

NORRIS MCLAUGHLIN, P.A.
400 Crossing Boulevard
8th Floor
Bridgewater, New Jersey 08807
(908) 722-0700
Attorneys for Petitioner, CSC TKR, LLC

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

IN THE MATTER OF THE APPLICATION OF	:	DOCKET NO.
CSC TKR, LLC FOR RENEWAL OF A	:	
CERTIFICATE OF APPROVAL TO CONTINUE	:	VERIFIED PETITION
TO OPERATE AND MAINTAIN A CABLE	:	FOR A RENEWAL OF A
SYSTEM IN THE TOWNSHIP OF	:	CERTIFICATE OF APPROVAL
FRELINGHUYSEN, COUNTY OF WARREN,	:	
STATE OF NEW JERSEY	:	

CSC TKR, LLC, a limited liability company existing under the laws of the State of Delaware (hereinafter “Cablevision”) and a subsidiary of Altice USA, Inc., with its place of business at 1 Court Square West, Long Island City, NY 11101, hereby states in support of the within Petition:

1. Cablevision is a cable company as defined under the provisions of the New Jersey Cable Television Act., N.J.S.A. 48:5A-3(g), and is the current holder of a Certificate of Approval issued by this Honorable Board on July 18, 1996, for the construction, operation and maintenance of a cable system in the Township of Frelinghuysen (hereinafter “Township”), County of Warren, State of New Jersey. The Certificate of Approval expired on July 18, 2021. A copy of the Certificate of Approval is attached hereto as **Exhibit A**.

2. Cablevision provided its Application for Municipal Consent to the Township pursuant

to N.J.S.A. 48:5A-23. A copy of Cablevision's Application for a Cable Television Franchise will be filed via separate email with this Board's Office of Cable Television.

3. On November 18, 2020, the Township adopted Municipal Ordinance No. 2020-11, renewing the consent of the Township for Cablevision to own, operate and maintain a cable system within the Township for a term of ten (10) years from the date of issuance of the Certificate of Approval requested herein. Municipal Ordinance No. 2020-11 was later amended on January 20, 2021 - solely to clarify locations receiving free service - by Municipal Ordinance 2021-02. A copy of Ordinance No. 2020-11 and Ordinance 2021-02 are attached hereto as **Exhibit B**.

4. By letter dated December 28, 2021, Cablevision accepted the terms of the Township's Ordinance. A copy of said correspondence is attached hereto as **Exhibit C**.

5. Cablevision maintains a local office for the use of its customers at 320 Sparta Avenue, Sparta, New Jersey 07871.

6. Cablevision has been operating its cable system within the Township in compliance with applicable federal and state law and in conformance with the rules, regulations and orders of the Board. Cablevision has fulfilled its material commitments set forth in the existing Certificate of Approval.

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

WHEREFORE, CSC TKR, LLC respectfully requests that the Board of Public Utilities issue to it a renewal Certificate of Approval for the continued operation of its cable system in Green Township, County of Sussex, State of New Jersey, for a period of ten (10) years from the date of issuance of the Certificate of Approval requested herein.

Respectfully submitted,

NORRIS McLAUGHLIN P.A.

A handwritten signature in blue ink that reads "Laura M. Miller". The signature is written in a cursive style with a clear, legible font.

LAURA M. MILLER

Dated: February 28, 2022

ALL COMMUNICATIONS REGARDING THIS VERIFIED PETITION SHOULD BE ADDRESSED TO NORRIS MCLAUGHLIN, PA., ATTORNEYS FOR PETITIONER CSC TKR, LLC, AT 400 CROSSING BOULEVARD, 8TH FLOOR, BRIDGEWATER, NEW JERSEY 07920, ATTENTION: LAURA M. MILLER, ESQ., (908-722-0700).

VERIFICATION

STATE OF NEW YORK:

SS.:

COUNTY OF QUEENS:

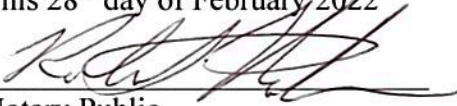
I PAUL JAMIESON, of full age, being duly sworn according to law, deposes and says:

1. I am Vice President of Government Affairs & Policy for Altice USA, Inc. and its subsidiaries which include CSC TKR, LLC. I have read the attached Petition, including the exhibits attached thereto, and state that the statements contained therein are true and correct to the best of my knowledge, information and belief.



Paul Jamieson

Sworn and subscribed to before me
This 28th day of February 2022


Notary Public

ROBERT HOCH
NOTARY PUBLIC, STATE OF NEW YORK
NO. 02HO6002764
QUALIFIED IN WESTCHESTER CO.
COMMISSION EXPIRES FEB. 17 2024



AGENDA DATE: 7/17/95

CE/CR/WE/KV/line

CABLE TELEVISION

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

KM/NU

IN THE MATTER OF THE PETITION OF)
SERVICE ELECTRIC CABLE T.V. OF NEW)
JERSEY, INC. FOR CERTIFICATES OF)
APPROVAL TO CONSTRUCT, OWN, OPERATE,)
EXTEND AND MAINTAIN CABLE TELEVISION)
SYSTEMS IN THE TOWNSHIPS OF)
FRELINGHUYSEN, HARDWICK, HOPE AND)
KNOWLTON, COUNTY OF WARREN, STATE OF)
NEW JERSEY, ON REGIONALIZATION GROUNDS)
PURSUANT TO N.J.S.A. 48:5A-17b(2))

