

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY
CABLE TELEVISION DIVISION**

MediaOne of Massachusetts, Inc.)	
MediaOne Group, Inc. and AT&T Corp.,)	
)	
Appellants,)	
)	CTV 99-3
v.)	
)	
Mayor of the City of Quincy,)	
)	
Appellee)	
)	

**ANSWER OF CITY OF QUINCY TO APPEAL
OF AT&T/MEDIAONE**

The City of Quincy ("Quincy"), submits this answer to the appeal of MediaOne of Massachusetts, Inc., MediaOne Group, Inc. and AT&T Corp. ("Appellants"), pursuant to M.G.L. c. 166A, §7 & 14, 207 C.M.R. §4.06, and 801 C.M.R. §1.01(6)(d).

Parties

1. Quincy lacks sufficient information to form a belief as to the truth or falsity of the allegations contained in paragraph 1. However, Quincy believes the allegation to be true.
2. Quincy lacks sufficient information to form a belief as to the truth or falsity with respect to the corporate organization and principal place of business of MediaOne. Quincy admits that MediaOne and AT&T applied to Quincy seeking transfer of the Quincy Cable Television license from MediaOne to AT&T in connection with AT&T's takeover of MediaOne. Quincy further admits that MediaOne is the licensee.

3. Quincy lacks sufficient information to form a belief as to the truth or falsity with respect to the corporate organization of AT&T and AT&T's principal place of business. Quincy admits that AT&T applied to Quincy to acquire the cable television license for the City of Quincy from MediaOne.

4. Quincy admits the allegations contained in paragraph 4.

I. Factual Allegations

5. Quincy admits that MediaOne and AT&T filed applications on FCC Form 394 with approximately 175 cities and towns in Massachusetts, including Quincy, seeking consent to the transfer of control of the cable television licenses that were owned or controlled by MediaOne to AT&T. Quincy further admits that the Cable Television Division of the Massachusetts Department of Telecommunications and Energy (the "Division") appointed Charles Beard as a special magistrate to conduct eleven regional hearings during August and September, 1999 regarding AT&T's application for license transfers. Quincy further admits that the report that Magistrate Beard generated in connection with the eleven regional hearings contained only non-binding recommendations. Quincy further admits that Quincy participated in the regional hearings. The remaining allegations contained in paragraph 5 purport to state legal conclusions to which no response is required.

6. Quincy admits that Magistrate Beard produced a report dated September 24, 1999 that contained non-binding recommendations. Further answering, Quincy states that the Magistrate's report is a document which speaks for itself.

7. Paragraph 7 purports to construe the language of the Quincy Cable Television License or otherwise state legal conclusions with respect to the construction or

application of that document. Accordingly, no response is required. Further answering, Quincy states that the cable television license for the City of Quincy is a document that speaks for itself.

8. Quincy admits that Quincy issued a conditional approval for the transfer of the Quincy Cable Television license from MediaOne to AT&T on or about November 10, 1999. The remaining allegations of paragraph 8 purport to characterize or construe the language contained in the written decision that Quincy supplied to the Division and to the Appellants. Accordingly, no response to these allegations is required. Further answering, Quincy states that its letter of November 10, 1999 is a document that speaks for itself.

II. Statement of Claims on Appeal

COUNT I

9. Appellees reallege and incorporate herein the answers to the allegations set forth in paragraphs 1 through 8 of this answer.

10. The allegations of paragraph 10 purport to state a legal conclusion to which no response is required. To the extent that the allegations of paragraph 10 purport to allege facts, Quincy denies the allegations.

COUNT II

11. Appellees reallege and incorporate herein the responses set forth in paragraphs 1 through 10 of this answer.

12. The allegations contained in paragraph 12 purport to state legal conclusions to which no response is required. To the extent that the allegations contained in paragraph 12 purport to state facts, Quincy denies the allegations.

III. Request for Relief

WHEREFORE, Appellee requests that the Division dismiss the appeal of the Appellants and issue an order approving the decision of the City of Quincy to conditionally approve the license transfer from MediaOne to AT&T on the terms set forth in Quincy's letter of November 10, 1999.

Respectfully submitted,

Mayor of the City of Quincy
By its counsel,

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