

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

In (a), substituted "with" for "for" following "credit".

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Rewrote (b); deleted (c).

Amended by R.2007 d.154, effective May 7, 2007.

See: 38 N.J.R. 4822(b), 39 N.J.R. 1766(a).

In (a), deleted "simple" preceding "interest".

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2009.

See: 41 N.J.R. 322(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2010.

See: 41 N.J.R. 4570(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2011.

See: 42 N.J.R. 2999(b).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2013.

See: 44 N.J.R. 3087(c).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2014.

See: 45 N.J.R. 2410(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2015.

See: 46 N.J.R. 2288(b).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2016.

See: 47 N.J.R. 3063(a).

14:18-3.20 Discounts for senior and/or disabled citizens

(a) Prior to offering a senior and/or disabled citizen discount, a cable television company shall:

1. Specify the rates, terms, and conditions for the discount, and which services are included;
2. Provide notice prior to the effective date to each customer and municipality served; and
3. Provide notice prior to the effective date to the Office of Cable Television along with a revised schedule of prices, rates, terms and conditions showing any such changes.

(b) Prior to altering or discontinuing a senior and/or disabled citizen discount, a cable television company shall:

1. Provide at least 30 days advance notice prior to the effective date to each customer and municipality served; and
2. Provide at least 30 days advance notice prior to the effective date to the Office of Cable Television along with a revised schedule of prices, rates, terms and conditions showing any such changes.

(c) New customers shall be informed in writing when a senior and/or disabled citizens discount program is available and the eligibility requirements for participation.

(d) Customers shall establish eligibility for this discount program by either:

1. Presenting a Pharmaceutical Assistance card and certifying that the customer is at least 62 years of age and that no more than one other person under the age of 62 resides in the same dwelling unit; or

2. Executing and notarizing a standard form of affidavit stating:

- i. The customer's name and that he or she is at least 62 years of age;
- ii. The customer's address and that he or she has been a permanent resident of this State for at least 30 days;
- iii. That no more than one other person under the age of 62 resides in the same dwelling unit; and
- iv. That the customer meets the income eligibility requirements established for Pharmaceutical Assistance to the Aged and Disabled under N.J.S.A. 30:4D-21, as amended and any such other limits as subsequently may be established by the Pharmaceutical Assistance to the Aged and Disabled program.

(e) Participation in a senior and/or disabled citizens discount plan shall not affect a customer's eligibility for other generally offered discounts and marketing promotions.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

Rewrote (a); inserted a new (b); recodified former (b) through (d) as (c) through (e); and in the new (d)2iv, substituted a reference to \$18,151 for a reference to \$13,650 in (1), and substituted a reference to \$22,256 for a reference to \$16,750 in (2).

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted references to customer for subscriber throughout.

Amended by R.2007 d.154, effective May 7, 2007.

See: 38 N.J.R. 4822(b), 39 N.J.R. 1766(a).

In (a)3 and (b)2, substituted "schedule of prices, rates, terms and conditions" for "tariff sheets"; and rewrote (d)2iv.

14:18-3.21 Avoidance of interruption; prompt restoration

Each cable television company shall exercise reasonable diligence to avoid interruptions, curtailments or deficiencies of service and, when such interruptions occur, service shall be restored as promptly as possible, consistent with safe practice.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

14:18-3.22 Notice of planned interruptions

Planned interruptions for operating reasons shall always be preceded by reasonable notice, preferably on a locally originated channel, to all affected customers, and the work shall be planned to minimize customer's inconvenience.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted references to customer for subscriber throughout.

14:18-3.23 Reimbursement for lost, stolen or damaged equipment

(a) The cost charged to customers by cable television operators to replace lost or stolen converters or other auxiliary

equipment shall be in an amount not to exceed the cable television operator's current replacement cost of the equipment.

(b) The cost charged to customers by cable television operators for damaged equipment shall not exceed the reasonable repair costs or actual replacement cost, whichever is lesser.

(c) A cable television company shall not charge a customer for any damage to converters or other auxiliary equipment which may have resulted from the design, operation or maintenance of the equipment or from normal wear and tear.

