

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on November 7, 2007

COMMISSIONERS PRESENT:

Patricia L. Acampora, Chairwoman
Maureen F. Harris
Robert E. Curry, Jr.
Cheryl A. Buley

CASE 05-V-0708 - Application of Time Warner Entertainment-Advance Newhouse Partnership (Syracuse Division) for Approval of the Renewal of its Cable Television Franchise for the Village of Weedsport (Cayuga County).

ORDER APPROVING RENEWAL

(Issued and Effective November 23, 2007)

BY THE COMMISSION:

The above application was submitted by Time Warner Entertainment-Advance Newhouse Partnership (Syracuse Division) on or about August 24, 2007. A copy of the same was served on the Village of Weedsport and all local notice requirements having been met. No comments or objections have been received.

This application is governed by Section 222 of the Public Service Law, which requires our approval unless we find specific violations of law, Commission regulations or the public interest. Section 222(4) of the statute provides that we may approve the renewal contingent upon compliance with standards or conditions consistent with the public interest. Having reviewed the application in the context of applicable statutory and regulatory standards, we have determined to approve the renewal subject to conditions as hereinafter set forth.

The application seeks our approval of a franchise renewal by the Village of Weedsport by Resolution of the Village Board dated June 19, 2007 after a duly noticed public hearing held on January 25, 2007. The term of the renewal is ten years commencing February 14, 2007 and terminating at midnight, February 13, 2017.

The renewal agreement is in substantial compliance with Section 895.1 of the Commission's rules, except as noted below.

Section 895.1(t) of the Commission's rules requires a provision in the franchise that any valid reporting requirements in the franchise may be satisfied with system-wide statistics except those related to franchise fees and customer complaints. It is a condition of our approval that Section 895.1(t) be deemed a part of the agreement as if specifically set forth therein.

The proposed franchise agreement contains additional provisions not required by Part 895 of the Commission's rules. Our approval of these provisions will be granted only to the extent that they pertain to the provision of cable service and are, and remain, consistent with Article 11, our regulations, policies, and orders and applicable federal statutes and regulations. In the event of an ambiguity in any such provision, or among separate provisions, the provision will be construed in the manner most favorable to the franchisor.

The Commission orders:

1. Pursuant to Section 222 of the Public Service Law and the rules and regulations of this Commission, the application of Time Warner Entertainment-Advance Newhouse Partnership (Syracuse Division) for renewal of its cable television franchise for the Village of Weedsport (Cayuga County) is hereby approved, subject to the conditions set forth herein. The term of the renewal is for ten years and shall expire on February 13, 2017.

2. This order does not in any way confer rights or privileges other than those granted in the underlying franchise and the certificate holder remains subject to the obligations imposed by Article 11 of the Public Service Law, the underlying franchise and all applicable rules, regulations and orders of this Commission.

3. This proceeding is closed.

By the Commission,

(SIGNED)

JACLYN A. BRILLING
Secretary