CERTIFICATE OF APPROVAL

DOCKET NO. CE93110517
DOCKET NO. CE93110525
DOCKET NO. CE93110526
DOCKET NO. CE93110527

(See Service List)

BY THE BOARD:

On November 29, 1993, Service Electric Cable TV of New Jersey, Inc. ("Petitioner") filed a petition with the Board of Public Utilities ("Board") for Certificates of Approval for the construction and operation of cable television systems for the following contiguous municipalities located in Warren County: Township of Frelinghuysen (assigned Docket No. CE93110517); Township of Hardwick (assigned Docket No. CE93110525); Township of Hope (assigned Docket No. CE93110526); and Township of Knowlton (assigned Docket No. CE93110527) pursuant to N.J.S.A. 48:5A-17b(2). The Petitioner is a New Jersey cable television company with offices located at 270 Sparta Avenue, Suite 303, Sparta, New Jersey.

By way of background, the Townships of Frelinghuysen, Hardwick, Hope and Knowlton expressed a desire to have cable television and cable communications services extended into said Townships. The municipalities are in a sparsely populated area of the State and are among the last in the State to receive cable television service. In response, the Office of Cable Television convened several meetings with cable operators which service the surrounding areas.

The Petitioner expressed an interest in extending service into the above mentioned municipalities when planning to upgrade its system designed for the Township of Blairstown ("Blairstown"). The Petitioner services Blairstown with facilities that are centrally located to all of the municipalities. Therefore, the Petitioner filed a petition which proposed to build a minimum amount of mileage totaling approximately 109 miles of cable plant in the municipalities as the primary service area.

Due to potential problems which may be encountered in constructing the system in each Township, the Petitioner, in addition to proposing to build a minimum miles of plant, has requested some flexibility in its placement of plant in each of the above mentioned municipalities. All of the municipalities were amenable to the proposal. The system will consist of a minimum of 109 miles of plant which will be constructed within the Townships of Frelinghuysen, Hardwick, Hope and Knowlton (to be referred to collectively hereinafter as the "Townships").

The Townships, after public hearing, issued written resolutions which indicate their desire for the Board to issue to the Petitioner a Certificate of Approval without any underlying municipal consent ordinances on regionalization grounds in accordance with Section 17b of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq. and applicable case law. The factors which the Board considers in evaluating such a request are: cost of service; quality of service; time of construction; community of interest; economic impact; and overturning municipal consents. An evaluation of these factors in the matters before the Board, in conjunction with the petition support the issuance of such Certificate.

Regionalization represents the most efficient and cost effective method of bringing cable service to areas which might not otherwise have cable service provided to them. The Petitioner can serve the Townships from its existing system serving Blairstown via a fiber-optic "backbone". The granting of this Certificate would in no way impair or interfere with other cable operators. In addition, the Petitioner currently holds franchises in twenty-two municipalities in Sussex, Warren and Morris Counties in which it provides safe, adequate and proper service. The Townships are well-suited geographically to be part of the system and existing community of interest. The evidence for overturning of municipal consents are the municipal resolutions of approval for the Petitioner to apply for the direct certification to the Board based on the petition filed. Additionally, the introduction of cable services into the Townships will open up new areas and avenues of entertainment as well as advanced cable telecommunications technologies. The economic impact can only be beneficial to the Townships and the entire region serviced by the Petitioner.

Based on a full review of the resolutions, the applications and the petitions for this Certificate of Approval incorporated by reference and made a part hereof, the Board upon the recommendation of the Office of Cable Television, HEREBY FINDS the following:

1. The Petitioner possesses the requisite legal, character, financial and technical qualifications for the awarding of a Certificate of Approval. Further, although there were no municipal consent ordinances adopted, these qualifications were reviewed by the Townships in a public proceeding.
2. The design and technical specifications of the system shall ensure that the Petitioner provides safe, adequate and proper service. The proposed system shall be state-of-the-art 550 MHz plant, capable of passing 77 channels. The system will include a fiber-optic backbone, which will enhance the ability to upgrade service as new technologies become available.
3. The Petitioner will complete significant construction within one year after receiving all necessary municipal, State and federal approvals and will equitably and reasonably extend energized trunk cable within its franchised territory each year.

4. The initial franchise period is fifteen years with a ten year automatic renewal in accordance with applicable law, as forth in N.J.S.A. 48:5A-19 and 25 and N.J.A.C. 14:18-13.6 et seq. The Office of Cable Television finds this period to be of reasonable duration.
5. The economies of scale are such that the franchise area can be efficiently and economically served by the Petitioner more so than any other provider.
6. The designated complaint officer shall be the Office of Cable Television. All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5.
7. The Petitioner shall maintain a local business office within reasonable proximity to the Townships for the purpose of receiving, investigating and resolving complaints.
8. The franchise fee to be paid to each Township is specified to be 2% of the Petitioner's gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in each Township. Additional regulatory fees shall be paid to the State in an amount not to exceed 2% of Petitioner's gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.
9. The Petitioner shall make cable television service available to approximately 109 miles of plant within the Townships in accordance with the its proposal. Each municipality shall receive a minimum amount of mileage, the amount specified for each Township shall be: 28 miles of plant in the Township of Frelinghuysen, 9 miles of plant in the Township of Hardwick, 45 miles of plant in the Township of Hope and 27 miles of plant in the Township of Knowlton.
10. Upon completion of the initial 109 miles of plant, the Petitioner shall provide service to all other areas by utilizing the line extension policy attached to the Certificate (Appendix "II"). The minimum homes per mile figure ("HPM") is 35.
11. The Petitioner shall provide one channel which shall be used for a community bulletin and community access services.

