respectfully submit that these public entities have a very real and substantial interest in seeking this information, not only for purposes of presenting its claims before the BPU but also to know and understand from a public safety and economic development standpoint where fiber is available in these communities. Therefore, we are absolutely relying upon the common law as well as OPRA and we request that you respond as to whether or not the records will be provided under the common law.

March 14, 2016

Page 2

Thanking you, I am

Very truly yours,

Theodore E. Baker

TEB/mep

enclosure





Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

State of New Jersey  
BOARD OF PUBLIC UTILITIES  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

Irene Kim Asbury  
Secretary to the Board  
Tel. # (609) 292-1599

February 24, 2016

VIA EMAIL ONLY - theodoreba@co.cumberland.nj.us

Theodore E. Baker  
County of Cumberland  
164 W Broad Street  
Bridgeton, NJ 08302

Dear Mr. Baker:

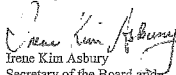
I am in receipt of your request for Verizon's fiber optic build-out maps for: 1) Every county seat; 2) Alloway Township; 3) Commercial Township; 4) Downe Township; 5) City of Estell Manor; 6) Hopewell Township; 7) Lawrence Township; 8) Lower Alloways Creek; 9) Mannington Township; 10) Maurice River Township; 11) City of Millville; 12) Pilesgrove; 13) South Harrington Township; and 14) Every other community in Cumberland County. File number C105355 has been assigned to your request.

The documents you have requested are exempt from public disclosure pursuant to the security exception, as well as the exception for information that would provide an advantage to competitors contained at N.J.S.A. 47:1A-1.1. These documents contain information pertaining to the location of utility facilities, as well as information indicating where Verizon offers competitive service.

In addition to the reasons set forth in the denial above, the Board does not waive or limit any other rights afforded to it under OPRA and reserves the right to supplement the reasons with any additional basis for exception to public access as may hereinafter also be determined to apply.

Please feel free to contact me if you have any questions.

Sincerely,

  
Irene Kim Asbury  
Secretary of the Board and  
Records Custodian

/ac

**Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report**

**Supplemental Information**

			Addresses for which Verizon could not obtain approval from Private Property Owners to upgrade the network for FIOS TV. (Note 1)
	<u>Municipality</u>	<u>County</u>	
			<b>3Q2015</b>
1	Asbury Park	Mon	1,721
2	Audubon Park	Cam	-
3	Bayonne	Hud	3,488
4	Belleville	Ess	1,864
5	Bergenfield	Ber	182
6	Bloomfield	Ess	2,995
7	Bogota	Ber	130
8	Bradley Beach	Mon	360
9	Bridgeton	Cum	593
10	Camden	Cam	4,168
11	Cliffside Park	Ber	1,399
12	Collingswood	Cam	727
13	Dumont	Ber	351
14	East Newark	Hud	-
15	East Orange	Ess	13,046
16	Edgewater	Ber	1,366
17	Elizabeth	Uni	7,994
18	Elmwood Park	Ber	192
19	Fairview	Ber	557
20	Fort Lee	Ber	7,215
21	Freehold Boro	Mon	65
22	Garfield	Ber	357
23	Guttenberg	Hud	841
24	Hackensack	Ber	1,979
25	Haledon	Pas	151
26	Hamilton Twp	Atl	3,759
27	Harrison	Hud	-
28	Hasbrouck Heights	Ber	307
29	Highland Park	Mid	1,328
30	Hillside	Uni	237
31	Hoboken	Hud	6,262
32	Irvington	Ess	6,277
33	Jamesburg	Mid	280
34	Jersey City	Hud	24,737
35	Keansburg	Mon	471

**Notes:**

1) Includes waiver notices and mandatory access petitions. Does not include addresses in the mandatory access process, but not yet filed.

**Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report**

**Supplemental Information**

	<u>Municipality</u>	<u>County</u>	<u>Addresses for which Verizon could not obtain approval from Private Property Owners to upgrade the network for FIOS TV. (Note 1)</u>
			<b>3Q2015</b>
36	Lake Como	Mon	169
37	Lodi	Ber	1,082
38	Maywood	Ber	319
39	Middle Twp	Cap	1,934
40	Morristown	Mor	1,536
41	Mount Holly	Bur	495
42	New Brunswick	Mid	4,975
43	Newark	Ess	21,266
44	North Bergen	Hud	3,700
45	North Plainfield	Som	1,158
46	Nutley	Ess	1,286
47	Orange	Ess	4,763
48	Palisades Park	Ber	1,356
49	Passaic	Pas	2,749
50	Paterson	Pas	6,356
51	Perth Amboy	Mid	2,916
52	Plainfield	Uni	2,018
53	Princeton Boro	Mer	460
54	Prospect Park	Pas	26
55	Ridgefield Park	Ber	333
56	Roselle	Uni	1,141
57	Roselle Park	Uni	632
58	Salem	Sal	366
59	Shrewsbury Twp	Mon	487
60	Somerville	Som	784
61	Toms River	Oce	1,854
62	Trenton	Mer	2,670
63	Union City	Hud	5,303
64	Victory Gardens	Mor	210
65	Wallington	Ber	180
66	Weehawken	Hud	1,319
67	West New York	Hud	5,889
68	Winfield	Uni	-
69	Woodbury	Glo	424
70	Woodlynne	Cam	16

**Notes:**

1) Includes waiver notices and mandatory access petitions. Does not include addresses in the mandatory access process, but not yet filed.

Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON N.A.]

Municipalities Served	County	Is this a sanitized, municipality, under N.J.S.A. 9A:26-6.1?	Abscinded, Via Peace, Initiative	Advance Notice left Business, & # of days	Initial FIOS TV Service Availability	Estimated Full Fios TV Service Availability (Note 1)	Actual Full Fios TV Service Availability (Note 1)	Total Addresses Validated for Fios TV as of 9/9/15	Number of ADDITIONAL Addresses Validated for Fios TV (Note 3)	Number of SPURIOUS Addresses Validated for Fios TV
Alderden	Monmouth	No	9/12/2007	8/26/2007	Jun-2007	n/a	-	-	-	-
Allendale	Bergen	No	12/15/2006	n/a	Dec-2005	n/a	-	-	-	-
Allentrust	Monmouth	No	3/1/2007	n/a	Jan-2007	n/a	-	-	-	-
Alenbourn	Monmouth	No	n/a	1/29/2008	Feb-2008	n/a	-	-	-	-
Alway	Salem	No	6/9/2009	6/9/2009	Aug-2009	n/a	-	-	-	-
Alpha	Bergen	No	12/15/2006	Dec-2006	Dec-2006	n/a	-	-	-	-
Asbury Park	Monmouth	YES	3/1/2007	n/a	Jan-2007	Jan-2013	Jan-2013	8,508	3,125	5,383
Atlantic Highlands	Monmouth	YES	10/22/2008	n/a	Nov-2008	n/a	-	-	-	-
Audubon	Camden	No	12/15/2006	Dec-2006	Dec-2006	n/a	-	-	-	-
Audubon Park	Camden	YES	12/15/2006	Dec-2006	Dec-2006	Dec-2012	Jun-2012	513	-	513
Avon-by-the-Sea	Monmouth	No	3/1/2007	Mar-2007	Mar-2007	n/a	-	-	-	-
Barrington	Camden	No	12/15/2006	Dec-2006	May-2008	May-2014	May-2014	30,442	4,494	25,948
Bayonne	Hudson	YES	n/a	5/27/2008	May-2008	n/a	-	-	-	-
Bedminster	Somerset	NO	12/15/2006	Dec-2006	Dec-2006	n/a	-	-	-	-
Bedminster	Somerset	YES	12/15/2006	Dec-2006	Dec-2007	Dec-2013	Dec-2013	17,012	2,687	14,445
Belleville	Essex	YES	1/8/2008	12/19/2007	Dec-2007	Dec-2013	Dec-2013	10,744	1,828	8,915
Bedminster	Essex	YES	1/8/2008	8/26/2009	Oct-2009	n/a	-	-	-	-
Bedminster	Gloucester	No	3/1/2007	Jan-2007	Jan-2007	n/a	-	-	-	-
Bedminster	Monmouth	YES	12/15/2006	Dec-2006	Dec-2006	Dec-2012	Dec-2012	10,744	1,828	8,915
Berkely Heights	Bergen	YES	1/8/2008	9/27/2007	Sep-2007	n/a	-	-	-	-
Berkley Heights	Union	No	1/8/2008	9/27/2007	Jul-2008	n/a	-	-	-	-
Berlin Boro	Union	No	1/8/2008	9/27/2007	Jul-2008	n/a	-	-	-	-
Berlin Twp	Camden	No	6/9/2007	May-2007	May-2007	n/a	-	-	-	-
Bernards	Camden	No	6/9/2007	May-2007	May-2007	n/a	-	-	-	-
Bernards	Somerset	No	12/15/2006	Dec-2006	Dec-2006	n/a	-	-	-	-
Bernards	Somerset	No	12/15/2006	Dec-2006	Dec-2006	n/a	-	-	-	-
Bernards	Somerset	No	12/15/2006	Dec-2006	Dec-2006	n/a	-	-	-	-
Bernards	Somerset	No	12/15/2006	Dec-2006	Dec-2006	n/a	-	-	-	-
Bernardsville	Somerset	No	12/15/2006	Nov-2010	Nov-2010	n/a	-	-	-	-
Bloomfield	Essex	YES	3/1/2007	May-2008	May-2008	Jan-2013	Jan-2013	19,938	3,062	16,876
Bloomfield	Essex	YES	3/1/2007	Jan-2007	Jan-2007	Jan-2013	Jan-2013	23	-	23
Bloomfield	Essex	YES	3/1/2007	Jan-2007	Jan-2007	Jan-2013	Jan-2013	4,982	263	4,719
Bloomfield	Pasaden	No	5/14/2013	5/14/2013	Jun-2013	n/a	Jan-2013	3,235	508	2,726
Bogota	Bergen	YES	3/1/2007	Jan-2007	Jan-2007	Jan-2013	Jan-2013	19,938	3,062	16,876

Notes:

1. As required by N.J.S.A. 48:5A-25.2, includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
3. Smaller MDUs/MTUs "loop fed" may not be treated as MDUs/MTUs.

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Notes:

1. As required by N.J.S.A. 48:5A-25.2, includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
3. Smaller MDUs/MTUs "loop fed" may not be treated as MDUs/MTUs.

Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Servicing Office (VSO)	Municipalities Served	County	Is this a required municipality under N.J.S.A. 48:5A-26.4?	Announced Via Press Release	Advance Notice (eff. beginning 6-23-07)	Initial FIOS TV Service Availability	Estimated Full FIOS TV Service Availability (Note 1)	Actual Full FIOS TV Service Availability (Note 1)	Total Addresses Validated for FIOS TV (as of 9/30/16)	Number of MDU/MTU Addresses Validated for FIOS TV (Note 3)	Number of SFU/SBU Addresses Validated for FIOS TV
	Clark	Union	No	3/1/2007		Jan-2007	n/a				
	Clark	Union	No	3/1/2007		Jan-2007	n/a				
	Clayton	Gloucester	No		10/22/2007	Dec-2007	n/a				
	Clayton	Gloucester	No		10/22/2007	Oct-2008	n/a				
	Cliffside Park	Bergen	YES	1/8/2008	Sep-2007	Sep-2013	Sep-2013	Sep-2013	10,064	2,239	7,845
	Cliffside Park	Bergen	YES	1/8/2008	9/11/2007	Nov-2008	Sep-2013	Sep-2013	2,655	1,732	923
	Clifton	Passaic	No	12/15/2006		Jul-2007	n/a				
	Clifton	Passaic	No	12/15/2006		Aug-2008	n/a				
	Clifton	Passaic	No	12/15/2006		Jan-2007	n/a				
	Clifton	Passaic	No	12/15/2006		Jan-2007	n/a				
	Clifton	Passaic	No	12/15/2006		Dec-2006	n/a				
	Closter	Bergen	No	12/15/2006		Dec-2006	n/a				
	Closter	Bergen	No	12/15/2006		Jan-2009	n/a				
	Collingswood	Camden	YES		6/24/2008	Jun-2008	Jun-2014	Jun-2014	7,339	1,843	5,596
	Colts Neck	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Colts Neck	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Colts Neck	Monmouth	No	12/15/2006		Jan-2008	n/a				
	Colts Neck	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Cranbury	Middlesex	No	1/8/2008	9/11/2007	Dec-2007	n/a				
	Cranbury	Middlesex	No	1/8/2008	9/11/2007	Oct-2007	n/a				
	Cranford	Union	No	12/15/2006		Dec-2006	n/a				
	Deal	Monmouth	No	3/1/2007		Jan-2007	n/a				
	Deerfield	Cumberland	No		10/22/2008	Jul-2009	n/a				
	Demarest	Bergen	No	12/15/2006		Dec-2006	n/a				
	Denville	Morris	No	12/15/2006		Jan-2007	n/a				
	Denville	Morris	No	12/15/2006		Dec-2006	n/a				
	Deptford	Gloucester	No	1/8/2008	12/19/2007	Dec-2007	n/a				
	Dover	Morris	No	3/1/2007		Jan-2007	n/a				
	Dumont	Bergen	YES	12/15/2006		Dec-2006	Dec-2012	Dec-2012	7,197	908	6,289
	East Amwell	Hunterdon	No		9/11/2007	Nov-2009	n/a				
	East Brunswick	Middlesex	No	3/1/2007		Jan-2007	n/a				
	East Brunswick	Middlesex	No	3/1/2007		Sep-2008	n/a				
	East Brunswick	Middlesex	No	3/1/2007		Aug-2008	n/a				
	East Hanover	Morris	No	12/15/2006		Oct-2007	n/a				

Notes:

1. As required by N.J.S.A. 48:5A-25.2, includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
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Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a required municipality under N.J.S.A. 48:5A-25.2?	Announced Via Press Release	Advance Notice (off beginning 6-22-07)	Initial FIOS TV Service Availability	Estimated Full FIOS TV Service Availability (Note 1)	Actual Full FIOS TV Service Availability (Note 1)	Total Addresses Validated for FIOS TV (as of 9/30/15)	Number of MDUs/MTUs Validated for FIOS TV (Note 3)	Number of SFUS/SLU Addresses Validated for FIOS TV
	East Hanover	Morris	No	12/15/2006		Dec-2006	n/a				
	East Newark	Hudson	YES		8/26/2009	Aug-2009	Aug-2015	Aug-2015	1,326	63	1,263
	East Orange	Essex	YES		5/27/2008	Oct-2008	Oct-2015		18	-	18
	East Orange	Essex	YES		5/27/2006	Feb-2010	Oct-2015		17,328	1,411	15,917
	East Rutherford	Bergen	No	12/15/2006		Dec-2006	n/a				
	East Rutherford	Bergen	No	12/15/2006		Sep-2007	n/a				
	East Windsor	Mercer	No	3/28/2007		Mar-2007	n/a				
	Eastampton	Burlington	No		3/12/2008	Sep-2008	n/a				
	Eatontown	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Edgewater	Bergen	YES	1/8/2008	9/11/2007	Oct-2007	Oct-2013	Oct-2013	8,181	3,514	2,567
	Edgewater	Bergen	YES	1/8/2008	8/11/2007	Sep-2008	Oct-2013	Oct-2013	1,659	437	1,422
	Edison	Union	No		5/27/2008	Aug-2009	n/a				
	Egg Harbor City	Atlantic	No		1/21/2013	May-2013	n/a				
	Elizabeth	Union	YES		7/15/2009	Oct-2009	Oct-2015		47,649	7,798	39,851
	Elk	Gloucester	No		10/22/2007	Dec-2007	n/a				
	Elmwood Park	Bergen	YES	3/1/2007		Jan-2007	Jan-2013	Jan-2013	8,716	1,556	7,160
	Elsinboro	Salem	No		7/22/2008	Jul-2008	n/a				
	Emerson	Bergen	No	12/15/2006		Dec-2006	n/a				
	Englewood	Bergen	No		12/18/2007	Oct-2008	n/a				
	Englewood	Bergen	No		12/18/2007	Dec-2012	n/a				
	Englewood Cliffs	Bergen	No		12/18/2007	Jun-2008	n/a				
	Englishtown	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Essex Falls	Essex	No	1/8/2008	9/11/2007	Jan-2008	n/a				
	Evesham	Burlington	No	6/5/2007		May-2007	n/a				
	Evesham	Burlington	No	6/5/2007	6/26/2007	Jun-2007	n/a				
	Evesham	Burlington	No	9/12/2007		Jun-2007	n/a				
	Ewing	Mercer	No	3/28/2007		Mar-2007	n/a				
	Ewing	Mercer	No	3/28/2007	6/26/2007	Jun-2007	n/a				
	Fair Haven	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Fair Lawn	Bergen	No	3/1/2007		Jan-2007	n/a				
	Fair Lawn	Bergen	No	3/1/2007		Mar-2009	n/a				
	Fairfield Twp	Essex	No	9/12/2007		Dec-2007	n/a				
	Fairfield Twp	Essex	No	9/12/2007	6/26/2007	Aug-2007	n/a				
	Fairfield Twp	Essex	No	9/12/2007		Sep-2007	n/a				

Notes:

1. As required by N.J.S.A. 48:5A-25.2, includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
3. Smaller MDUs/MTUs "loop fed" may not be treated as MDUs/MTUs.





Verizon NJ System-Wide Franchise  
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[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a required municipality under N.J.A.C. 17:27-2.1?	Assumed Via Press Release	Advance Notice (if Business Day)	Initial FOS TV Service Availability	Estimated Full FOS TV Service Availability (Note 1)	Actual Full FOS TV Service Availability (Note 1)	Total Addresses Validated for FOS TV (as of 9/30/15)	Number of MDUs/MTUs Addresses Validated for FOS TV (Note 2)	Number of SPUSBU Addresses Validated for FOS TV
	Green Brook	Somerset	No	12/15/2008	8/12/2013	Aug-2008	n/a				
	Greenwich	Cumberland	No		9/12/2007	Oct-2013	n/a				
	Guttenberg	Hudson	YES		9/11/2007	Jun-2008	Jun-2014	Jun-2014	4,630	1,661	3,008
	Guttenberg	Hudson	YES		9/11/2007	Apr-2013	Jun-2014	Jun-2014	159	-	159
	Hackensack	Bergen	YES	3/1/2007	8/22/2007	Aug-2007	Jan-2013	Jan-2013	22,822	12,508	10,318
	Hackensack	Bergen	YES	3/1/2007	8/22/2007	Aug-2007	Jan-2013	Jan-2013	705	200	505
	Haddon Heights	Camden	No	12/15/2008		Dec-2008	n/a				
	Haddon Twp	Camden	No	12/15/2008		Jun-2008	n/a				
	Haddon Twp	Camden	No	12/15/2008		Oct-2009	n/a				
	Haddon Twp	Camden	No	12/15/2008		Dec-2008	n/a				
	Haddonfield	Camden	No	12/15/2008		Dec-2008	n/a				
	Hainesport	Burlington	No		3/12/2008	Jul-2008	n/a				
	Haledon	Passaic	YES		10/22/2007	Feb-2008	Feb-2014	Feb-2014	4,255	227	4,028
	Hamilton Twp (Atl)	Atlantic	YES		11/25/2009	13D	Nov-2015		814	-	814
	Hamilton Twp (Atl)	Atlantic	YES		11/25/2009	Nov-2014	Nov-2015		185	-	185
	Hamilton Twp (Atl)	Atlantic	YES		11/25/2009	Nov-2009	Nov-2015		5,431	480	4,951
	Hamilton Twp (Atl)	Atlantic	YES		11/25/2009	Nov-2014	Nov-2015		1,896	-	1,896
	Hamilton Twp (Mer)	Mercer	No	3/28/2007	6/26/2007	Oct-2009	n/a				
	Hamilton Twp (Mer)	Mercer	No	3/28/2007	6/26/2007	Mar-2007	n/a				
	Hamilton Twp (Mer)	Mercer	No	3/28/2007	6/26/2007	Jun-2007	n/a				
	Hamilton Twp (Mer)	Mercer	No	3/28/2007	6/26/2007	Mar-2007	n/a				
	Harmer	Morris	No	12/15/2008		Dec-2008	n/a				
	Harmer	Morris	No	12/15/2008		Dec-2008	n/a				
	Harding Twp	Morris	No	12/15/2008		Dec-2008	n/a				
	Harding Twp	Morris	No	12/15/2008		Dec-2008	n/a				
	Harding Twp	Morris	No	12/15/2008		Dec-2008	n/a				
	Harding Twp	Morris	No	12/15/2008		Dec-2008	n/a				
	Harding Twp	Morris	No	12/15/2008		Dec-2008	n/a				
	Harrington Park	Bergen	No	12/15/2008		Dec-2008	n/a				
	Harrison	Hudson	YES		9/11/2007	Aug-2009	Aug-2015	Aug-2015	8,770	742	8,028
	Harrison Twp (Glo)	Gloucester	No		10/22/2007	Jun-2008	n/a				
	Hasbrouck Heights	Bergen	YES	8/12/2007	8/22/2007	Aug-2007	Aug-2013	Aug-2013	5,226	873	4,353
	Haworth	Bergen	No	12/15/2008		Dec-2008	n/a				
	Haworth	Bergen	No	12/15/2008		Dec-2008	n/a				
	Hawthorne	Passaic	No		10/22/2007	Sep-2008	n/a				

Notes:

1. As required by N.J.S.A. 48:5A-25.2, includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
3. Smaller MDUs/MTUs "loop fed" may not be treated as MDUs/MTUs.

Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a franchisee under N.J.S.A. 48:5A-25.2?	Assessment, Violation, or Release	Advance Notice Fed. 48-51	Initial FOS TV Service Availability	Estimated Full FOS TV Service Availability (9/30/15)	Actual Full FOS TV Service Availability (9/30/15)	Total Addresses Validated for FOS TV Use of 9/30/15	Number of MDUs/MTUs Addresses Validated for FOS TV Use of 9/30/15	Number of SEUS/BU Addresses Validated for FOS TV Use of 9/30/15
	Hazlet	Monmouth	No	8/28/2007	8/28/2007	Oct-2008	n/a				
	Hazlet	Monmouth	No	8/28/2007	8/28/2007	Oct-2008	n/a				
	Hamlet	Madison	No	8/28/2007	8/28/2007	Mar-2008	n/a				
	Highland Park	Madison	YES	8/28/2008	8/28/2008	May-2015	Oct-2015		1,944	51	1,893
	Highland Park	Madison	YES	8/28/2008	8/28/2008	Oct-2008	Oct-2015		4,067	1,535	2,532
	Highlands	Monmouth	No	10/22/2008	10/22/2008	Mar-2009	n/a				
	Hightstown	Monmouth	No	3/28/2007	3/28/2007	Mar-2007	n/a				
	Hillsborough	Mercer	No	3/1/2007	3/1/2007	Oct-2008	n/a				
	Hillsborough	Mercer	No	3/1/2007	3/1/2007	Jan-2007	n/a				
	Hillsdale	Bergen	No	3/1/2007	3/1/2007	Jan-2007	n/a				
	Hillside	Union	YES	1/6/2008	12/19/2007	Jun-2010	Dec-2013	Dec-2013	3,605	55	3,550
	Hillside	Union	YES	1/6/2008	12/19/2007	Dec-2007	Dec-2013	Dec-2013	2,020	4	2,016
	Hillside	Union	YES	1/6/2008	12/19/2007	Feb-2011	Dec-2013	Dec-2013	4,498	266	4,232
	Hoboken	Hudson	YES	1/6/2008	8/28/2007	Dec-2007	Dec-2013	Dec-2013	31,009	14,385	16,624
	Ho-Ho-Kus	Passaic	No	12/15/2008	12/15/2008	Dec-2008	n/a				
	Holmdel	Monmouth	No	12/15/2008	12/15/2008	Jan-2008	n/a				
	Holmdel	Monmouth	No	12/15/2008	12/15/2008	Mar-2010	n/a				
	Holmdel	Monmouth	No	12/15/2008	8/28/2007	Sep-2007	n/a				
	Holmdel	Monmouth	No	12/15/2008	8/28/2007	Dec-2007	n/a				
	Holmdel	Mercer	No	6/5/2007	10/22/2008	Dec-2008	n/a				
	Hopewell Boro	Cumberland	No	3/28/2007	10/22/2008	Apr-2007	n/a				
	Hopewell Twp	Cumberland	No	3/28/2007	10/22/2008	Jan-2009	n/a				
	Hopewell Twp	Mercer	No	3/28/2007	10/22/2008	Apr-2007	n/a				
	Hopewell Twp	Mercer	No	3/28/2007	10/22/2008	Mar-2007	n/a				
	Howell	Monmouth	No	12/15/2008	12/15/2008	Dec-2008	n/a				
	Howell	Monmouth	No	12/15/2008	12/15/2008	Jan-2007	n/a				
	Howell	Monmouth	No	12/15/2008	12/15/2008	Jun-2008	n/a				
	Interlaken	Monmouth	No	3/1/2007	10/22/2008	Jan-2007	n/a				
	Irvington	Essex	YES	8/28/2008	8/28/2008	Oct-2009	Oct-2015				
	Irvington	Essex	YES	8/28/2008	8/28/2008	Feb-2010	Oct-2015				
	Island Heights	Ocean	No	10/22/2007	10/22/2007	Apr-2008	n/a				
	Jackson	Ocean	No	9/27/2008	9/27/2008	Jun-2008	n/a				
	Jackson	Ocean	No	9/27/2008	9/27/2008	Nov-2008	n/a				
									31,213	2,651	28,562
									43	-	43

Notes:

- As required by N.J.S.A. 48:5A-25.2, includes properties subject to waiver notices and mandatory access.
- Includes data adjustments and corrections.
- Smaller MDUs/MTUs "loop fed" may not be treated as MDUs/MTUs.

Verizon NJ System-Wide Franchise  
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[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a franchise municipality under N.J.S.A. 48:5A-24.2?	Announced Release	Advance Notice (if mandatory)	Initial FGS Service Availability	Estimated Full FGS TV Service Availability (Node II)	Actual Full FGS TV Service Availability (Node II)	Total Addresses Validated for FGS TV (as of 9/30/15)	Number of MDUs/MTUs Addressed, Validated for FGS TV (as of 9/30/15)	Number of SF USBU Addresses Validated for FGS TV
	Jamesburg	Middlesex	YES	3/1/2007	3/18/2008	Jan-2008	Mar-2014	Mar-2014	2,775	155	2,020
	Jefferson	Morris	No								
	Jersey City	Hudson	YES	9/12/2007	6/26/2007	May-2008	Aug-2013	Aug-2013	75,743	17,934	59,109
	Jersey City	Hudson	YES	9/12/2007	6/26/2007	Aug-2008	Aug-2013	Aug-2013	53,030	15,563	38,067
	Keansburg	Monmouth	YES	6/24/2008	6/24/2008	Jun-2008	Jun-2014	Jun-2014	4,347	209	4,138
	Keosau	Hudson	No	1/8/2008	9/11/2007	Sep-2007	n/a				
	Kentworth	Union	No	12/15/2008		Dec-2008	n/a				
	Kentworth	Union	No	12/15/2008		Mar-2009	n/a				
	Kentworth	Union	No	12/15/2008		Sep-2008	n/a				
	Kentworth	Monmouth	No	9/12/2007	6/26/2007	Jul-2007	n/a				
	Kentworth	Monmouth	YES	3/1/2007		Jan-2007	Jan-2013	Jan-2013	1,156	28	1,138
	Lake Camp (South Belmar)	Ocean	No		5/15/2013	May-2013	n/a				
	Lakehurst	Ocean	No		4/15/2008	May-2008	n/a				
	Lakewood	Camden	No	12/15/2006		Dec-2006	n/a				
	Lawrence Twp	Camden	No	3/28/2007		Mar-2007	n/a				
	Lawrence Twp	Marcel	No	3/28/2007		Mar-2007	n/a				
	Lawrence Twp	Marcel	No	3/28/2007		Mar-2007	n/a				
	Lawrence Twp	Marcel	No	3/28/2007		Mar-2007	n/a				
	Lawrence Twp	Marcel	No	3/28/2007		Mar-2007	n/a				
	Leonia	Bergen	No	3/28/2007	6/26/2007	Jun-2007	n/a				
	Linden	Union	No		12/19/2007	Jul-2008	n/a				
	Linden	Union	No		10/22/2008	Jul-2014	n/a				
	Little Falls	Passaic	No	3/1/2007	10/22/2008	Oct-2008	n/a				
	Little Falls	Passaic	No	3/1/2007	7/17/2007	Aug-2007	n/a				
	Little Ferry	Bergen	No	9/12/2007	6/22/2007	Jan-2007	n/a				
	Little Silver	Essex	No	12/15/2008		Dec-2008	n/a				
	Livinston	Monmouth	No	9/12/2007	6/26/2007	Jul-2007	n/a				
	Loch Arbour	Monmouth	No	3/1/2007	7/17/2007	Jul-2007	n/a				
	Lodi	Bergen	YES	3/1/2007		Mar-2008	Dec-2012	Dec-2012	3,105	355	2,749
	Lodi	Bergen	YES	3/1/2007		Dec-2008	Dec-2012	Dec-2012	7,085	840	6,245
	Long Branch	Monmouth	YES	3/1/2007		Apr-2007	Dec-2012	Dec-2012	523	64	458
	Long Hill	Morris	No	12/15/2006	9/17/2006	Sep-2008	n/a				
	Lumberton	Burlington	No	9/12/2007	6/22/2007	Dec-2006	n/a				

Notes:

1. As required by N.J.S.A. 48:5A-26.2, includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
3. Smaller MDUs/MTUs "loop fed" may not be treated as MDUs/MTUs.

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON N.J.]

