

# 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

MAUREEN O. HELMER

*Chairman*

THOMAS J. DUNLEAVY

JAMES D. BENNETT

LEONARD A. WEISS

NEAL N. GALVIN



LAWRENCE G. MALONE

*General Counsel*

JANET HAND DEIXLER

*Secretary*

November 15, 2000

Media One  
38 Old Route 9  
Wappingers Falls, NY 12590

Supervisor  
Town of Phillipstown  
238 Main St.  
Spring, NY 10516

Case #: 00-V-1971

Dear Sir/Madam:

The Temporary Operating Authority under which Media One has been providing service in the Town of Phillipstown expired November 12, 2000.

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 Media One for its operations in the Town of Phillipstown, said authority to expire May 12, 2001.

By direction of the Commission.

JANET HAND DEIXLER  
Secretary

ORIGINAL

ST 666. 11-9-00  
STATE OF NEW YORK  
DEPARTMENT OF PUBLIC SERVICE

ORIGINAL  
66

*filed dec: 00-V-1971*

October 30, 2000

TO: THE COMMISSION  
FROM: OFFICE OF COMMUNICATIONS

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 /pm*  
STEVEN SHAYE  
Chief, Municipal Assistance

Approved-by:

*CGH*  
Chad G. Hume  
Deputy Director, Office of Communications

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

- 1) Case No.: 00-V-1826  
Company: Time Warner-Jamestown  
Municipality: Village of Bemus Point (Chautauqua Co.)  
Franchise Expiration Date: December 5, 2000
- 2) Case No.: 00-V-1827  
Company: Time Warner-Ithaca  
Municipality: Town of Lansing (Tompkins Co.)  
Franchise Expiration Date: November 14, 2000
- 3) Case No.: 00-V-1828  
Company: Time Warner-Ithaca  
Municipality: Town of Caroline (Tompkins Co.)  
Franchise Expiration Date: November 20, 2000
- 4) Case No.: 98-V-0192  
Company: Time Warner-Mid-Hudson  
Municipality: Town of Red Hook (Dutchess Co.)  
Franchise Expiration Date: December 12, 2000
- 5) Case No.: 00-V-1805  
Company: Time Warner-Schenectady  
Municipality: Town of Broadalbin (Fulton Co.)  
Franchise Expiration Date: November 9, 2000
- 6) Case No.: 00-V-1797  
Company: Time Warner-Watertown  
Municipality: Village of Theresa (Jefferson Co.)  
Franchise Expiration Date: November 15, 2000
- 7) Case No.: 00-V-1798  
Company: Time Warner-Watertown  
Municipality: Village of Philadelphia (Jefferson Co.)  
Franchise Expiration Date: November 15, 2000
- 8) Case No.: 00-V-1799  
Company: Time Warner-Watertown  
Municipality: Village of Evans Mills (Jefferson Co.)  
Franchise Expiration Date: November 15, 2000
- 9) Case No.: 00-V-1907  
Company: Time Warner-Watertown  
Municipality: Village of Constableville (Lewis Co.)  
Franchise Expiration Date: November 15, 2000

