

S-573

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS

2008

VOL. 51

PART IV

5058-6352

jlm

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Senate

May 7, 2008

SEN. LOONEY:

Yes, thank you, Mr. President. If we might stand at ease for a moment.

THE CHAIR:

The Senate will stand at ease.

[SENATE AT EASE]

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Yes, thank you, Mr. President. If the Clerk might call Calendar 294, Senate Bill 677 on page 15.

THE CHAIR:

Mr. Clerk.

SEN. LOONEY:

Returning to the Calendar, Calendar Page 15, Calendar 294, File 455, Substitute for Senate Bill 677, An Act Concerning The Use Of State Mobile Computing And Storage Devices, Favorable Report of the

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Senate

May 7, 2008

Committee on Government Administration and Elections,
Energy and Technology, and Planning and Development.

THE CHAIR:

Senator Slossberg.

SEN. SLOSSBERG:

Yes, thank you, Mr. President. I move acceptance
of the Joint Committee's Favorable Report and passage
of the bill.

THE CHAIR:

Acting on approval of the bill, Ma'am, would you
like to remark further?

SEN. SLOSSBERG:

Yes, thank you, Mr. President. The Clerk has in
his possession LCO 6513. I ask that it be called and
I seek leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

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Senate

May 7, 2008

LCO 6513, which will be designated Senate Amendment Schedule "A", is offered by Senator Slossberg of the 14th District, et al.

THE CHAIR:

Senator Slossberg.

SEN. SLOSSBERG:

Thank you, Mr. President. I move adoption.

THE CHAIR:

Please proceed, Ma'am.

SEN. SLOSSBERG:

Very simply, as the hour is late. This bill provides town-specific government access television programming to towns in Area 2 of the Cable Advisory Council.

It's a very long story. I can't get, I'm not going to get into right now, but basically is that the towns in this district, there are six towns, have been unable, have been denied the ability to have

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May 7, 2008

town-specific programming on their public access television.

What this will do is allow them to work with the current nonprofit third-party community access provider to develop town-specific programming and provide them with an opportunity to do so.

It will also ensure that funding that was supposed to be going to them does actually go to them to help them in developing that town-specific programming. I'd ask for the support of the Chamber.

THE CHAIR:

Thank you, Senator Slossberg. Will you remark?
Will you remark further? Senator Debicella.

SEN. DEBICELLA:

Thank you, Mr. President. Mr. President, I rise in opposition to the amendment.

I think the intention behind this is good. But as so often happens, we're passing legislation,

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May 7, 2008

whereas something's happening outside of this Chamber that could solve the problem.

Right now, this legislation is narrowly tailored to apply to only a few situations, one of which is happening in the Greater Bridgeport region where six such towns, as Senator Slossberg mentioned, are trying to get some local access programming.

And the issue of why I oppose this is twofold. One is that the person and the company who control the current license are in negotiations with the towns to actually give them that right to have local access programming. And I believe we should allow those negotiations to continue.

But second, Mr. President, is more of a philosophical point, is that we are essentially, by passing this, overruling the DPUC in their decision to actually give out a license.

And so if we believe it is good practice for us to second-guess the DPUC, for us to be going in and to

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May 7, 2008

changing licenses that they've determined should be given out, then you should vote for this bill or this amendment.

I do not believe that's appropriate, Mr. President, so I will be opposing this amendment. Thank you.

THE CHAIR:

Thank you, Senator Debicella. Senator Freedman.

SEN. FREEDMAN:

Thank you, Mr. President. I stand in support of the amendment.

As you know, Cablevision has two districts in our part of our state. Our part is the beneficiary of each town having their own providers for the PEG channels, and it does make a big difference.

The Bridgeport system is entirely different, particularly with a third-party provider. And the people that live in that part of the district don't have their own access.

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Senate

May 7, 2008

So this amendment will cure that ill and I think make it much better for the people who live in the towns of that part of the Cablevision area. Thank you.

THE CHAIR:

Thank you, Senator Freedman. Will you remark? Will you remark further on Senate Amendment "A"? will you remark further? If not, let me try your minds. All those in favor, signify by saying "aye".

SENATE ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay".

SENATE ASSEMBLY:

Nay.

THE CHAIR:

The ayes have it. Will you remark further on Senate Bill 677? Will you remark further on Senate

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Senate

May 7, 2008

Bill 677? If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, the machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on passage of Senate Bill 677 as amended.

Total number voting, 36; those necessary for passage, 19. Those voting "yea", 28; those voting "nay", 8. Those absent and not voting, 0.

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Senate

May 7, 2008

THE CHAIR:

The bill as amended passes. Senator Looney.

SEN. RUSSO:

Thank you, Mr. President. For purposes of a correction, I believe that one of the items placed on Consent was a single-starred item. Would have to move for suspension so that that item could properly be placed on the Consent Calendar.

That was Calendar Page 12, Calendar 556, House Bill 5873. Mr. President, would withdraw the prior motion to place it on Consent and would now ask for suspension for purposes of placing it on the Consent Calendar.

THE CHAIR:

Motion to withdraw. Seeing no objection, so ordered. And there's a motion for suspension.

SEN. LOONEY:

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
2008

VOL. 51
PART 20
6404-6746

House of Representatives

May 7, 2008

Thank you, Mr. Speaker. Mr. Speaker, I'm going to be moving some additional items onto the Consent Calendar.

I'm going to start with Calendar Number 470, Calendar Number 472, Calendar Number 274, Calendar Number 474, Calendar Number 541 and Calendar Number 403.

SB157
SB315
SB 26
SB 40
SB 25
HB 57

SPEAKER AMANN:

Will the Clerk, the motion before us is to place the following items on the Consent Calendar for action later today and they are Calendar Numbers 470, 472, 274, 474, 541, 403.

Is there objection on the motion? Is there objection? Hearing none, those items are placed on the calendar for later today.

Will the Clerk please call LCO, excuse me. My apologies. Will the Clerk please call Calendar Number 563.

CLERK:

Calendar Number 563, Senate Bill Number 677, AN ACT CONCERNING THE USE OF STATE MOBILE COMPUTING AND

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House of Representatives

May 7, 2008

STORAGE DEVICES, Favorable Report of the Committee on
Planning and Development.

SPEAKER AMANN:

Representative Caruso.

REP. CARUSO: (126th)

Mr. Speaker, I move for acceptance of the Joint
Committee's Favorable Report and passage of the bill
in concurrence with the Senate.

SPEAKER AMANN:

The question is on acceptance of the Joint
Committee's Favorable Report and passage of the bill.

Will you remark, Sir?

REP. CARUSO: (126th)

Yes. I move adoption, Mr. Speaker.

SPEAKER AMANN:

The question is on adoption. Is there objection?
Hearing none, Sir, you may proceed.

REP. CARUSO: (126th)

Mr. Speaker, the Clerk has in his possession
Senate Amendment "A", LCO Number 6513. I ask that he
read and I be allowed to summarize.

SPEAKER AMANN:

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House of Representatives

May 7, 2008

Please call LCO Number 6513, which was previously designated Senate Amendment Schedule "A".

CLERK:

LCO Number 6513, Senate "A", offered by Senator Slossberg, Representative Klarides, et al.

SPEAKER AMANN:

The Representative has asked to summarize. Is there objection? You may summarize, Sir.

REP. CARUSO: (126th)

Yes, Mr. Speaker. The amendment provides access to the Towns of Bridgeport, Fairfield, Milford, Orange, Stratford and Woodbridge for their nonprofit community access. I move adoption.

SPEAKER AMANN:

The question is on adoption. Will you remark? Will you remark? If not, let me try your minds. All in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER AMANN:

Opposed, Nay. The Ayes have it. It is adopted.
Care to remark further on the bill as amended?

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House of Representatives

May 7, 2008

Representative Hetherington.

REP. HETHERINGTON: (125th)

Thank you. A question through you, Mr. Speaker.

SPEAKER AMANN:

Please frame your question, Sir. Representative Caruso, please prepare. You may proceed, Sir.

REP. HETHERINGTON: (125th)

What was the basis of, okay. Actually, I think it's self-evident. Thank you, Mr. Speaker.

I withdraw the question.

SPEAKER AMANN:

Thank you, Sir. Appreciate that, Sir. Care to remark further on the bill as amended? Care to remark further? If not, staff and guests come to the Well of the House. Members, take your seats. The machine will be opened.

CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber. The House is voting by Roll Call. Members to the Chamber.

SPEAKER AMANN:

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House of Representatives

May 7, 2008

Have all the Members voted? Do not run, please.
Do not run. Do not run. I want no injuries on my
watch.

Have all the Members voted? If all the Members
have voted, please, no running please. Please check
the board and make sure your vote has been properly
cast.

If all Members have voted, the machine will be
locked and the Clerk will take a tally. Will the
Clerk please announce the tally.

CLERK:

Senate Bill Number 677, as amended by Senate
Amendment Schedule "A", in concurrence with the
Senate.

