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August 24, 2020

Via Federal Express & Regular Mail

Lawanda Gilbert, Esq., Director
Office of Cable Television and Telecommunications
New Jersey Board of Public Utilities
44 S. Clinton Avenue
Trenton, New Jersey 08625

RE: Request for Investigation

Internet, Telephone and Cable Television Service Provided by CSC TKR LLC d/b/a Cablevision of Hamilton a/k/a Optimum

Dear Director Gilbert:

FORNARO FRANCIOSO LLC is serving as Special Counsel to Robbinsville Township ("Robbinsville"). The purpose of this letter is to seek guidance and assistance from the New Jersey Board of Public Utilities ("Board"). Optimum is the owner of and granted a franchise to provide video programming service, inclusive of cable television, internet and telephone service with Robbinsville. In connection with this franchise Optimum is required to comply with the technical and customer service standards established for the cable industry under applicable federal and State laws, rules and regulations. On behalf of Robbinsville the Board is being placed on notice that Optimum has failed to meet these standards.

Pursuant to N.J.A.C. 14:3-3.1, "It shall be the duty of every utility to furnish, safe, adequate and proper service ..." Optimum has failed to adhere to this requirement in service territory of Robbinsville. This letter shall outline the recent interactions with Optimum and its failures to address its statutory requirements to the residents of Robbinsville. As these issues have not been properly resolved or addressed, the residents have availed themselves to the governing body for assistance.

On April 15, 2020, Marilyn Davis, area Director of Government Affairs at Optimum Online (Altice USA) contacted Robbinsville as she was made aware of numerous residential complaints. The complaints in large part were due to increased use of services related to COVID-19. As you are aware, residents throughout the State of NJ were required to work from home and children to attend school from home. Robbinsville was advised that the incidents would be reported to customer service at the managerial level. Also, Optimum would provide a link for residents to complete a form detailing their particular issue. To assist Optimum and its residents, Robbinsville publicized the link. Thereafter, Robbinsville has been inundated with notifications that residents' complaints have gone unanswered. Robbinsville has pursued assistance with Optimum and has not been successful.

Hereinafter follows an example of a sampling of the complaints submitted to Robbinsville. As you will note, they are predominantly related to internet service and poor customer service.

A. Resident #1:

Upload speed (computer states it will take 2 weeks for a one-page to upload).
Unable to back up iPhones in the cloud because of "poor network connections".
Not able to upload work shared with remote employees to our work DropBoxes.
Unable to back up entire company which is internet-based.
Average of 2 hours on hold each day since March 19th to get a person on the phone at Optimum.
Closing service tickets without addressing issues.

"After 2 Optimum contractors were sent who no ability to correct issues at the home, an actual Optimum technician came to the property. He determined it was an Optimum issue (something about a node at a service plant). He told me he was referring this as a critical ticket to another department as the fix was not something a field technician could resolve independently. When I asked him how I could track the resolution, I was told the only way was to call customer service and wait on hold or request a callback as the department that needs to correct the issue does not talk directly with the public.

The following day I waited on hold for 2 hours to speak with a representative because service had not improved, I was then told the issue was resolved and the ticket was closed on the same day. This was not true as there was no change to our service at and the field technician who put in the ticket had already stated that this type of problem would take a few days to resolve. I requested a supervisor who told me they can only schedule another technician to the property. Instead of the tech coming, we received a call from the technician. It was the same person. He told us he is escalating the call to his supervisor who will open a new critical ticket for the node. He said that the Optimum plant seems to close tickets without doing anything, blowing it off and making us start the process all over again."

B. Resident #2:

Internet Service has gone from already horrible to almost laughable.
Unresponsive to problems.
Left on hold for hours, and never get return calls.
For many in Robbinsville, they are the only service in town.

C. Resident #3:

Put cable service on seasonal in February due to a flood in the home.
Spent 2 days trying to get someone at optimum on phone.
Told service was restored. Still not working. Spent 8 hours between 2 phone calls yesterday and another 5 hours today. My last call I was told there was an outage that would be restored at 4:00 today. Never happened.
Received invoice that is almost \$100 more than the service he had in February!

D. Resident #4:

Complaints of poor service and high pricing. They are price gouging.
16% price increase on an already ridiculous bill. That's almost \$100 for Internet only.

There have been numerous complaints of a similar nature submitted to Robbinsville and posted on social media. The governing body of Robbinsville is left with no other option but to request that the Board utilize the authority granted unto it to commence an investigation into the service being provide to Robbinsville. In accordance with N.J.A.C. 14:3-1.1, the defined end-users and residential customers are suffering at the hands of Optimum. They need relief and assistance, only which may come from the Board. As you will note, from the examples provided herein there is a significant issue in utility service and customer service being provided to the residents of Robbinsville. Optimum as a public utility under the purview of the Board must be held accountable for its actions. Furthermore, in accordance with N.J. A. C. 14:3-3.7, the examples provided show that Optimum has failed to meet its burden of customer service, including but not limited to its required diligence to avoid interruption of service.

The governing body of Robbinsville Township is left with no other option but to pursue the Board's assistance in this matter.

Thank you for your attention to the foregoing.

Very truly yours,
FORNARO FRANCIOSO LLC
Anthony R. Francioso
Anthony R. Francioso, Esq.

ARF/id

c: David Fried, Mayor
Paul V. Renaud, Esq., Township Attorney
Michele Seigfried, Township Clerk
Township Council