

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.state.ny.us>

PUBLIC SERVICE COMMISSION

GARRY A. BROWN

Chairman

PATRICIA L. ACAMPORA

MAUREEN F. HARRIS

ROBERT E. CURRY, JR.

JAMES L. LAROCCA

Commissioners



PETER MCGOWAN

General Counsel

JACLYN A. BRILLING

Secretary

July 27, 2009

Time Warner-Binghamton Division

P.O. Box 2086

Binghamton, NY 13902

Supervisor

Case #: 09-00914

Town of Otsego

P.O. Box 183

Fly Creek, NY 13337

Dear Sir/Madam:

The Franchise under which Time Warner-Binghamton Division has been providing service in the Town of Otsego expired July 31, 2007.

The Company and the municipality are in a franchise renewal process. The undersigned, pursuant to Case # 08-V-1289, Order Delegating Authority has determined that it would be in the public interest to grant Temporary Operating Authority so that the Company may continue to provide cable television services during the negotiation of the franchise renewal. The expired franchise sets forth certain rights and obligations of the parties. Part 895 of our cable rules, 16 NYCRR, sets forth franchise standards which must be contained in a cable television franchise presented to the Commission for approval.

This Temporary Operating Authority is granted on condition that during the terms of this authority, the parties shall comply with all the terms and provisions of their expired franchise and all of the provisions set forth in Part 895 of our cable rules. In the event any franchise provision is inconsistent with a provision of Part 895, the provision most beneficial to the subscriber shall be controlling. Furthermore, please be advised that the Department provides consulting and mediation services that could assist the municipality and the company with their negotiations. Contact John Figliozzi, Chief of the Municipal Assistance Section at 518-474-2213 for further information concerning consultation services. For information concerning mediation services, you may refer to the Commission's Website at http://www.dps.state.ny.us/ADR_Overview.html or you may contact Jaclyn A. Brillling, Secretary to the Commission at 518-474-6530.

Subject to the conditions and understanding expressed herein, Temporary Operating Authority is hereby granted to Time Warner-Binghamton Division for its operations in the Town of Otsego, said authority to expire January 16, 2010.

Sincerely,

//ORIGINAL SIGNED//

Chad G. Hume

Director

Office of Telecommunications