

“Secretary” means and shall include the Secretary, Assistant Secretary to the Board or any other person duly authorized to act in such capacity by the Board.

Amended by R.1994 d.194, effective April 18, 1994.

See: 26 N.J.R. 96(a), 26 N.J.R. 1683(a).

Amended by R.1999 d.108, effective April 5, 1999.

See: 30 N.J.R. 4131(a), 31 N.J.R. 898(a).

In “Board”, substituted “Public Utilities” for “Regulatory Commissioners”.

Amended by R.2004 d.281, effective July 19, 2004.

See: 36 N.J.R. 641(a), 36 N.J.R. 3409(a).

In “Commissioner”, substituted “Public Utilities” for “Regulatory Commissioners”.

14:17-1.4 Offices

The statutory offices of the Board, the office of the Secretary of the Board, and the Office of Cable Television are located at Two Gateway Center, Newark, New Jersey 07102.

Public Notice: Change of address.

See: 19 N.J.R. 890(a).

Amended by R.1994 d.194, effective April 18, 1994.

See: 26 N.J.R. 96(a), 26 N.J.R. 1683(a).

14:17-1.5 Hours

(a) All offices of the Board are open on weekdays from 9:00 A.M. to 5:00 P.M., unless otherwise authorized by the Board.

(b) The offices are closed on legal holidays, Saturdays and Sundays.

Amended by R.1994 d.194, effective April 18, 1994.

See: 26 N.J.R. 96(a), 26 N.J.R. 1683(a).

14:17-1.6 Communications

(a) All pleadings, correspondence and other papers should be addressed to the Secretary, Board of Public Utilities, Two Gateway Center, Newark, New Jersey 07102.

(b) All such papers and correspondence shall be deemed to be officially received when delivered at the office of the Board, but the Director, a Commissioner, the Secretary or an Assistant Secretary of the Board may in his or her discretion receive papers and correspondence for filing.

(c) Additional copies of such pleadings and correspondence for the Director and staff may be sent to the Director, Office of Cable Television, Two Gateway Center, Newark, New Jersey 07102.

(d) As (a) and (b) above require that all correspondence be addressed to the Board and that said submission shall be deemed to be officially received when delivered at the office of the Board, any documents received via fax or electronically will neither be date/time stamped as formally received by the Board nor be entered into the case or rulemaking record, except as provided under N.J.A.C. 14:1-1.6A. Such documents shall only be distributed to the addressee.

Public Notice: Change of address.

See: 19 N.J.R. 890(a).

Recodified from 14:17-1.7 and amended by R.1994 d.194, effective April 18, 1994.

See: 26 N.J.R. 96(a), 26 N.J.R. 1683(a).

Former text at 14:17-1.6, Sessions, repealed.

Amended by R.1999 d.108, effective April 5, 1999.

See: 30 N.J.R. 4131(a), 31 N.J.R. 898(a).

In (a), substituted “Public Utilities” for “Regulatory Commissioners”.

Amended by R.2004 d.281, effective July 19, 2004.

See: 36 N.J.R. 641(a), 36 N.J.R. 3409(a).

Added (d).

Amended by R.2009 d.337, effective November 16, 2009.

See: 41 N.J.R. 2222(a), 41 N.J.R. 4308(c).

In (d), inserted “or electronically”, “or rulemaking” and “, except as provided under N.J.A.C. 14:1-1.6A” and deleted “faxed” following “Such”.

14:17-1.7 Official records

(a) The Secretary shall have custody of the Board’s seal and its official records, including the minutes of all action taken by the Board.

(b) Copies of rules and regulations and orders and decisions of the Board will be furnished by the Secretary upon payment of appropriate fees.

(c) The Chair of the Cable Television Advisory Council shall have custody of the Council’s official records, including the minutes of all meetings held.

Recodified from 14:17-1.8 and amended by R.1994 d.194, effective April 18, 1994.

See: 26 N.J.R. 96(a), 26 N.J.R. 1683(a).

14:17-1.8 Cameras and recording devices

(a) Proceedings before the Board or Office shall be conducted with fitting dignity and decorum.

(b) The use of cameras and recording devices, including still cameras, movie cameras, television cameras, tape recorders and stenotype machines (hereinafter referred to as “equipment”), in open meetings or other public proceedings conducted by the Board or Office is permitted.

(c) Any accredited member of a news media desiring to use such equipment shall first contact the Board’s Office of Communications to arrange for the set-up and removal of equipment so as not to interfere with the orderly conduct of the proceedings.

(d) No such equipment shall be placed on the counsel tables, witness stand or on the Board or the presiding officer’s bench, without the approval of the Board or presiding officer; equipment which would require the user to move about the room during the proceedings is prohibited. Moving about the meeting or hearing room in order to more advantageously use such equipment is prohibited, while the meeting is in session.