(d) In the event the cable television company seeks to impose a charge for a customer pursuant to this section, the cable television company shall give written notice to the customer of the amount sought and the reasons for the charge. The customer shall also be notified of the opportunity to refer the matter to the Office of Cable Television or the appropriate complaint officer pursuant to N.J.S.A. 48:5A-26.

(e) Cable television operators shall provide written notification to all new customers and customers receiving new or additional equipment of the rights and obligations of this section.

(f) The cable television operator's replacement cost may include normal postage, shipping and handling costs.

New Rule: R.1991 d.80, effective February 19, 1991.

See: 22 N.J.R. 2892(b), 23 N.J.R. 614(a).

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

In (d), substituted a reference to cable television companies for a reference to companies; and in (f), substituted a reference to cable television operators for a reference to operators.

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted references to customers for subscribers throughout.

Amended by R.2008 d.265, effective September 2, 2008.

See: 40 N.J.R. 1622(a), 40 N.J.R. 5052(a).

In (a), deleted "the actual cost or" following "exceed", " , whichever is greater," following "replacement cost" and "at the time the equipment was installed in the customer's home" from the end, and inserted "current".

14:18-3.24 Late fees and charges

(a) In the event a cable television operator imposes an additional fee or charge or penalty to a customer for billing balances which are considered past due or late, the cable television operator shall clearly specify the amount of the fee, charge or penalty on the customer bill. The cable television company shall also specify the method of calculation of the fee, charge or penalty on the bill.

(b) A cable television operator shall not impose an additional fee, charge or penalties specified in (a) above on any account balance less than 30 days past due.

New Rule: R.1991 d.81, effective February 19, 1991.

See: 22 N.J.R. 2893(a), 23 N.J.R. 615(a).

Amended by R.1995 d.313, effective June 19, 1995.

See: 27 N.J.R. 873(a), 27 N.J.R. 2430(a)

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted references to customer for subscriber throughout.

Case Notes

Late payment charges imposed by cable television company were in compliance with all applicable laws and regulations. *Sayreville Cable Television v. TKR Cable Company/Tri-System*, 96 N.J.A.R.2d (BRC) 32.

14:18-3.25 Refunds and credits

(a) Where a customer is due a refund, refund checks shall be issued promptly, but no later than either:

1. The customer's next billing cycle following the resolution of the issue giving cause for the rebate, or 30 days whichever is earlier; or

2. The return of the equipment supplied by the cable television operator if service is terminated.

(b) Credits for service shall be issued no later than the customer's next billing cycle following the determination that a credit is warranted.

New Rule, R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

14:18-3.26 Pre-termination access to cable home wiring

(a) Prior to termination of service, a customer may install or provide for the installation of their own cable home wiring, or connect additional home wiring, splitters or other equipment within their premises to the wiring owned by the cable television operator, so long as no electronic or physical harm is caused to the cable television system and the physical integrity of the cable television operator's wiring remains intact.

(b) Cable television operators may require that home wiring (including passive splitters, connectors and other equipment used in the installation of home wiring) meets reasonable technical specifications, not to exceed the technical specifications of such equipment installed by the cable television operator; provided, however, that if electronic or physical harm is caused to the cable television system, the cable television operator may impose additional technical specifications to eliminate such harm. To the extent a customer's installation or rearrangement of wiring degrades the signal quality of or interferes with other customers' signals or causes electronic or physical harm to the cable television system, the cable television operator may discontinue service to that customer until such degradation or interference is resolved.

(c) Customers shall not physically cut, substantially alter, improperly terminate or otherwise destroy cable television operator owned home wiring.

New Rule, R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

14:18-3.27 Furnishing information and notices to customers in electronic form

(a) For any customer who opts to receive electronic only delivery of monthly bills, notice on the electronic bill shall be the equivalent of notice on the paper bill.

(b) Except as otherwise specified in this chapter and not inconsistent with Federal law, any notice or information required to be provided by a cable television company to a customer under this chapter may be provided electronically, so long as the customer affirmatively provides explicit consent (segregated from the general terms and conditions of service) to receive such information or notice in electronic fashion. Receipt of service cannot be conditioned upon a customer's consent to receiving electronic notice.

