

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

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PUBLIC SERVICE COMMISSION

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Secretary

February 27, 2009

Time Warner-Buffalo Division
355 Chicago St.
Buffalo, NY 14204

Supervisor
Town of Olean
2634 Olean-Hinsdale Rd.
Olean, NY 14760

Case #: 01-V-0868

Dear Sir/Madam:

The Temporary Operating Authority under which Time Warner-Buffalo Division has been providing service in the Town of Olean expired February 22, 2009.

The Company and the municipality are in a franchise renewal process. 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 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-Buffalo Division for its operations in the Town of Olean, said authority to expire August 22, 2009.

By direction of the Commission,

A handwritten signature in cursive script that reads "Jaclyn A. Brillling".
JACLYN A. BRILLING
Secretary

Item 663, 2/12/09
STATE OF NEW YORK
DEPARTMENT OF PUBLIC SERVICE

ORIGINAL

663
MEMORANDUM
Recommended by Approve
February 9, 2009
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COPIES ATTACHED TO
SESSION FEB 12 2009
SECRETARY

TO: THE COMMISSION

FROM: OFFICE OF TELECOMMUNICATIONS

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

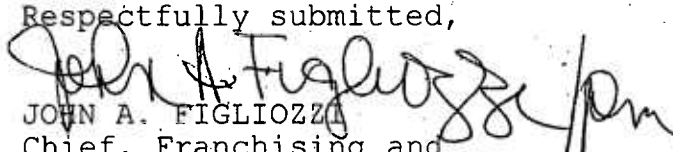
RECOMMENDATION: It is recommended that the Secretary be authorized to notify by letter directive, the grant of temporary operating authority to the companies listed on Appendix 1 to continue the provisions of cable television service in each listed municipality for an additional six month period, subject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

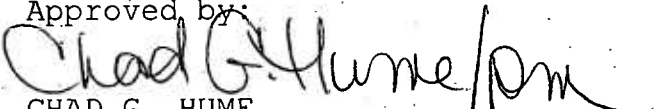
Staff believes that it is in the public interest to continue the operating authority of cable television companies during the negotiation of franchise renewal in order to ensure the continued provision of cable television services in the affected municipal franchise areas, and to mitigate the potential 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 895 of Subtitle 16 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 895, the provision most beneficial to the subscriber should be controlling.

Respectfully submitted,


JOHN A. FIGLIOZZA
Chief, Franchising and
Municipal Assistance Section

Approved by:


CHAD G. HUME
Director, Office of Telecommunications

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

- 1) Case No.: 05-V-0039
Company Name: Time Warner-Poughkeepsie Division
Municipality Name: Town of Poughkeepsie (Dutchess Co.)
TOA Expiration Date: February 26, 2009
- 2) Case No.: 06-V-0034
Company Name: Time Warner-Poughkeepsie Division
Municipality Name: City of Poughkeepsie (Dutchess Co.)
TOA Expiration Date: February 26, 2009
- 3) Case No.: 97-V-0309
Company Name: Time Warner-Orange County
Municipality Name: Town of Montgomery (Orange Co.)
TOA Expiration Date: March 1, 2009
- 4) Case No.: 05-V-0030
Company Name: Time Warner-Orange County
Municipality Name: Village of Highland Falls (Orange Co.)
TOA Expiration Date: March 1, 2009
- 5) Case No.: 07-V-0835
Company Name: Time Warner-Orange County
Municipality Name: Town of Goshen (Orange Co.)
TOA Expiration Date: February 22, 2009
- 6) Case No.: 07-V-0838
Company Name: Time Warner-Orange County
Municipality Name: Village of Goshen (Orange Co.)
TOA Expiration Date: February 22, 2009
- 7) Case No.: 05-V-0883
Company Name: Time Warner-Syracuse Division
Municipality Name: City of Little Falls (Herkimer Co.)
TOA Expiration Date: March 6, 2009
- 8) Case No.: 07-V-0004
Company Name: Time Warner-Syracuse Division
Municipality Name: Village of Munnsville (Madison Co.)
TOA Expiration Date: March 10, 2009

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

- 9) Case No.: 08-V-0803
Company Name: Time Warner-Syracuse Division
Municipality Name: Town of Stockbridge (Madison Co.)
TOA Expiration Date: March 1, 2009
- 10) Case No.: 07-V-0006
Company Name: Time Warner-Syracuse Division
Municipality Name: Village of Lacona (Oswego Co.)
TOA Expiration Date: March 3, 2009
- 11) Case No.: 07-V-0812
Company Name: Time Warner-Syracuse Division
Municipality Name: Town of Parish (Oswego Co.)
TOA Expiration Date: March 1, 2009
- 12) Case No.: 08-V-0804
Company Name: Time Warner-Syracuse Division
Municipality Name: Town of Schroepfel (Oswego Co.)
TOA Expiration Date: March 10, 2009
- 13) Case No.: 07-V-0805
Company Name: Time Warner-Syracuse Division
Municipality Name: City of Syracuse (Onondaga Co.)
TOA Expiration Date: March 5, 2009
- 14) Case No.: 05-V-0709
Company Name: Time Warner-Syracuse Division
Municipality Name: Village of Jordan (Onondaga Co.)
TOA Expiration Date: February 18, 2009
- 15) Case No.: 05-V-0710
Company Name: Time Warner-Syracuse Division
Municipality Name: Village of Elbridge (Onondaga Co.)
TOA Expiration Date: February 18, 2009
- 16) Case No.: 98-V-0382
Company Name: Time Warner-Syracuse Division
Municipality Name: Village of Groton (Tompkins Co.)
TOA Expiration Date: February 14, 2009