Notes:

1. As required by N.J.S.A. 4B:54-25.2, includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
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Verizon NJ System-Wide Franchise  
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[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a required municipality under N.J.S.A. 48:5A-25.2?	Announced Via Press Release	Advance Notice (left business day) 22-97	Initial FIOS TV Service Availability	Estimated Full FIOS TV Service Availability (Note 1)	Actual Full FIOS TV Service Availability (Note 1)	Total Addresses Validated for FIOS TV (as of 8/31/15)	Number of MDU/MTU Addresses Validated for FIOS TV (Note 3)	Number of SFU/SBU Addresses Validated for FIOS TV
	Middletown	Monmouth	No	12/15/2006	6/26/2007	Oct-2008	n/a				
	Middletown	Monmouth	No	12/15/2006	6/26/2007	Jun-2008	n/a				
	Middletown	Monmouth	No	12/15/2006	6/26/2007	Jul-2007	n/a				
	Middletown	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Midland Park	Bergen	No	12/15/2006		Dec-2006	n/a				
	Millburn	Essex	No	3/1/2007		Sep-2007	n/a				
	Millburn	Essex	No	3/1/2007		Mar-2007	n/a				
	Millstone	Monmouth	No	12/15/2006		Feb-2006	n/a				
	Millstone	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Millstone	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Millstone	Monmouth	No	12/15/2006		Dec-2007	n/a				
	Mine Hill	Morris	No	3/1/2007		Jan-2007	n/a				
	Mine Hill	Morris	No	3/1/2007	6/26/2007	Jul-2007	n/a				
	Monmouth Beach	Monmouth	No		9/17/2006	Jul-2006	n/a				
	Monroe Twp (Glo)	Gloucester	No	1/8/2008	10/22/2007	Mar-2008	n/a				
	Monroe Twp (Glo)	Gloucester	No	1/8/2008	10/22/2007	Dec-2007	n/a				
	Monroe Twp (Mid)	Middlesex	No	12/15/2006		Dec-2006	n/a				
	Monroe Twp (Mid)	Middlesex	No	12/15/2006		Dec-2007	n/a				
	Monroe Twp (Mid)	Middlesex	No	12/15/2006		Mar-2008	n/a				
	Monroe Twp (Mid)	Monmouth	No	12/15/2006		Apr-2011	n/a				
	Monroe Twp (Mid)	Middlesex	No	12/15/2006		Mar-2006	n/a				
	Montclair	Essex	No	3/1/2007		Jan-2007	n/a				
	Montgomery	Somerset	No	1/8/2008	9/11/2007	Oct-2009	n/a				
	Montgomery	Somerset	No	1/8/2008	9/11/2007	Jan-2006	n/a				
	Montvale	Bergen	No	3/1/2007		Jan-2007	n/a				
	Montville	Morris	No	9/12/2007	6/26/2007	Aug-2007	n/a				
	Moongachie	Bergen	No	9/12/2007	8/22/2007	Sep-2007	n/a				
	Moongachie	Bergen	No	9/12/2007		Sep-2007	n/a				
	Morris Plains	Morris	No	12/15/2006		Dec-2006	n/a				
	Morris Twp	Morris	No	12/15/2006		Dec-2006	n/a				
	Morristown	Morris	YES	12/15/2006		Dec-2006	Dec-2012	Dec-2012	10,491	3,453	7,038
	Mount Ephraim	Gloucester	No		8/26/2009	Oct-2009	n/a				
	Mount Holly	Burlington	YES		3/12/2006	Mar-2006	Mar-2014	Mar-2014	4,910	847	4,063
	Mount Laurel	Burlington	No		5/15/2013	Apr-2014	n/a				

Notes:

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Verizon NJ System-Wide Franchise  
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[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a required field under N.J.S.A. 48:5A-26.4?	Approved for Service	Advance Notice for Installation	Initial FIOS TV Service Availability	Estimated Full FIOS TV Service Availability (Note 1)	Actual Full FIOS TV Service Availability (Note 1)	Total Addresses Validated for FIOS TV (as of 9/30/15)	Number of MDUs/MTUs Addressed, Validated for FIOS TV (Note 3)	Number of FIOS TV Addresses Validated for FIOS TV (Note 3)
	Mount Olive	Morris	No	9/26/2007	9/26/2007	Jul-2007	n/a				
	Mountain Lakes	Morris	No	3/1/2007		Jan-2007	n/a				
	Mountainside	Union	No	3/1/2007		Jan-2007	n/a				
	National Park	Gloucester	No	1/19/2007		Jan-2007	n/a				
	Naperville City	Monmouth	No	1/19/2007		Jan-2007	n/a				
	Naperville Two	Monmouth	No	3/1/2007		Jan-2007	n/a				
	New Brunswick	Middlesex	YES	6/26/2009	6/26/2009	Jun-2015	Dec-2015				
	New Hanover	Burlington	No	6/5/2007	8/26/2009	Dec-2009	Dec-2015		15,334	2,107	13,227
	New Milford	Bergen	No	12/16/2008		Dec-2008	n/a				
	New Milford	Bergen	No	12/16/2008		Jan-2007	n/a				
	New Providence	Union	No	1/8/2008		Dec-2008	n/a				
	Newark	Essex	YES		9/27/2007	Sep-2007	n/a				
	Newark	Essex	YES		10/22/2008	Nov-2008	Oct-2014	Oct-2014	28,368	2,719	25,647
	Newark	Essex	YES		10/22/2008	Oct-2008	Oct-2014	Oct-2014	48,009	9,317	38,692
	Newark	Essex	YES		10/22/2008	Jul-2010	Oct-2014	Oct-2014	21,345	812	20,533
	Newark	Essex	YES		10/22/2008	Aug-2010	Oct-2014	Oct-2014	30,554	6,989	23,565
	North Arlington	Bergen	No	1/9/2008		Sep-2007	Oct-2014	Oct-2014	13,545	1,475	12,170
	North Bergen	Hudson	YES		9/11/2007	Sep-2007	n/a				
	North Bergen	Hudson	YES		9/11/2007	Sep-2008	Oct-2013	Oct-2013	127	-	127
	North Bergen	Hudson	YES		9/11/2007	Oct-2007	Oct-2013	Oct-2013	17,764	4,670	13,094
	North Brunswick	Middlesex	No	12/15/2006		Jan-2009	Oct-2013	Oct-2013	7,439	965	6,474
	North Caldwell	Essex	No	9/12/2007		Jan-2007	n/a				
	North Haledon	Essex	No	9/12/2007		Aug-2007	n/a				
	North Hanover	Burlington	No	6/5/2007	7/17/2007	Feb-2008	n/a				
	North Plainfield	Somerset	YES	6/5/2007	10/22/2007	Mar-2007	n/a				
	Northvale	Bergen	No	12/15/2006		Jul-2008	Jul-2014	Jul-2014	6,775	1,237	7,538
	Norwood	Bergen	No	12/15/2006		Dec-2008	n/a				

Notes:

1. As required by N.J.S.A. 48:5A-25.2, includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
3. Smaller MDUs/MTUs "noo red" may not be treated as MDUs/MTUs.

Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a duplicate of another N.J.S.A. 4B:5A-25.2?	Amended, Notice Lett. or Reinst.	Advance Notice Lett. # or N/A	Initial FOS TV Service Availability Date	Estimated Full FOS TV Service Availability Date	Actual Full FOS TV Service Availability Date	Total Addresses Validated for FOS TV (as of 9/30/15)	Number of MDUs/MTUs Addresses Validated for FOS TV (Rate)	Number of FOS TV Addresses Validated for FOS TV
	Nutley	Essex	YES	3/1/2007	6/26/2007	Aug-2007	Jan-2013	Jan-2013	12,528	2,600	9,928
	Oakland	Bergen	No	8/1/2007	6/26/2007	Aug-2007	n/a				
	Oaklyn	Camden	No	6/24/2008	6/24/2008	Jun-2008	n/a				
	Ocean Twp	Monmouth	No	12/15/2008	9/28/2007	Jan-2009	n/a				
	Ocean Twp	Monmouth	No	12/15/2008	9/28/2007	Oct-2009	n/a				
	Oceanport	Monmouth	No	12/15/2008	6/26/2007	Jan-2009	n/a				
	Oceanport	Monmouth	No	12/15/2008	6/26/2007	Dec-2008	n/a				
	Old Bridge	Middlesex	No	3/1/2007		Jul-2009	n/a				
	Old Bridge	Middlesex	No	3/1/2007		Jan-2007	n/a				
	Old Bridge	Middlesex	No	3/1/2007	6/26/2007	Mar-2008	n/a				
	Old Bridge	Middlesex	No	3/1/2007		Mar-2008	n/a				
	Old Tappan	Bergen	No	12/15/2008		Dec-2008	n/a				
	Oradell	Bergen	No	12/15/2008		Jan-2007	n/a				
	Oradell	Bergen	No	12/15/2008		Dec-2008	n/a				
	Orange	Essex	YES	12/15/2008		Dec-2008	n/a				
	Orange	Essex	YES		7/13/2008	Dec-2009	Aug-2015	Aug-2015	14,149	2,424	11,725
	Orange	Essex	YES		7/13/2008	Aug-2009	Aug-2015	Aug-2015	50	-	50
	Palladas Park	Bergen	YES		7/13/2008	Aug-2008	Aug-2015	Aug-2015	81	-	81
	Palladas Park	Bergen	YES		9/11/2007	Mar-2008	Mar-2014	Mar-2014	1,674	473	1,201
	Paramus	Bergen	YES		9/11/2007	May-2008	Mar-2014	Mar-2014	6,633	1,016	5,617
	Paramus	Bergen	No	12/15/2008		Dec-2007	n/a				
	Paramus	Bergen	No	12/15/2008		Dec-2008	n/a				
	Paramus	Bergen	No	12/15/2008		Dec-2008	n/a				
	Paramus	Bergen	No	12/15/2008		Apr-2007	n/a				
	Park Ridge	Bergen	No	3/1/2007		Jan-2007	n/a				
	Parippany-Troy Hills	Morris	No	12/15/2008	6/26/2007	Apr-2015	n/a				
	Parippany-Troy Hills	Morris	No	12/15/2008	6/26/2007	Aug-2007	n/a				
	Parippany-Troy Hills	Morris	No	12/15/2008		Dec-2008	n/a				
	Parippany-Troy Hills	Morris	No	12/15/2008		Dec-2008	n/a				
	Passaic	Passaic	YES	12/15/2008		Dec-2008	n/a				
	Passaic	Passaic	YES	12/15/2008		Jun-2007	Dec-2012	Dec-2012	9	-	9
	Passaic	Passaic	YES	12/15/2008		Dec-2008	Dec-2012	Dec-2012	23,142	4,574	18,568

Notes:

1. As required by N.J.S.A. 4B:5A-25.2, includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
3. Smaller MDUs/MTUs "loop fed" may not be treated as MDUs/MTUs.

Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a required municipality under N.J.S.A. 48:5A-25.2?	Announced via Press Release	Advance Notice Letter #201	Initial FOS TV Service Availability	Estimated Full FOS TV Service Availability (Note 1)	Actual Full FOS TV Service Availability (Note 1)	Total Addresses Validated for FOS TV (as of 9/30/15)	Number of MDUs/MTUs Addresses Validated for FOS TV (Note 2)	Number of MDUs/MTUs Addresses Validated for FOS TV
	Palestine	Passaic	YES	7/17/2007	7/17/2007	Jul-2008	Jul-2014	Jul-2014	16,328	1,395	14,933
	Palestine	Passaic	YES		7/17/2007	Nov-2009	Jul-2014	Jul-2014	59,591	4,087	55,504
	Passaic-Gladstone	Somerset	No	12/15/2006		Dec-2008	n/a				
	Pemberton Twp	Burlington	No	6/6/2007		Aug-2008	n/a				
	Pennington	Mercer	No	3/29/2007		Mar-2007	n/a				
	Pennsauken	Camden	No		9/22/2011	Dec-2011	n/a				
	Perth Amboy	Middlesex	YES	6/5/2007	5/27/2008	May-2007	May-2014	May-2014	18,657	2,043	16,609
	Pine Hill	Camden	No	12/15/2006		Dec-2006	n/a				
	Piscataway	Middlesex	No	12/15/2006		Jan-2010	n/a				
	Piscataway	Middlesex	No	12/15/2006		Sep-2006	n/a				
	Piscataway	Middlesex	No	12/15/2006		Jan-2010	n/a				
	Pittman	Gloucester	No	1/8/2008	10/22/2007	Dec-2007	n/a				
	Plainfield	Union	YES	5/7/2008	5/7/2008	May-2008	May-2014	May-2014	20,572	2,564	18,008
	Plainboro	Middlesex	No	1/8/2008	9/11/2007	Oct-2007	n/a				
	Princeton (Boro & Twp combined)	Mercer					n/a				
	Princeton (Boro & Twp combined)	Mercer	YES	3/28/2007		Mar-2007	Mar-2013	Mar-2013	9,571	933	8,638
	Princeton Boro	Mercer	No	3/28/2007		Oct-2008	n/a				
	Princeton Twp	Mercer	No	3/29/2007		Mar-2007	n/a				
	Prospect Park	Passaic	YES		10/22/2007	Sep-2008	Sep-2014	Sep-2014	2,564	-	2,564
	Quinton	Salmon	No		7/22/2008	Dec-2008	n/a				
	Ramsey	Salmon	No		7/22/2008	Jul-2008	n/a				
	Randolph	Bergen	No	12/15/2006		Dec-2006	n/a				
	Randolph	Morris	No	12/15/2006		Jan-2007	n/a				
	Randolph	Morris	No	12/15/2006		Dec-2006	n/a				
	Randolph	Morris	No	12/15/2006		Dec-2006	n/a				
	Raritan	Morris	No	12/15/2006	6/26/2007	Dec-2007	n/a				
	Somerset	Somerset	No	12/15/2006		Dec-2006	n/a				
	Readington	Hunclinton	No	3/12/2007		Jan-2007	n/a				
	Red Bank	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Ridgefield	Bergen	No	1/8/2008	9/11/2007	Nov-2007	n/a				
	Ridgefield Park	Bergen	YES	9/12/2007	9/12/2007	Aug-2007	Aug-2013	Aug-2013	5,952	1,170	4,782
	Ridgewood	Bergen	No	12/15/2006		Dec-2006	n/a				

Notes:

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Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a required municipality under N.J.S.A. 48-5A-25.2?	Announced Via Press Release	Advance Notice left beginning 6-22-07	Initial FIOS TV Service Availability	Estimated Full FIOS TV Service Availability (Note 1)	Actual Full FIOS TV Service Availability (Note 1)	Total Addresses Validated for FIOS TV (as of 9/30/15)	Number of MDUs/MTUs Addresses Validated for FIOS TV (Note 2)	Number of SFUs/SBUs Addresses Validated for FIOS TV
	River Edge	Bergen	No	3/1/2007		Jan-2007	n/a				
	River Edge	Bergen	No	3/1/2007		Dec-2006	n/a				
	River Vale	Bergen	No	12/15/2006		Dec-2006	n/a				
	River Vale	Bergen	No	12/15/2006		Jan-2007	n/a				
	Robbinsville (fWashington Twp)	Mercer	No	3/28/2007		Oct-2009	n/a				
	Robbinsville (fWashington Twp)	Mercer	No	3/28/2007		Mar-2007	n/a				
	Robbinsville (fWashington Twp)	Mercer	No	3/28/2007		Mar-2007	n/a				
	Rochelle Park	Bergen	No	6/5/2007		Apr-2007	n/a				
	Rockaway Boro	Morris	No	12/15/2006		Jan-2007	n/a				
	Rockaway Boro	Morris	No	12/15/2006		Dec-2006	n/a				
	Rockaway Twp	Morris	No	12/15/2006		Jan-2007	n/a				
	Rockaway Twp	Morris	No	12/15/2006		Dec-2006	n/a				
	Rockleigh	Bergen	No	12/15/2006		Dec-2006	n/a				
	Rocky Hill	Somerset	No		9/11/2007	Jan-2008	n/a				
	Roosevelt	Monmouth	No	1/8/2008	9/11/2007	Dec-2007	n/a				
	Roseland	Essex	No	1/8/2008	9/11/2007	Sep-2007	n/a				
	Roseland	Essex	No	1/8/2008	9/11/2007	Apr-2010	n/a				
	Roselle Boro	Union	YES		10/22/2008	Jan-2009	Jan-2015	Jan-2015	8,375	876	7,498
	Roselle Park	Union	YES		10/22/2008	Jan-2009	Jan-2015	Jan-2015	5,670	1,038	4,632
	Roxbury	Morris	No	3/1/2007		Jan-2007	n/a				
	Roxbury	Morris	No	3/1/2007	6/26/2007	Jul-2007	n/a				
	Rumson	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Runnemede	Camden	No		10/13/2009	Nov-2009	n/a				
	Runnemede	Camden	No		10/13/2009	Nov-2009	n/a				
	Rutherford	Bergen	No	1/8/2008	9/11/2007	Sep-2007	n/a				
	Saddle Brook	Bergen	No	3/1/2007	7/17/2007	Jul-2007	n/a				
	Saddle Brook	Bergen	No	3/1/2007		Jan-2007	n/a				
	Saddle Brook	Bergen	No	3/1/2007		Apr-2007	n/a				
	Saddle River	Bergen	No	12/15/2006		Dec-2006	n/a				
	Saddle River	Bergen	No	12/15/2006		Dec-2006	n/a				
	Saddle River	Bergen	No	12/15/2006		Nov-2012	n/a				
	Salem	Salem	YES		7/22/2008	Jul-2008	Jul-2014	Jul-2014	3,052	374	2,678
	Sayreville	Middlesex	No		10/22/2008	Oct-2008	n/a				
	Scotch Plains	Union	No	3/1/2007		May-2008	n/a				

Notes:

1. As required by N.J.S.A. 48-5A-25.2, includes properties subject to waiver notices and mandatory access.
2. Includes date adjustments and corrections.
3. Smaller MDUs/MTUs "loop fed" may not be treated as MDUs/MTUs.

Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a franchised municipality?	Amounted, via mass release	Advance Notice (if #207)	Initial FOS TV Service Availability	Estimated Full FOS TV Service Availability (Note 1)	Total Addresses Validated for FOS TV Use as of 9/30/15	Number of MDUs/MTUs Addresses Validated for FOS TV Use as of 9/30/15	Number of SFUS/BU Addresses Validated for FOS TV Use as of 9/30/15
	Scott Plains	Union	No	3/12/2007		Jan-2007	n/a			
	Sea Bright	Monmouth	No	12/15/2008		Dec-2008	n/a			
	Sea Girt	Monmouth	No	3/12/2007		Jan-2007	n/a			
	Seaside Heights	Ocean	No		5/23/2014	May-2014	n/a			
	Secaucus	Hudson	No		10/22/2007	Jul-2008	n/a			
	Secaucus	Hudson	No		10/22/2007	Dec-2008	n/a			
	Shamong	Burlington	No	9/12/2007		Jan-2007	n/a			
	Shiloh	Cumberland	No		10/22/2008	Apr-2009	n/a			
	Shrewsbury Boro	Monmouth	No	12/15/2008		Dec-2008	n/a			
	Shrewsbury Boro	Monmouth	No	12/15/2008		Dec-2008	n/a			
	Shrewsbury Twp	Monmouth	YES	12/15/2008		Oct-2008	Oct-2012	193	193	193
	Somerville	Somerset	YES	12/15/2008		Dec-2008	Dec-2012	5,912	1,097	4,815
	South Amboy	Middlesex	No		10/22/2008	Apr-2009	n/a			
	South Bound Brook	Somerset	No	12/15/2008		Dec-2008	n/a			
	South Brunswick	Middlesex	No	3/12/2007		Jan-2007	n/a			
	South Brunswick	Middlesex	No	3/12/2007		Oct-2009	n/a			
	South Brunswick	Middlesex	No	3/12/2007		Dec-2007	n/a			
	South Brunswick	Middlesex	No	3/12/2007		Oct-2007	n/a			
	South Brunswick	Middlesex	No	3/12/2007		Jan-2008	n/a			
	South Hackensack	Bergen	No	12/15/2008		Jan-2007	n/a			
	South Hackensack	Bergen	No	12/15/2008	9/22/2007	Sep-2007	n/a			
	South Hackensack	Bergen	No	12/15/2008		Dec-2008	n/a			
	South Orange	Essex	No	3/12/2007		Jan-2007	n/a			
	South Plainfield	Middlesex	No		5/27/2008	Aug-2008	n/a			
	Southampton	Burlington	No	9/12/2007	6/22/2007	Jun-2007	n/a			
	Southampton	Burlington	No	9/12/2007		Mar-2008	n/a			
	Spotswood	Middlesex	No		3/19/2008	Mar-2008	n/a			
	Spring Lake	Monmouth	No	3/12/2007		Jan-2007	n/a			
	Spring Lake Heights	Monmouth	No	3/12/2007		Jan-2007	n/a			
	Springfield Twp (Bur)	Burlington	No	6/6/2007		Apr-2008	n/a			
	Springfield Twp (Bur)	Burlington	No	6/6/2007		Sep-2008	n/a			
	Springfield Twp (Bur)	Burlington	No	6/6/2007		Jan-2008	n/a			
	Springfield Twp (Unh)	Union	No	1/6/2008	9/11/2007	Sep-2007	n/a			
	Springfield Twp (Unh)	Union	No	1/6/2008	9/11/2007	Dec-2007	n/a			

Notes:

- As required by N.J.S.A. 48-5A-25.2, includes properties subject to waiver notices subject to waiver notices and mandatory access.
- Includes date adjustments and corrections.
- Smaller MDUs/MTUs "top fed" may not be treated as MDUs/MTUs.