(c) A customer shall have the right to opt-out or otherwise withdraw consent of receiving electronic notice at any time and for any reason.

(d) The provisions of this section shall not apply to any notice of discontinuance required to be furnished under N.J.A.C. 14:18-3.9 or 4.3.

New Rule, R.2014 d.158, effective November 3, 2014.
See: 46 N.J.R. 678(a), 46 N.J.R. 2165(a).

SUBCHAPTER 4. CABLE TELEVISION OPERATOR RIGHTS**14:18-4.1 Permits**

(a) The cable television company, where necessary, shall make application for any street opening permits for installing its cables and shall not be required to furnish service until after such permits are granted.

(b) The municipal charge, as set forth in N.J.S.A. 48:5A-3e and 30, for use of the streets shall be paid annually by the cable television company.

(c) A municipality may require that a cable television operator seek permits for work performed under this section. However, the fee provided in (b) above is in lieu of all other fees that may be assessed for road openings permits.

Amended by R.2000 d.155, effective April 17, 2000.
See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).
In (b), changed N.J.S.A. reference; and added (c).

14:18-4.2 Refusal to connect

A cable television company may refuse to connect with any customer's installation when it is not in accordance with the schedule of prices, rates, terms and conditions of the cable television company furnishing the service which have been filed with the Office, and with the provisions of applicable governmental requirements.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

Amended by R.2007 d.154, effective May 7, 2007.

See: 38 N.J.R. 4822(b), 39 N.J.R. 1766(a).

Substituted "the schedule of prices, rates," for "the standard", and deleted "of the tariff schedules" following "terms and conditions".

14:18-4.3 Basis of discontinuance of service

(a) The cable television company shall, upon reasonable notice when it can be reasonably given, have the right to suspend or curtail or discontinue service for the following reasons:

1. For the purpose of making permanent or temporary repairs, changes or improvements in any part of its system;
2. For compliance in good faith with any governmental order or directive, notwithstanding such order or directive subsequently may be held to be invalid;
3. For any of the following acts or omissions on the part of the customer:
 - i. Nonpayment of a valid bill due for service furnished at a present or previous location in accordance with the further requirements stipulated in N.J.A.C. 14:18-3.9. However, nonpayment for business service shall not be a reason for discontinuance of residence service without the prior approval of the Office;
 - ii. Tampering with any facility of the cable television company;
 - iii. Fraudulent representation in relation to the use of the service within the customer's premises;
 - iv. Customer moving from the premises, unless the customer requests that service be continued;
 - v. Providing cable television service to others through the "tapping" of the cable television company's system without approval of the cable television company;
 - vi. Refusal to contract for service where such contract is required by the schedule of prices, rates, terms and conditions filed with the Office;
 - vii. Failure to make or increase an advance payment or deposit as provided for in these rules or the schedule of prices, rates, terms and conditions;
 - viii. Connecting and operating in such manner as to produce disturbing effects on the service of the cable television company or other customers;
 - ix. Failure of the customer to comply with any reasonable standard terms and conditions contained in the cable television company's schedule of prices, rates, terms and conditions;
 - x. Where the condition of the customer's installation presents a hazard to life or property; or

xi. Failure of customer to repair any faulty television or FM receiver or other cable television receiving facility belonging to the customer; or

4. For refusal of reasonable access to customer's premises for necessary purposes in connection with rendering of service, including the proper and legal maintenance or removal of the cable television company's property.

(b) A customer wishing to discontinue service must give notice to that effect. Where such notice is not received by the cable television company, the customer shall be liable for service until such notice is received by the cable television company.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

In (a)3, changed N.J.A.C. reference in i, and substituted a reference to cable television companies for a reference to companies in v.

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted references to customer for subscriber throughout.

Amended by R.2007 d.154, effective May 7, 2007.

See: 38 N.J.R. 4822(b), 39 N.J.R. 1766(a).

In (a)3vi, substituted "schedule of prices, rates, terms and conditions filed with the Office" for "filed tariff"; in (a)3vii, substituted "regulations" for "rules", and "schedule of prices, rates, terms and conditions" for "tariff"; and in (a)3ix, substituted "schedule of prices, rates, terms and conditions" for "tariff".