12. The Petitioner shall file an initial tariff for the new rate district with the Board detailing the rates charged for all services, in accordance with the regulations of the Federal Communications Commission ("F.C.C.") and the rules set forth in the New Jersey Administrative Code. Thereafter, the Petitioner shall file informational tariffs for unregulated service rates and promptly file any revisions thereto, in accordance with all applicable rules and regulations.
13. If necessary, the Petitioner shall file with the Board a revised tariff for any revisions or modifications to be made to its existing tariff in accordance with the regulations of the F.C.C. and the rules set forth by the New Jersey Administrative Code. Thereafter, the Petitioner shall file informational tariffs for unregulated service rates and promptly file any revisions thereto, in accordance with all applicable rules and regulations.
14. The Petitioner shall submit a written detailed statement to the Board stating why the service to these four municipalities is not subject to rate regulation in accordance with the Telecommunications Act of 1996, Sec. 301 (c).

Based upon these findings, the Board HEREBY CONCLUDES that, pursuant to N.J.S.A. 48:5A-17b and 28c, the Petitioner has sufficient financial and technical capacity and 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.

This Certificate is issued on the following conditions:

1. The Petitioner shall post the appropriate performance bond with each municipality within 30 days of approval hereof. The Petitioner must provide evidence of a commitment for a bond in an amount of not less than \$25,000.00 which shall be for the life of the franchise, pursuant to N.J.S.A. 48:5A-28d. The purpose of this bond is to ensure all undertakings as promised in the petition and accompanying application, which is incorporated herein.
2. The Petitioner shall also provide each municipality within 30 days of approval hereof "[e]vidence of sufficient insurance insuring the municipality...with respect to all liability... arising out of the company's construction and operation of its CATV system.", pursuant to N.J.S.A. 48:5A-28f.

3. The Petitioner shall file all applicable information within 30 days of approval of this Certificate, as required by the above provisions numbered 12, 13 and 14.
4. The Petitioner shall file with the F.C.C. a registration statement within 30 days of the approval hereof. The Petitioner is directed to file with the Board a copy of such statement within 40 days hereof.
5. The Petitioner shall provide the Office of Cable Television with construction reports every 60 days beginning 30 days after the issuance of this Certificate. The reports shall include, but not be limited to: (1) an account of the total miles of plant projected, broken down into aerial and underground mileage; (2) the total miles of plant yet to be built, both aerial and underground; (3) the number, dates of submission, and a percentage of the total make-ready surveys submitted to the utilities; (4) the number, dates received and a percentage of total make-ready licenses received (e.g. total miles released by utilities); (6) miles of cable stranded; (7) miles of aerial plant constructed; and (9) total miles of activated plant.

As stated previously, due to potential problems which the Petitioner perceives it may encounter in constructing the system in each Township, it has proposed to build a minimum number of miles of plant but has requested some flexibility in its placement of plant or "primary service area", in all of the above mentioned municipalities. The "primary service area" is the portion of the municipality in which a cable television company has promised to make service available to all present and future customers at standard and non-standard installation rates.

The New Jersey State Legislature has determined that the Board and the Director of the Office of Cable Television, under the supervision of the Board, shall have the power and authority to supervise and regulate every cable television company operating within the state, pursuant to N.J.S.A. 48:5A-9b; and to render all decisions necessary to enforce the provisions of this Act pursuant to N.J.S.A. 48:5A-9c. The Office of Cable Television has the authority to set specifications for the construction of cable television facilities. N.J.S.A. 48:5A-10a. Pursuant to that authority, every cable television company is mandated to perform construction and installation of its plant and facilities in accordance with the requirements of N.J.A.C. 14:18-2.1.

In this particular instance and due to the nature of regionalization, the Board shall delegate to the Director of the Office of Cable Television the power to review and make recommendations concerning the primary service area. The Board finds that in this instance only and due to the nature of regionalization, the Petitioner shall be allowed the flexibility to modify its primary service area administratively; upon approval of the affected municipality, after review by the Office of Cable Television and under supervision of the Director, and only after approval by the Director of the Office of Cable Television. Therefore, in this instance the Board delegates the power to the Director of the Office

of Cable Television to approve modification of the primary service area but not the minimum amount of mileage of plant per municipality or any other provision of this Certificate without prior approval of the Board.

Therefore, the Petitioner is HEREBY ISSUED this Certificate of Approval as evidence of Petitioner's authority to construct and operate a cable television system within the entirety of each Township.

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

The Petitioner shall adhere to the operating standards set forth by the F.C.C.'s rules and regulations, 47 C.F.R. Section 76.1 et seq. Any modifications to the provisions thereof shall be incorporated into this Certificate. Additionally and more specifically, the Petitioner shall adhere to the technical standards of 47 C.F.R. Part 76, Subpart K.

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

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

This Certificate shall expire fifteen years from the date of issuance.