Total Number Voting	147
Necessary for Passage	74
Those voting Yea	147
Those voting Nay	0
Those absent and not voting	4

SPEAKER AMANN:

The bill passes as amended. Will the Clerk
please call Calendar Number 418.



STATE OF CONNECTICUT

DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
PUBLIC UTILITIES REGULATORY AUTHORITY
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

DOCKET NO. 11-07-09 PURA DECLARATORY RULING OF THE SOUND VIEW
COMMUNITY MEDIA, INC.

February 1, 2012

By the following Directors:

Kevin M. DelGobbo
Anna M. Ficeto
John W. Betkoski, III

DECISION

DECISION

I. INTRODUCTION

A. SUMMARY

In this Decision, the Public Utilities Regulatory Authority, formerly known as the Department of Public Utility Control, finds that it does not have the jurisdiction to rule on the constitutionality of §§16-331ff and 16-331gg of the General Statutes of Connecticut. Additionally, since the Legislature has not made any substantive changes to these statutes, the Public Utilities Regulatory Authority cannot assume that the failure to act was not intentional. Accordingly, the Public Utilities Regulatory Authority at this time declines to issue a declaratory ruling in response to Sound View's petition until such time as the Legislature takes action to amend the applicable statute.

B. BACKGROUND OF THE PROCEEDING

In the Cablevision of Southern Connecticut, L.P. service area,¹ community access has been managed by Sound View Community Media, Inc. (SVCM) since November 1999. Pursuant to the Public Utilities Regulatory Authority's (Authority or PURA) Decision dated November 22, 2006 in Docket No. 97-09-09, Application of Cablevision of Southern Connecticut, L.P. for Franchise Renewal (November 22, 2006 Decision), SVCM was to continue as the community access provider. The Area Two Advisory Council was also designated as the Advisory Council in the Cablevision of Southern Connecticut, L.P. service area and has been in existence prior to 1999.

Sections §§16-331ff and 16-331gg of the General Statutes of Connecticut (Conn. Gen. Stat.) state:

(a) Any third-party nonprofit community access provider serving six municipalities, one of which has a population of more than one hundred thirty thousand, shall, upon request from any town organization, authority, body or official within its service territory, provide written consent, pursuant to its service provider agreements, for said town organization, authority, body or official to (1) operate education and government public access channels in that town, and (2) engage freely and directly the community antenna television company providing services in that town to use their headend equipment for dissemination of town-specific community access programming on such channels. Said third-party nonprofit community access provider must grant such written consent to said requesting town organization, authority, body or official within three business days. Written

¹ The Cablevision of Connecticut, L.P. service area consists of the municipalities of Bridgeport, Fairfield, Milford, Orange, Stratford and Woodbridge.

consent not provided within three business days shall be deemed granted.

Between June 19, 2008 and July 25, 2008, the towns of Fairfield, Orange, Woodbridge and the City of Milford separately requested and were granted the right to operate education and government channels.

On April 2, 2009, in Docket No. 08-06-03, DPUC Investigation of the Sound View Community Media, Inc. (SVCM), the PURA designated the method and procedures to comply with Conn. Gen Stat. §16-331ff. The Area Two Advisory Council was to receive \$100,000 annually from Cablevision of Connecticut, L.P. and report its usage to the PURA. That Decision also conducted a review of SVCM's budget and it was determined that SVCM could continue to operate with less funding.

On January 18, 2008, Cablevision of Litchfield, Inc. (Cablevision or Company) filed an application (Application) for a certificate of video franchise authority (CVFA). By its February 1, 2008 letter in Docket No. 08-01-14, Application of Cablevision of Litchfield, Inc. for a Certificate of Video Franchise Authority, the PURA awarded Cablevision a CVFA, except for its legacy Litchfield franchise area, pursuant to Conn. Gen. Stat. §16-331e(e). By its July 2, 2008 letter in Docket No. 08-06-12, Application of Cablevision of Connecticut, L.P. and Cablevision Systems of Southern Connecticut, L.P., the PURA approved the Cablevision of Connecticut, L.P. and Cablevision Systems of Southern Connecticut, L.P. CVFAs each of the company's franchise area except for their respective legacy franchise areas.

By letter dated July 29, 2011 in Docket Nos. 08-01-14 and 08-06-12, Cablevision requested three separate CVFAs that reflected a transfer of certificates between the Cablevision companies. As a result of these transfers, Cablevision's Litchfield certificate encompasses all 169 towns in Connecticut.

C. CONDUCT OF THE PROCEEDING

On July 12, 2011, SVCM filed a Motion in Docket No. 11-01-03, DPUC Annual Community Access Support Review. On July 26, 2011, the PURA opened the instant docket to issue a declaratory ruling on SVCM's request. On August 31, 2011 the PURA issued a Notice of Request for Written Comments and Reply Comments to be filed on September 16, 2011, and reply comments on September 23, 2011. No hearing was requested and none was held. Cablevision, OCC and SVCM agreed to an extension to Conn. Gen Stat. §4-176(i) that allowed a final decision to be issued by PURA no later than February 1, 2012. Cablevision, OCC and SVCM letters dated January 6, 2012.

D. PARTIES AND INTERVENERS

The PURA recognized Sound View Community Media, Inc., 211 State Street, Bridgeport, Connecticut 06010; Cablevision of Litchfield, 28 Cross Street, Norwalk, Connecticut 06850; and the Office of Consumer Counsel (OCC), Ten Franklin Square, New Britain, Connecticut 06051 as Parties to this proceeding. Cox Communications, Inc.; AT&T of Connecticut; Comcast Communications Inc.; MetroCast Communications, Inc.; Thames Valley Communications, Inc.; Verizon New York, Inc.; Cablevision of Litchfield Advisory Council; Area Two Advisory Council; Area Nine Advisory Council; and the Statewide Video Advisory Council were designated as Interveners.

II. AUTHORITY ANALYSIS

By Motion dated July 12, 2011 (Motion), SVCM petitioned the PURA for a declaratory ruling. In particular, SVCM seeks a declaratory ruling that Conn. Gen. Stat. §§16-331ff and 16-331gg were invalid because it violates SVCM's rights to equal protection under the Fourteenth Amendment to the United States Constitution and under Article 1, §§1 and 20 under the Connecticut Constitution. In the alternative SVCM seeks a ruling that Conn. Gen. Stat. §§16-331ff and 16-331gg are no longer applicable because the designated recipient of the funds, the Area Two Cable Advisory Council (Council) legally ceased to exist as of July 7, 2008. Motion, pp. 1 and 2.

Cablevision states that SVCM's petition is without merit and recommends that it be denied. Cablevision asserts that the PURA does not have the legal authority to fix what SVCM failed to secure in the legislature, nor to determine the constitutionality of an act. Cablevision September 16, 2011 Written Comments, pp. 1 and 2. Cablevision believes that Conn. Gen. Stat. §16-331gg clearly defines the service territory advisory council and the funding which it should receive. *Id.*, p. 6.

Nine Connecticut legislators² avow that they were the primary sponsors of Conn. Gen. Stat. §§16-331ff and 16-331gg and recommended that the PURA deny SVCM's request for declaratory ruling because the existing funding mechanism is being implemented within applicable law. The legislators recommend that SVCM focus on its responsibility to deliver community access programming. Legislator letter dated September 16, 2011. Additionally, 18 customers in the Fairfield area filed letters of support for its local programming.

Conn. Gen. Stat. §§16-331ff and 16-331gg became effective on June 12, 2008. The only changes to these provisions occurred in 2009 for an editorial change and in 2011 in Public Act 11-80, An Act Concerning the Establishment of the Department of Energy and Environmental Protection and Planning For Connecticut's Energy Future, wherein the term "Department of Public Utility Control" was changed to "Public Utilities Regulatory Authority." Therefore, there have been no substantive changes to the provisions of these statutes since their adoption.

² Senators John McKinney and Gayle Slossberg; Representatives Kim Fawcett, Paul Davis, Brenda Kupchick, Tony Hwang, Richard Roy, Kim Rose and Themis Klarides.

Regarding SVCM's Constitutional Law issue, the PURA does not create law, but merely implements and follows the laws passed by the General Assembly or Congress. It is the function of the courts, not the administrative agency to determine the Constitutionality of a statute. Therefore, the PURA declines to rule on the constitutionality of Public Act 08-159.

Regarding the applicability of Conn. Gen. Stat. §§16-331ff and 16-331gg to SVCM, the PURA must look at the language of the applicable provisions and to the rules of statutory construction for guidance. These statutes provide in relevant part that the holder of a CVFA in a specified service area shall direct the sum of one hundred thousand dollars per year from the subscriber funds that it provides to the existing third-party nonprofit community access provider (SVCM) directly to the service area's community antenna television advisory council. SVCM's contention is that the provision is no longer valid since the cable advisory council ceased to exist as of July 7, 2008.

