

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

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JACLYN A. BRILLING
Secretary

October 24, 2008

Time Warner NY Cable, LLC
2 Industrial Dr.
Middletown, NY 10940

Supervisor
Town of Newburgh
20-26 Union Ave. Extension
Newburgh, NY 12550

Case #: 97-V-1405

Dear Sir/Madam:

The Temporary Operating Authority under which Time Warner NY Cable, LLC has been providing service in the Town of Newburgh will expire November 11, 2008.

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 NY Cable, LLC for its operations in the Town of Newburgh, said authority to expire May 11, 2009.

By direction of the Commission,

JACLYN A. BRILLING
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 1

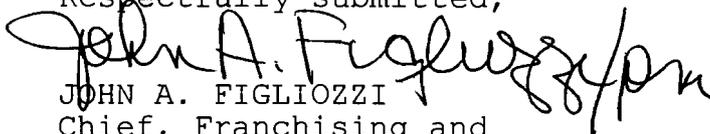
RECOMMENDATION: It is recommended that the Secretary be authorized to notify by letter directive, the grant of temporary operating authority to the companies listed on Appendix 1 to continue the provisions of cable television service in each listed municipality for an additional six month period, subject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

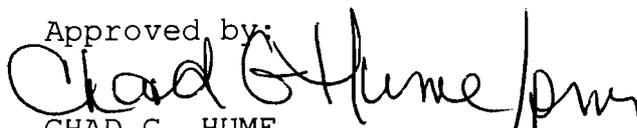
Staff believes that it is in the public interest to continue the operating authority of cable television companies during the negotiation of franchise renewal in order to ensure the continued provision of cable television services in the affected municipal franchise areas, and to mitigate the potential 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. FIGLIOZZI
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.: 08-V-0215
Company Name: Time Warner-Binghamton Division
Municipality Name: Town of Triangle (Broome Co.)
TOA Expiration Date: November 7, 2008
- 2) Case No.: 01-V-1305
Company Name: Time Warner-Binghamton Division
Municipality Name: Town of Portland (Chautauqua Co.)
TOA Expiration Date: November 5, 2008
- 3) Case No.: 06-V-1091
Company Name: Time Warner-Binghamton Division
Municipality Name: Town of Horseheads (Chemung Co.)
TOA Expiration Date: October 23, 2008
- 4) Case No.: 07-V-1083
Company Name: Time Warner-Binghamton Division
Municipality Name: Town of Meredith (Chemung Co.)
TOA Expiration Date: October 26, 2008
- 5) Case No.: 07-V-0294
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of Ashford (Cattaraugus Co.)
TOA Expiration Date: November 7, 2008
- 6) Case No.: 04-V-0425
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of Amherst (Erie Co.)
TOA Expiration Date: November 11, 2008
- 7) Case No.: 06-V-1092
Company Name: Time Warner-Buffalo Division
Municipality Name: Town of Cheektowaga (Erie Co.)
TOA Expiration Date: October 23, 2008
- 8) Case No.: 04-V-0361
Company Name: Time Warner-Hudson Valley Division
Municipality Name: Town of Roxbury (Delaware Co.)
TOA Expiration Date: November 11, 2008

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

- 9) Case No.: 99-V-1238
Company Name: Time Warner-Syracuse Division
Municipality: Village of Lake Placid (Essex Co.)
TOA Expiration Date: October 28, 2008
- 10) Case No.: 06-V-1100
Company Name: Time Warner-Syracuse Division
Municipality: Town of Rutland (Jefferson Co.)
TOA Expiration Date: October 23, 2008
- 11) Case No.: 06-V-1099
Company Name: Time Warner-Syracuse Division
Municipality Name: Town of Pamelaia (Jefferson Co.)
TOA Expiration Date: October 23, 2008
- 12) Case No.: 06-V-1098
Company Name: Time Warner-Syracuse Division
Municipality Name: Town of LeRay (Jefferson Co.)
TOA Expiration Date: October 23, 2008
- 13) Case No.: 08-V-0084
Company Name: Time Warner-Syracuse Division
Municipality Name: Town of Vienna (Oneida Co.)
TOA Expiration Date: October 23, 2008
- 14) Case No.: 97-V-2119
Company Name: Time Warner-Rochester Division
Municipality Name: Town of Geneva (Ontario Co.)
TOA Expiration Date: October 23, 2008
- 15) Case No.: 06-V-0518
Company Name: Time Warner NY Cable, LLC
Municipality Name: Town of Newburgh (Orange Co.)
TOA Expiration Date: November 11, 2008
- 16) Case No.: 97-V-1405
Company Name: Time Warner NY Cable, LLC
Municipality Name: Town of Newburgh (Orange Co.)
TOA Expiration Date: November 11, 2008

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

- 17) Case No.: 06-V-1207
Company Name: Time Warner-Albany Division
Municipality Name: Town of Moreau (Saratoga Co.)
TOA Expiration Date: November 11, 2008
- 18) Case No.: 05-V-0289
Company Name: Time Warner-Albany Division
Municipality Name: City of Schenectady (Schenectady
Co.)
TOA Expiration Date: October 27, 2008
- 19) Case No.: 03-V-0114
Company Name: Time Warner-Albany Division
Municipality Name: Town of Glenville (Schenectady Co.)
TOA Expiration Date: October 21, 2008
- 20) Case No.: 07-V-0270
Company Name: Time Warner-Oswego Division
Municipality Name: Town of Richland (Oswego Co.)
TOA Expiration Date: November 6, 2008
- 21) Case No.: 01-V-0390
Company Name: Time Warner-Kingston Division
Municipality Name: Town of Kingston (Ulster Co.)
TOA Expiration Date: November 1, 2008
- 22) Case No.: 08-V-1071
Company Name: Time Warner-New York City Division
Municipality Name: NYC-State Island (Richmond Co.)
Franchise Expiration: October 19, 2008
- 23) Case No.: 05-V-1130
Company Name: Charter Communications
Municipality Name: City of Plattsburgh (Clinton Co.)
TOA Expiration Date: November 2, 2008
- 24) Case No.: 08-V-0217
Company Name: Charter Communications
Municipality Name: Town of Chatham (Columbia Co.)
TOA Expiration Date: October 28, 2008

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

- 25) Case No.: 97-V-0853
Company Name: Charter Communications
Municipality Name: Town of Long Lake (Hamilton Co.)
TOA Expiration Date: October 28, 2008
- 26) Case No.: 08-V-0219
Company Name: Mid-Hudson Cablevision, Inc.
Municipality Name: Town of Cairo (Greene Co.)
TOA Expiration Date: October 26, 2008
- 27) Case No.: 05-V-0269
Company Name: CH Communications
Municipality Name: Town of Summit (Schoharie Co.)
TOA Expiration Date: November 3, 2008
- 28) Case No.: 07-V-1144
Company Name: Cablevision Systems Suffolk Corp.
Municipality Name: Town of Islip (Suffolk Co.)
TOA Expiration Date: November 11, 2008
- 29) Case No.: 97-V-0394
Company Name: Cablevision Systems Westchester Corp.
Municipality Name: City of Yonkers (Westchester Co.)
TOA Expiration Date: November 9, 2008
- 30) Case No.: 04-V-1101
Company Name: Cablevision Systems of Ossining
Municipality Name: Town of Ossining (Westchester Co.)
TOA Expiration Date: November 9, 2008
- 31) Case No.: 05-V-0308
Company Name: Cablevision Systems of Ossining
Municipality Name: Village of Briarcliff Manor
(Westchester Co.)
TOA Expiration Date: November 11, 2008