DATED: July 18, 1996

BOARD OF PUBLIC UTILITIES

BY:

HERBERT H. TATE
PRESIDENT

CARMEN J. ARMENTI
COMMISSIONER

DR. EDWARD H. SALMON
COMMISSIONER

ATTEST:

JAMES A. NAPPI, ESQ.
SECRETARY

-6-

DOCKET NO. CE93110517
DOCKET NO. CE93110525
DOCKET NO. CE93110526
DOCKET NO. CE93110527

APPENDIX ISERVICE LIST

SECTV REGIONALIZATION - PETITIONS
FOR CERTIFICATES OF APPROVAL IN THE
TOWNSHIPS OF FRELINGHUYSEN TWP. - CE93110517,
HARDWICK TWP. - CE93110525, HOPE TWP. - CE93110526
KNOWLTON TWP. - CE93110527

Rinaldo D'Argenio, Esq.
Smith, Don, Alampi, D'Argenio
& Arturi
210 Sylvan Ave.
Englewood Cliffs, N.J. 07632

Ron DeBalko, General Manager
Service Electric Cable TV
P.O. Box 853
Sparta, N.J. 07871

Robert Williams, Jr. Esq.
Service Electric Cable TV
P.O. Box 853
Sparta, N.J. 07871

Hon. Charles E. Rydell, Mayor
Ms. Brenda J. Kleber, Clerk
Township of Frelinghuysen
P.O. Box 417
Johnsonburg, N. J. 07846-0417

Hon. John Pavlils, Mayor
Ms. Judith M. Hanke, Clerk
Township of Hardwick
40 Spring Valley Road
Blairstown, N.J. 07825

Hon. Timothy C. McDonough, Mayor
Ms. Mary Pat Peterson, Clerk
Township of Hope
P.O. Box 284
Hope, N.J. 07844-0284

Hon. Fran Van Horn, Mayor
Ms. Patricia A. Glaab, Clerk
Township of Knowlton
Knowlton Twp. Municipal Building
628 Route 94
Columbia, N.J. 07832

SERVICE LIST

APPENDIX "II"

Office of Cable Television
Line Extension PolicySERVICE ELECTRIC CABLE TV OF NEW JERSEY, INC.
REGIONALIZATION - PETITIONS
FOR CERTIFICATES OF APPROVAL IN THE
TOWNSHIPS OF FRELINGHUYSEN TWP. - CE93110517,
HARDWICK TWP. - CE93110525,
HOPE TWP. - CE93110526 and KNOWLTON TWP. - CE93110527

A cable operator is required to absorb the cost of extensions to the system in the same proportion that the extension is to the remainder of the system.

Actual subscribers served by the extension are required to absorb the remainder of the cost.

If new subscribers are added to the extension the cost is adjusted and those who previously paid receive an appropriate rebate.

1. $\frac{\text{\# of homes in extension}}{\text{mileage of extension}}$ = homes per mile (HPM) of extension
2. $\frac{\text{HPM of extension}}{\text{Minimum HPM that company actually constructs in the system *}}$ = ratio of the density of the extension to the minimum density which the company constructs in the system or "A"
3. Total cost of building the extension times "A" = company's share of extension cost
4. Total cost of building extension less company's share of extension cost = total amount to be recovered from subscribers
5. $\frac{\text{Total amount to be recovered from subs}}{\text{Total subscribers in extension}}$ = each subscriber's share

In any case, the company shall extend its plant along public rights of way to:

1. All residences and businesses within 150 aerial feet of the operator's existing plant at no cost beyond the normal installation rate.
2. All residences and businesses within 100 underground feet of the operator's plant at no cost beyond the normal installation rate.

* The minimum HPM that the company actually constructs in the system or municipality is the minimum number of homes which the company has historically constructed at its own cost. This is a function of the operator's break even point and its rate of return. Unbuilt systems will use the primary service area rather than construction.

The operator's installation policies shall apply to construction beyond the public right of way.

Detailed accounting and/or financial information to support the minimum HPM shall be supplied to the Office for its approval in such form as required. The minimum HPM shall be updated as appropriate.

When a request for service is received, and unless good cause is shown, cable companies shall:

1. Provide a written estimate within 30 days of such a request.
2. Begin construction within 60 days of receipt of any deposit monies from potential subscribers.
3. Complete construction within six months of receipt of any deposit monies from potential subscribers.
4. Inform each home passed along the extension of the potential costs for subscribers.

Subscribers who pay for an extension shall be entitled to rebates in the following manner:

1. If the company acquires new subscribers subsequent to the initial calculation of step 5 above, the formula will be adjusted and those who have previously paid for the extension will be entitled to an appropriate rebate. In no event shall the amount of the rebate exceed the subscriber's contribution.
2. The company shall keep accurate records of the cost of the extension, the amounts paid by subscribers and any appropriate adjustments.
3. The company shall notify subscribers in the extension of their rights and responsibilities concerning the extension.
4. Once an individual dwelling has paid its share of the extension cost future reconnections or installations shall be made at the company's standard rates.
5. After a period of five years from the installation of the first dwelling unit in the extension no further adjustments shall be made. Installations after five years shall be at the company's standard rate.
6. Once a subscriber is installed, that person shall not normally be entitled to a refund of any monies paid for the installations, except in accordance with the rebate procedure outlined in this policy.

Definitions

Primary Service Area

The Primary Service Areas (PSA)* can be an entire municipality but in many instances the PSA is a limited area within a community outside of which a line extension policy may apply. The PSA is depicted by a franchise map and narrative, presented and recorded during the franchise proceedings. It normally remains a fixed geographic area throughout the life of the franchise.