It is a well-established rule of statutory construction that the Legislature is presumed to be aware of existing statutes. Board of Public Utilities Commissioners v. Yankee Gas Services, 236 Conn. 287,295 (1996). Therefore, the PURA must assume that the legislature is aware of the provisions of Conn. Gen. Stat. §§16-331ff and 16-331gg. It is also a well-established rule that the Legislature is presumed to be aware of the impact of its actions or inactions on an existing statute. CL&P vs. Texas –Ohio Power, Inc., 243 Conn 635 (1998). Since the passage of these statutes and the cessation of the existence of the Advisory Council, the Legislature has had ample opportunity to amend Conn. Gen. Stat. §16-331ff and has failed to do so. The PURA cannot assume that the failure to act was not intentional. Furthermore, the PURA cannot at this time make any determination as to the validity or invalidity of the terms of Conn. Gen. Stat. §§16-331ff and 16-331gg in regards to SVCM.

III. FINDINGS OF FACT

1. Public Act 08-159 became effective on June 12, 2008.
2. Public Act 08-159 has been codified as Conn. Gen. Stat. §§16-331ff and 16-331gg.
3. The Legislature has made no substantive changes to Conn. Gen. Stat. §§16-331ff and 16-331gg since the June 12, 2008 effective date.

IV. CONCLUSION

The PURA does not have the jurisdiction to rule on the constitutionality of Conn. Gen. Stat. §§16-331ff and 16-331gg. Since the Legislature has not made any substantive changes to these statutes, the PURA can not assume that the failure to act was not intentional. Accordingly, the PURA at this time declines to issue a declaratory ruling in response to SVCM's petition until such time as the Legislature takes action to amend any applicable statute(s).

The Authority is an affirmative action/equal opportunity employer and service provider. In conformance with the Americans with Disabilities Act (ADA), the Authority makes every effort to provide equally effective services for persons with disabilities. Individuals with disabilities who need this information in an alternative format to allow them to benefit and/or participate in the agency's programs and services, should call 860-424-3035 or e-mail the ADA Coordinator, at DEP.aoffice@ct.gov. Persons who are hearing impaired should call the State of Connecticut relay number 711. Requests for accommodations must be made at least two weeks prior to the meeting date (Emphasis added).

**DOCKET NO. 11-07-09 PURA DECLARATORY RULING OF THE SOUND VIEW
COMMUNITY MEDIA, INC.**

This Decision is adopted by the following Directors:

Kevin M. DelGobbo

Anna M. Ficeto

John W. Betkoski, III

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Public Utilities Regulatory PURA, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.



Kimberley J. Santopietro
Executive Secretary
Department of Energy and Environmental Protection
Public Utilities Regulatory PURA

February 2, 2012

Date



Paul W. Jamieson
Senior Counsel
Government Affairs
P (516) 803-2544
F (516) 803-2585
pjamieso@cablevision.com

January 17, 2008

VIA HAND DELIVERY & ELECTRONIC FILING

Louise E. Rickard
Acting Executive Secretary
Department of Public Utility Control
Ten Franklin Square
New Britain, Connecticut 06051

Re: Application of Cablevision of Litchfield, Inc. for Certificate of Video Franchise Authority

Dear Ms. Rickard:

Cablevision of Litchfield, Inc. ("Company") herein respectfully submits to the Department of Public Utility Control ("Department") its **APPLICATION** for a certificate of video franchise authority covering the entire state of Connecticut pursuant to Section 2 of Public Act No. 07-253, *An Act Concerning Certified Competitive Video Service* ("the Act"), as well as a check in the amount of \$1,000 as required by the Act.

The Act sets forth the state's franchising authority to be implemented by the Department. Section 2(a) of the Act permits cable operators to apply for a video certificate for "any service area in which it was not certified to provide community antenna television service pursuant to section 16-331 of the general statutes on or before October 1, 2007." Neither the Company nor its affiliates, Cablevision of Connecticut, L.P., and Cablevision Systems of Southern Connecticut, L.P. (collectively, "Cablevision"), hold a certificate of public convenience and necessity ("CPCN") for the state of Connecticut.^{1/} Upon the Department's grant of this Application, Cablevision

^{1/} While Cablevision holds CPCNs to provide cable service in Area 2 (Bridgeport), Area 9 (Norwalk), and the Litchfield area, under Department precedent a town-based CPCN is not the same as a statewide franchise. *Application of SNET Personal Vision, Inc. for a Certificate of Public Convenience and Necessity to Provide Community Antenna Television Service*, Docket

proposes to assign its Connecticut assets to the Company or an affiliated entity to hold the certificate of video franchise authority, and its existing CPCNs would be surrendered and its franchise agreements terminated.² A certificate of video franchise authority carries with it certain requirements as provided in the Act with respect to such issues as customer service, PEG transmission, and service accessibility, to name a few.

The Company is pleased to file this application and looks forward to its receipt of a certificate of video franchise authority. The certificate will ensure that Connecticut residents continue to have a choice for their video services and that robust competition in the video market unfolds according to a level regulatory playing field.^{3/} Cablevision began providing its video service offerings in Connecticut in 1981, and now has over 250,000 customers in 24 towns. The Department has recently characterized Cablevision's performance as "very good," noting in particular its "excellent" system reliability and picture performance.^{4/}

Cablevision has a long history of cutting-edge technology, quality customer service and a focus on investment and jobs that contribute to the state's economic development. Cablevision's many investments in Connecticut include its over 1400 employees who live or work in the state. The state-of-the art network that Cablevision offers to every home it serves, along with the rich array of broadband services offered by Cablevision over that network -- including digital video, on-demand and HD offerings, high-speed Internet access and voice telephone service -- underscores Cablevision's commitment to Connecticut. The Company eagerly awaits the Department's determination that the instant application is complete,^{5/} followed by the grant of a certificate of video franchise authority to the Company.

No. 96-01-24 (Sept. 25, 1996) at 43 ("The franchise that is being granted to SPV authorizes it to provide service to the entire state. No existing franchise is currently operating in that area.").

² See Section 1.2 of each of Cablevision's existing franchise agreements, subjecting them to all applicable federal and state statutes and regulations.

^{3/} See Letter from Louise E. Rickard to Merrie Cavanaugh, Esq., Nov. 1, 2007 (Docket No. 07-10-04:UR:PAP) (granting AT&T's application for a statewide certificate of video franchise authority).

^{4/} *Application of Cablevision of Southern Connecticut, L.P. for Franchise Renewal*, Docket No. 05-04-09, Nov. 22, 2006, at 40-41; *Application of Cablevision of Connecticut, L.P. for Franchise Renewal*, Docket No. 05-04-10, Jan. 10, 2007, at 37-38.

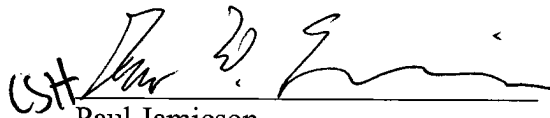
^{5/} Section 2 (c) of the Act sets forth the requirements of the application:

The application shall include a completed affidavit submitted by the applicant and signed by an officer or general partner of the applicant, affirming: (1) The location of the applicant's principal place of business and the names of the applicant's principal executive officers; (2) that the applicant has filed or will timely file with the Federal Communications Commission all forms required by said commission in advance of offering video service in the state; (3) that the applicant agrees to comply with all applicable federal and state statutes and

Service has been made pursuant to §16-1-15 of the Regulations of Connecticut State Agencies. This filing is being submitted as an electronic web filing and is complete.

Should there be any questions concerning this submission, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul Jamieson", is written over a horizontal line. To the left of the signature, the letters "CSH" are handwritten.

Paul Jamieson
Senior Counsel

Enclosures

regulations and with all applicable orders of the department, including, but not limited to, those statutes, regulations and orders regarding the provision of video service by certified competitive video service providers and the use and occupation of public rights-of-way in the delivery of the video service by such providers; (4) that the applicant shall comply with the requirements of sections 4 to 12, inclusive, of this act. The affidavit shall also include a description of the service area footprint to be served within the state, and such description shall be updated by the applicant before the expansion of video service to a previously undesignated service area, and a general description of the type or types of technologies the applicant will use to provide video service in its service area footprint, which may include wire line, satellite or any other alternative technology.

AFFIDAVIT OF JOHN BICKHAM

My name is John Bickham. My business address is 1111 Stewart Avenue, Bethpage, New York. I am currently the President, Cable & Communications, for Cablevision of Litchfield, Inc. (“Cablevision”).


I am familiar with the application requirements of Public Act No. 07-253, *An Act Concerning Certified Competitive Video Service* (the “Act”). In accordance with the Act and in support of Cablevision’s application to offer video service pursuant to a certificate of video franchise authority granted under Section 2 of the Act: [1] I affirm that Cablevision’s principal place of business is 1111 Stewart Avenue, Bethpage, New York and that Cablevision’s principal executive officers are as shown on Exhibit A to the Application; [2] I affirm that Cablevision has filed or will timely file with the Federal Communications Commission (“FCC”) all forms required by the FCC in advance of offering such video service in Connecticut; [3] I affirm that Cablevision agrees to comply with all applicable federal and state statutes and regulations and with all applicable orders of the Department of Public Utility Control (the “Department”), including, but not limited to, those statutes, regulations and orders regarding the provision of video service by certified competitive video service providers and the use and occupation of public rights-of-way in the delivery of the video service by Cablevision; and [4] I affirm that Cablevision will comply with the requirements of Sections 4 to 12, inclusive, of Public Act No. 07-253.