(e) Except for portable equipment which is used at an individual’s seat in the audience, such equipment must be in place and ready for use prior to the start of the meeting or set-up during a recess thereof. Such equipment may be removed

only at the conclusion of the meeting or during a recess. A pre-arranged recess for the set-up or removal of such equipment may be requested through the Office of Communications.

(f) The Board or presiding officer may suspend the operation of all or part of this rule with respect to a particular meeting.

(g) The Board or the presiding officer may at any time limit or prohibit the use of any or all of such equipment in meetings where in the opinion of the Board or the presiding officer use of such equipment may obstruct the conduct of the meeting.

Amended by R.1989 d.266, effective May 15, 1989.
See: 21 N.J.R. 440(a), 21 N.J.R. 1374(a).

Provisions for the use of cameras or recording devices in open meetings or hearings added.

Recodified from 14:17-1.9 and amended by R.1994 d.194, effective April 18, 1994.

See: 26 N.J.R. 96(a), 26 N.J.R. 1683(a).

Amended by R.1999 d.108, effective April 5, 1999.

See: 30 N.J.R. 4131(a), 31 N.J.R. 898(a).

In (c) and (e), substituted "Communications" for "Public Information".

SUBCHAPTER 2. FEES AND CHARGES

14:17-2.1 Amount of fees and charges

(a) The fee required to defray administrative expenses of hearings held pursuant to N.J.S.A. 48:5A-16, 17 and 18, where applicable, shall be \$50.00 per day of hearing or portion thereof, to be paid by the petitioner or other moving party.

(b) All other fees and charges which the Office has been empowered, authorized and required by law to charge and collect are set forth in N.J.S.A. 48:5A-1 et seq. and N.J.S.A. 47:1A-1 et seq.; however, collection of such fees and charges shall be inapplicable to cable television companies subject to assessment as provided by N.J.S.A. 48:5A-32.

Amended by R.1989 d.266, effective May 15, 1989.
See: 21 N.J.R. 440(a), 21 N.J.R. 1374(a).

Citation changed.

Amended by R.1994 d.194, effective April 18, 1994.

See: 26 N.J.R. 96(a), 26 N.J.R. 1683(a).

Amended by R.1999 d.108, effective April 5, 1999.

See: 30 N.J.R. 4131(a), 31 N.J.R. 898(a).

In (a), changed N.J.S.A. reference: and rewrote (b).

14:17-2.2 Payment of fees and charges

(a) No petition, report notice, document or other paper will be accepted for filing, and no request for copies of any forms, pamphlets, documents or other papers will be granted, nor action taken by the Board or Office unless such filings and requests are accompanied by the required fees or charges, as provided by law and these rules.

(b) All checks for payment of such fees and charges shall be made payable to the order of "Treasurer, State of New Jersey" and delivered or mailed to the Secretary of the Board or its designee, Two Gateway Center, Newark, New Jersey 07102. The check shall include a description as to the nature of the payment.

Public Notice: Change of address.

See: 19 N.J.R. 890(a).

Amended by R.2009 d.337, effective November 16, 2009.

See: 41 N.J.R. 2222(a), 41 N.J.R. 4308(c).

In (b), substituted "Secretary of the Board or its designee" for "Director of the Office" and inserted the last sentence.

SUBCHAPTER 3. APPEARANCE AND PRACTICE BEFORE THE BOARD OR OFFICE

14:17-3.1 Appearances

Any person appearing before or transacting business with the Board or Office in a representative capacity may be required by the Board or Office to file evidence of his or her authority to act in such capacity.

14:17-3.2 Ethical conduct and ex parte communications

All attorneys appearing in proceedings before the Board or Office in a representative capacity shall conform to the standards of ethical conduct required of attorneys before the courts of the State of New Jersey.

14:17-3.3 Former employees

Except with the written permission of the Board, no former member or employee of the Board or member of the Attorney General's staff assigned to the Board may appear in a representative capacity or as an expert witness on behalf of other parties at any time within six months after severing his or her association with the Board, nor may he or she appear after said six-month period in any proceeding wherein he or she previously took an active part when associated with the Board.

SUBCHAPTER 4. PLEADINGS

14:17-4.1 Pleadings enumerated and defined

(a) Pleadings before the Board or Office shall be petitions, answers, and replies which for purposes of these rules are defined as follows:

1. "Petition" means the pleading filed to initiate a proceeding invoking the jurisdiction of the Board or Office;
2. "Answer" means the pleading filed by a respondent or other party against whom a petition is directed or who is affected by the filing of a petition; and