Line Extension Survey

Potential subscribers residing outside the PSA who request service are entitled to an estimate of their share of the cost to secure service. When conducting a survey and estimating costs, a cable company should factor-in all potential subscribers who could practicably be included in the extension and give consideration to apparent residential construction in areas contiguous to the proposed extension.

/njw

EXHIBIT B

TOWNSHIP OF FRELINGHUYSEN

ORDINANCE NO. 2020-11

AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE TOWNSHIP OF FRELINGHUYSEN, NEW JERSEY TO CSC TKR, LLC

WHEREAS, the governing body of Township of Frelinghuysen (hereinafter referred to as the "Township") determined that CSC TKR, LLC (hereinafter referred to as "the Company") has the technical competence and general fitness to operate a cable television system in the Municipality (as defined in Section 1 of this Ordinance), and by prior ordinance granted its municipal consent for the Company's predecessor in interest, Service Electric Cable T. V. of New Jersey, Inc. ("SECTV") to obtain a non-exclusive franchise (the "Franchise") for the placement of facilities and the establishment of a cable television system in the Municipality; and

WHEREAS, by application for renewal consent filed with the Township and the Office of Cable Television on or about October 14, 2011, SECTV, and the Company as its successor in interest, has sought a renewal of the Franchise; and

WHEREAS, on or about July 14, 2020; with the prior approval of the Board of Public Utilities of the State of New Jersey (hereinafter the "Board") the Company completed its purchase of the assets of SECTV, including the cable television franchise for, and the cable television system within the territorial limits governed by, the Township, and

WHEREAS, the Township having held public hearings has made due inquiry to review The Company's performance under the Franchise, and to identify the Township's future cable-related needs and interests and has concluded that the Company has substantially complied with its obligations under the Franchise and applicable law and has committed to certain undertakings responsive to the Township's future cable-related needs and interests;

WHEREAS, the Township has accordingly concluded that the consent should be renewed subject to the requirements set forth below; and that, provided the Company's proposal for renewal embodies the commitments set forth below, the Township's municipal consent to the renewal of the Franchise should be given; and

WHEREAS, imposition of the same burdens and costs on other competitors franchised by the Township is a basic assumption of the parties;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township Frelinghuysen, County of Warren, and State of New Jersey, as follows:

EXHIBIT B

SECTION 1. DEFINITIONS

For the purpose of this Ordinance the terms defined above shall have the meanings there indicated, and the following additional terms shall have the following meanings:

- (a) "Act" or "Cable Television Act" shall mean that statute of the State of New Jersey relating to cable television, known as the Cable Television Act, N.J.S.A. 48:5A-1 et seq.
- (b) "Application" shall mean the Company's application for Renewal of Municipal Consent, which application is on file in the Township Clerk's office and is incorporated herein by reference and made a part hereof, except as modified, changed, limited or altered by this Ordinance.
- (c) "Board" shall mean the Board of Public Utilities of the State of New Jersey or its successor agency.
- (d) "Township" shall mean the governing body of the Township Frelinghuysen in the County of Warren, and the State of New Jersey.
- (e) "Company" shall mean CSC TKR, LLC, the grantee of rights under this Ordinance.
- (f) "FCC" shall mean the Federal Communications Commission.
- (g) "Federal Act" shall mean that federal statute relating to cable communications commonly known as the Cable Communications Policy Act of 1984, 47 U.S.C. Section 521 et seq. and the Telecommunications Act of 1996, or as those statutes may be amended.
- (h) "Federal Regulations" shall mean those federal regulations relating to cable television services, 47 C.F.R. Section 76.1 et seq. (and, to the extent applicable, any other federal rules and regulations relating to cable television, including but not limited to, those described in 47 C.F.R. Section 76.3), or as such regulations may be amended.
- (i) "Municipality" shall mean the area contained within the present municipal boundaries of the Township of Frelinghuysen in the County of Warren, and the State of New Jersey.
- (j) "Standard installation" shall mean the installation of drop cable to a customer's premise where the distance from the point of entry into the building being served is less than 150 feet from the active cable television system plant.
- (k) "State" shall mean the State of New Jersey.

EXHIBIT B

- (l) "State Regulations" shall mean those regulations of the State of New Jersey Board of Public Utilities relating to cable television. N.J.A.C. 14:17-1.1 et seq. and N.J.A.C. 14:18-1 et seq., or as such regulations may be amended.

SECTION 2. STATEMENT OF FINDINGS

A public hearing concerning the consent herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the Act. Said hearing having been held and fully open to the public, and the Township having received all comments regarding the qualifications of the Company to receive this consent, the Township hereby finds the Company possesses the necessary legal, technical, character, financial and other qualifications to support municipal consent, and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 3. GRANT OF AUTHORITY

The Township hereby grants to the Company its non-exclusive consent to place in, upon, along, across, above, over, and under its highways, streets, alleys, sidewalks, public ways, and public places in the Municipality poles, wires, cables, and fixtures necessary for the maintenance and operation in the Municipality of a cable television system or other communications facility, and for the provision of any communication service over such facilities. Operation and construction, pursuant to said consent, is conditioned upon prior approval of the Board of Public Utilities.

SECTION 4. DURATION OF FRANCHISE

This consent granted herein shall be non-exclusive and shall be for a term of ten (10) years from the date of issuance of a Certificate of Approval by the Board.

