

Township of Knowlton

Municipal Offices

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NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350

June 29, 2020

RE: Docket No. CM20030211

Dear Board of Public Utilities,

I am writing to you today on behalf of the residents of the Township of Knowlton regarding the Service Electric/ Altice Cable Television Transaction referenced above.

The Board of Public Utilities is the sole regulator whose consent is required for this transaction and is involved because it concerns cable services. However, any expansion of existing cable lines, in effect, also increases Internet. At present, hundreds of homes in Knowlton Township have service that fails to meet the federal definition for high speed Internet. Our town's previous attempts to negotiate an extension of Service Electric lines, which would have resulted in more homes having high speed Internet, have been unsuccessful. Service Electric has not extended a single line in Knowlton Township for over 15 years.

The current petition before the BPU makes assurance of "improved service" to twenty-eight NJ "communities" and promises greater speeds to existing customers. However, this skirts the core problem in rural New Jersey. The issue is not that the homes with current Service Electric service have poor Internet; the issue is that few homes have access to Service Electric at all. The existing cable/Internet lines are few and far between. The current Altice petition does not offer any clarity on that. ***We therefore ask that the Board of Public Utilities not approve this petition without specific commitment from Altice to extend cable lines (which also enables Internet service) in our town.***

The Township of Knowlton has corresponded with Altice regarding the proposed merger and requested extensions on specific streets in our township. See the attached emails with Altice's attorney dated: April 10, 16, 17, 22, and 23 of this year. See also the official letter dated May 18. In these interactions, Altice has not offered Knowlton Township any commitment to extensions in service beyond the general statements contained in the petition. They have not provided any response to our letter to date.

The need for better Internet is critical: The closing of schools and businesses during the Covid pandemic exacerbated the existing broadband problem. Many children, including my own, cannot "Zoom" at the same time from home, necessitating traveling to relatives' homes to attend school virtually. Our

farmers are not able to sell their agricultural products direct-to-the-public at an on-farm location, or use remote sensing of field and greenhouse conditions, remote control of equipment, or facilitate shipping and receiving coordination without better Internet. Realtors continue to cite the poor Internet service as one reason that prospective buyers choose homes outside our town.

We therefore urge the BPU to withhold approval for this transaction until specific concessions on extension of cable lines are made. This is our town's only means for effecting change; we have no leverage with which to require expansions of service. Refusal to sign the 2014 consent to provide service with Service Electric did not result in an increase in the homes-per-mile ratio in our area; it resulted only in Service Electric continuing their existing service with no improvements whatsoever. Therefore, we strongly urge the BPU to use this opportunity to procure concessions from Altice for residents in rural towns like ours.

Thank you for your time and consideration of these critical issues.

Kind regards,

A handwritten signature in cursive script, appearing to read "M. Adele Starrs".

M. Adele Starrs

Mayor, Knowlton Township

Founded 1884

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1884-1929
W. READING GEBHARDT
1919-1980
PHILIP R. GEBHARDT
1924-1986
E. HERBERT KIEFER
1933-1988

- ALSO MEMBER OF PA BAR
- ▼ ALSO MEMBER OF NY BAR
- ♦ ALSO MEMBER OF US TAX COURT
- ♦ CERTIFIED BY THE SUPREME COURT OF NJ AS A MATRIMONIAL LAW ATTORNEY
- φ TRAINED DIVORCE MEDIATOR
- TRAINED IN COLLABORATIVE DIVORCE

LESLIE A. PARIKH
lparikh@gklegal.com

May 18, 2020

VIA EMAIL

WPalatucci@gibbonslaw.com

William J. Palatucci, Esq.

Special Counsel

GIBBONS P.C.

One Gateway Center

Newark, NJ 07102-5310

RE: Knowlton Twp. – Amended Joint Petition from Service Electric to Altice

Dear Mr. Palatucci:

This Firm serves as counsel to the Township of Knowlton. As you know, the Township of Knowlton is one of the municipalities served by Service Electric and covered in the Joint Petition submitted on behalf of Service Electric and Altice USA, Inc. (“Altice”) to the Board of Public Utilities (the “Board”) requesting the approval of the transfer of 28 certificates of approval, related authorizations and the accompanying cable systems from Service Electric to Altice.