Cablevision’s proposed service area for its competitive video service offering will be the state of Connecticut. Currently, Cablevision and its affiliates have approximately 250,000 video customers in the following Connecticut cities and towns: Bridgeport,

Cornwall, Darien, Easton, Fairfield, Goshen, Greenwich, Litchfield, Milford, Morris, New Canaan, Norwalk, Orange, Redding, Stamford, Stratford, Thomaston, Torrington, Warren, Watertown, Weston, Westport, Wilton, and Woodbridge. Cablevision is designating the state of Connecticut as its service area, which would include the foregoing cities and towns, and proposes to provide the Department with updates at the end of any calendar quarter where Cablevision has extended its network to offer service to any additional Connecticut cities and towns in the preceding three months.

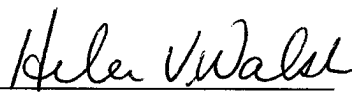
Section 2(c) of the Act provides in relevant part that “[t]he affidavit shall also include . . . a general description of the type or types of technologies the applicant will use to provide video service in its service area footprint, which may include wire line, satellite or any other alternative technology.” Cablevision thus provides a general description of the type or types of technologies it and its affiliates use to provide video service in its service area footprint. Cablevision currently provides video service offerings to its subscribers over a state-of-the-art, 750 MHz two-way fiber optic network. In order to provide the advanced network necessary to provide these services, Cablevision has deployed a hybrid fiber coaxial network that utilizes fiber optic and coaxial cable transmission technologies. The network relies upon fiber optics for distribution from the headend to “nodes” located in the various residential neighborhoods served by Cablevision’s systems. Network electronics housed in the node convert downstream video signals from the optical format by which they are carried over the fiber portion of the network into the electrical signals that are carried over the coaxial portion of the network that leads into subscriber homes.

Cablevision's state-of-the art network provides all subscribers with superior service reliability, enhanced picture quality, expanded channel capacity and advanced two-way capabilities. The network is fully stand-by powered, which allows the systems to reduce service interruptions triggered by local power company outages or failures. This network offers hundreds of channels in a variety of categories, innovative data and voice services and has provided a platform for the introduction of new technologies, such as switched video. Cablevision's network has also permitted it to introduce many other new services, including digital video channels, video on demand, DVR and HDTV product offerings, and non-cable services such as high-speed Internet access and voice over Internet protocol (VOIP) service.


CSA John Bickham
John Bickham
President – Cable & Communications

STATE OF NEW YORK)
)
COUNTY OF NASSAU) ss: Bethpage, New York

Personally appeared John Bickham and made oath to the truth of the matters contained in the foregoing Affidavit before me.



Notary Public

HELEN V. WALSH
Notary Public, State of New York
No. 01WA5088009
Qualified in Nassau County
Commission Expires Nov. 10, 2005

**OFFICERS AND DIRECTORS OF
CABLEVISION OF LITCHFIELD, INC.**

Directors

Charles F. Dolan	Director
James L. Dolan	Director

Officers

Charles F. Dolan	Chairman
Hank J. Ratner	Vice Chairman
John Bickham	President, Cable & Communications
Thomas M. Rutledge	Chief Operating Officer
Thomas C. Dolan	Executive Vice President & Chief Information Officer
Michael P. Huseby	Executive Vice President & Chief Financial Officer
Kathleen Mayo	Executive Vice President
Reginald Workman	Executive Vice President
Victoria D. Salhus	Senior Vice President & Secretary
Philip D'Ambrosio	Senior Vice President, Tax
James L. Dolan	Chief Executive Officer & President

February 1, 2008
In reply, please refer to:
Docket No. 08-01-14:CATV

Paul Jamieson, Esq.
Senior Counsel, Government Affairs
Cablevision Systems Corporation
1111 Stewart Avenue
Bethpage, NY 11714-3581

Re: Docket No. 08-01-14, Application of Cablevision of Litchfield, Inc. for a Certificate of Video Franchise Authority

Dear Mr. Jamieson:

The Department of Public Utility Control (Department) acknowledges receipt on January 18, 2007, of Cablevision of Litchfield, Inc.'s (Cablevision or Company), application for a statewide Certificate of Video Franchise Authority (Application) filed pursuant to Section 2 of Public Act No. 07-253, An Act Concerning Certified Competitive Video Service (the Act).¹ The Department hereby notifies the Applicant that its Application is complete as required by Section 2(d) of the Act.

The Department has reviewed the filing and hereby approves in part, and denies in part, the Application. Pursuant to Section 2(a) of the Act,² Cablevision may apply for a certificate of video franchise authority only for a service area in which it was not certified to provide community antenna television service pursuant to Connecticut General Statutes (Conn. Gen. Stat.) § 16-331 et seq on or before October 1, 2007.³ As the Company was certified to provide community antenna television service in the Litchfield franchise area prior to October 1, 2007, it is not eligible for video franchise authority in that area.⁴ Unless facts are offered indicating that a certified competitive

¹ Cablevision of Litchfield, Inc. currently holds a Certificate of Public Convenience and Necessity (CPCN) to provide community antenna television service (CATV or cable service) in the Litchfield franchise area pursuant to the Department's October 1, 1998 Decision in Docket No. 98-06-10, Application of Time Warner Entertainment Company, L.P. for Approval to Transfer Its Assets and Certificate of Public Convenience and Necessity to A-R Cable Investments, Inc.

² Section 2(a) of the Act states, in pertinent part: A community antenna television company may apply for a certificate of video franchise authority pursuant to this section for any service area in which it was not certified to provide community antenna television service pursuant to section 16-331 of the general statutes on or before October 1, 2007.

³ The Litchfield franchise area includes all or a portion of the following municipalities: Cornwall, Goshen, Litchfield, Morris, Thomaston, Torrington, Warren, and Watertown.

⁴ See October 31, 2007 Memorandum of Decision on Plaintiff's Claim for Declaratory Relief, Docket No. CV 07-40433448-S, Southern New England Telephone Co. d/b/a AT&T Connecticut v. Connecticut Department of Public Utility Control ("The Act provides that the excluded cable providers may apply for

video service provider is offering video service in the Litchfield franchise area, Cablevision may not apply for a Certificate of Cable Franchise Authority for that franchise area.⁵

Pursuant to Section 2(e) of the Act, Cablevision is issued a Certificate of Video Franchise Authority (CVFA) for the State of Connecticut, except for its legacy Litchfield franchise area. This CVFA provides the Company: (1) a grant of authority to provide video service as described herein; (2) a grant of authority to own, lease, maintain, operate, manage or control facilities in, under or over public highways in the delivery of such service, subject to the laws of the state. This grant of authority is subject to the lawful operation of video service by Cablevision or its successor in interest.

Sincerely,

DEPARTMENT OF PUBLIC UTILITY CONTROL

Louise E. Rickard
Acting Executive Secretary

cc: Service List

video franchises in any service area in which it is not certified to provide cable service pursuant to 16-331." p. 11; "Initially, the certified cable operators could apply for video franchises in any area of the state where they were not providing service pursuant to a cable franchise." p. 16).

⁵ Act, Section 13.



Paul Jamieson
Managing Counsel
Legislative and Regulatory Affairs
P (516) 803-2544
F (516) 803-2585
pjamieso@cablevision.com

June 17, 2008

VIA HAND DELIVERY & ELECTRONIC FILING

Louise E. Rickard
Acting Executive Secretary
Department of Public Utility Control
Ten Franklin Square
New Britain, Connecticut 06051

Re: Applications of Cablevision of Connecticut, L.P. and Cablevision Systems of Southern Connecticut, L.P. for Certificate of Video Franchise Authority

Dear Ms. Rickard:

Cablevision of Connecticut, L.P. ("Cablevision CT") and Cablevision Systems of Southern Connecticut, L.P. ("Cablevision SCT") (collectively, "Cablevision") herein respectfully submit to the Department of Public Utility Control ("Department") their **APPLICATION** for certificates of video franchise authority ("CVFA") covering the entire state of Connecticut except for each applicant's respective cable franchise area served pursuant to existing certificates of public convenience and necessity ("CPCN").^{1/} This application is submitted pursuant to Section 2 of Public Act No. 07-253, *An Act Concerning Certified Competitive Video Service* ("the Act"). Also enclosed are two checks in the amount of \$1,000 each as required by the Act.

The Act sets forth the state's franchising authority to be implemented by the Department. Section 2(a) of the Act permits cable operators to apply for a video certificate for "any service area in which it was not certified to provide community antenna television service pursuant to section 16-331 of the general statutes on or before October 1, 2007." Neither Cablevision CT nor Cablevision SCT is certified to provide community antenna television service anywhere in the state of Connecticut outside of its

^{1/} Although Cablevision CT and Cablevision SCT submit this application jointly, each entity seeks its own CVFA.

existing CPCN cable franchise areas.^{2/} A certificate of video franchise authority carries with it certain requirements as provided in the Act with respect to such issues as customer service, PEG transmission, and service accessibility, to name a few.