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

- 10) Case No.: 00-V-1908  
Company: Time Warner-Watertown  
Municipality: Town of West Turin (Lewis Co.)  
Franchise Expiration Date: November 15, 2000
- 11) Case No.: 00-V-1909  
Company: Time Warner-Potsdam  
Municipality: Village of Massena (St. Lawrence Co.)  
Franchise Expiration Date: November 16, 2000
- 12) Case No.: 00-V-1919  
Company: Time Warner-Oneida  
Municipality: Town of Marcy (Oneida Co.)  
Franchise Expiration Date: November 15, 2000
- 13) Case No.: 97-V-0772  
Company: Time Warner-Fredonia  
Municipality: Town of Stockton (Chautauqua Co.)  
TOA Expiration Date: November 22, 2000
- 14) Case No.: 97-V-0444  
Company: Charter Communications  
Municipality: Town of Westport (Essex Co.)  
TOA Expiration Date: December 5, 2000
- 15) Case No.: 97-V-0449  
Company: Time Warner-Saugerties  
Municipality: Town of Hunter (Greene Co.)  
TOA Expiration Date: December 5, 2000
- 16) Case No.: 99-V-1338  
Company: Time Warner-Saugerties  
Municipality: Town of Middletown (Delaware Co.)  
TOA Expiration Date: November 14, 2000
- 17) Case No.: 97-V-0853  
Company: Charter Communications  
Municipality: Town of Long Lake (Hamilton Co.)  
TOA Expiration Date: December 6, 2000
- 18) Case No.: 99-V-1496  
Company: Adelphia Cable-Utica  
Municipality: Town of Russia (Herkimer Co.)  
TOA Expiration Date: December 12, 2000

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

- 19) Case No.: 97-V-0185  
Company: Time Warner-Rochester  
Municipality: Village of Brockport (Monroe Co.)  
TOA Expiration Date: December 5, 2000
- 20) Case No.: 97-V-0552  
Company: Time Warner-Syracuse  
Municipality: Town of Oswego (Oswego Co.)  
TOA Expiration Date: November 9, 2000
- 21) Case No.: 97-V-1143  
Company: Time Warner-Fingerlakes  
Municipality: Town of Lodi (Seneca Co.)  
TOA Expiration Date: December 12, 2000
- 22) Case No.: 99-V-0526  
Company: Time Warner-Potsdam  
Municipality: Town of Gouverneur (St. Lawrence Co.)  
TOA Expiration Date: December 11, 2000
- 23) Case No.: 99-V-0524  
Company: Time Warner-Potsdam  
Municipality: Village of Gouverneur (St. Lawrence Co.)  
TOA Expiration Date: December 10, 2000
- 24) Case No.: 99-V-0523  
Company: Time Warner-Potsdam  
Municipality: City of Ogdensburg (St. Lawrence Co.)  
TOA Expiration Date: December 10, 2000
- 25) Case No.: 97-V-0578  
Company: Time Warner-Binghamton  
Municipality: Town of Wayland (Steuben Co.)  
TOA Expiration Date: December 8, 2000
- 26) Case No.: 97-V-0580  
Company: Time Warner-Binghamton  
Municipality: Town of Addison (Steuben Co.)  
TOA Expiration Date: November 23, 2000
- 27) Case No.: 97-V-0416  
Company: Time Warner-Binghamton  
Municipality: Town of Woodhull (Steuben Co.)  
TOA Expiration Date: December 5, 2000

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

- 28) Case No.: 97-V-0214  
Company: Time Warner-Ithaca  
Municipality: Town of Groton (Tompkins Co.)  
TOA Expiration Date: December 5, 2000
  
- 29) Case No.: 97-V-0213  
Company: Time Warner-Ithaca  
Municipality: Village of Groton (Tompkins Co.)  
TOA Expiration Date: December 5, 2000
  
- 30) Case No.: 97-V-0447  
Company: Time Warner-Mid-Hudson  
Municipality: Town of Woodstock (Ulster Co.)  
TOA Expiration Date: December 1, 2000
  
- 31) Case No.: 97-V-0422  
Company: Time Warner-Fingerlakes  
Municipality: Village of Macedon (Wayne Co.)  
TOA Expiration Date: November 24, 2000
  
- 32) Case No.: 97-V-0424  
Company: Time Warner-Fingerlakes  
Municipality: Town of Ontario (Wayne Co.)  
TOA Expiration Date: December 5, 2000
  
- 33) Case No.: 97-V-1766  
Company: Time Warner-Fingerlakes  
Municipality: Village of Red Creek (Wayne Co.)  
TOA Expiration Date: November 27, 2000
  
- 34) Case No.: 97-V-1871  
Company: Time Warner-Fingerlakes  
Municipality: Town of Wolcott (Wayne Co.)  
TOA Expiration Date: November 27, 2000
  
