



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

_____)
In the Matter of)
)
MediaOne of Southern)
New England, Inc.)
AT&T Corp., and)
AT&T Comcast Corporation)
)
Appellants)
)
v.)
)
Mayor of the)
City of New Bedford)
)
Appellee)
_____)

Docket No. CTV 02-13

Date Issued: February 26, 2003

ORDER APPROVING TRANSFER

On November 15, 2002, the Cable Television Division (“Cable Division”) issued an Order finding that the Mayor of the City of New Bedford (“New Bedford”) unreasonably withheld consent to an application for transfer of control of the Cable Television Renewal License (“License”) from AT&T Corp. to Comcast Corporation.¹ MediaOne of Southern New England, Inc., et al. v. Mayor of the City of New Bedford, CTV 02-13 (Order on Motions for Summary Decision) (Nov. 15, 2002) (“2002 Order”). The Cable Division ordered that New Bedford grant consent to the License transfer application. Id. New Bedford took no action on the Cable Division’s decision.

¹ Upon consummating the merger between AT&T Broadband and Comcast Corporation, the newly-created entity was named Comcast Corporation rather than AT&T Comcast Corporation as originally planned. The name change does not affect the ultimate control of the license at issue.

As such, on February 11, 2003, the Cable Division issued an Order To Show Cause requiring New Bedford to show cause no later than February 21, 2003, as to why it has not yet complied with the 2002 Order and granted approval for transfer of control of the License from AT&T Corp. to Comcast Corporation. New Bedford did not respond to the Order to Show Cause.

The Cable Division is authorized by Massachusetts law to hear appeals, issue decisions, and take action to enforce decisions. G.L. c. 166A, § 15. New Bedford did not comply with a lawful decision issued by the Cable Division and did not show cause as to its failure to comply. In the case where an issuing authority fails to comply with a lawful decision, the Cable Division takes action to enforce that decision, here by assuming the Issuing Authority's role and granting consent to transfer control of the License.

Accordingly, it is

ORDERED: Approval to transfer control of the License in the City of New Bedford from AT&T Corp. to Comcast Corporation is hereby GRANTED.

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

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