SECTION 5. EXPIRATION AND SUBSEQUENT RENEWAL

If the Company seeks successive consent, it shall, prior to the expiration of this consent, apply for a municipal consent and certificate of approval in accordance with N.J.S.A 48:5A-16, and applicable state and federal rules and regulations. In accordance with N.J.S.A. 48:5A-25.1, both the Township and the Company shall be bound by the terms of this municipal consent until such time as the Company converts the municipal consent (and any certificate of approval) into a system-wide franchise.

SECTION 6. FRANCHISE TERRITORY

The consent granted under this Ordinance to the Company shall apply to the entirety of the Municipality and any property hereafter annexed.

SECTION 7. SERVICE AREA

EXHIBIT B

The Company shall be required to proffer video programming service along any public right-of-way to any person's residence within the "primary service area," as it exists on the effective date of any written approval order by the Board of this consent, at The Company's schedule of rates for standard and nonstandard installation.

The "primary service area" shall include the development known as "Homestead Farms" located within the Municipality; where construction of the cable system commenced, or shall commence, no later than January 14, 2021.

SECTION 8. EXTENSION OF SERVICE

Pursuant to the requirements of the Board, as ordered in its approval of the transfer of the Franchise from SECTV to the Company (Docket No. CM20030211, effective July 6, 2020), upon request, the Company shall extend service along any public right of way outside its primary service area to those residences or small businesses within the franchise territory which are located in areas that have a residential home density of twenty-five (25) homes per mile or greater (as measured from the then existing primary service area), or areas with less than twenty-five (25) homes per mile where residents and/or small businesses agree to share the cost of such extension in accordance with the line extension formula as provided by the Company in its application for municipal consent.

SECTION 9. FRANCHISE FEE

Pursuant to the terms and conditions of the Cable Television Act, the Company shall pay to the Township, as an annual franchise fee, a sum equal to two percent (2%) of the actual gross revenues received from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception services in the Municipality. In the event applicable law hereinafter permits a larger franchise fee to be collected, but does not fix the amount thereof, the Township and the Company shall negotiate in good faith with respect to the amount thereof; provided, however, that nothing herein shall be construed to permit the Township to require payment of a franchise fee by the Company that is higher than the fee paid by all other cable television service providers offering service in the Municipality.

SECTION 10. FREE SERVICE

Subject to applicable federal regulations, the Company shall, upon written request, provide free of charge, 200 Mbps service one (1) standard installation and monthly cable television reception service to all State or locally accredited public schools and all municipal buildings located within the Municipality.

SECTION 11. CONSTRUCTION/SYSTEM REQUIREMENTS

EXHIBIT B

The Company shall perform construction and installation of its plant and facilities in accordance with applicable State and federal law. The Company shall be subject to the following additional construction requirements with respect to the installation of its cable plant and facilities in the Municipality:

(a) In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces, the Company shall at its sole expense restore and replace such disturbances in as good a condition as existed prior to the commencement of said work.

(b) If at any time during the period of this consent, the Township shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Township shall remove or relocate its equipment, at its own expense.

(c) Upon request of a person holding a building or moving permit issued by the Township, the Company shall temporarily move or remove appropriate parts of its facilities so as to permit the moving or erection of buildings or for the performance of other work. The expense of any such temporary removal or relocation shall be paid in advance to the Company by the person requesting the same. In such cases, the Company shall be given not less than fourteen (14) days prior written notice in order to arrange for the changes required.

(d) During the exercise of its rights and privileges under this consent, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Township so as to prevent the branches of such trees from coming in contact with the wires, cables, conduits and fixtures of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company's facilities.

SECTION 12. TECHNICAL AND CUSTOMER SERVICE STANDARDS

The Company shall comply with the technical and customer service standards established for the cable industry under applicable federal and State laws, rules and regulations.

SECTION 13. LOCAL OFFICE OR AGENT

The Company shall establish and maintain during the entire term of this consent a local area business office or agent for the purpose of receiving, investigating and resolving complaints regarding the quality of service, equipment malfunctions and similar matters. Said office shall be open daily during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m., Monday through Friday, with the exception of holidays.

EXHIBIT B

SECTION 14. DESIGNATION OF COMPLAINT OFFICER

The Office of Cable Television is hereby designated as the complaint officer for the Township pursuant to the provisions of N.J.S.A. 48:5A-26. All complaints shall be reviewed and processed in accordance with N.J.A.C. 14:17-6.5.

SECTION 15. LIABILITY INSURANCE

The Company agrees to maintain and keep in force and effect at its sole cost at all times during the term of this consent, sufficient liability insurance naming the Township as an additional insured and insuring against loss by any such claim, suit, judgment, execution or demand in the minimum amounts of five-hundred thousand dollars (\$500,000) for bodily injury or death to one person, and one million dollars (\$1,000,000) for bodily injury or death resulting from any one accident or occurrence stemming from or arising out of the Company's exercise of its rights hereunder.

SECTION 16. PERFORMANCE BOND

The Company shall obtain and maintain, at its sole cost and expense, during the entire term of this Agreement, a bond to the Township in the amount of twenty-five thousand dollars (\$25,000.00). Such bond shall be to insure the faithful performance of its obligations as provided in this Franchise.

