



COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

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COMMISSIONER

May 17, 2013

Mr. James Wettlaufer
Chairman, Board of Selectmen
Town of Holland
27 Sturbridge Road
Holland, MA 01521

RE: CoxCom, Inc. d/b/a Cox Communications
Docket Number D.T.C. 13-3

Dear Mr. Wettlaufer:

The Department of Telecommunications and Cable (“Department”) will hold a public and evidentiary hearing, pursuant to G. L. c. 166A, § 15 and 207 C.M.R. § 6.03, to investigate the basic service tier programming, equipment, and installation rates proposed by CoxCom, Inc. d/b/a Cox Communications (“Cox”) for Holland, MA, in response to its filings. The hearing will be held at 10:00 A.M. on June 26, 2013, at 1000 Washington Street, Hearing Room 1-E, Boston, MA, and is a formal hearing conducted under G. L. c. 30A and the Standard Adjudicatory Rules of Practice and Procedure at 801 C.M.R. §§ 1.00 *et seq.* Cox, as the cable operator serving Holland, is required to arrange for notice of the hearing, both by newspaper publication and by cablecasting. G. L. c. 166A, § 15; 207 C.M.R. § 6.05. A copy of the hearing notice that was provided to Cox for publication is enclosed for informational purposes.

As the issuing authority for Holland, you may want to participate in this hearing. Please note that under Massachusetts regulations, issuing authorities are not automatic parties to rate proceedings. 801 C.M.R. § 1.01(9). While Department proceedings allow for full public input from all interested persons, an interested person may participate as a party only if it files a petition to intervene and such petition is subsequently granted by the Department. *Id.* The petition to intervene must state with specificity how the petitioner is substantially and specifically affected by the rate proceeding. *Id.*

An issuing authority that is granted intervention status has the right to participate fully in the proceeding, including the right to cross-examine the cable operator's witnesses at the hearing; the right to receive all correspondence and documents provided by the cable operator to the Department; and the right to appeal the Department's Rate Order. 801 C.M.R. §§ 1.01(5)(f), 1.01(10)(f), 1.01(13). An intervenor is also allowed to participate in discovery. 801 C.M.R. § 1.01(8)(a). For example, the intervenor may submit to the cable operator prior to the hearing written questions related to the rate proceeding, which the cable operator is required to answer. If the Town of Holland wishes to intervene, it must file its petition to intervene with the Department not later than the close of business on June 21, 2013.

If you have any questions or comments regarding the hearing procedures, please contact me.

Sincerely,

s/ Catrice C. Williams

Catrice C. Williams
Secretary of the Department