Cablevision CT and Cablevision SCT are pleased to file this application and look forward to their receipt of their respective CVFAs. The CVFA will ensure that Connecticut residents continue to have a choice for their video services and that robust competition in the video market unfolds according to a level regulatory playing field.^{3/} Cablevision and its affiliates began providing its video service offerings in Connecticut in 1981, and now has over 250,000 customers in 24 towns. The Department has characterized Cablevision's performance as "very good," noting in particular its "excellent" system reliability and picture performance.^{4/}

Cablevision has a long history of cutting-edge technology, quality customer service and a focus on investment and jobs that contribute to the state's economic development. Cablevision's many investments in Connecticut include its over 1,400 employees who live or work in the state. The state-of-the art network that Cablevision offers to every home it serves, along with the rich array of broadband services offered by Cablevision over that network -- including digital video, on-demand and HD offerings, high-speed Internet access and voice telephone service -- underscores Cablevision's commitment to Connecticut. The Company eagerly awaits the Department's determination that the instant application is complete,^{5/} followed by the grant of certificates of video franchise authority to Cablevision CT and Cablevision SCT.

^{2/} Grant of the instant application would be consistent with the Department's letter decision in *Application of Cablevision of Litchfield, Inc. for a Certificate of Video Franchise Authority*, Docket No. 08-01-14 (Feb. 1, 2008) (granting Cablevision of Litchfield, Inc. a CVFA for the state of Connecticut, except for its legacy Litchfield franchise area).

^{3/} See Letter from Louise E. Rickard to Merrie Cavanaugh, Esq., Nov. 1, 2007 (Docket No. 07-10-04) (granting AT&T's application for a statewide certificate of video franchise authority).

^{4/} *Application of Cablevision of Southern Connecticut, L.P. for Franchise Renewal*, Docket No. 05-04-09, Nov. 22, 2006, at 40-41; *Application of Cablevision of Connecticut, L.P. for Franchise Renewal*, Docket No. 05-04-10, Jan. 10, 2007, at 37-38.

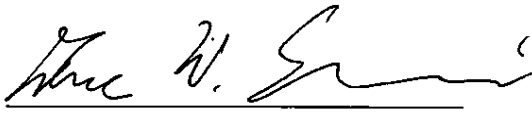
^{5/} Section 2 (c) of the Act sets forth the requirements of the application:

The application shall include a completed affidavit submitted by the applicant and signed by an officer or general partner of the applicant, affirming: (1) The location of the applicant's principal place of business and the names of the applicant's principal executive officers; (2) that the applicant has filed or will timely file with the Federal Communications Commission all forms required by said commission in advance of offering video service in the state; (3) that the applicant agrees to comply with all applicable federal and state statutes and regulations and with all applicable orders of the department, including, but not limited to, those statutes, regulations and orders regarding the provision of video service by certified competitive video service providers and the use and occupation of public rights-of-way in the delivery of the video service by such providers; (4) that the applicant shall comply with the requirements of sections 4 to 12, inclusive, of this act. The affidavit shall also include a description of the service area

Service has been made pursuant to §16-1-15 of the Regulations of Connecticut State Agencies. This filing is being submitted as an electronic web filing and is complete.

Should there be any questions concerning this submission, please do not hesitate to contact me.

Very truly yours,


CSH Paul Jamieson

Enclosures

cc: Service List

footprint to be served within the state, and such description shall be updated by the applicant before the expansion of video service to a previously undesignated service area, and a general description of the type or types of technologies the applicant will use to provide video service in its service area footprint, which may include wire line, satellite or any other alternative technology.

AFFIDAVIT OF JOHN BICKHAM

My name is John Bickham. My business address is 1111 Stewart Avenue, Bethpage, New York. I am the President, Cable & Communications for Cablevision Area 9 Corporation, which is the managing general partner of Cablevision of Connecticut, L.P. (“Cablevision CT”). I am also the President, Cable & Communications, for Cablevision Fairfield Corporation, which is the sole general partner of Cablevision Systems of Southern Connecticut, L.P. (“Cablevision SCT”).

I am familiar with the application requirements of Public Act No. 07-253, *An Act Concerning Certified Competitive Video Service* (the “Act”). In accordance with the Act and in support of the application of Cablevision CT and Cablevision SCT to offer video service pursuant to certificates of video franchise authority granted under Section 2 of the Act: [1] I affirm that both Cablevision CT and Cablevision SCT have a principal place of business at 1111 Stewart Avenue, Bethpage, New York. The principal executive officers of the managing general partner of Cablevision CT and of the sole general partner of Cablevision SCT are as shown on Exhibits A and B, respectively, to the Application which are attached hereto and made a part hereof; [2] I affirm that Cablevision CT and Cablevision SCT have filed or will timely file with the Federal Communications Commission (“FCC”) all forms required by the FCC in advance of offering such video service in Connecticut; [3] I affirm that Cablevision CT and Cablevision SCT agree to comply with all applicable federal and state statutes and regulations and with all applicable orders of the Department of Public Utility Control (the “Department”), including, but not limited to, those statutes, regulations and orders regarding the provision of video service by certified competitive video service providers and the use


and occupation of public rights-of-way in the delivery of the video service by Cablevision; and [4] I affirm that Cablevision CT and Cablevision SCT will comply with the requirements of Sections 4 to 12, inclusive, of Public Act No. 07-253.

Cablevision CT and Cablevision SCT's proposed service area for their competitive video service offering will be the state of Connecticut, with the exception of the franchise areas within which each entity currently offers service pursuant to a certificate of public convenience and necessity. Currently, Cablevision and its affiliates have approximately 250,000 video customers in the following Connecticut cities and towns: Bridgeport, Cornwall, Darien, Easton, Fairfield, Goshen, Greenwich, Litchfield, Milford, Morris, New Canaan, Norwalk, Orange, Redding, Stamford, Stratford, Thomaston, Torrington, Warren, Watertown, Weston, Westport, Wilton, and Woodbridge. Cablevision proposes to provide the Department with updates at the end of any calendar quarter where Cablevision has extended its network to offer service to any additional Connecticut cities and towns in the preceding three months.

Section 2(c) of the Act provides in relevant part that "[t]he affidavit shall also include . . . a general description of the type or types of technologies the applicant will use to provide video service in its service area footprint, which may include wire line, satellite or any other alternative technology." Cablevision CT and Cablevision SCT thus provide a general description of the type or types of technologies it and its affiliates use to provide video service in its service area footprint. Cablevision CT and Cablevision SCT currently provide video service offerings to their subscribers over a state-of-the-art, 750 MHz two-way fiber optic network. In order to provide the advanced network necessary to provide these services, Cablevision CT and Cablevision SCT have deployed

a hybrid fiber coaxial network that utilizes fiber optic and coaxial cable transmission technologies. The network relies upon fiber optics for distribution from the headend to “nodes” located in the various residential neighborhoods served by Cablevision CT’s and Cablevision SCT’s systems. Network electronics housed in the node convert downstream video signals from the optical format by which they are carried over the fiber portion of the network into the electrical signals that are carried over the coaxial portion of the network that leads into subscriber homes.

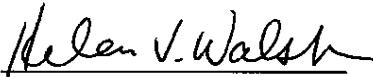
Cablevision CT’s and Cablevision SCT’s state-of-the art networks provide all subscribers with superior service reliability, enhanced picture quality, expanded channel capacity and advanced two-way capabilities. The networks are fully stand-by powered, which allows the systems to reduce service interruptions triggered by local power company outages or failures. The networks offer hundreds of channels in a variety of categories, innovative data and voice services and has provided a platform for the introduction of new technologies, such as switched video. Cablevision CT’s and Cablevision SCT’s networks have also permitted both companies to introduce many other new services, including digital video channels, video on demand, DVR and HDTV product offerings, and non-cable services such as high-speed Internet access and voice over Internet protocol (VOIP) service.


John Bickham
President – Cable & Communications
Cablevision Fairfield Corporation &
Cablevision Area 9 Corporation

*Cablevision of Connecticut, L.P. and Cablevision Systems of Southern Connecticut, L.P.
Application for Certificates of Video Franchise Authority
Affidavit of John Bickham*

STATE OF NEW YORK)
)
COUNTY OF NASSAU) ss: Bethpage, New York

Personally appeared John Bickham and made oath to the truth of the matters contained in the foregoing Affidavit before me.


