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July 8, 2019

Via FedEx Overnight Mail

Aida Camacho-Welch, Secretary
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
Trenton, NJ 08625

RECEIVED
CASE MANAGEMENT

JUL 10 2019

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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MAIL ROOM

JUL 10 2019

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

CE19070801

Re: In the Matter of the Petition of Comcast of Garden State L.P., for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Pitman, County of Gloucester, State of New Jersey
Our File No. 41000.3000

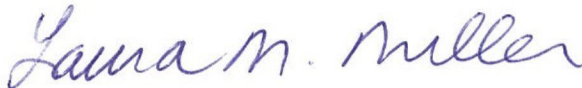
Dear Secretary Camacho-Welch:

Enclosed herewith please find the original and eleven (11) copies of the Verified Petition and Verification filed on behalf of Comcast of Garden State L.P. ("Comcast"), along with three (3) copies of Comcast's public Application for Renewal of a Certificate of Approval ("Application"), with respect to the above-referenced matter. Said copies of the Application have been redacted so as to protect certain confidential information contained therein. Confidential copies of the Application are being submitted simultaneously under separate cover, along with Comcast's request for confidential treatment, pursuant to N.J.A.C. 14:1-12 et seq.

Kindly file the Petition and please return the extra copy of this letter and Petition stamped "RECEIVED" in the self-addressed, stamped envelope provided herein.

Thank you for your kind consideration. Should you have any questions or require additional information, please do not hesitate to contact us.

Very truly yours,



Laura M. Miller
For the Firm

LMM/dp

Cms
Legal
DAG
RPA
CABLE(6)

cc.: Lawanda R. Gilbert, Director (w/enc. lawanda.gilbert@bpu.nj.gov and FedEx)
Stefanie A. Brand, Director (w/enc. sbrand@rpa.nj.gov and regular mail)
Nancy J. Wolf, Administrative Analyst 4 (w/enc. nancy.wolf@bpu.nj.gov and FedEx)
Judith O'Donnell, Township Clerk (w/enc. via first class mail)
Fred J. DeAndrea, Senior Director of Government & Regulatory Affairs fred_deandrea@comcast.com)

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES
OFFICE OF CABLE TELEVISION & TELECOMMUNICATIONS**

SCARINCI & HOLLENBECK, LLC
1100 Valley Brook Avenue
Lyndhurst, NJ 07071-0790
Phone: 201-896-4100
Attorneys for Petitioner
Comcast of Garden State L.P.
File No. 41000.3000

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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IN THE MATTER OF THE PETITION OF)
COMCAST OF GARDEN STATE L.P., FOR A)
RENEWAL CERTIFICATE OF APPROVAL)
TO CONTINUE TO CONSTRUCT, OPERATE)
AND MAINTAIN A CABLE TELEVISION)
SYSTEM IN AND FOR THE BOROUGH OF)
PITMAN, COUNTY OF GLOUCESTER,)
STATE OF NEW JERSEY)
_____)

VERIFIED PETITION

Docket No.

Comcast of Garden State L.P. (hereinafter, “Comcast” or “Petitioner”), hereby petitions the Honorable Board of Public Utilities (the “Board”), pursuant to N.J.S.A. 48:5A-15, 16 and 17, and N.J.A.C. 14:18-13.6, for renewal of a Certificate of Approval to continue to construct, operate and maintain a cable television system (“System”) in the Borough of Pitman, Gloucester County, New Jersey (“Borough” or “Pitman”). In support of its Petition, Petitioner states as follows:

COUNT ONE

1. Comcast, a limited partnership duly organized under the laws of the State of Delaware, is a cable television company subject to the jurisdiction of the Office of Cable Television & Telecommunications (“OCTV&T”) and the Board, pursuant to N.J.S.A. 48:5A-1 et seq.

2. Comcast maintains its principal offices at 1250 Haddonfield-Pitman Road, Cherry Hill, New Jersey 08034.

3. On or about June 27, 1979, in Docket No. 794C-6465, pursuant to N.J.S.A. 48:5A-17(a) and (b) and N.J.S.A. 48:5A-28(c), the Board issued a Certificate of Approval to Audubon Electronics, Inc. (“Audubon”) to provide cable television service in the Borough. A copy of said Certificate is on file with the OCTV&T.

