



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

OFFICE OF CABLE TELEVISION
AND TELECOMMUNICATIONS

IN THE MATTER OF THE PETITION OF COMCAST) ORDER OF APPROVAL
CABLE COMMUNICATIONS, LLC, FOR)
PERMISSION TO CLOSE AND RELOCATE A)
CUSTOMER SERVICE OFFICE (BOROUGH OF)
SOUTH RIVER, COUNTY OF MIDDLESEX, STATE)
OF NEW JERSEY)) DOCKET NO. CO18080862

Parties of Record:

Dennis C. Linken, Esq., Scarinci Hollenbeck, for Comcast Cable Communications, LLC
Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:¹

This matter concerns a petition filed on August 9, 2018 by Comcast Cable Communications, LLC ("Petitioner"), a cable television company holding Certificates of Approval and conducting cable television business in the State of New Jersey, including Comcast of New Jersey II, LLC ("Comcast"), and with its principal office located at 1500 Market Street, Philadelphia, Pennsylvania, for approval to close a customer service office located at 72 Main Street, Borough of South River, New Jersey ("Borough" or "South River"). The office was damaged and temporarily closed in January 2018 when a steam pipe burst. During an inspection with regard to work needed to remediate the damage, the presence of asbestos was discovered. While the asbestos was remediated, further inspection prior to reoccupation of the premises identified the presence of mold. Therefore, the Petitioner let its lease on the property expire in June 2018 and permanently closed the office. The Borough was notified and customers were directed to the Petitioner's office at 3 Auer Court, East Brunswick, New Jersey, located 1.6 miles from the South River location.

¹ Commissioner Robert M. Gordon recused himself due to a potential conflict of interest and as such took no part in the discussion or deliberation of this matter.

It is noted that the South River office location was required by the Borough in its municipal consent and in the Automatic Renewal Certificate of Approval issued to Comcast by the Board of Public Utilities ("Board"), in Docket No. CE15050621 on October 15, 2015. Comcast sought amendment of the municipal consent from the Borough, and on June 28, 2018, the Borough granted its consent to close the office in the Borough, subject to certain terms and conditions, which are enumerated in the Order of Amendment to an Automatic Renewal Certificate of Approval, I/M/O the Petition of Comcast of New Jersey II, LLC for a Modification of the Terms and Conditions of a Municipal Consent Upon Which a Certificate of Approval Is Based for the Borough of South River, County of Middlesex, New Jersey, Docket No. CE18080861 (November 19, 2018). Specifically, Comcast has agreed to open a new Xfinity store within five (5) miles of the South River office location as soon as practicable, to provide a community grant to the Borough without pass through to customers, and to provide free cable television and internet service to several locations in the Borough. Comcast also agreed to allow the Borough to act as a third-party entity for the purpose of accepting payments from its customers for the duration of its current franchise in the Borough.

The Petitioner proposes to specify the designated local office as 2345 US Route 22, Union, New Jersey until such time as it is able to construct a new Xfinity store within five (5) miles of the South River office. Customers may continue to use the local office at 3 Auer Court, East Brunswick or any other Xfinity store of their choosing. While the Union office is located twenty-three (23) miles away from the South River office, it is the closest full-service office in Comcast's franchise territory and therefore has been designated as the official local office for South River. Further, the Union office was designated as an additional local office in the Automatic Renewal Certificate of Approval issued to Comcast for the Borough, in Docket No. CE15050621.

The Petitioner asserts that the closing of its South River office is reasonable and will serve the public interest for several reasons, including:

1. The Union and East Brunswick office locations provide customers with extended hours of operation, including Saturday and Sunday hours in Union.
2. There are dedicated off-street parking spaces at the Union location and shared off-street parking spaces at the East Brunswick location, which are sufficient for the number of customers that use the office.
3. The Petitioner will open a new Xfinity store near the border of South River and East Brunswick as soon as practicable. The store will have hours of operation seven (7) days a week.
4. The Union office is located approximately twenty-three (23) miles away from South River. The East Brunswick office is located 1.6 miles away from South River. South River customers can travel to the East Brunswick office by a combination of public bus and walking. There are twenty (20) off-street parking spots available at the East Brunswick office.

The Petitioner indicates that no adverse impact is expected to the level of service provided to customers as a result of the change. Customer services will continue to be provided through its

trained customer service representatives. Customers will be allowed to pick-up, drop-off, or exchange set top boxes; access any public information files; submit applications for new service from the Petitioner; make changes to existing service; present service inquiries; tender complaints and bill payments; and schedule installation and service calls. The South River office had limited hours of operation and one (1) employee, who has been relocated to the East Brunswick office. The Union office is open to transact business Monday through Saturday from 9:00 a.m. to 8:00 p.m., and on Sunday from 11:00 a.m. to 5:00 p.m. The East Brunswick office is open to transact business Monday through Friday from 9:00 a.m. to 6:00 p.m., and on Saturday from 9:00 a.m. to 2:00 p.m.