Notary Public

HELEN V. WALSH
Notary Public, State of New York
No. 01WA5088009
Qualified in Nassau County
Commission Expires Nov. 10, ~~2009~~

**OFFICERS AND DIRECTORS OF
CABLEVISION AREA 9 CORPORATION
(general partner of Cablevision of Connecticut, L.P.)**

Directors

Charles F. Dolan	Director
James L. Dolan	Director

Officers

Charles F. Dolan	Chairman
James L. Dolan	Chief Executive Officer & President
Hank J. Ratner	Vice Chairman
John Bickham	President, Cable & Communications
Thomas M. Rutledge	Chief Operating Officer
Thomas C. Dolan	Executive Vice President & Chief Information Officer
Michael P. Huseby	Executive Vice President & Chief Financial Officer
Kathleen Mayo	Executive Vice President
Reginald Workman	Executive Vice President
Victoria D. Salhus	Senior Vice President & Secretary
Philip D'Ambrosio	Senior Vice President, Tax

**OFFICERS AND DIRECTORS OF
CABLEVISION FAIRFIELD CORPORATION
(general partner of Cablevision Systems of Southern Connecticut, L.P.)**

Directors

Charles F. Dolan	Director
James L. Dolan	Director

Officers

Charles F. Dolan	Chairman
James L. Dolan	Chief Executive Officer & President
Hank J. Ratner	Vice Chairman
John Bickham	President, Cable & Communications
Thomas M. Rutledge	Chief Operating Officer
Thomas C. Dolan	Executive Vice President & Chief Information Officer
Michael P. Huseby	Executive Vice President & Chief Financial Officer
Kathleen Mayo	Executive Vice President
Reginald Workman	Executive Vice President
Victoria D. Salhus	Senior Vice President & Secretary
Philip D'Ambrosio	Senior Vice President, Tax

08-02

July 2, 2008
In reply, please refer to:
Docket No. 08-06-12:CATV

Paul Jamieson, Esq.
Senior Counsel, Government Affairs
Cablevision Systems Corporation
1111 Stewart Avenue
Bethpage, NY 11714-3581

Re: Docket No. 08-06-12, Application of Cablevision of Connecticut, L.P. and Cablevision Systems of Southern Connecticut, L.P. for a Certificate of Video Franchise Authority

Dear Mr. Jamieson:

The Department of Public Utility Control (Department) acknowledges receipt on June 17, 2007, of Cablevision of Connecticut, L.P. and Cablevision Systems of Southern Connecticut L.P.'s (Cablevision or Company), application for separate Certificates of Video Franchise Authority (CVFA), each covering the entire State except for each applicant's respective franchise area, filed pursuant to Section 2 of Public Act No. 07-253, An Act Concerning Certified Competitive Video Service (the Act).¹ The Department hereby notifies the Applicant that its Application is complete as required by Section 2(d) of the Act.

The Department has reviewed the filing and hereby approves the Application. Pursuant to Section 2(e) of the Act, Cablevision of Connecticut and Cablevision of Southern Connecticut are each issued a CVFA for the State of Connecticut, except for each CVFA holder's legacy franchise area. Each CVFA provides the Company: (1) a grant of authority to provide video service as described herein; (2) a grant of authority to own, lease, maintain, operate, manage or control facilities in, under or over public highways in the delivery of such service, subject to the laws of the state. This grant of authority is subject to the lawful operation of video service by Cablevision or its successor in interest.

Sincerely,

DEPARTMENT OF PUBLIC UTILITY CONTROL

Nicholas E. Neeley
Acting Executive Secretary

cc: Service List

¹ Cablevision of Connecticut, L.P. and Cablevision Systems of Southern, L.P. currently each hold a Certificate of Public Convenience and Necessity (CPCN) to provide community antenna television service (CATV or cable service) pursuant to the Department's November 22, 2006, Decision in Docket No. 05-04-09, Application of Cablevision of Southern Connecticut, L.P. for Franchise Renewal; and the Department's January 10, 2007, Decision in Docket No. 05-04-10, Application of Cablevision of Connecticut, L.P. for Franchise Renewal, respectively.

PAUL J. COREY
direct dial: 860.509.6523
pcorey@brownrudnick.com

July 7, 2008

Louise E. Rickard
Acting Executive Secretary
Department of Public Utility Control
10 Franklin Square
New Britain, CT 06051**RE: Docket Nos. 08-01-14 and 08-06-12
Notice of Transfers of Certificates of Video Franchise Authority**


Dear Ms. Rickard:

This letter is being filed on behalf of Cablevision of Connecticut, L.P. ("Norwalk Area"),¹ Cablevision Systems of Southern Connecticut, L.P. ("Bridgeport Area"),² and Cablevision of Litchfield, Inc. ("Litchfield Area")³ to notify the Department of Public Utility Control of the transfers of certificates of video franchise authority ("CVFA") in accordance with Conn. Gen. Stat. § 16-331e(h), specifically as follows:

1. Transfer from Norwalk Area to Bridgeport Area of the CVFA dated July 2, 2008, for service in the state including the Bridgeport Area;
2. Transfer from Bridgeport Area to Litchfield Area of the CVFA dated July 2, 2008, for service in the state including the Litchfield Area; and
3. Transfer from Litchfield Area to Norwalk Area of the CVFA dated February 1, 2008, for service in the state including the Norwalk Area.

These transfers are effective immediately. A complete electronic version of this filing has been made on the Department's "Web Filing System."

Very truly yours,

BROWN RUDNICK LLP
Paul J. Corey

cc: Service Lists

¹ The Norwalk Area consists of the cities and towns of Darien, Easton, Greenwich, New Canaan, Norwalk, Redding, Stamford, Weston, Westport, and Wilton.

² The Bridgeport Area consists of the cities and towns of Bridgeport, Fairfield, Milford, Orange, Stratford, and Woodbridge.

³ The Litchfield Area consists of the cities and towns of Cornwall, Goshen, Litchfield, Morris, Thomaston, Torrington, Warren, and Watertown.

08-01a

Cable Advisory Council Area 2

Bridgeport, Fairfield, Milford, Orange, Stratford, Woodbridge
April 10, 2008

Present at Cablevision – Gerry Speno, Jim Kennelly – Fairfield; Mike Manente, Dennis Guaglianone – Milford; Ron Davis, Marlene Silverstein – Orange; Jeff Telep – Stratford; Elia Alexiades, Laurence Grotheer – Woodbridge; Jennifer Young - Cablevision

Call to Order at 7:30 PM. Ron asked that Jim Kennelly from Fairfield introduce himself to the members. Jim states his background includes videography and working in the business public sector. He explains that he has worked with County Executive and Mayoral type programming with large cities that are entities in themselves, like Jersey City (population 300,000). Ron then extended his thanks to Jennifer on behalf of the council for hosting the meeting and providing a tour of the facilities.

Public Participation Ron asked for comments from the public, specifically Sol Silverstein, OGAT Chair. Sol had nothing to report to the council except that they have been working very hard on HB-5814

Minutes Ron announced he has not had a chance to review the March minutes. A motion was made and seconded and all present in favor of tabling acceptance of the minutes until the May meeting.

Announcements *House Bill 5814* Ron, Marlene, Gerry, Dennis and Sol, all recently attended a meeting in Hartford regarding the aforementioned bill. The bill consists of two parts; the first pertaining to Area 2 and the towns being given community access choice and the second dealing with AT&T and the issues that arose when they entered the system. Ron said he, Marlene & Sol also attended a meeting in March headed by the chair of the Energy and Technology Committee in support of the bill. Discussion at the meeting consisted of a review of the problems and issues needing to be corrected to prevent them from appearing again in the future. Marlene and Sol assembled a press release on the subject asking the public to contact their representatives and senators and make them aware that their support of the bill is greatly needed. *Membership* Ron reports Charles Lindberg has been appointed as the education representative from Stratford. Members from the Fairfield TV committee are planning to visit Orange TV next week. They had concerns about timing, editing and taping meetings. Ron said he would demonstrate how much time is involved in the editing process.

Cablevision Jennifer reported to the council that Cablevision had applied for and was granted a CVFA, Certificate of Video Franchise Authority. They applied through Cablevision of Litchfield County for Areas 2 and 9 and Litchfield, although they were only granted the certificate in Areas 2 and 9. The CVFA is the same type of certificate AT&T was granted and Jennifer stated that although Cablevision welcomed the competition, they felt they could best compete on a level playing field. They have not relinquished their traditional cable franchise yet and as of now, have no plans to reduce services or their commitment to PEG. Jennifer further explained that the traditional cable franchise had the most stringent reporting requirements, a Cable Light agreement has less reporting and regulation requirements and a CVFA has the least reporting requirements and regulations. All the agreements have PEG requirements but to different degrees. Ron questioned the future of the Area 2 Advisory Council and by what means future funding would get back to the towns for community access. Marlene said that under new law, a statewide advisory council was being formed to meet with AT&T and she has recently been notified that they are going forward and taking all the representatives that were appointed by their local

→ councils. Jennifer reiterated that Cablevision has no plans to make any changes now but she does not know at this time what this would mean in the future for the council or the funding. Dennis asked Jennifer to please update the council on the status of changes and the CVFA at the next meeting.

Old/New Business Marlene said she had a motion to propose dealing with Sound View funding used when Sound View was trying to obtain a franchise for Area 9. The motion reads: Area 2 Cable Advisory Council (CAC) requests that Mr. Castelot inform the CAC how Sound View Community Media, Inc. (SVCM) intends to repay the Area 2 subscribers, without using past, present or future Area 2 subscriber funds, for the \$50,000 that SVCM used in its failed attempt to secure an Area 9 PEG CAP franchise.