- 35) Case No.: 00-V-0831  
Company: Media One  
Municipality: Town of Hyde Park (Dutchess Co.)  
TOA Expiration Date: November 19, 2000
  
- 36) Case No.: 97-V-0193  
Company: Cablevision Systems Long Island Corp.  
Municipality: Village of Baxter Estates (Nassau Co.)  
TOA Expiration Date: December 5, 2000

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

- 37) Case No.: 97-V-0391  
Company: Cablevision Systems Long Island Corp.  
Municipality: Village of Valley Stream (Nassau Co.)  
TOA Expiration Date: December 6, 2000
  
- 38) Case No.: 97-V-0360  
Company: Cablevision Systems Long Island Corp.  
Municipality: Village of Garden City (Nassau Co.)  
TOA Expiration Date: December 5, 2000
  
- 39) Case No.: 97-V-0194  
Company: Cablevision Systems Long Island Corp.  
Municipality: Village of Cedarhurst (Nassau Co.)  
TOA Expiration Date: December 5, 2000
  
- 40) Case No.: 97-V-1556  
Company: Cablevision Systems Long Island Corp.  
Municipality: Village of Cove Neck (Nassau Co.)  
TOA Expiration Date: December 5, 2000
  
- 41) Case No.: 97-V-0345  
Company: A-R Cable-Lynbrook  
Municipality: Village of Lawrence (Nassau Co.)  
TOA Expiration Date: December 6, 2000
  
- 42) Case No.: 97-V-0362  
Company: Cablevision Systems Long Island Corp.  
Municipality: Village of East Williston (Nassau Co.)  
TOA Expiration Date: December 5, 2000
  
- 43) Case No.: 97-V-1553  
Company: Cablevision Systems Long Island Corp.  
Municipality: Village of Lattingtown (Nassau Co.)  
TOA Expiration Date: November 20, 2000
  
- 44) Case No.: 97-V-1840  
Company: RCN of Southeast NY  
Municipality: Town of Patterson (Putnam Co.)  
TOA Expiration Date: November 19, 2000
  
- 45) Case No.: 00-V-1971  
Company: Media One  
Municipality: Town of Phillipstown (Putnam Co.)  
TOA Expiration Date: November 12, 2000



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

- 46) Case No.: 97-V-0346  
Company: RCN of Southeast, NY  
Municipality: Town of Putnam Valley (Putnam Co.)  
TOA Expiration Date: November 19, 2000
  
- 47) Case No.: 97-V-0405  
Company: Cablevision of Rockland/Ramapo  
Municipality: Village of Spring Valley (Rockland Co.)  
TOA Expiration Date: December 5, 2000
  
- 48) Case No.: 98-V-1730  
Company: Cablevision of Rockland/Ramapo  
Municipality: Town of Orangetown (Rockland Co.)  
TOA Expiration Date: December 7, 2000
  
- 49) Case No.: 97-V-0402  
Company: Media One  
Municipality: Town of Ramapo (Rockland Co.)  
TOA Expiration Date: December 5, 2000
  
- 50) Case No.: 97-V-0935  
Company: Cablevision of Rockland/Ramapo  
Municipality: Village of New Hempstead (Rockland Co.)  
TOA Expiration Date: December 12, 2000
  
- 51) Case No.: 97-V-0393  
Company: Cablevision Systems-Riverhead  
Municipality: Village of Greenport (Suffolk Co.)  
TOA Expiration Date: December 5, 2000
  
- 52) Case No.: 97-V-0210  
Company: Time Warner-Ithaca  
Municipality: Town of Danby (Tompkins Co.)  
TOA Expiration Date: December 5, 2000
  
- 53) Case No.: 97-V-0394  
Company: Cablevision Systems-Westchester  
Municipality: City of Yonkers (Westchester Co.)  
TOA Expiration Date: December 12, 2000