4. On November 6, 1980, in Docket No. 8010C-6721, the Board approved the transfer of the System, including the Certificate of Approval with respect to the Borough, from Audubon to New York Times Cable Company of New Jersey (“NYT”).

5. On July 26, 1989, in Docket No. CM89030342, the Board approved the transfer of the System, including the Certificate of Approval with respect to the Borough, from NYT to Garden State Cablevision, L.P. (“Garden State”).

6. On July 13, 1995, in Docket No. CE94120597, the Board issued to Garden State a Renewal Certificate of Approval to continue to provide cable television service in the Borough. A copy of said Renewal Certificate is on file with the OCTV&T.

7. On or about January 5, 2000, in Docket No. CM99110855 the Board authorized the merger Lenfest Communications, Inc., which owned a 50% interest in Garden State, with and into a wholly-owned indirect subsidiary of Comcast Corporation, which owned the remaining 50% interest. As a result of said merger, Garden State, later renamed Comcast of Garden State L.P., Petitioner herein, became indirectly wholly-owned by Comcast Corporation.

8. On or about September 14, 2005, in Docket No. CE04111474, pursuant to N.J.S.A. 48:5A-16 and 17, the Board issued a Renewal Certificate of Approval (the “2005 Renewal Certificate of Approval”) to Petitioner for the continued construction, operation and maintenance

of the System in and for the Borough. A copy of said 2005 Renewal Certificate of Approval is on file at the OCTV&T.

9. The 2005 Renewal Certificate of Approval, in accordance with its underlying municipal consent ordinance, reflected and included an automatic renewal provision, pursuant to which the Pitman franchise would be subject to automatic renewal for a period of ten (10) years following its scheduled expiration date of June 27, 2019.

10. As set forth under N.J.A.C. 14:18-13.6(a)(1), applicable to ordinances which provide for automatic renewal, in the absence of notice at least sixty (60) days prior to expiration of the initial term of a franchise from either the cable television company or the municipality of its intention to not renew, a franchise will be deemed to automatically renew.

11. Neither the Borough nor Comcast provided notice of its intention to not renew the Pitman franchise pursuant to N.J.A.C. 14:18-13.6(a)(1) prior to the deadline set forth therein for such action, as confirmed in Comcast's letter to the Borough, dated May 27, 2019, a copy of which is annexed hereto as Exhibit A. As set forth therein, Comcast further confirmed its intention to exercise its rights under the automatic renewal provision of the 2005 Renewal Certificate of Approval.

12. The information pertaining to Comcast on file with the OCTV&T, together with the information contained in its Application for Renewal of a Certificate of Approval ("COA Application") pertaining to the Borough, simultaneously filed herewith, all of which is adopted by reference thereto, establishes the requisite criteria for the continued construction, operation and maintenance of the System in the Borough by Comcast.

13. Comcast possesses the requisite character and suitability for the continued operation of the System. Further, as indicated in the COA Application and other information on

file with the OCTV&T, Comcast possesses the necessary financial responsibility and the ability to perform efficiently the proposed services and those services that may be required by the public convenience and necessity during the renewal period. The public convenience and necessity generally support the appropriateness of the issuance of a Renewal Certificate of Approval for the Borough to Comcast.

14. Comcast has complied, and will continue to comply, with all rules, regulations and laws applicable to the construction, operation and maintenance of the System and will continue to provide safe, adequate and proper cable television service in the Borough and the other municipalities in which it serves.

COUNT TWO

15. Comcast repeats paragraphs 1 through 14 of COUNT ONE as if set forth fully hereinafter.

16. As set forth in the COA Application and other information on file at the OCTV&T, the System operated by Comcast in the Borough is part of larger cable television systems serving numerous other municipalities contiguous to and surrounding the Borough.

17. As also set forth in the COA Application, the Borough represents an integral part of the Comcast and Comcast-affiliated regional cable television systems serving the counties of Burlington, Camden, Gloucester and Salem. In addition, the demographics of Pitman, as well as its location and other factors, mandate that cable television service be provided by Comcast as part of Comcast's and its affiliates' regional systems.

18. The Borough portion of Comcast's and its affiliates' Burlington, Camden, Gloucester and Salem County regional cable systems is necessary for the continued provision of safe, adequate and economical cable television service to the citizens and residents of the Borough

and the larger cable television systems generally. Further, continuation of Comcast's operating authority in the Borough will avoid an unreasonable duplication of services which would otherwise be detrimental to the development of adequate cable television service.