Verizon N.J System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a required municipality under N.J.S.A. 48:5A-25.2?	Announced Via Press Release	Advance Notice (eff. beginning 4- 23-07)	Initial FIOS TV Service Availability	Estimated Full FIOS TV Service Availability (Note 1)	Actual Full FIOS TV Service Availability (Note 1)	Total Addresses Validated for FIOS TV (as of 9/30/15)	Number of MDU/MTU Addresses Validated for FIOS TV (Note 3)	Number of SEU/SBU Addresses Validated for FIOS TV
	Stow Creek	Cumberland	No		9/12/2013	Sep-2013	n/a				
	Summit	Union	No	1/8/2008	10/22/2007	Oct-2008	n/a				
	Summit	Union	No	1/8/2008	10/22/2007	Dec-2007	n/a				
	Tavistock	Camden	No	12/15/2006		Jan-2007	n/a				
	Teaneck	Bergen	No	3/1/2007		Jan-2010	n/a				
	Teaneck	Bergen	No	3/1/2007		Jan-2007	n/a				
	Teterboro	Bergen	No	3/1/2007	8/22/2007	Sep-2007	n/a				
	Tinton Falls	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Tinton Falls	Monmouth	No	12/15/2006	9/26/2007	Jun-2007	n/a				
	Tinton Falls	Monmouth	No	12/15/2006		Dec-2006	n/a				
	Toms River (Dover Twp)	Ocean	YES	1/8/2008	10/22/2007	Oct-2007	Oct-2013	Oct-2013	13,161	511	12,650
	Toms River (Dover Twp)	Ocean	YES	1/8/2008	10/22/2007	Dec-2008	Oct-2013	Oct-2013	3,862	848	3,014
	Toms River (Dover Twp)	Ocean	YES		10/22/2007	Nov-2010	Oct-2013	Oct-2013	6,894	172	6,722
	Toms River (Dover Twp)	Ocean	YES		10/22/2007	Nov-2009	Oct-2013	Oct-2013	18,282	2,573	15,709
	Toms River (Dover Twp)	Ocean	YES	1/8/2008	10/22/2007	Oct-2008	Oct-2013	Oct-2013	6,370	77	6,293
	Totowa	Passaic	No	9/12/2007	7/17/2007	Mar-2008	n/a				
	Totowa	Passaic	No	9/12/2007	7/17/2007	Aug-2007	n/a				
	Trenton	Mercer	YES	3/28/2007		Mar-2007	Mar-2013	Mar-2013	7	-	7
	Trenton	Mercer	YES	3/28/2007	6/26/2007	Jun-2007	Mar-2013	Mar-2013	39,358	4,807	34,551
	Union Beach	Monmouth	No	9/12/2007	6/26/2007	Jul-2007	n/a				
	Union City	Hudson	YES	1/8/2008	10/22/2007	Nov-2007	Nov-2013	Nov-2013	28,705	4,543	24,162
	Union Twp	Union	No	3/1/2007		Oct-2009	n/a				
	Union Twp	Union	No	3/1/2007		Dec-2007	n/a				
	Upper Deerfield	Cumberland	No		10/22/2008	Jul-2009	n/a				
	Upper Freehold	Monmouth	No		1/29/2008	Feb-2008	n/a				
	Upper Saddle River	Bergen	No	12/15/2006		Dec-2006	n/a				
	Upper Saddle River	Bergen	No	12/15/2006		Jan-2007	n/a				
	Verona	Essex	No	3/1/2007		Jan-2007	n/a				
	Victory Gardens	Morris	YES	3/1/2007		Jan-2007	Jan-2013	Jan-2013	457	118	349
	Vineland	Cumberland	No		9/17/2008	Sep-2008	n/a				
	Voorhees	Camden	No	3/1/2007		May-2007	n/a				
	Voorhees	Camden	No	3/1/2007		Jan-2007	n/a				
	Voorhees	Camden	No	3/1/2007	6/26/2007	Jun-2007	n/a				
	Waldwick	Bergen	No	12/15/2006		Dec-2006	n/a				

Notes:

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2. Includes data adjustments and corrections.
3. Smaller MDUs/MTUs "loop fed" may not be treated as MDUs/MTUs.

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Notes-

1. As required by N.J.S.A. 48:5A-25.2, includes properties subject to waiver notices and mandatory access.
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Verizon NJ System-Wide Franchise  
3Q2015 Service Activation Report

[CONTAINS CONFIDENTIAL INFORMATION TO VERIZON NJ]

Video Serving Office (VSO)	Municipalities Served	County	Is this a municipality under N.J.S.A. 52:27-2(a)?	Announced via Press Release	Advance Notice Letter #201	Initial FIOS TV Service Availability	Estimated Full FIOS TV Service Availability (Note 1)	Actual Full FIOS TV Service Availability (Note 1)	Total Addresses Validated for FIOS TV as of 9/30/15	Number of MDUs/MTUs Addresses Validated for FIOS TV (Note 3)	Number of SHUSBU Addresses Validated for FIOS TV
	Wharton	Morris	No	3/12/2007		Jan-2007	n/a				
	Willingboro	Burlington	No		2/21/2012	Feb-2012	n/a				
	Winfield	Union	YES		10/22/2008	Dec-2008	Dec-2014	Dec-2014	748	3	748
	Winslow	Camden	No	6/6/2007		May-2007	n/a				
	Winslow	Camden	No	6/6/2007		Apr-2008	n/a				
	Woodbridge	Middlesex	No		5/27/2008	Oct-2008	n/a				
	Woodbridge	Middlesex	No		5/27/2008	Jan-2015	n/a				
	Woodbury	Gloucester	YES	1/6/2008	5/27/2007	Dec-2007	Dec-2013	Dec-2013	4,699	738	4,261
	Woodbury Heights	Gloucester	No	1/6/2008	12/16/2007	Dec-2007	n/a				
	Woodcliff Lake	Bergen	No	3/12/2007		Jan-2007	n/a				
	Woodland Park (West Paterson)	Passaic	No	9/12/2007	7/17/2007	Aug-2007	n/a				
	Woodland Park (West Paterson)	Passaic	No		6/4/2015	Jun-2015	n/a				
	Woodland Twp	Burlington	No		6/4/2015	Jun-2015	n/a				
	Woodland Twp	Burlington	No		6/4/2015	Jun-2015	n/a				
	Woodlawn	Camden	YES		6/24/2008	Mar-2009	Mar-2015	Mar-2015	1,228	-	1,228
	Wood-Ridge	Bergen	No	12/15/2008		Dec-2008	n/a				
	Wood-Ridge	Bergen	No	12/15/2008		Sep-2007	n/a				
	Wrightstown	Burlington	No	6/5/2007		Aug-2007	n/a				
	Wyckoff	Bergen	No	12/15/2008		Dec-2006	n/a				
	Wyckoff	Bergen	No	12/15/2008		Dec-2006	n/a				

Notes:

1. As required by N.J.S.A. 48:54-25.2. Includes properties subject to waiver notices and mandatory access.
2. Includes data adjustments and corrections.
3. Smaller MDUs/MTUs "loop fed" may not be listed as MDUs/MTUs.



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

State of New Jersey  
BOARD OF PUBLIC UTILITIES  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

Irene Kim Asbury  
Secretary to the Board  
Tel. # (609) 292-1599

February 24, 2016

VIA EMAIL ONLY - [theodoreba@co.cumberland.nj.us](mailto:theodoreba@co.cumberland.nj.us)

Theodore E. Baker  
County of Cumberland  
164 W Broad Street  
Bridgeton, NJ 08302

Dear Mr. Baker:

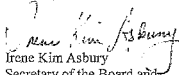
I am in receipt of your request for Verizon's fiber optic build-out maps for: 1) Every county seat; 2) Alloway Township; 3) Commercial Township; 4) Downe Township; 5) City of Estell Manor; 6) Hopewell Township; 7) Lawrence Township; 8) Lower Alloways Creek; 9) Mannington Township; 10) Maurice River Township; 11) City of Millville; 12) Pilesgrove; 13) South Harrington Township; and 14) Every other community in Cumberland County. File number C105355 has been assigned to your request.

The documents you have requested are exempt from public disclosure pursuant to the security exception, as well as the exception for information that would provide an advantage to competitors contained at N.J.S.A. 47:1A-1.1. These documents contain information pertaining to the location of utility facilities, as well as information indicating where Verizon offers competitive service.

In addition to the reasons set forth in the denial above, the Board does not waive or limit any other rights afforded to it under OPRA and reserves the right to supplement the reasons with any additional basis for exception to public access as may hereinafter also be determined to apply.

Please feel free to contact me if you have any questions.

Sincerely,

  
Irene Kim Asbury  
Secretary of the Board and  
Records Custodian

/ac

# EXHIBIT F



Agenda Date: 1/29/14  
Agenda Item: 3A

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CABLE TELEVISION

IN THE MATTER OF THE APPLICATION OF VERIZON	)	<u>SYSTEM-WIDE CABLE</u>
NEW JERSEY, INC. FOR RENEWAL OF A SYSTEM-	)	<u>TELEVISION FRANCHISE</u>
WIDE CABLE TELEVISION FRANCHISE	)	<u>RENEWAL</u>
	)	DOCKET NO. CE13080756

**Parties of Record:**

**William D. Smith, Esq., Assistant General Counsel, Verizon New Jersey, Inc.**  
**Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel**

**BY THE BOARD<sup>1</sup>:**

On December 18, 2006, the Board of Public Utilities ("Board") issued an Order approving a System-wide Franchise for 316 municipalities to Verizon New Jersey, Inc. ("Verizon" or "Petitioner") in Docket No. CE06110768 for a term of seven years to expire on December 18, 2013. This system wide franchise was reviewed and approved pursuant to N.J.S.A. 48:5A-17(a). Pursuant to N.J.A.C. 14:18-14.14, which requires Verizon to provide notice to the Board and the affected municipalities of its intention to add municipalities to its existing System-wide Cable Television Franchise, Verizon added an additional 64 municipalities and is currently authorized to provide service to 379 municipalities in the State<sup>2</sup>. The addition of these municipalities were memorialized in Orders of Amendment issued by the Board on August 1, 2007, for thirty-two municipalities; on April 9, 2008, for ten municipalities; on October 23, 2008, for one municipality; on April 27, 2009, for nine additional municipalities; on July 29, 2009, for one municipality; on April 11, 2012, for one municipality; on November 20, 2012, for one municipality; on April 29, 2013, for one municipality; and July 19, 2013, for seven municipalities. During the pendency of this petition, Verizon filed for an additional municipality: Stow Creek Township in Cumberland County and this order will serve to memorialize the addition of Stow Creek Township into Verizon's System-wide Cable Television Franchise. A list of the

<sup>1</sup> Commissioner Mary-Anna Holden abstained on this matter.