The motion was seconded. Jeff abstained; Gerry, Jim, Elia, Marlene, Ron, Mike, Dennis and Laurence all voted in favor. Motion passed.

Adjournment at 8:18 PM. The next meeting will be May 8th, 2008 at Stratford Town Hall. Directions enclosed.

08-09

A.N.C.C.

Area Nine Cable Council c/o Wilton HS, 395 Danbury Rd, Wilton, CT 06897
www.westportct.net/ancc

TO: ANCC MEMBERS
FROM: Geza Ziegler (Secretary Pro Tem)
RE: MINUTES OF MEETING (September 16, 2008)


September 17, 2008

ATTENDANCE:

Darien: David Dever
Easton: Andy Anderson
Greenwich:
New Canaan: Paul Sedlak
Norwalk: Herb Grant, Marge Costa
Redding: Robert Moran
Stamford: Mike Pensiero, Geza Ziegler
Weston: Don Saltzman, Harvey Bellin
Westport: Hal Levy
Wilton:
Cablevision: Jennifer Young
Public: John Savarese from Wilton, Dolly Curtis from Easton

Chairman Hal Levy called the meeting to order at 6:05 pm at CV in Norwalk, with 8 towns represented.

1. **Opening comments** from Chairman Levy: Former ANCC treasurer Sam Tasi passed away on July 8. Guests introduced.
2. **Minutes** of the May 28th meeting approved.
3. **Treasurer's report** distributed, discussed and accepted. Motion passed that the deadline for outstanding vouchers is 30 days. Herb Grant is new treasurer.
4. **Old Business:** Supplemental equipment grants from Cablevision have all been delivered. The nNovia decks were the wrong items and should be returned to CV so they can be exchanged. (Easton New Canaan, Redding and Wilton.)
DPUC docket 08-02-11 Final decision 8-13-08: CVFA and CCFA holders are exempt from VTR filing requirements and regularly scheduled infrastructure-related filings.
Docket 08-04-02 Final decision 7/16/08: CATV companies that have been granted a CCFA or CVFA are no longer subject to basic service tier rate regulation by the Department.
5. **Docket 08-06-12** Application of Cablevision of Connecticut for a Certificate of Video Franchise Authority. Cablevision applied for and on 7/2 received a CVFA, not a CCFA, and surrendered its CPCN. Statute calls for a statewide advisory council for CVFAs. D. Saltzman commented that he could not find a local advisory council designation in the new law for this certificate. CV agreed to recognize the council as in the past. ANCC is



therefore operating on the acceptance of the provider company. The question needs to be resolved. J. Young will provide the council with CV's analysis prior to the next meeting.

6. **Relocation of PEG channels** from analog to digital discussed. CV notified DPUC of this plan 30 days prior to the move. CV will provide one box to each analog subscriber (one per house) and to each municipal entity and each school. The implementation was delayed by no more than 30 days from September 16. The Attorney General has requested a contested case. The change would affect analog receivers adversely. Suggestions were made for advance warning crawls/bulletin board on each community's E- and G-channels advising customers what to do if they wish to view the PEG channels after a certain date.

M. Pensiero moved that the collective support of ANCC be given to request that Cablevision provide a minimum of one digital cable box for each school in the ANCC area that would be unrestricted for those educational related channels that the schools are using that have (and would) transition to the digital tier (e.g. The Learning Channel, A & E). The motion was seconded and carried. H. Levy will forward Mike's letter with a cover letter to CV addressed to Adam Falk, VP of Regulatory and Strategic and Government Affairs.

7. To vote on ANCC membership renewal in the **Alliance for Community Media**. \$100/year. Moved, seconded and carried.
8. **Government access application** from Westport (\$3948). Moved, seconded and carried. Wilton applied for \$7950 which exceeded the \$4000 maximum. A. Anderson moved that approval be given with the condition that the town comes up with the difference until the decision be made for supplemental grants. Seconded and carried. Seven towns have not applied for 2008 grants. Motion made to extend the deadline until 10/29. A. Anderson moved. Seconded and carried.
9. **Other Business:** D. Dever experienced problems on Ch. 79. Cablevision responded immediately and restored operation. Complimented CV.

Future meetings: 10/29 (Easton); 12/17 moved to 12/3. 2/11(Darien); 4/8 (4/1); 6/3.

Adjourned at 7:55.

A.N.C.C.

Area Nine Cable Council c/o Wilton HS, 395 Danbury Rd, Wilton, CT 06897
www.westportct.net/ancc

TO: ANCC MEMBERS
FROM:
RE: MINUTES OF MEETING (October 29, 2008)

October 30, 2008

ATTENDANCE:

Darien: David Dever, Jim Cameron
Easton: Andy Anderson, Leighton Jordan
Greenwich: Paul Curtis
New Canaan: Paul Sedlak
Norwalk: Herb Grant
Redding: Robert Moran
Stamford: Geza Ziegler
Weston: Don Saltzman
Westport: Hal Levy
Wilton: Harry Somerdyk, Carole Young-Kleinfeld, John Repicky
Cablevision: Jennifer Young
Public: Christopher von Keyserling (Grn)

Chairman Hal Levy called the meeting to order at 6:05 pm at CV in Easton, with 10 towns represented. Harvey Bellin (Weston), Marge Costa (Norwalk), Judith Freedman and Jeff Stollenwerck (Westport), Stu Reider (Greenwich) excused.

Opening comments from Chairman Levy: Thanked Andy & Leighton for hosting. Guest introduced.

1. **Minutes** of the Sept. 16 approved.
2. **Treasurer's report:** JR did not have spreadsheets (will be sent via e-mail). HL noted the current balances: ANCC Account: Opening balance - \$8,178.56; Checks - \$71.71; Int - \$0.36; Closing Bal: \$8,107.21. He noted that the \$100 ACM membership authorized at the last meeting has not yet been paid.
Escrow Account: Opening - \$101,839.55; Checks - \$28768.15; Closing - \$73,071.40.
(See e-mail from JR dated 10/30/2008.)
3. **Old Business:**
 - **Equipment Grants.** Jennifer distributed the new nNovia decks to the 4 towns.
(Easton, New Canaan, Redding and Wilton.)

- **Docket 08-06-12** Application of Cablevision of Connecticut for a Certificate of Video Franchise Authority. HL noted that the status of the ANCC under a CVFA was in question, since the statute calls for a state-wide council for CVFAs. JY reported that CV's attorneys interpret the law to mean that the 3 councils serving Cablevision's three franchise areas no longer exist. That being said, she noted that CV finds its relationship with the ANCC valuable and would like to keep things status quo for now. She also

commented that CV would try to give ANCC as much notice as possible should they change their position on this matter.

- DS commented that he had received the same opinion from the Office of Consumer Counsel on the ANCC's status. He stated, however, that he has received a promise from a local legislator to introduce legislation aimed at amending the current law to re-instate local cable councils. There was some question as to whether there should be one state-wide council for all providers or one council for each provider.

- HL asked for a sense of the group: Should we try to get re-instated under the law or keep the status quo? The council was in favor of trying to amend the law. Motion: The ANCC should establish a committee to request the legislature to amend the current legislation regarding the CVFA to include provision for local Councils as well as the state-wide council. There was discussion noting that we are particularly interested in pre-existing providers who opted for the CVFA rather than the CCFA, which would have kept the local council intact. Motion approved unanimously.

Alliance for Community Media. The ANCC will be renewing its membership in the. Treasurer HG will issue check for dues renewal.

4. Discussion of migration of PEG channels to the digital service tier. CV has extended its deadline for free converter boxes for analog customers to 12/31/08 and will notify customers of this extension in the next billing. JY estimates that CV has provided more than 1500 converter boxes to subscribers, but, despite the objections of the ANCC, CV will provide only 1 free set to each household. Additional boxes will be charged at \$6.75 per month. Although CT's Attorney General has requested that the DPUC open a contested case, the DPUC has not responded. HL reminded the group that installing Qam tuners are an additional option for subscribers. JC recommended that the group re-issue its press release again with a new date. JY reminded the group that CV will also supply 1 free converter box for each transmit site—1 per school and 1 per municipality.

HL noted Stamford's request (per MP) that the free converter boxes available to schools receive several channels, previously used for educational purpose, but moved to the digital service package. HL wrote a letter of support for Stamford's request on behalf of the Area Nine Cable Council.

HL has received complaints that schools received their "free" converter boxes, but then were mistakenly charged for them. PC noted that Greenwich had also been charged. JY noted that this was a billing error by CV and will see that it's corrected.

5. 2008 Grants and Use of Leftover 2008 Funding

Greenwich, Norwalk, Easton, New Canaan, Darien, and Redding submitted grant requests and described the rationale for the submission to the group. Each was approved with the request to submit vouchers for payment ASAP because of the need to provide an End of the Year Report to DPUC.

After this round of grant requests, the ANCC has \$ 6600 leftover 2008 funds. The group proposed to make available 6 grants@ \$1100 each to ANCC members. Deadline for making the request is Tuesday, November 25, 2008, e-mailed to John Repicky. Because of the need for fast turn-around of these funds, grant requests may be submitted even though the expenditure reports for previous grants are still pending.