SECTION 17. RATES

- A. The rates of the Company for cable television service shall be subject to regulation to the extent permitted by federal and State law.
- B. The Company shall implement a senior citizen discount in the amount of ten percent (10%) off the monthly broadcast basic level of cable television service rate to any person sixty-two (62) years of age or older, who subscribes to cable television services provided by the Company, subject to the following:
- (i) Such discount shall only be available to eligible senior citizens who do not share the subscription with more than one person in the same household who is less than sixty-two (62) years of age; and,
 - (ii) In accordance with N.J.S.A. 48:5A-11.2, subscribers seeking eligibility for the discount must meet the income and residence requirements of the Pharmaceutical Assistance to the Aged and Disabled program pursuant to N.J.S.A. 30:4D-21; and,
 - (iii) The senior discount herein relates only to the broadcast basic level of cable television service, and shall not apply to any additional service, feature, or equipment offered by the Company, including any premium channel services and pay-per-view services; and,

EXHIBIT B

- (iv) Senior citizens who subscribe to a level of cable television service beyond expanded basic service, including any premium or per channel a la carte service, shall not be eligible for the discount; and,

C. The Company shall have no further obligation to provide the senior discount herein in the event that (a) the Company converts the municipal consent granted herein to a system-wide franchise in accordance with N.J.S.A. 48:5A-25.1; or (b) upon Board approval of a certification that another cable television service provider offering services to residents of the Municipality files, in accordance with N.J.S.A. 48:5A-30(d), is capable of serving sixty percent (60%) or more of the households within the Municipality. In the event the Company does cease providing a senior discount pursuant to this provision, it shall comply with all notice requirements of applicable law.

SECTION 18. EMERGENCY USES

The Company shall be required to have the capability to override the audio portion of the system in order to permit the broadcasting of emergency messages by the Township pursuant to state and federal requirements. The Company shall in no way be held liable for any injury suffered by the Township or any other person, during an emergency, if for any reason the Township is unable to make full use of the cable television system as contemplated herein. The Township shall utilize the state-approved procedures for such emergency uses.

SECTION 19. EQUITABLE TERMS

In the event that the service of another multi-channel video program provider not subject to the Township's regulatory authority within the Municipality creates a significant competitive disadvantage to the Company, the Company shall have the right to request from the Township lawful amendments to its Franchise that relieve it of burdens which create the unfair competitive situation. Should the Company seek such amendments to its Franchise, the parties agree to negotiate in good-faith appropriate changes to the Franchise in order to relieve the Company of such competitive disadvantages. If the parties can reach an agreement on such terms, the Township agrees to support the Company's petition to the Board for modification of the consent in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7.

If the parties are unable to reach an agreement on appropriate amendments to the franchise, the Township acknowledges that the Company shall have the right to petition the Board directly for such amendments in accordance with N.J.S.A. 48:5A-47 and N.J.A.C. 14:17-6.7; provided, however, the Township shall be under no obligation to support The Company's request for such relief from the Board.

In any subsequent municipal consent, Township shall require, at a minimum, the same terms and conditions of any other provider of multi-channel video programming subject to the Township's regulatory authority as those contained in the instant consent. In the event such subsequent consent does not contain the same terms and conditions as the instant consent, Township agrees to support the Company's petition to

EXHIBIT B

the Board for modification of the consent in accordance with NJSA 48:5A-47 and NJAC 14:17-6.7 to relieve the Company of competitive disadvantages identified in the Company's petition.

SECTION 20. REMOVAL OF FACILITIES

Upon expiration, termination or revocation of this Ordinance, the Company at its sole cost and expense and upon direction of the Board, shall remove the cables and appurtenant devices constructed or maintained in connection with the cable services authorized herein, unless the Company, its affiliated entities or assignees should, within six (6) months after such expiration, termination or revocation obtain certification from the FCC to operate an open video system or any other federal or state certification to provide telecommunications.

SECTION 21. PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS

A. The Company shall continue to make available non-commercial public, educational and governmental (PEG) access services available to the residents of the Municipality as described in the Application for municipal consent. All the Company support for PEG access shall be for the exclusive benefit of the Company's subscribers.

B. The Township agrees that the Company shall retain the right to use the PEG access channel, or portion thereof, for non-PEG access programming, during times when the Township is not utilizing the channel for purposes of providing PEG access programming. In the event that the Company uses said PEG access channel for the presentation of such other programming, the PEG programming shall remain the priority use and the Company's rights with respect to using the channel for non-PEG programming shall be subordinate to the Township's provision of PEG access programming on such channel.

C. The Company shall have discretion to determine the format and method of transmission of the PEG access programming provided for in this Section 21.

SECTION 22. INCORPORATION OF APPLICATION

All of the commitments contained in the Application and any amendment thereto submitted in writing to the Township by the Company except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and any other written amendments thereto submitted by the Company in connection with this consent are incorporated in this Ordinance by reference and made a part hereof, except as specifically modified, changed, limited, or altered by this Ordinance, or to the extent that they conflict with State or federal law.

SECTION 23. CONSISTENCY WITH APPLICABLE LAWS

EXHIBIT B

This consent shall be construed in a manner consistent with all applicable federal, State and local laws; as such laws, rules and regulations may be amended from time to time.

SECTION 24. SEPARABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 25. NOTICE

Notices required under this Ordinance shall in writing and shall be mailed, first class, postage prepaid, to the addresses below. Either party may change the place where notice is to be given by providing such change in writing at least thirty (30) days prior to the time such change becomes effective. The time to respond to notices under this Ordinance shall run from receipt of such written notice.