14:18-4.4 Access to customer's premises

(a) The cable television company shall have the right of reasonable access to customer's premises, and to all property furnished the cable television company at all reasonable times for the purpose of inspection of premises incident to the installation of service, inspecting, testing or repairing its facilities used in connection with supplying the service or for the removal of its property.

(b) The customer shall obtain, or cause to be obtained, all permits needed by the cable television company for access to the cable television company's facilities at the customer's customer terminal.

(c) Access to the cable television company's facilities shall not be given except to authorized employees or agents of the cable television company or duly authorized governmental officials, who shall present proper identification.

(d) In the case of defective service, the subscriber shall not interfere or tamper with the apparatus belonging to the cable television company but shall immediately notify the cable television company to have the defects remedied.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

In (b) and (c), substituted references to cable television companies for references to companies.

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted references to customer for subscriber throughout.

14:18-4.5 Compensation for taking because of installation of cable television facilities

(a) A cable television operator shall award \$1.00 to a fee owner, as defined by N.J.S.A. 48:5A-49(b)(1), in consideration of the access granted pursuant to the Cable Television Act, N.J.S.A. 48:5A-49.

(b) Unless cable television service is being currently provided to a certain multifamily property, a cable television operator shall serve written notice to the fee owner, landlord or agent of its intent to install cable television service or facilities upon the fee owner's property at least 30 days prior to commencing such installation. Notice shall be served by certified mail and the form and content of such notice shall include at a minimum:

1. The name and address of the cable television operator;
2. The name and address of the fee owner, manager or superintendent;
3. The approximate date of the installation;
4. Citations from the Cable Television Act and New Jersey Administrative Code, specifically N.J.S.A. 48:5A-49 and N.J.S.A. 48:5A-51, and N.J.A.C. 14:18-4.5;
5. A general description of the proposed method of installation;
6. Notice that the amount of \$1.00 in consideration for the access granted pursuant to the Cable Television Act will be tendered when an agreement is signed.

(c) If no response to the notice is forthcoming within 30 days, the cable television operator has a statutory right and a franchise obligation to provide cable television service. In order to enforce this right and satisfy said obligation, a cable television company must apply for an administrative approval for access. To apply, said company must submit to the Board of Public Utilities, copies of its notice and a specific description of the proposed method of installation.

1. If a response is received pursuant to (b) above and an agreement for access is not reached within 45 days of said response, the cable television operator may apply to the Director for approval to install its cable television facilities. At such time the Director will either recommend to the Board that such an administrative order issue or alternatively deem such matter contested. In the event of the latter, the matter shall be handled in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules of the Office of Administrative Law, N.J.A.C. 1:1.

(d) Upon notice served pursuant to (b) above, except when such notice does not apply to multi-family properties currently receiving cable television service, fee owners may apply to the Office of Cable Television for just compensation. The owner has the burden of proof to clearly demonstrate:

1. The value of the applicant's property before the installation of cable television facilities;
2. The value of the applicant's property subsequent to the installation of cable television facilities;
3. The criteria, data, method or methods used to determine such values;
4. Out of pocket costs directly attributed to the installation and presence of cable television facilities in the multi-unit dwelling;
5. Any extraordinary costs to be borne by the applicant associated with the installation and presence of cable television facilities.

(e) The Director may, upon good cause shown, permit the filing of additional information to supplement the application. Copies of the application filed with the Office of Cable Television shall be served upon the cable television company in compliance with N.J.A.C. 14:17-6. Answers, if any, shall be filed within 20 days in compliance with N.J.A.C. 14:17-7. If said filing is limited to an application for compensation, the Director may permit the installation of cable television facilities provided that all issues relating to indemnification and protection of property have been satisfied.

(f) The Director shall determine whether an application filed consistent with (d) above establishes a contested case for compensation pursuant to (d). In such an event the matter shall be handled in accordance with the Administrative Procedure Act, N.J.A.C. 52:14B-1 et seq., and the rules of the Office of Administrative Law, N.J.A.C. 1:1-1.1 et seq.

(g) All executed access agreements must be available for inspection by the Office of Cable Television.

