COMMONWEALTH OF MASSACHUSETTS OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

DEPARTMENT OF TELECOMMUNICATIONS & ENERGY Cable Television Division

In the Matter of Adelphia Communications Corporation Adelphia Cablevision Adelphia Cablevision Associates, L.P. Century Berkshire Cable Corp. Of Cape Cod, Inc. Harron Cablevision of Massachusetts, Inc. Massachusetts, Inc. Mountain Cable Company Mountain Cable Company Mountain Cablevision New England Cablevision Of Massachusetts, Inc. Docket No. CIV 01-4 Date Issued: July 21, 2003 Abington, CUID MA 0022 Adunnah, CUID MA 0049 Adunnah, CUID MA 0049 Adunnah, CUID MA 0275 Bourne, CUID MA 0027 Cheshire, CUID MA 0002 Clarksburg, CUID MA 0003 Duxbury, CUID MA 0003 Edgartown, CUID MA 0273 Essex, CUID MA 0153 Harron Cablevision Falmouth, CUID MA 0072 Gloucester, CUID MA 0136 Great Barrington, CUID MA 0008 Halifax, CUID MA 0159 Lee, CUID MA 0019 Marchester-by-the-Sea, CUID MA 0154 Mountain Cable Company Marshfield, CUID MA 0191 Merrimac, CUID MA 0010 Merrimac, CUID MA 0010 Merrimac, CUID MA 0022 all d/b/a Adelphia Communications Corporation Plymouth, CUID MA 0228 Pembroke, CUID MA 0228 Plymouth, CUID MA 0224 For a Determination of Rockport, CUID MA 0137 Cable Television Rates Stockbridge, CUID MA 0346 Sheffield, CUID MA 0346 Sheffield, CUID MA 0011		D. L. M. CITWOM
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SECOND ORDER MANDATING COMPLIANCE

APPEARANCES: Craig A. Schmid

Director of Regulation

Adelphia Communications Corporation

1 North Main Street Coudersport, PA 16915

AND

Gerald Buckley Regional Director of Government Relations Adelphia Communications Corporation 35 Resnik Road Plymouth, MA 02360

AND

Jill McDonald Area Manager Adelphia Communications Corporation 35 Resnik Road Plymouth, MA 02360

FOR: ADELPHIA COMMUNICATIONS CORPORATION Petitioner

Mary E. MacQuarrie 878 Tremont Street Duxbury, MA 02332

FOR: THE TOWN OF DUXBURY

Intervenor

Richard Carlotta P.O. Box 6

Housatonic, MA 02136

FOR: THE TOWN OF SHEFFIELD

<u>Intervenor</u>

Michael A. McKenna 18 Herring Brook Lane Pembroke, MA 02359

FOR: THE TOWN OF PEMBROKE

Limited Participant

This Second Order Mandating Compliance is issued by the Cable Television Division ("Cable Division") of the Department of Telecommunications and Energy in compliance with the decision issued by the Media Bureau of the Federal Communications Commission ("FCC") relating to FCC Forms 1205 filed by Adelphia Communications Corporation ("Adelphia") for various communities in Massachusetts. See Adelphia Communications Corp., DA 03-2339 (released July 16, 2003). On July 18, 2002, the Cable Division issued a Rate Order ("2002 Rate Order") rejecting Adelphia's FCC Forms 1205 as filed on April 2, 2001, and directing Adelphia to revise and refile its FCC Forms 1205 with supporting documentation. After Adelphia failed to comply with the directive in a timely manner, the Cable Division issued an Order Mandating Compliance on August 12, 2002, directing Adelphia to amend its FCC Forms 1205 in compliance with the 2002 Rate Order and file the amended FCC Forms 1205 and supporting documentation with the Cable Division on or before August 23, 2002.

Adelphia did not comply with the Cable Division's Order Mandating Compliance and instead appealed the Cable Division's decision to the Media Bureau of the FCC on August 19, 2002. At the same time, Adelphia filed an Emergency Petition for Stay of Enforcement Pending Appeal of Rate Order with the Media Bureau of the FCC. Due to the pending appeal, the Cable Division did not take further action to enforce compliance with its 2002 Rate Order.

On July 16, 2003, the Media Bureau of the FCC rejected Adelphia's appeal and determined that the Cable Division's 2002 Rate Order was reasonable. Accordingly, we direct

Adelphia to refile its FCC Form 1205 in accordance with the 2002 Rate Order. As part of the revised filing, the Company must also provide support for the digital inventory level selected. The revised FCC Forms 1205 and supporting documentation must be filed with the Cable Division on or before August 1, 2003.

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

> /s/ Alicia C. Matthews Alicia C. Matthews Director