Notices to the Company shall be mailed to:

Altice USA
1 Court Square West, 49th Floor
Long island City, NY 11101
Attention: Senior Vice President for Government Affairs
With a copy to:

CSC TKR, LLC
c/o Altice USA
1 Court Square West
Long island City, NY 11101
Attention: Legal Department

Notices to the Township shall be mailed to:

Township of Frelinghuysen
210 Main Street
Johnsonburg, NJ 07825
Attention: Township Clerk

SECTION 26. EFFECTIVE DATE AND BOARD OF PUBLIC UTILITY APPROVAL

This Ordinance shall take effect upon issuance of a Certificate of Approval as issued by the Board of Public Utilities that incorporates the material terms of this Ordinance. Nothing herein shall alter the right of the Company to seek modification of

EXHIBIT B

this Ordinance in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7. In accordance with N.J.S.A. 48:5A-25.1, the terms of this Ordinance will no longer be in effect upon The Company converting the municipal consent (and any certificate of approval) into a system-wide franchise.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon the passage, and publication as required by law.

ATTEST:

TOWNSHIP OF FRELINGHUYSEN


DONNA ZILBERFARB, Clerk


CHRISTOPHER STRACCO, Mayor

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on October 21, 2020 and was passed for final reading and adoption at the meeting of the Frelinghuysen Township Committee held on November 18, 2020 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey.


DONNA ZILBERFARB, Clerk

EXHIBIT B

TOWNSHIP OF FRELINGHUYSEN

ORDINANCE NO. 2021-02

AN ORDINANCE AMENDING ORDINANCE NO. 2020-11, GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE TOWNSHIP OF FRELINGHUYSEN, NEW JERSEY TO CSC TKR, LLC

WHEREAS, by Ordinance No. 2020-11, the Frelinghuysen Township Mayor and Committee granted municipal consent for the operation of a cable television system within Frelinghuysen Township to CSC TKR, LLC; and

WHEREAS, it is necessary and appropriate to revise Section 10 of that Ordinance 2020-11 as set forth below, without otherwise amending the terms of that Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township Frelinghuysen, County of Warren, and State of New Jersey, as follows:

SECTION I

Section 10 of Ordinance 2020-11 is hereby deleted in its entirety, and replaced with the following:

SECTION 10. FREE SERVICE

Subject to applicable federal regulations, the Company shall, upon written request, provide free of charge, one (1) standard installation and monthly cable television reception service to all State or locally accredited public schools and all municipal public libraries, as well as municipal buildings located within the Municipality.

Upon written request from the Township, the Company shall provide to the Township at: (a) Town Hall at 210 Main Street and; (b) one (1) additional Township owned facility currently passed by the Company's System, without charge, the following at each: (1) one standard installation; (2) one cable modem per installation; and (3) cable modem service for the term of this Ordinance for each installation. This offer shall be subject to the terms, conditions and use policies of the Company as those policies may exist from time to time.

SECTION II

Except as amended herein, Ordinance No. 2020-11 shall remain in full force and effect.

EXHIBIT B

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication as required by law.

ATTEST:


TOWNSHIP OF FRELINGHUYSEN


DONNA ZILBERFARB, Clerk


CHRISTOPHER STRACCO, Mayor

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on January 1, 2021 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on January 20, 2021 at the Municipal Building, 210 Main Street, Johnsonburg, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance.


DONNA ZILBERFARB, Clerk



December 28, 2021

Ms. Donna Zilberfarb
Township Clerk
Township of Frelinghuysen
210 Main Street
Johnsonburg, NJ 07825

Dear Clerk Zilberfarb:

Pursuant to NJSA 48:5A-24, CSC-TKR, LLC ("Altice") hereby accepts issuance of the municipal consent for the construction, operation and maintenance of a cable television system within the Township as set forth in Ordinance No. 2020-11, adopted on November 18, 2020, with all of the terms and conditions thereof as approved by the Township Committee. Altice will file a petition for a certificate of approval of this franchise renewal with the New Jersey Board of Public Utilities.

Altice looks forward to a harmonious working relationship with the Township of Frelinghuysen and to serving its residents.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cathy Calhoun', with a stylized flourish at the end.

Cathy Calhoun
Vice President, Government Affairs

cc: New Jersey Office of Cable Television and Telecommunications
Robert Hoch, Altice USA
Marilyn Davis, Altice USA

EXHIBIT C

Shirley Michael

From: TrackingUpdates@fedex.com
Sent: Thursday, December 30, 2021 10:56 AM
To: Shirley Michael
Subject: FedEx Shipment 775614068511 Delivered

This tracking update has been requested by:

Company Name: Cablevision
Name: Shirley Michael
E-mail: smichael@cablenj.org

Our records indicate that the following shipment has been delivered:

Door Tag number: DT106265395116
Reference: Municipal Consent
Ship date: Dec 28, 2021
Signed for by: D.ZILBERFARB
Delivery location: Johnsonburg, NJ
Delivered to: Receptionist/Front Desk
Delivery date: Thu, 12/30/2021 10:52 am
Service type: FedEx Standard Overnight®
Packaging type: FedEx® Envelope
Number of pieces: 1
Weight: 0.50 lb.
Special handling/Services: Deliver Weekday
Standard transit: 12/29/2021 by 4:30 pm

Tracking number: 775614068511

Shipper Information	Recipient Information
Shirley Michael	Donna Zilberfarb
Cablevision	Twp of Frelinghuysen
124 W. State St	210 Main Street
Trenton	Johnsonburg
NJ	NJ
US	US
08608	07825

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 9:55 AM CST on 12/30/2021.