At the outset, the Township’s governing body has reviewed the Joint Petition and expressed excitement over the proposal(s) set forth therein. The governing body is of the opinion that the Transfers contemplated could prove to be quite beneficial for all interested parties, however, it has requested some clarification in order to fully understand the breadth of the Transaction and the impact on the residents served. On behalf of the Township, I respectfully submit that the following issues and requests for additional information be considered.

Extensions of Existing Service Areas within the Township

The Amended Joint Petition outlines the Transaction and describes it as one which will extend Altice’s footprint into the communities currently served by Service Electric. We understand this to mean, in part, that additional and upgraded offerings will be extended to the homes and business

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already receiving service from Service Electric. The Petition, however, provides no clear indication as to whether Altice's services will expand to additional homes within the community.

The Township is particularly interested in extending service to certain locations which we believe would be attractive to Altice as they offer sufficient density. Specifically, we would ask that that Altice extend the existing Stark Road line into Woodruff Way, Alpine and Victoria Crossing. This would serve at least 35 additional homes. Similarly, we believe that an extension of the Route 46 line to the neighboring mobile home park serve a sizeable community. We would also request consideration for service to be extended to Koeck Road, Countryside and Ivan Road, Station Road, Poppy's Court, Lime Kiln Road and Polkville Road. Of particular note, is that certain residents located at 44, 46, 48, 50, 51, 53, 55, and 58 Koeck Road, are still without internet service. Thus, a compelling need exists for service extension.

This is an issue of significant importance to the residents of Knowlton. As such, we would greatly appreciate additional information and a clearer picture of the additional service areas contemplated within Knowlton Township.

Municipal Consent Agreement

On May 22, 2014, the Township adopted Ordinance 14-02, which granted Municipal Consent to the Issuance of a Franchise to Service Electric to Construct, Own, Operate, Extend and Maintain a Cable Television System within its municipal boundaries. The Municipal Consent Agreement between Service Electric and Knowlton (among others) was memorialized in Ordinance 14-02 and created an obligation on the part of Service Electric to provide certain complimentary services in consideration for granting consent as follows:

14. FREE SERVICES

The Company shall provide Services in Accordance with its Tariff for cable television service approved by the Board of Public Utilities on January 1, 2013. In addition, the Company shall provide the following locations with complimentary; expanded basic cable service:

One (1) cable connection for the Knowlton municipal Building, located at 628, Route 94 Columbia, New Jersey, 07832.

To date, the foregoing commitment has not been met by Service Electric despite the representation in Paragraph 3 of the Certification of Robert H. Williams, Jr., in support of the Petition, which maintains, "[a]ll commitments contained in Service Electric's current Certificates of Approval, Municipal Consent Ordinances and Applications for Municipal Consent have been completed."

Indeed, since 2014, the Township has expended \$8,100.00 for services that Service Electric was contractually obligated to provide. The cost to the Township is substantial, considering its size and budgetary constraints. We would like to address the foregoing as soon as possible in order to work out a mutually agreeable resolution on this issue moving forward.

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As previously stated, the Township is eager to learn more about the Transaction, discuss the foregoing issues with you and be in a position to move forward in support of the Joint Petition. I would be happy to set up a conference call or electronic meeting so that all interested parties may participate in discussion.

Please contact me at your earliest convenience in order to address the forgoing.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Leslie A. Parikh', written in a cursive style.