<sup>2</sup> In January of 2013, Princeton Borough and Princeton Township merged. Therefore, the initial number of 316 municipalities and the added 64 municipalities results in 379 municipalities where Verizon is authorized to provide service.



municipalities included in Verizon's System-wide Cable Television Franchise is attached as Exhibit "I".

#### BACKGROUND

On May 4, 2011, the Board notified Verizon of its intention to review its performance under its system-wide franchise pursuant to 47 U.S.C. § 548, N.J.S.A. 48:5A-19(b) and N.J.A.C. 14:18-14.16. On February 1, 2012, the Board invited Verizon to file comments on its performance under its System-wide Cable Television Franchise and to assess how it will meet the future needs of the communities listed in its franchise application. Verizon filed its Initial Comments with the Board on April 16, 2012. Pursuant to N.J.A.C. 14:18-14.17, on May 30, 2013, the Board issued a report ("Ascertainment Report") on Verizon's performance under its System-wide Cable Television Franchise and the future system-wide cable television franchise needs of the State and the municipalities under the system-wide franchise.

On August 20, 2013, Verizon filed for renewal of its System-wide Cable Television Franchise, pursuant to N.J.S.A. 48:5A-19 and N.J.A.C. 14:18-14.18. Pursuant to N.J.A.C. 14:18-14.3, the Board was required to hold two public hearings in this matter. A hearing was held in Newark on October 1, 2013 and a hearing was held in Trenton on October 3, 2013. Additionally, written comments were accepted between October 1, 2013 and October 30, 2013.

Following its review of Verizon's application and the comments received, Board Staff issued discovery requests to Verizon on November 21, 2013, seeking additional follow-up information. Verizon provided response to the Board's requests on December 12, 2013.

#### PUBLIC COMMENTS

At both hearings, the public was invited to provide oral and/or written comment on the application, and both hearings were transcribed by a court reporter, with the transcripts included in the record of this matter. Some commenters supported the renewal and others opposed or requested additional conditions be placed on Verizon in return for renewal of its System-wide Cable Television Franchise. At the Newark Hearing, the following parties offered comments in favor of the renewal: the Association of Independent Colleges and Universities in New Jersey; Morris County Chamber of Commerce; Hudson County Economic Development Corporation; Newark Regional Business Partnership; Meadowlands Regional Chamber; the Statewide Organization (UCDEC); Adrian Council, publisher, Positive Community; and Greater Paterson Chamber of Commerce. In Trenton, support for the renewal was offered by: Alan Goeltz; Joan McGinnis Knorr; Southern New Jersey Development Council; Loretta Kuhnert; and Wanda Garcia. Overall, these entities asked for an expedited review and approval of the Verizon's System-wide Cable Television Franchise application. All cited the positive impacts realized by Verizon's competition in the cable television market, including decreases in costs, increases in fees paid and other benefits to municipalities, as well as other advantages for the State and its residents. Mayor Anthony Suarez, Borough of Ridgefield, submitted written comments in support of the renewal.

The following commenters were in opposition to the renewal or in favor of conditional approval: in Newark, Bruce Kushnick; and in Trenton, IBEW Local 827; Thomas Allibone; and Gordon Cook. Cook Report. Written comments were received from AARP; Communications Workers of America District One (CWA); IBEW Local 827; Issues Management, LLC on behalf of New Jersey State Electrical Workers Association; Assemblyman Daniel R. Benson; Franklin Township (Somerset County); West Amwell Township, by resolution; Chatham Borough; and various residents of municipalities where Verizon does not provide service or provides service to limited portions of their

respective municipalities. Those entities expressed opposition, either in part or in whole, to the renewal of Verizon's System-wide Cable Television Franchise application, and presented a more diverse set of concerns.

Assemblyman Benson, IBEW Local 827, AARP, CWA, Issues Management, Franklin Township, West Amwell Township, Gordon Cook, Thomas Allibone and Bruce Kushnick all noted that Verizon should not be granted a renewal without significant conditions because: 1) Verizon had already committed to providing fiber optic networking throughout the State under the "Opportunity New Jersey" ("ONJ") program; and 2) Verizon is deserting its obligation to provide plain old telephone service ("POTS") in portions of the state, specifically, Bay Head Borough and Mantoloking Township, where its copper infrastructure was damaged by Superstorm Sandy in October of 2012 by providing service via its wireless communications service product known as "VoiceLink". Assemblyman Benson additionally expressed concern regarding Verizon's reasoning for continuing with this project in New Jersey while abandoning it in Fire Island, New York due to the existence of a traditional cable television provider, Comcast, in the area. Assemblyman Benson noted that, "If one of the public benefits of the State Act was to provide competitive cable television offerings in New Jersey, the reasoning not to provide wireline service in Mantoloking stands the State Act's goals on its head." IBEW Local 827 and CWA further argued that Verizon does not have the personnel available to maintain its telecommunications service in good working order. The parties argued that cuts to personnel have delayed installations and repairs to both its POTS service and its FIOS cable television service.

The New Jersey Division of Rate Counsel ("Rate Counsel") cautioned the Board to examine the record and Verizon's application fully prior to issuance of the Renewal System-wide Cable Television Franchise.

A number of commenters wrote that the statute which enabled Verizon to receive its System-wide Cable Television Franchise was unfair in that it required Verizon to provide service to all residents in only 70 municipalities, rather than its entire service territory. These commenters include: Carl and Margaret Brignola; Beth Slatnick; Gary Gregory; Eugene Bernhardt; Julio Perez; Roland M. LaCorte; Cynthia LaCorte; Francis Mattas; W. Sommer; Frederick H. Ochs; Howell Walton; Patricia Sobotka; James McGuire; Martin Naibandian; Edward H. Moore; Archie Black; Brenda Black; and Ruth Chamber.

## DISCUSSION

In 2006, the Legislature passed amendments to the State Cable Act which allowed Verizon to apply for and receive a System-wide Cable Television Franchise from the Board (P.L. 2006, c. 83). The Legislature articulated certain restrictions and pre-conditions the Board could consider prior to approving any system-wide franchise applicant. The Board is bound by the enabling statute and the adopted rules for application and enforcement. As such, the Board cannot address those issues raised by parties who are unhappy or dissatisfied with the underlying legislation, but will instead limit its review, as required, to the application for renewal of Verizon's System-wide Cable Television Franchise, as permitted by statute and the rules.

In determining whether to issue Verizon a renewal of its System-wide Cable Television Franchise, the Board may only consider that which is allowed by the State Cable Act, which provides, at N.J.S.A. 48:5A-16(f), that "[i]n determining whether a system-wide franchise should be issued, the board shall consider only the requirements of sections 17 and 28 of P.L. 1972, c.186 (C. 48:5A-17 and C. 48:5A-28)."

N.J.S.A. 48:5A-17 permits the Board to issue a system-wide franchise following its review of the application, where it finds the applicant has complied or is ready, willing and able to comply with all applicable rules and regulations imposed or pursuant to State or federal law as preconditions for providing cable service. N.J.S.A. 48:5A-28 sets forth the elements in the application for a system-wide franchise and the required commitments of a system-wide franchise applicant. The Board's review of the application makes it clear that Verizon's application satisfies the requirements set forth by the Legislature, subject to certain conditions and compliance issues.

The Board notes that many commenters raised issues regarding Verizon's VoiceLink service and the ONJ plan during the review process, which were outside the scope of the current proceeding. Verizon has applied for a renewal of its System-wide Cable Television Franchise and pursuant to statute, only that matter is under consideration here. Similarly, as discussed above, many commenters also requested that Verizon be required to provide FIOS service to the entirety of all towns within its New Jersey service area. As noted above, pursuant to the State Cable Act, the Board is precluded from requiring Verizon to provide service beyond the 70 required municipalities. Specifically, N.J.S.A. 48:5A-25.2 requires Verizon to provide service to all residents in: 1) each county seat in Verizon's telecommunications service area; and 2) each municipality in Verizon's telecommunications service area that had a population density greater than 7,111 persons per square mile of land area based on the 2000 US Census. This equates to 70 municipalities. Beyond these 70 municipalities, Verizon can choose to deploy service at its discretion. It is noted that although it has no obligation outside the core municipalities, Verizon is currently providing service in parts of 355 municipalities.<sup>3</sup>

#### BUILD OUT REQUIREMENTS

Pursuant to N.J.S.A. 48:5A-25.2a(2), Verizon is required, subject to certain exceptions with respect to multiple dwelling units (MDUs), to make its FIOS cable service available throughout the residential areas of the 70 must build municipalities within six years of the date service was initially made available. Based on Verizon's initial dates of service offerings, the completion dates for the 70 must build municipalities ranged from December 2012 through December 2015. As required by the initial System Wide Franchise Order, Verizon currently provides the Board and Rate Counsel with quarterly service activation reports, which are used to determine Verizon's compliance with the deployment commitment timelines and ensure Verizon's provision of service on a non-discriminatory basis. The Board noted in its Ascertainment Report that Verizon had furnished information to the Board via its quarterly reports that it had achieved full availability of FIOS service in each of the 10 towns that were required for completion as of December 2012. Verizon was due to complete an additional 26 municipalities by year-end 2013, with the remaining half of the 70 required towns to be completed by year-end 2015. To date, Verizon has furnished information to the Board in its quarterly activation reports indicating that it has completed deployment in a timely fashion for all of the required towns which were due by the third quarter of 2013. Verizon's report on its 4<sup>th</sup> quarter 2013 activations, which is still pending, is expected to provide data to the Board evidencing satisfaction of the required build out for the remainder of the 25 municipalities that are due to be completed by year-end 2013.

In response to questions from Commissioner Fox at the public hearing regarding Verizon's ability to meet its build out requirements for the 35 towns within two years by the end of 2015, Verizon submitted a response where it indicated that "[i]n addition to the tremendous amount of

<sup>3</sup> Although Verizon is authorized to serve 379 municipalities under their franchise, they are currently offering service in only 355 municipalities.

work that has already been completed, on schedule, with respect to 35 of the "must-build" municipalities, it is important to remember that Verizon has already deployed FIOS TV services to large parts of the 35 "must-build" towns that must be completed by the end of 2015."<sup>4</sup>

As noted above, Verizon is required to report to the Board each quarter on the service activations that have occurred in the prior quarter. Since Verizon's deployment commitments for the remaining half of the 70 required municipalities extend to 2015, it is imperative that Verizon continue to provide the Board with information on its deployment activity so that the Board may properly fulfill its statutory obligation of ensuring that Verizon is meeting its deployment commitments as required under the franchise. The Board HEREBY CONDITIONS Verizon's renewal franchise upon its compliance with the statutory deployment commitments pursuant to N.J.S.A. 48:5A-25.2 for the 70 required municipalities, and Verizon shall continue to provide the Board with quarterly service activation reports of its progress through the verified completion of the 70 must build municipalities. Any failure by Verizon to comply with the completion of the deployment deadlines for the 70 must build towns 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.

