



COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

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

ORDER ON REFUND PLAN

CTV 04-3/04-4

Petition of Comcast Cable Communications, Inc. to establish and adjust the basic service tier programming and equipment rates for the communities currently served by Comcast that are subject to rate regulation.

APPEARANCES:

Peter H. Feinberg
Associate General Counsel
Comcast Cable Communications, Inc.
1500 Market Street
Philadelphia PA 19102

FOR: COMCAST CABLE COMMUNICATIONS, INC.
Petitioner

William H. Solomon, Esq.
319 Main Street
Stoneham, MA 02180

FOR: THE TOWNS OF ACTON, ASHBURNHAM,
BOXBOROUGH, DEERFIELD, FRANKLIN,
HUDSON, SHERBORN, STONEHAM,
SUNDERLAND, TOWNSEND, AND
WHITMAN, AND THE CITY OF ATTLEBORO
Intervenor

Gilbert Hoy, Jr.
Board of Selectmen
333 Washington Street
Brookline, MA 02445

- and -

Peter J. Epstein, Esq.
Epstein & August, LP
101 Arch Street, Suite 900
Boston, MA 02110
FOR: THE TOWN OF BROOKLINE
Intervenor

Christopher Petrini, Esq.
Town Counsel
Town of Framingham
150 Concord Street
Framingham, MA 01702

- and -

Peter J. Epstein, Esq.
Epstein & August, LP
101 Arch Street, Suite 900
Boston, MA 02110
FOR: THE TOWN OF FRAMINGHAM
Intervenor

Marlene Michonski
Board of Selectmen
Town of Hatfield
59 Main Street
Hatfield, MA 01038
FOR: THE TOWN OF HATFIELD
Intervenor

Peter J. Epstein, Esq.
Epstein & August, LP
101 Arch Street, Suite 900
Boston, MA 02110
FOR: THE CITIES OF FALL RIVER, FITCHBURG
AND MALDEN, AND THE TOWN OF NORTH
ATTLEBOROUGH
Intervenor

Jane Medeiros Friedman
City of New Bedford
Office of the City Solicitor
133 William Street
New Bedford, MA 02740
FOR: THE CITY OF NEW BEDFORD
Intervenor

The Honorable Mary Anne Clancy
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950
FOR: THE CITY OF NEWBURYPORT
Intervenor

The Honorable Michael J. Bonfanti
City of Peabody
24 Lowell Street
Peabody, MA 01960
FOR: THE CITY OF PEABODY
Intervenor

Peter J. Epstein, Esq.
Epstein & August, LP
101 Arch Street, Suite 900
Boston, MA 02110

- and -

John J. Clorite, Jr.
145 Windward Drive
Somerset, MA 02726
FOR: THE TOWN OF SOMERSET
Intervenor

William August, Esq.
Epstein & August, LP
101 Arch Street, Suite 900
Boston, MA 02110
FOR: THE TOWN OF WINCHESTER
Intervenor

On September 13, 2005, Comcast Cable Communications, Inc. (“Comcast” or “the Company”) submitted a refund plan for the Town of Hudson (Compliance Filing at Hudson - Refund Plan). This plan was submitted in compliance with our Rate Order, which found that Comcast’s actual basic service tier (“BST”) rate in Hudson exceeded the maximum permitted rate (“MPR”), and directed Comcast to file a refund plan that would refund its overcharges to Hudson subscribers. Comcast Cable Communications, Inc., CTV 04-3/04-4, at 32, 40. In its refund plan, Comcast calculated the amount of the refund, which would be paid as a one-time credit on subscribers’ bills, in accordance with the Rate Order (Compliance Filing at Hudson - Refund Plan, see CTV 04-3/04-4, at 32). The plan also shows that effective June 1, 2005, Comcast reduced its actual BST rate to \$11.25, which was below its amended proposed BST MPR of \$11.48, that we approved in our Rate Order (Compliance Filing at Hudson - Refund Plan, see CTV 04-3/04-4, at 31). The refund plan returns to subscribers overcharges that were paid between January 1, 2005, and May 31, 2005. We have reviewed the plan, and found that it correctly calculates the amount of the refund and provides for its payment to subscribers. We therefore approve Comcast’s proposed refund plan. We direct Comcast to pay the refund, as a one-time credit on the bills of Hudson subscribers, on the next available billing cycle. We further direct Comcast to file, within 30 days of the payment of its

refunds, a report that describes: (1) the amount of the refund credited to each subscriber's bill, (2) the total amount of the refunds paid, and (3) the date the refunds were paid.

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

/s/ Alicia C. Matthews

**Alicia C. Matthews
Director**

Issued: January 27, 2006