LESLIE A. PARIKH

cc: Marilyn Davis, Altice Senior Director
Altice
1 Court Square West
Long Island City, NY 11101



Adele Starrs <adelestarrs@gmail.com>

RE: Altice USA**Palatucci, William J.** <WPalatucci@gibbonslaw.com>

Thu, Apr 23, 2020 at 12:28 PM

To: Adele Starrs <adelestarrs@gmail.com>

Mayor, Do you have an actual address for the mobile home park on Rt. 46? Thank you. Bill

From: Adele Starrs <adelestarrs@gmail.com>**Sent:** Friday, April 10, 2020 2:40 PM**To:** Palatucci, William J. <WPalatucci@gibbonslaw.com>**Subject:** Re: Altice USA

Hi, Bill,

It was good to speak with you. Attached please find the ordinance, providing Knowlton's consent and setting forth the conditions agreed upon by Service Electric in 2014. Because there has been no growth in Knowlton or any of surrounding towns in the last ten years, there has been no expansion of Service Electric services in that time. The vast majority of Knowlton residents do not have Service Electric because it is not available to them. If it was offered, I am certain they would take it, because it is vastly better than CenturyLink, the only other, very unreliable option. Specifically, the top priority for Knowlton is for Altice to extend existing Service Electric lines. There are neighborhoods and denser population areas where this may be feasible. We'd like to see extension along the following roads:

- Extend the existing Stark Road line onto Woodruff Way, Alpine, and Victoria Crossing (approximately 35 homes)
- Extend the Route 46 line to the Mobile Home Park
- Extend along Auble Road to Koeck (there are 6 residents at the end of Koeck Road who have absolutely no Internet whatsoever. None.)

I am looking forward to working with you and Altice and hope we can talk again soon.

Kind regards,

Adele Starrs

Mayor, Knowlton Township

(908) 619-7394

On Fri, Apr 10, 2020 at 12:26 PM Palatucci, William J. <WPalatucci@gibbonslaw.com> wrote:

Mayor,

Thank you for your time this morning and I appreciate your offer to forward the agreement with Service Electric (SECO) regarding the future expansion of service within your community.

As we discussed, we will stay in touch and feel free to reach out at time with questions or concerns.



Adele Starrs <adelestarrs@gmail.com>

Re: Altice USA**Adele Starrs** <adelestarrs@gmail.com>

Fri, Apr 17, 2020 at 9:28 AM

To: "Palatucci, William J." <WPalatucci@gibbonslaw.com>

Hi, Bill,

No, Service Electric did not fulfill that obligation. We would welcome it. You begin to see why we are not happy with Service Electric...

Adele

On Thu, Apr 16, 2020 at 6:04 PM Palatucci, William J. <WPalatucci@gibbonslaw.com> wrote:

Mayor,

Thanks again for providing the 2014 ordinance. In Section 14, the ordinance calls for Service Electric to provide a connection and complimentary service to the Knowlton Municipal Building. I'm curious to know if Service Electric did provide that connection and, if so, do they continue to provide complimentary service for the Municipal Building?

Bill

From: Adele Starrs <adelestarrs@gmail.com>**Sent:** Friday, April 10, 2020 2:40 PM**To:** Palatucci, William J. <WPalatucci@gibbonslaw.com>**Subject:** Re: Altice USA

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Kind regards,

Adele Starrs



Adele Starrs <adelestarrs@gmail.com>

Re: Altice USA**Adele Starrs** <adelestarrs@gmail.com>

Wed, Apr 22, 2020 at 2:10 PM

To: "Palatucci, William J." <WPalatucci@gibbonslaw.com>

Hi, Bill,

No, unfortunately, Service Electric has not expanded service at all to my knowledge in Knowlton Township and would not commit to do so.

Adele

On Wed, Apr 22, 2020 at 7:04 AM Palatucci, William J. <WPalatucci@gibbonslaw.com> wrote:

Hi Mayor,

I'm still working on our research on behalf of Altice USA. Regarding the three roads outlined in your email below, had you or the Township received a commitment from Service Electric to provide service to the homeowners along these routes? Feel free to call me if you prefer, 908.347.3911. Thank you.

Bill

William J. Palatucci

Special Counsel

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From: Adele Starrs <adelestarrs@gmail.com>**Sent:** Friday, April 10, 2020 2:40 PM**To:** Palatucci, William J. <WPalatucci@gibbonslaw.com>**Subject:** Re: Altice USA

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