Amended by R.2000 d.155, effective April 17, 2000.
See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

In (b), rewrote the last sentence of the introductory paragraph; in (c), substituted a reference to cable television companies for a reference to companies in the introductory paragraph; in (e), changed N.J.A.C. references throughout; and rewrote (g).
Amended by R.2003 d.452, effective November 17, 2003.
See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Case Notes

Access rights section of the Cable Television Act required payment of just compensation to building owners by cable television companies for rights of access and installation. *NYT Cable TV v. Homestead at Mansfield, Inc.*, 111 N.J. 21, 543 A.2d 10 (1988).

Requirement under Board of Public Utilities rule that cable operator who desires to install cable must supply property owner with general description of proposed cable installation adequately describes taking involved to satisfy requirements of due process. *NYT Cable TV v. Homestead At Mansfield, Inc.*, 214 N.J.Super. 148, 518 A.2d 748 (A.D.1986), certification granted 107 N.J. 154, 526 A.2d 213, affirmed 111 N.J. 21, 543 A.2d 10.

Board of Public Utilities' rule regarding just compensation for taking needed for installation of cable television service provides for adequate notice by notice to fee holder notwithstanding claims of interests of tenants, owners of easements and holders of liens. *NYT Cable TV v. Homestead At Mansfield, Inc.*, 214 N.J.Super. 148, 518 A.2d 748 (A.D.1986), certification granted 107 N.J. 154, 526 A.2d 213, affirmed 111 N.J. 21, 543 A.2d 10.

Board of Public Utilities rule regarding just compensation for taking needed for installation of cable television service required that compensation be based on difference between fair market value of property before and after taking. *NYT Cable TV v. Homestead At Mansfield, Inc.*, 214 N.J.Super. 148, 518 A.2d 748 (A.D.1986), certification granted 107 N.J. 154, 526 A.2d 213, affirmed 111 N.J. 21, 543 A.2d 10.

14:18-4.6 Deposits to insure credit

(a) Where the credit of a customer is not established or where a customer is in default in the payment of bills, the cable television company may require a reasonable deposit as a condition of supplying service or continuing service.

(b) The credit established, by whatever method, shall apply at any location within the area of the cable television company furnishing the service; that is, service is not to be regarded as restricted to a particular location.

(c) The amount of a deposit shall be reasonably related to the charge for service during a billing period, provided such period does not exceed two months.

(d) In all cases where bills are rendered quarterly, semi-annually or annually, the amount of deposit shall not exceed the estimated average charge for service during any two months of the billing period.

(e) In determining the amount of any deposit, there shall be excluded from the average bill such portion thereof, if any, for which payment is received in advance.

(f) Interest, at the prevailing rate determined pursuant to N.J.A.C. 14:18-3.19, shall be paid by the cable television company on all credit deposits held by it, provided the deposit has remained with the cable television company for at least six months. Moneys collected as deposits, pursuant to this section, shall be held in a separate account and shall not be used for any purpose other than the maintenance of customer accounts.

(g) Where a customer is in default in the payment of bills, service shall not be discontinued for failure to make such deposit except after proper notice, in accordance with N.J.A.C. 14:18-3.9(b).

(h) If a customer who has made a deposit fails to pay a bill, the cable television company may apply such deposit insofar as is necessary to liquidate the bill and may require that the deposit be restored to its original amount.

Amended by R.2000 d.155, effective April 17, 2000.
See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

In (f), substituted a reference to cable television companies for a reference to companies.
Public Notice: Interest rates on deposits.
See: 33 N.J.R. 136(a).
Public Notice: Interest rates on deposits.
See: 33 N.J.R. 333(a).
Public Notice: Interest rates on deposits.
See: 33 N.J.R. 734(b).
Public Notice: Interest rates on deposits.
See: 33 N.J.R. 4396(a).
Public Notice: Interest rates on deposits.
See: 34 N.J.R. 4478(a).

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted "customer" for "subscriber" throughout.

Public Notice: Notice of Applicable Interest Rate on Customer Deposits Effective for Calendar Year 2004.

See: 35 N.J.R. 5623(b).

Public Notice: Notice of applicable interest rate on customer deposits; effective for calendar year 2006.

See: 37 N.J.R. 4329(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2007.

See: 38 N.J.R. 5421(a).