As required by N.J.A.C. 14:18-5.1(c), the Petitioner posted notice of the temporary closure of the South River office on January 12, 2018, due to environmental concerns and directed customers to the East Brunswick local office. The South River office location has not reopened. Notice of the petition was published on August 15, 2018 in The Home News Tribune and on August 16, 2018 in The Star Ledger, newspapers of general circulation in Petitioner's service area, informing area subscribers of the proposal and their right to file written comments or objections with the Board by September 17, 2018. No comments were received.

However, N.J.A.C. 14:18-5.1(c) further requires that "[t]he cable television company shall simultaneously notify its customers and the clerk of each affected municipality of the pending application for permission to relocate or close the subject office by means of posting notice at the office location..." Since the Petitioner let its lease on the South River office terminate, it was unable to post notice of the application to close the subject office at 72 Main Street, South River, New Jersey.

By letter dated August 29, 2018, the New Jersey Division of Rate Counsel filed comments with the Board stating that it did not object to the approval of the petition.

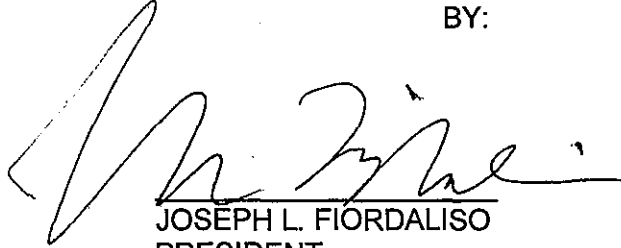
Accordingly, based upon the petition and supporting documentation, the Board **HEREBY FINDS** that the proposed change in office locations conforms to all existing conditions regarding office location in the certificates of approval currently in effect for the municipalities served by the Petitioner. Therefore, the Board **HEREBY GRANTS** Petitioner's request to permanently close its local office at 72 Main Street, South River, New Jersey, subject to the following conditions:

1. As soon as practicable, the Petitioner shall establish a local business office or agent, specifically an Xfinity store, which shall serve the Borough and facilitate receiving, investigating and resolving complaints, and which shall be located within a five (5) mile radius of the Petitioner's legacy store in the Borough. Upon completion, the Petitioner shall provide proof of satisfaction to the Office of Cable Television and Telecommunications.
2. The Petitioner shall establish the Borough as a third-party entity for the purpose of collecting payments from the Petitioner's customers within and outside the Borough. This arrangement is subject to termination upon expiration of the franchise issued under Docket No. CE15050621, as amended by Docket No. CE18080861. Upon completion, the Petitioner shall provide proof of satisfaction to the Office of Cable Television and Telecommunications.

This Order shall be effective on November 29, 2018.

DATED: 11/19/18

BOARD OF PUBLIC UTILITIES
BY:




JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST: 
AIDA CAMACHO-WELCH
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public Utilities.

IN THE MATTER OF THE PETITION OF COMCAST CABLE COMMUNICATIONS, LLC, FOR
PERMISSION TO CLOSE AND RELOCATE A CUSTOMER SERVICE OFFICE (BOROUGH
OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY)

DOCKET NO. CO18080862

SERVICE LIST

Dennis C. Linken, Esq.
Scarinci Hollenbeck
Post Office Box 790
Lyndhurst, NJ 07071-0790
dlinken@sh-law.com

Patricia O'Connor
Borough Clerk
Borough of South River
48 Washington Street
South River, NJ 08882-1247
poconnor@southrivernj.org

Charles L. Smith, III, Senior Director
Government and Regulatory Affairs
Comcast
800 Rahway Avenue
Union, NJ 07083
charles_smith4@cable.comcast.com

Patricia O'Connor
Borough Clerk
Borough of South River
48 Washington Street
South River, NJ 08882-1247
poconnor@southrivernj.org

Stefanie A. Brand, Esq., Director
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-0003
sbrand@rpa.nj.gov

Alex Moreau
Deputy Attorney General
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
alex.moreau@law.njoag.gov

Board of Public Utilities

44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350

Lawanda R. Gilbert, Esq., Director
Office of Cable Television and
Telecommunications
lawanda.gilbert@bpu.nj.gov

William H. Furlong, Chief
Bureau of Inspection and Enforcement
Office of Cable Television and
Telecommunications
william.furlong@bpu.nj.gov

Karen A. Marlowe
Administrative Analyst 4
Office of Cable Television and
Telecommunications
karen.marlowe@bpu.nj.gov

Carol Artale, Esq.
Deputy Chief Counsel
carol.artale@bpu.nj.gov

Stacy Ho Richardson, Esq.
Counsel's Office
stacy.richardson@bpu.nj.gov