DD has provided contact information for Alan Rosenfeld at B & H. DD calls him "knowledgeable (broadcast & cable production background) and very responsive".

Alan B. Rosenfeld
Account Manager
Production.Post Production.Systems Integration
B&H Photo/Video Corporate Sales
440 Ninth Avenue New York, NY 10001
212-444-6662 or 800-947-9962 xt2757 Fax 212-239-7512
alanr@bhphotovideo.com
www.bhphotovideo.com

6. CV Rate Adjustments

JY described new rate increases and other adjustments by CV. Several services are increasing by \$3/month. Basic will remain the same; one-time charges will decrease. JY mentioned that CV may offer a "customer retention discount". HL will provide an analysis for the ANCC. (See e-mail 10/31/08 from Hal Levy.)

7. Future meetings: 10/29 (Easton); 12/17 moved to 12/3 (Greenwich). 2/11(Wilton); 4/1 (Darien); 6/3 (Annual Mtg - TBA).

8. Other Business

Darien (JC) questioned whether G-channels were violating CT State Elections Enforcement Commission laws by using town equipment to videotape town government board meetings when that board is advocating for a particular position on a referendum. He will seek an opinion from the SEEC and will share it with the ANCC. (See e-mail from JC dated 10/30/2008 referencing a Plainville case.)

Adjourned at 7:55 pm.

Carole Young-Kleinfeld, Secretary
ANCC

A.N.C.C.

Area Nine Cable Council c/o Wilton HS, 395 Danbury Rd, Wilton, CT 06897
www.westportct.net/ancc

TO: ANCC MEMBERS
FROM:
RE: MINUTES OF MEETING (December 3, 2008)

December 5, 2008

ATTENDANCE:

Darien: David Dever
Easton: Andy Anderson
Greenwich: Paul Curtis, Stu Reider
New Canaan:
Norwalk: Herb Grant
Redding: Robert Moran
Stamford: Geza Ziegler
Weston: Don Saltzman, Harvey Bellin
Westport: Hal Levy
Wilton: Carole Young-Kleinfeld, John Repicky
Cablevision: Jennifer Young
Public/Guests: Christopher von Keyserling (Grn), John Savarese (Wilton)
Steve Israelsky (Tightrope Media Systems)

Chairman Hal Levy called the meeting to order at 6:10 pm at the Greenwich Town Hall, with 9 towns represented. Jim Cameron (Darien), Leighton Jordan (Easton), Marge Costa (Norwalk), Jeff Stollenwerck (Westport) and Paul Sedlak (New Canaan) were excused.

Opening comments from Chairman Hal Levy: Thanked Paul Curtis and Stu Reider for hosting. Introduced guests.

1. **Minutes** of the October 29th meeting approved.
2. **Treasurer's report:** JR distributed spreadsheets with current balances. HL noted that these recordings match bank statements exactly.
 - ANCC Operating Account: Opening balance - \$8,107.21; Closing Bal: \$7881.98. The \$100 ACM membership renewal authorized in September has been paid.
 - ANCC Access Escrow Account: Closing Balance - \$27,329.55.
3. **Old Business:**
 - **Status of ANCC.** HL reviewed the unclear status of the ANCC, since the law establishing Certificate of Video Franchise Authority (CVFA) calls for a state-wide-- not regional--council for CVFAs. Cablevision holds a CVFA but has expressed interest to HL and DS to keep the relationship with the ANCC status quo, continuing to support operating expenses and the PEG grant program, but is not supportive of legislative action by the ANCC to clarify its status. HL noted that, at the October 29 meeting, the ANCC voted to establish a committee to explore further the issues to consider in determining our future status and activities: our autonomy and effectiveness as both consumer advocates and PEG advocates and discussion of amending current legislation to sanction an official

role as ombudsman. JY reminded the group that there exists a customer complaint process for resolving service issues under the new legislation and stated that a level playing field with competitors is Cablevision's main interest in this regard. HL and DS have agreed to keep JY informed about committee discussions and directions. DS suggested that CV might assist in helping to "wordsmith" proposals that the committee might work on for Area 9, Area 2, or Litchfield areas. Committee members are: Hal Levy, Don Saltzman, Paul Curtis, Carole Young-Kleinfeld, and Jim Cameron.

-Discussion of migration of PEG channels to the digital service tier.

HL noted that CV had denied Stamford's request (per MP) for unrestricted free converter boxes so schools can receive channels that were moved to the digital service package. HL wrote a letter of support for Stamford's request on behalf of the Area Nine Cable Council.

HL reported that the FCC had stated that it may be addressing the migration question.

-Rate Adjustments. HL's summary of adjustments and yearly comparisons are on the ANCC Website.

4. Alliance for Community Media CT Chapter . CYK reviewed recent efforts by several community access providers to re-establish a CT chapter of the ACM which would be part of the Northeast Region of the ACM. She attended an initial exploratory meeting with access providers from Simsbury, West Hartford, Wallingford, Hartford, and Area 2. Hartford is ready and willing to chair a chapter, but additional volunteers have not stepped forward. Establishing a chapter requires significant time and energy, complicated by the fact of PEG providers being far-flung geographically and structured differently from region to region within the state. The group has not focused on what the priorities would be for a chapter: legislative advocacy for PEG with new video providers, education/information for access providers, networking, etc. Until further notice, the ad hoc group will use a blog or a Wiki to stay in touch.

5. 2008 Grants --Use of Leftover 2008 Funding

Easton, New Canaan, Redding, Weston, Westport, and Wilton submitted grant requests and described the rationale for the submission to the group. Each was approved with the request to submit vouchers for payment ASAP because of the need to provide an Annual Report to DPUC.

Because of a disastrous technological "perfect storm" at Darien Community TV recently, DD suggested that ANCC establish an emergency fund for purchasing equipment. JR suggested three contingency plans for emergencies: loaning/borrowing equipment from other ANCC towns, requests for an advance payment against future grant funds from CV, and requests for a temporary loan from ANCC operating fund.

6. Other Business

-Annual Report to DPUC. HL to complete this in January.

-Access Grant Program Report to CV JR to complete by December 15

-I-Net Logs are due to CV by January 15. Forms are on the ANCC Website.

-Changes from CV: JY announced that C-Span is moving from the analog to digital and moving from Family to Basic. Several NBC owned channels are going HD.

-League of Women Voters Fall Conference at the Capitol will be taped by Weston Public Access producers Al and Margaret Wirtenberg. Topic is "Did My Vote Count on November 4: Security of CT's Voting Technology and the National Popular Vote Movement". They will make DVDs for Area Nine representatives.

-Greenwich G-channel will be participating in the ACM project to produce interviews with freshmen senators and representatives in Congress by interviewing Jim Himes. Will share DVDs with ANCC members.

-Future meetings: 2/11(Wilton); 4/1 (Darien); 6/3 (Annual Mtg - TBA).

Adjourned at 7:50 pm. Tour of Greenwich G-channel and demonstration of Tightrope Media Systems' Cablecast Digital Broadcast System.

Carole Young-Kleinfeld, Secretary
ANCC



July 29, 2011

Kimberly J. Santopietro
Executive Secretary
Public Utility Regulatory Authority
Ten Franklin Square
New Britain, CT 06051

RE: Dockets 08-01-14 & 08-06-12: Notice of Transfers of Certificates of Video Franchise Authority

Dear Ms. Santopietro:

Pursuant to subsection (h) of Conn. Gen. Stat. § 16-331e, Cablevision of Connecticut, L.P., Cablevision Systems of Southern Connecticut, L.P., Cablevision of Litchfield, Inc. hereby notify the Public Utility Regulatory Authority ("PURA") of the transfer of the certificates of video franchise authority ("CVFA") held by Cablevision of Connecticut, L.P. and Cablevision Systems of Southern Connecticut, L.P. to Cablevision of Litchfield, Inc. With these transfers, Cablevision of Litchfield, Inc. will provide video service under three CVFAs in the municipalities formerly served by Cablevision of Connecticut, L.P. and Cablevision Systems of Southern Connecticut, L.P., as well as continuing to provide service in the Litchfield area. These transfers are effective immediately.

The transfers have no effect on Cablevision's consumers or on the Company's relationship to PURA. The transfers were made as part of restructuring changes to streamline the corporate structure of the Company's Connecticut video service operations. As a result of this restructuring, Cablevision of Litchfield, Inc. will be a wholly-owned subsidiary of CSC Holdings LLC and remains an indirect wholly-owned subsidiary of Cablevision Systems Corporation.

This filing is being submitted as an electronic web filing and is complete.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Chowaniec".

Michael A. Chowaniec
Area Director of Government Affairs

cc: Merja Lehtinen, Chairman, Statewide Video Advisory Council
Hal Levy, Chairman, Area Nine Cable Advisory Council
Ron Davis, Chairman, Area Two Cable Advisory Council
Stephen Simonin, Chairman, Litchfield Cable Advisory Council