19. Comcast is entitled to a renewal of its Certificate of Approval, pursuant to the provisions of Section 17(b) of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq.

20. Comcast believes that an Automatic Renewal Certificate of Approval for the Borough of Pitman is necessary and proper for the public convenience and will serve the public interest for reasons which include, inter alia, the following:

a. The grant of an Automatic Renewal Certificate of Approval to Comcast will ensure the continued provision of cable television service to the residents of the Borough;

b. The services to be provided by Comcast set forth in its COA Application are of great benefit to the citizens and residents of the Borough;

c. The financial strength and technical expertise of Comcast are more than adequate to continue to construct, operate and maintain its System in the Borough; and

d. Comcast, its officers and directors, have vast experience in all aspects of cable television. In particular, they possess and represent the highest degree of technical and engineering competence, significant administrative experience and a demonstrated responsiveness to community needs. In addition to Pitman, Comcast and its affiliates hold Certificates of Approval or other authorization to construct, operate and maintain cable television systems in more than 340 municipalities in New Jersey, as well as additional communities in 38 other states and the District of Columbia.

WHEREFORE, it is requested that this Honorable Board of Public Utilities issue to Comcast of Garden State L.P. a Renewal Certificate of Approval to continue to construct, operate and maintain a cable television system in the Borough of Pitman.

Respectfully submitted,

SCARINCI & HOLLENBECK, LLC
Attorneys for Petitioner
Comcast of Garden State L.P.

By: 
Laura M. Miller

Dated: July 8, 2019

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES
OFFICE OF CABLE TELEVISION & TELECOMMUNICATIONS**

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SYSTEM IN AND FOR THE BOROUGH OF)
PITMAN, COUNTY OF GLOUCESTER,)
STATE OF NEW JERSEY)
_____)


VERIFICATION

Docket No.

FRED DeANDREA hereby certifies as follows:

1. I am Senior Director of Government and Regulatory Affairs of Comcast of Garden State L.P., Petitioner in the within matter.
2. I am familiar with the nature and contents of the Petition to which this Verification is annexed.
3. The allegations of the Petition are true and accurate to the best of my knowledge, information and belief.

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 may be subject to punishment.



Fred DeAndrea

Dated: June 28, 2019



Comcast
1250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034
856.740.4146 Tel.
www.comcast.com
www.comcastcorporation.com

May 27, 2019

Ms. Judith O'Donnell
Borough Clerk
Borough of Pitman
110 S. Broadway
Pitman, NJ 08071

Dear Ms. O'Donnell:

Comcast's records of the Borough of Pitman's franchise renewal certificate with Comcast of Garden State, L.P., show an agreement expiration date of June 27, 2019. Comcast is pleased to serve this franchise and we will continue to provide quality cable television service while introducing new services and entertainment options to borough residents.

N J Board of Public Utilities Docket # CEO4111074 granted Comcast of Garden State, L.P., a ten-year automatic renewal. In accordance with the procedure set forth in State Act N.J.S.A. 48:5A-19 and 48:5A-25, and in state regulations promulgated thereunder at N.J.A.C. 14:18-13.6, and, having received no written notice that Comcast has not substantially performed in accordance with the franchise, please be informed that Comcast plans to exercise its rights and continue its faithful performance under the franchise for an additional ten years. In doing so, Comcast will abide by the current terms and conditions now in place. This being the case, the franchise will now remain in effect until June 27, 2029.

Please update your records accordingly and do not hesitate to contact me at 856-740-4146 if you have any questions or require additional information. Comcast looks forward to continuing a long and successful relationship with the Borough of Pitman.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred J. DeAndrea", written over a horizontal line.

Fred J. DeAndrea
Senior Director of Government & Regulatory Affairs

FD/kf

cc: Nancy Wolf, Coordinator of State & Local Planning, NJ BPU, Office of Cable Television & Telecommunications
Dennis C. Linken, Esq., Scarinci Hollenbeck ✓
Stephanie Kosta, Comcast Regional Vice-President of Government & Regulatory Affairs
Stephen Fitzgibbons, Comcast Division Senior Director of Franchising
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