



COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

**DEPARTMENT OF
TELECOMMUNICATIONS & ENERGY
Cable Television Division**

_____)	
In the Matter of)	
)	
MediaOne of Massachusetts, Inc.,)	Docket No. CTV 02-12
AT&T Corp., and)	
AT&T Comcast Corporation)	
)	
Appellants)	
)	Date Issued: August 7, 2002
v.)	
)	
Town Manager of the)	
Town of Barnstable)	
)	
Appellee)	
_____)	

**INTERLOCUTORY ORDER ON MOTION FOR EXPEDITED PROCESSING,
STIPULATION, AND PRELIMINARY GROUND RULES**

On June 28, 2002, the Town Manager of the Town of Barnstable (“Town”) voted to withhold approval of a request by MediaOne of Massachusetts, Inc., AT&T Corp., and AT&T Comcast Corporation (“Companies”) to transfer the control of the cable license with the Town. Pursuant to G.L. c. 166A §§ 7 and 14, the Companies filed a Petition for Appeal and Claim for Adjudicatory Hearing (“Appeal”) with the Cable Television Division (“Cable Division”) on July 29, 2002. On the same date, the Companies filed a Motion for Expedited Processing of Appeal and a Motion for Summary Decision. On August 6, 2002, the Town and the

Companies filed a stipulation that Appellee's Reply to the Motion for Summary Decision may be filed concurrently with Appellee's Reply to the Appeal.

Federal law allows a 120-day period for issuing authorities to review a transfer application. 47 U.S.C. § 537. A protracted review of such a decision would violate the spirit of the federal law. However, we must ensure that all parties' rights to due process are protected. In ruling on Appellants' Motion for Expedited Processing, we balance these considerations, and thus plan to proceed expeditiously, requiring a showing of good cause for any deviation of the procedural schedule. To this end, we have attached Preliminary Ground Rules to be adhered to by all parties.

With respect to the Stipulation as presented by the parties, we find it is appropriate and will assist in maintaining an efficient and expeditious process. Further, we encourage the parties, where feasible, to continue to negotiate to reach mutual resolution of issues in this proceeding.

Parties are hereby placed on notice of the Cable Division's intent to conduct a procedural conference in this matter on or about August 27, 2002. Parties should confer with one another and contact the Cable Division with alternate dates if necessary.

Accordingly, after due consideration, it is

ORDERED: Appellants' Motion for Expedited Processing filed in CTV 02-12 is hereby GRANTED to the extent deemed appropriate; and it is

FURTHER ORDERED: Appellants' and Appellee's Stipulation filed in CTV 02-12 is hereby GRANTED and Appellee's Reply to Appellants' Motion for Summary Decision and Appellee's Reply to the Appeal shall be filed concurrently, with both documents being served on all parties **by or on August 19, 2002**; and it is

FURTHER ORDERED: The parties must comply with the attached Preliminary Ground Rules.

By Order of the
Department of Telecommunications and Energy
Cable Television Division

Alicia C. Matthews
Director