Amended by R.2007 d.154, effective May 7, 2007.

See: 38 N.J.R. 4822(b), 39 N.J.R. 1766(a).

In (f), substituted "Interest" for "Simple interest".

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2009.

See: 41 N.J.R. 322(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2010.

See: 41 N.J.R. 4570(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2011.

See: 42 N.J.R. 2999(b).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2013.

See: 44 N.J.R. 3087(c).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2014.

See: 45 N.J.R. 2410(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2015.

See: 46 N.J.R. 2288(b).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2016.

See: 47 N.J.R. 3063(a).

14:18-4.7 Deposits on auxiliary equipment

(a) When a cable television company supplies auxiliary equipment, such as a converter or other modifying device, to a customer's cable television receiving facility, the cable television company may require the payment of a reasonable deposit thereon, provided, however, that said deposit shall not exceed the replacement cost of the unit(s). Records of deposits on auxiliary equipment shall be kept in accordance with N.J.A.C. 14:18-4.8.

(b) The interest provision of N.J.A.C. 14:18-4.6 shall apply to auxiliary equipment deposits. However, moneys collected as deposits pursuant to this section may be used by the cable television company to defray the cost of and service to such unit(s).

(c) If the cable television company is required to replace or repair the unit(s) because of customer abuse, the cable television company may apply such deposit insofar as is necessary and may require that the deposit be restored to its original amount.

Amended by R.2000 d.155, effective April 17, 2000.

See: 31 N.J.R. 3061(a), 32 N.J.R. 1402(a).

In (c), substituted a reference to cable television companies for a reference to companies.

Public Notice: Interest rates on deposits.

See: 33 N.J.R. 136(a).

Public Notice: Interest rates on deposits.

See: 33 N.J.R. 333(a).

Public Notice: Interest rates on deposits.

See: 33 N.J.R. 734(b).

Public Notice: Interest rates on deposits.

See: 33 N.J.R. 4396(a).

Public Notice: Interest rates on deposits.

See: 34 N.J.R. 4478(a).

Amended by R.2003 d.452, effective November 17, 2003.

See: 35 N.J.R. 100(a), 35 N.J.R. 5294(a).

Substituted references to customer for subscriber throughout.

Public Notice: Notice of Applicable Interest Rate on Customer Deposits Effective for Calendar Year 2004.

See: 35 N.J.R. 5623(b).

Public Notice: Notice of applicable interest rate on customer deposits; effective for calendar year 2006.

See: 37 N.J.R. 4329(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2007.

See: 38 N.J.R. 5421(a).

Amended by R.2007 d.154, effective May 7, 2007.

See: 38 N.J.R. 4822(b), 39 N.J.R. 1766(a).

In (a), inserted the last sentence; and in (b), deleted "simple" preceding "interest".

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2009.

See: 41 N.J.R. 322(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2010.

See: 41 N.J.R. 4570(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2011.

See: 42 N.J.R. 2999(b).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2013.

See: 44 N.J.R. 3087(c).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2014.

See: 45 N.J.R. 2410(a).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2015.

See: 46 N.J.R. 2288(b).

Public Notice: Notice of applicable interest rate on customer deposits effective for calendar year 2016.

See: 47 N.J.R. 3063(a).

14:18-4.8 Receipts and records

(a) The cable television company shall furnish a receipt to each customer who has made a deposit.

(b) Where return of the deposit is made in cash, surrender of the receipt or, in lieu thereof, proof of identity may be required.

(c) The cable television company and/or any successor to interest in the cable television company shall retain a record of each customer deposit for auxiliary equipment for the period of time while the customer is active and for three years beyond the date of permanent disconnection of the customer. The record shall consist of the amount of deposit and the date the deposit was made, as well as any refund or adjustments thereto. If, pursuant to N.J.A.C. 14:18-4.9(b), the cable television company refunds the deposit to the customer, then the cable television company shall only be required to maintain the record of that customer for an additional three years.

1. "Permanent disconnection," for use in this subsection, shall mean the final physical disconnection of a customer either by request of the customer or due to company action. The term shall not include the electronic or physical disconnection on a temporary basis for non-payment of bill, repair of the system, or for any other reason.