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

- 17) Case No.: 97-V-0210
Company Name: Time Warner-Syracuse Division
Municipality Name: Town of Danby (Tompkins Co.)
TOA Expiration Date: February 14, 2009
- 18) Case No.: 08-V-0625
Company Name: Time Warner-Albany Division
Municipality Name: Town of Schroon (Essex Co.)
TOA Expiration Date: February 18, 2009
- 19) Case No.: 06-V-0032
Company Name: Time Warner-Albany Division
Municipality Name: Town of Guilderland (Albany Co.)
TOA Expiration Date: February 24, 2009
- 20) Case No.: 05-V-0930
Company Name: Time Warner-Albany Division
Municipality Name: City of Albany (Albany Co.)
TOA Expiration Date: February 21, 2009
- 21) Case No.: 02-V-1583
Company Name: Time Warner-Albany Division
Municipality Name: Town of Amsterdam (Montgomery Co.)
TOA Expiration Date: February 16, 2009
- 22) Case No.: 01-V-0868
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of Olean (Cattaraugus Co.)
TOA Expiration Date: February 22, 2009
- 23) Case No.: 04-V-1404
Company Name: Time Warner-Buffalo Division
Municipality Name: Village of Williamsville (Erie Co.)
TOA Expiration Date: February 13, 2009
- 24) Case No.: 08-V-0743
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of Eden (Erie Co.)
TOA Expiration Date: February 28, 2009

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

- 25) Case No.: 07-V-0843
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of North Collins (Erie Co.)
TOA Expiration Date: February 24, 2009
- 26) Case No.: 01-V-0028
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of Lewiston (Niagara Co.)
TOA Expiration Date: March 2, 2009
- 27) Case No.: 99-V-1250
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of Lockport (Niagara Co.)
TOA Expiration Date: March 2, 2009
- 28) Case No.: 99-V-1248
Company Name: Time Warner-Buffalo Division
Municipality Name: City of Lockport (Niagara Co.)
TOA Expiration Date: March 2, 2009
- 29) Case No.: 08-V-0744
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of Wheatfield (Niagara Co.)
TOA Expiration Date: February 28, 2009
- 30) Case No.: 05-V-0861
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of Cambria (Niagara Co.)
TOA Expiration Date: March 2, 2009
- 31) Case No.: 99-V-0780
Company Name: Time Warner-Rochester Division
Municipality Name: Town of Brighton (Monroe Co.)
TOA Expiration Date: February 25, 2009
- 32) Case No.: 04-V-0025
Company Name: Time Warner-Rochester Division
Municipality Name: Town of Naples (Ontario Co.)
TOA Expiration Date: March 2, 2009

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

- 33) Case No.: 97-V-0097
Company Name: Time Warner-Rochester Division
Municipality Name: City of Canandaigua (Ontario Co.)
TOA Expiration Date: February 24, 2009
- 34) Case No.: 08-V-0742
Company Name: Time Warner-Binghamton Division
Municipality Name: Village of Marathon (Cortland Co.)
TOA Expiration Date: February 26, 2009
- 35) Case No.: 08-V-0745
Company Name: Time Warner-Binghamton Division
Municipality Name: Town of Troupsburg (Steuben Co.)
TOA Expiration Date: February 28, 2009
- 36) Case No.: 05-V-0849
Company Name: Haefele TV, Inc.
Municipality Name: Town of Greene (Chenango Co.)
TOA Expiration Date: February 24, 2009
- 37) Case No.: 09-V-0001
Company Name: Charter Communications
Municipality Name: Town of Copake (Columbia Co.)
Franchise Expiration Date: March 10, 2009
- 38) Case No.: 09-V-0002
Company Name: Charter Communications
Municipality Name: Town of Austerlitz (Columbia Co.)
Franchise Expiration Date: March 10, 2009
- 39) Case No.: 09-V-0019
Company Name: Cablevision of Wappingers Falls, Inc.
Municipality Name: Town of Hyde Park (Dutchess Co.)
Franchise Expiration Date: February 19, 2009
- 40) Case No.: 97-V-0640
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Great Neck (Nassau Co.)
TOA Expiration Date: February 21, 2009

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

- 41) Case No.: 97-V-0334
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Great Neck Estates
(Nassau Co.)
TOA Expiration Date: February 21, 2009
- 42) Case No.: 97-V-0337
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Kings Point (Nassau Co.)
TOA Expiration Date: February 21, 2009
- 43) Case No.: 97-V-0351
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Lake Success (Nassau
Co.)
TOA Expiration Date: February 21, 2009
- 44) Case No.: 97-V-0355
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Thomaston (Nassau Co.)
TOA Expiration Date: February 21, 2009
- 45) Case No.: 97-V-0354
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Saddle Rock (Nassau Co.)
TOA Expiration Date: February 21, 2009
- 46) Case No.: 97-V-0458
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Plandome (Nassau Co.)
TOA Expiration Date: February 21, 2009
- 47) Case No.: 97-V-0457
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Plandome Heights (Nassau
Co.)
TOA Expiration Date: February 21, 2009

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

- 48) Case No.: 97-V-0645
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Plandome Manor (Nassau
Co.)
~~TOA Expiration Date: February 21, 2009~~
- 49) Case No.: 97-V-0289
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of Flower Hill (Nassau Co.)
TOA Expiration Date: February 21, 2009
- 50) Case No.: 97-V-0639
Company Name: Cablevision Systems Great Neck Corp.
Municipality Name: Village of North Hills (Nassau Co.)
TOA Expiration Date: February 21, 2009
- 51) Case No.: 05-V-0900
Company Name: Cablevision Systems Westchester Corp.
Municipality Name: Village of Irvington (Westchester
Co.)
TOA Expiration Date: February 28, 2009