#### MDU WAIVERS / ACCESS PETITIONS

As noted above, although Verizon's deployment commitments to the 70 required towns requires service to MDUs, Verizon must seek a waiver from the Board pursuant to N.J.S.A. 48:5A-25.2 and the initial Franchise if it believes it cannot deploy service as required for one or more of the following reasons: "a) the Petitioner cannot access a development or building because of a claimed exclusive arrangement with another cable television company; b) the Petitioner cannot access a development or building using its standard technical solutions, under commercially reasonable terms and conditions after good faith negotiation; or c) the Petitioner, cannot access the public rights-of-way under reasonable terms and conditions."

Pursuant to N.J.S.A. 48:5A-25.2, Verizon has submitted numerous waiver filings to the Board which have included properties located within the 70 required municipalities. Information provided in the waiver filings, along with Verizon's quarterly service activation reports are used to assist the Board in determining Verizon's compliance with its deployment commitments and to ensure Verizon's deployment of its services in a non-discriminatory manner. During its review, Staff determined discrepancies in two of Verizon's waiver filings involving two of the 70 required municipalities, where Verizon had previously indicated that deployment had been completed. In September and October of 2013, Verizon sought to amend two of its pending waiver filings with the Board submitted in 2012, to seek waivers of MDU properties that were located in Hackensack and Bloomfield, respectively.<sup>5</sup> In its review of these filings, Staff noted that the deadline for completion of deployment in both towns was January 2013. Staff therefore requested that Verizon provide an explanation and why they should not be considered a violation of the franchise obligations.

In its response Verizon indicated that the delayed filings were generally due to administrative oversights, and that they should not be considered a franchise violation because neither the statute nor the rules require that waiver petitions be filed prior to the deployment completion

<sup>4</sup> Verizon NJ, Inc.'s response to Questions from Commissioner Fox at the October 1, 2013 Public Comment Hearing and Response to Miscellaneous Issues Raised at both Public Comment Hearings, October 25, 2013 at p.1.

<sup>5</sup> On or around September 12, 2013, Verizon filed an "amendment" to a waiver filing originally submitted to the Board on November 8, 2012 in Docket CO12111028, seeking to add 6 MDU properties in Hackensack. Subsequently, on October 29, 2013, Verizon filed an "amendment" to a waiver filing originally submitted on December 21, 2012 in Docket CO12121087, seeking to add 1 MDU property in Bloomfield.

deadline. As noted in the Initial Franchise Order, the Board is bound under the statute to ensure that Verizon's provision of its FIOS service is conducted in a non-discriminatory manner, and that "redlining" does not occur. Although the Board accepted Verizon's plan for providing service in multiple dwelling units where Verizon's standard installation process cannot or will not work in its Initial Franchise Order, the Board conditioned Verizon's approval on the provision of notice where it couldn't provide service in a timely fashion. The Board noted in its Order approving Verizon's Initial Franchise:

Nevertheless, in order to ensure this non-discriminatory access, and to allow the Board and [Rate Counsel] to satisfy their oversight requirements, the Board HEREBY CONDITIONS this approval on VNJ's continued commitment to ensure non-discriminatory service and upon VNJ providing the Board and [Rate Counsel] with notification of any and all situations where VNJ decides not to serve multiple dwelling units due to technical constraints within 30 days of VNJ making such determination.

I/M/O the Application of Verizon New Jersey, Inc. for a System-wide Cable Television Franchise, Docket No. CE06110768, December 22, 2006, at 12.

In this instance, the waiver petitions were provided outside of the time parameter, and beyond the deployment commitment deadline for the municipality. The Board's ability to ensure that Verizon is meeting its deployment commitments and that it remains consistent with the legislative intent prohibiting redlining is undisputedly tied to Verizon's provision of both accurate and timely reporting to the Board on its deployment commitments. Currently, Verizon's quarterly activation reports provided to the Board indicate that they are inclusive of the waiver petitions, but they do not include detailed information. In light of the fact that Verizon is required to complete its deployment in the 70 required towns within the next two years, the Board HEREBY CONDITIONS Verizon's renewal franchise upon Verizon's continued provision of the quarterly service activation reports, along with additional information with respect to the 70 required towns to include: the total addresses subject to waiver petitions and date filed; the total addresses subject to mandatory access petitions and date filed. The Board FURTHER CONDITIONS Verizon's renewal franchise upon completion of the deployment in the 70 required towns, including the filing of any waiver petitions within 30 days of Verizon making such determination, but all such waiver applications shall be filed prior to the required date of completion for deployment for the municipality in which the MDU is located.

#### PEG Access Channels/Return Lines

With regard to the issue of public, educational and governmental ("PEG") access channels, Verizon, pursuant to N.J.S.A. 48:5A-28(f), will continue to provide two PEG access channels to any municipality in its cable service territory that requests them. Verizon shall also continue to provide and maintain a return line to one location in each requesting municipality.

The Borough of Chatham filed comments that Verizon had not fulfilled its requirements under its System-wide Cable Television Franchise because it had not interconnected its PEG access channel with the CSC TKR, LLC d/b/a Cablevision of Morris feed, thus requiring the Borough to send two separate feeds to enable all Borough cable television customers to view the Borough's PEG access channel. Verizon responded that it had met the obligation by providing a direct connection, via return line, from the Borough to a point of distribution in its system. Verizon noted that it had spoken to the PEG access channel's manager and confirmed that a distribution

amplifier was in place which allowed cable television customers of either company to view the PEG access feed in real time.

The Board notes that the statute provided for interconnection between all cable television operators in a municipality. Specifically, N.J.S.A. 48:5A-28(f) provides:

Any and all CATV companies operating in a municipality shall provide interconnection to all other CATV companies on reasonable terms and conditions, and the board shall adopt regulations for procedures by which disputes between such CATV companies shall be determined and expeditiously resolved.

The Board adopted rules for disputes. Specifically, N.J.A.C. 14:18-15.4 states:

- (d) Each cable television company serving a municipality must provide interconnection to its cable television system to any other cable television company serving the same municipality for the purposes of interconnecting public, educational and governmental access channels on reasonable terms and conditions.
1. A cable television company that has interconnected its public, educational and governmental access channel or channels with another cable television company may require the second cable television company to pay for half the cable television company's absorbed costs for the extension.
2. If a cable television company is unable to interconnect with another cable television company because it believes the terms and conditions are not reasonable, it may petition the Board for assistance in resolution of the dispute. The Board shall utilize the procedures set forth in N.J.A.C. 14:17-8.

In 2007, Verizon filed for assistance from the Board to interconnect with cable television companies in the State in the municipalities where it was providing service. Verizon noted that it wanted to interconnect with the cable television companies rather than installing return lines to each municipality for a number of reasons, among them expense and ability to provide the PEG access channels sooner than when it passed the location with its cable television service. Verizon was able to negotiate full interconnection with Time Warner Cable and limited interconnection with Comcast Corporation, but was unable to come to terms with Cablevision Corporation. In October of 2008, the Board issued an order requiring Cablevision to interconnect its PEG access channels with Verizon. In December of 2008, Verizon withdrew its request to interconnect with Cablevision, noting that it would install individual return lines instead. The imposed terms were too onerous and costly. Since Verizon requested assistance, it was within its discretion to withdraw its request.

N.J.S.A. 48:5A-28(m) states, in relevant part:

With regard only to applications for a system-wide franchise, a commitment to provide a return feed from any one location in the municipality, without charge, to the CATV company's headend or other location of interconnection to the cable television system for public, educational or governmental use, which return feed, at a minimum, provides the ability for the municipality to cablecast live or taped access programming, in real time, as may be applicable, to the CATV company's customers in the municipality. No CATV company is responsible for providing a return access feed unless a municipality requests such a feed in writing. A CATV company that has interconnected with another CATV

company may require the second CATV company to pay for half of the CATV company's absorbed costs for extension.

The Borough's cable television customers are receiving the Borough's PEG access feed in real time. Therefore, the Board is satisfied that Verizon has met its obligation under its System-wide Cable Television Franchise to interconnect PEG access channels in the Borough of Chatham in this manner.

### CONCLUSION

Based upon these findings, the Board HEREBY CONCLUDES that, pursuant to the System-wide Cable Television Franchise Act and the Cable Television Act, the Petitioner has complied or is ready 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, meets the legal, character and other qualifications necessary to construct, maintain and operate the necessary installations, lines and equipment, and is capable of providing the proposed service in a safe, adequate and proper manner.

Therefore, the Petitioner is HEREBY ISSUED this Renewal System-wide Cable Television Franchise, for a period of seven years, as evidence of Petitioner's authority to operate a cable television system within the jurisdiction set forth in its application, subject to the following conditions:

1. All of the commitments, statements and promises contained in the application for renewal of this System-wide Cable Television Franchise and any amendments thereto submitted in writing to the Board, except as modified herein, are hereby adopted and binding upon Verizon as terms and conditions of this Renewal System-wide Cable Television Franchise, and included as conditions as if fully set forth herein. The application and any other relevant writings submitted by Verizon shall be considered a part of this System-wide Cable Television Franchise and made part hereof by reference.
2. Verizon shall provide any and all maps of the network in each municipality at least two business days and not less than 48 hours prior to turning on its system in any municipality. Verizon is on notice that in the absence of staff receiving the maps in a timely manner, Verizon is forbidden from providing service in those municipalities. Rate Counsel shall be provided the maps at the same time as the Board, subject to any appropriate confidentiality agreements.
3. Verizon shall comply with N.J.S.A. 48:5A-26(h), and shall provide service to all residents passed by cable television service in accordance with the line extension policy ("LEP") included in its application with a homes per mile ("HPM") of no greater than 30. Where the existing cable television company maintains a policy whereby residents of a municipality shall be offered service without application of an LEP, Verizon shall provide service to all residents likewise. Where residents of a municipality are currently offered service by the existing cable television company in accordance with an LEP of less than 30, the Petitioner shall be required to offer service in accordance with the attached LEP with an HPM at least as favorable as the existing cable television company. Additionally, the terms and conditions associated with the LEP shall meet or exceed those provided by the incumbent cable television operator in each municipality, and limitations and restrictions imposed in the Verizon LEP beyond those that exist in the incumbent's LEP