



THE COMMONWEALTH OF MASSACHUSETTS

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

CTV 06-4/06-7

Petition of Time Warner Cable to establish and adjust the equipment and installation rates for the communities currently served by Time Warner Cable that are subject to rate regulation.

ACCOUNTING ORDER
FCC FORM 1205

APPEARANCES:

Nancy P. Karm, Vice President, Finance
Peter M. Taubkin, Vice President, Government Relations & Public Affairs
Time Warner Cable - Albany Division
1021 High Bridge Road
Schenectady, NY 12303
For: TIME WARNER CABLE
Petitioner

On November 29, 2006, pursuant to 47 C.F.R. § 76.1603(c), Time Warner Cable filed with the Cable Television Division (“Cable Division”) of the Department of Telecommunications and Energy proposed rate changes on Federal Communications Commission (“FCC”) Form 1205, Determining Regulated Equipment and Installation Costs, for the communities of Adams, Athol, Cheshire, Clarksburg, Dalton, Great Barrington, Lee, Lenox, North Adams, Orange, Pittsfield, Richmond, Sheffield, and Stockbridge. Under federal rate regulations, the Cable Division must issue findings on the cable operator’s proposed FCC Form 1205 rates within 30 days of the filing, unless the Cable Division extends the review period for an additional 90 days. 47 C.F.R. § 76.933(a). By Order dated December 14, 2006, the Cable Division so extended the review period. Time Warner Cable, CTV 06-4, “Order Extending Time for Determination Involving FCC Form 1205.” If, during the additional 90-day review period, the Cable Division is not able to issue findings, we must allow the cable operator to put the rates into effect at the end of the 90-day period, subject to refund. 47 C.F.R. § 76.933(c).

On December 20, 2006, the Company filed a request that the Cable Division issue an early Accounting Order, that would allow it to implement, on February 1, 2007, proposed equipment and installation rate changes, based in its FCC Form 1205 filing, in those communities that it had recently acquired from Adelphia Communications Corporation (“Adelphia”). Time Warner Cable’s proposed changes would make its equipment and installation rates in these newly-acquired communities the same as those charged by the Company in its Pittsfield system. In its request, the Company stated that in its Pittsfield and

Athol systems, the equipment and installation rates for 2007 will remain the same as the rates charged during 2006. The Company's proposed changes would reduce the former Adelpia communities' installation rates and monthly charges for high definition television ("HDTV") converters, while increasing the monthly charges for digital converters and remote controls. Time Warner Cable stated that according to Adelpia, these rates had last been changed effective February 1, 2006.

The Cable Division considers Time Warner Cable's request to establish consistent equipment and installation rates across all of the Berkshire County communities it now serves to be a reasonable one. The Company's proposed rate change would occur, as permitted, one year after Adelpia had previously changed these rates. Therefore, following the 30-day notification to subscribers pursuant to 47 C.F.R. § 76.1603(c), Time Warner Cable's proposed rate changes may become effective in accordance with 47 C.F.R. § 76.933(c), subject to refund if the Cable Division subsequently determines Time Warner Cable's rates to be unreasonable.

Time Warner Cable is hereby required to keep an accurate account of all amounts received by reason of the rates at issue and on whose behalf such amounts are paid in a manner consistent with 47 C.F.R. § 76.933(c). In the event the Cable Division subsequently issues a written decision disapproving any portion of Time Warner Cable's rates, thereby requiring a refund, this accounting order would be used by the Company to refund rates previously paid. This Accounting Order immediately suspends the tolling of the additional 90-day period.

Pursuant to the foregoing, it is hereby

ORDERED: that effective January 5, 2007, the Cable Division's review of the cable operator's proposed rate change on FCC Form 1205 for the above-listed communities be extended until such time as the Cable Division may issue a rate decision; and it is

FURTHER ORDERED: that Time Warner Cable maintain an accurate account of all amounts received by reason of the rates at issue and on whose behalf such amounts are paid in a manner consistent with 47 C.F.R. § 76.933(c).

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

/s/ Alicia C. Matthews

**Alicia C. Matthews
Director**

Issued: January 5, 2007