

ORIGINAL

MEMORANDUM FILED

RECOMMENDATION AFFIDAVIT

662

August 18, 1998

LETTER SENT AS PER
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TO: THE COMMISSION
FROM: COMMUNICATIONS DIVISION

SESSION SEP 16 1998

SECRETARY

SUBJECT: Issuance of Temporary Operating Authorities for the
cable television companies and associated municipal
franchise service areas listed on Appendix 1

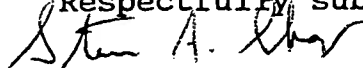
RECOMMENDATION: It is recommended that the Secretary be
authorized to notify by letter directive,
the grant of temporary operating authority
to the companies listed on Appendix 1 to
continue the provisions of cable television
service in each listed municipality for an
additional six month period, subject to the
conditions set forth in the memorandum.

The cable television companies listed on Appendix 1 are
providing cable television services within each of the
municipalities listed on Appendix 1. The companies are providing
cable television services in the municipalities shown pursuant to
municipal franchises or Temporary Operating Authorities granted
by the former Commission on Cable Television. Those municipal
franchises or Temporary Operating Authorities will expire on the
dates shown in the Appendix. Each of the companies and the
associated municipalities are in the process of negotiating a
franchise renewal and none are expected to complete that process
before the indicated expiration dates.

Staff believes that it is in the public interest to
continue the operating authority of cable television companies
during the negotiation of franchise renewal in order to ensure
the continued provision of cable television services in the
affected municipal franchise areas, and to mitigate the potential
for adverse impacts on the cable companies' ability to continue
service in the absence of formal operating authority.
Accordingly, we recommend that each company listed on Appendix 1
be granted, for each municipality listed, temporary authority to
continue its cable television operations for an additional six
month period. The temporary operating authority should be

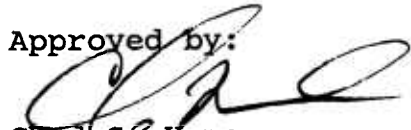
granted on the condition that all the terms and conditions of the recently expired franchise will continue to apply during the term of the temporary authority, as well as all of the Franchise Standards set forth in Part 595 of Subtitle 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York. In the event any franchise provision is inconsistent with a provision of Part 595, the provision most beneficial to the subscriber should be controlling.

Respectfully submitted,



STEVEN SHAYE
Chief, Municipal Assistance

Approved by:



Chad G. Hume
Deputy Director, Communications Division

LIST OF CABLE TELEVISION COMPANIES AND
MUNICIPALITIES WITH EXPIRING FRANCHISES
OR TEMPORARY OPERATING AUTHORITIES

- 1) Docket No.: 97-V-1383
Company: Time Warner-Fredonia
Municipality: Village of Fredonia (Chautauqua County)
TOA Expiration Date: September 10, 1998
- 2) Docket No.: 98-V-0648
Company: TW Fanch-one Empire CableComm
Municipality: Village of Mayfield (Fulton County)
TOA Expiration Date: September 13, 1998
- 3) Docket No.: 97-V-1402
Company: Century Communications
Municipality: Town of Carmel (Putnam County)
TOA Expiration Date: September 15, 1998
- 4) Docket No.: 97-V-0177
Company: Time Warner-Corning
Municipality: Town of Caton (Steuben County)
TOA Expiration Date: September 10, 1998
- 5) Docket No.: 98-V-0930
Company: Cooney Cable
Municipality: Village of Warsaw (Wyoming County)
TOA Expiration Date: June 30, 1998
- 6) Docket No.: 98-V-0112
Company: Twin Tier (TW-Hornell)
Municipality: Village of North Hornell (Steuben County)
TOA Expiration Date: September 14, 1998
- 7) Docket No.: 98-V-0110
Company: Bath Television & Service Co.
Municipality: Town of Bath (Steuben County)
TOA Expiration Date: September 14, 1998
- 8) Docket No.: 97-V-1404
Company: Cablevision of Hauppauge
Municipality: Village of Port Jefferson (Suffolk County)
TOA Expiration Date: September 14, 1998

LIST OF CABLE TELEVISION COMPANIES AND
MUNICIPALITIES WITH EXPIRING FRANCHISES
OR TEMPORARY OPERATING AUTHORITIES

- 9) Docket No.: 97-V-0178
Company: Time Warner-Sullivan County
Municipality: Town of Tusten (Sullivan County)
TOA Expiration Date: September 14, 1998
- 10) Docket No.: 98-V-0560
Company: A-R Cable (Stamford)
Municipality: Village of Hobart (Delaware County)
Franchise Expiration Date: September 12, 1998
- 11) Docket No.: 98-V-1164
Company: Time Warner-Fulton
Municipality: Village of Hannibal (Oswego County)
Franchise Expiration Date: September 12, 1998

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

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

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September 17, 1998

Cablevision Systems-Hauppauge
1600 Motor Pkwy
Hauppauge, NY 11788

Case #: 97-V-1404

Honorable Robert Strong
Mayor
Village of Port Jefferson
21 W. Broadway
Port Jefferson, NY 11777

Dear Sir/Madam:

The Temporary Operating Authority under which Cablevision Systems-Hauppauge has been providing service in the Village of Port Jefferson expired September 14, 1998.

The Company and the municipality are negotiating a franchise renewal. The Public Service Commission 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 595 of our cable rules, 9 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 595 of our cable rules. In the event any franchise provision is inconsistent with a provision of Part 595, the provision most beneficial to the subscriber shall be controlling.

Subject to the conditions and understanding expressed herein, Temporary Operating Authority is hereby granted to Cablevision Systems-Hauppauge for its operations in the Village of Port Jefferson, said authority to expire March 14, 1999.

By direction of the Commission,

John C. Crary
JOHN C. CRARY
Secretary