

Main at Water Street
Coudersport PA 16915-1141

Adelphia

Phone (814) 274-9830
Internet www.adelphia.net

RECEIVED
PUBLIC SERVICE
COMMISSION
OSEC-FN E-CATV

1999 APR 13 PM 4:19

April 8, 1999

CERTIFIED MAIL: Z 186 556 575

Town of Boston
Town Hall
8500 Boston State Road
Boston, NY 14025

99-V-0567
Orig. - Files
Copies: J. Grow
S. Shaye
A. Dalton

Attention: Town Manager

Dear Members of Council:

The Cable Communications Policy Act of 1984 ("1984 Cable Act") was enacted to establish a comprehensive, national policy for cable television. In doing so, it sets forth the definitive guidelines by which relations between cable operators and municipalities are to be governed. Among other subjects, the Act addresses franchise renewals, franchise fees, and programming content control. While this Act has been amended significantly by the Cable Television Consumer Protection and Competition Act of 1992 ("1992 Cable Act"), the basic requirements of franchise renewal, franchise fees, and programming content remain the same.

The current franchise agreement between the Town of Boston ("Town" or "Boston") and Parnassos, L.P. ("Parnassos") expires on *April 14, 2002*. Pursuant to Section 626 of the 1984 Cable Act (47 U.S. Code 546), Parnassos hereby initiates franchise renewal proceedings with the Town. Section 626 establishes specific guidelines for a franchising authority's evaluation of an existing franchisee.

As the first step in the renewal process under this Section, the Town, at the request of Parnassos, is required to commence proceedings to review the performance of Parnassos under the current franchise and to identify the future cable-related needs and interests of Boston. These proceedings must afford the public in Boston appropriate notice and opportunity for participation. Please accept this letter as Parnassos' formal request for the commencement of such proceedings.

To follow each of the formal steps set out in Section 626 of the 1984 Cable Act in all of their detail could be a time-consuming, inflexible, and expensive process for both parties, a process that seems unwarranted in view of the good relations we have enjoyed in the past. Fortunately, while Section 626 sets out formal renewal proceedings, it also encourages the operator and municipality to seek renewal on a parallel, but more informal, basis (See Section 626(h)). Given our history of smooth relations, it would seem that we in fact should be able to conclude a new agreement through informal negotiations long before most of the formalities of Section 626 have been initiated.

Town of Boston

April 8, 1999

Page 2

We are willing to work on a franchise renewal on an informal basis. But while we much prefer an informal negotiation, we do not waive our rights to the formal procedures and respectfully request that the Town begin implementation of these formal procedures consistent with the guidelines established by the Cable Act. We further reserve the right to continue our request for these procedures throughout the franchise renewal process. Even with these legal formalities, given our past working relationship, we should be able to conclude our negotiations quickly and to everyone's satisfaction

Should you have any questions on the 1984 Cable Act in general or on Section 626 in particular, please let me know. I look forward to hearing from you.

Sincerely,



Michael J. Rigas

Vice President

Adelphia Communications Corporation

MJR/jdt

Attachment

cc: Randall D. Fisher, Esq.
Athena Jamesson
Bob Wahl
Dave Rahr
Tom Haywood
Lori Reed
NYS Public Service Commission