

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DIVISION OF PUBLIC UTILITIES AND CARRIERS
89 Jefferson Boulevard
Warwick, Rhode Island 02888

In Re: Block Island Cable TV, Inc. :
 Petition to Abandon Certificates : Docket No. 2006-C-7

ORDER

Whereas: On September 20, 2006 the Rhode Island Division of Public Utilities and Carrier's ("Division") received a petition filing from Block Island Cable TV, Inc. ("BICTV") through which BICTV seeks authority to abandon its CATV certificates and cease cable television broadcasting. BICTV's request is based on the significant financial losses it has experienced over the last several years. Also, with respect to BICTV's obligation to remove all cable lines and equipment from power and telephone poles in its service area (New Shoreham), BICTV seeks Division approval to take up to one year to satisfy this obligation.¹

Whereas: In response to BICTV's petition, the Division directed BICTV, under authority conferred by R.I.G.L. §39-19-6 and Chapter 5 of the Division's *Rules Governing Community Antenna Television Systems* ("Cable Rules"), to adhere to the following abandonment plan:

- Schedule a meeting with the Block Island Town Council to advise them of the plan and afford them the opportunity to comment;
- Schedule a public meeting for BICTV subscribers to advise them of the plan and afford them the opportunity to comment;

¹ BICTV is the communications carrier and operator authorized by the Division to provide CATV services in Rhode Island's CATV Service Area 9, which consists of the Town of New Shoreham.

- Invite prospective satellite television companies to attend the public meeting to offer their services to effected subscribers;
- Remove all cable lines and existing equipment from existing power and telephone poles within one year of abandonment, while continuing to meet its pole rental financial obligations.
- BICTV was also directed to send a notice of termination of service to each effected subscriber prior to the date of the public meeting; include details regarding the date, time and location of the public meeting in the notice of termination of service; and post public meeting notices in the Town Hall and public library.
- BICTV was further directed to provide copies of all related letters, notices and other correspondence to the Division's Associate Administrator of Cable TV.²

Whereas: The Division specified in its written response to BICTV's petition that it would issue an "interim abandonment order" upon its receipt and approval of the foregoing documentation and issue a "final abandonment order" upon a subsequent showing of proof that BICTV had removed all of its cable lines and equipment from all power and telephone poles located in Service Area 9. The Division further specified that it expected BICTV to satisfy this requirement within one year from the date of the approved interim abandonment, while continuing to meet its pole rental financial obligations.

² Contained in a September 21, 2006 letter from Division Administrator Thomas F. Ahern to Clifford R. McGinnes, BICTV President.

Whereas: BICTV provided the Division with all the required documentation for an interim abandonment order on November 10, 2006. The documentation was contained in an “Abandonment Report” received from the Company.

Whereas: The Division has thoroughly examined BICTV’s November 10, 2006 Abandonment Report, and attached documentation, and finds that BICTV has satisfied the requirements of the Division’s prescribed conditions for an interim abandonment order.³

Accordingly, it is

(18774) ORDERED:

1. That Block Island Cable TV Inc.’s September 20, 2006 petition seeking authority to abandon its CATV certificates and cease TV broadcasting is hereby approved on an interim basis.
2. That Block Island Cable TV Inc. shall immediately return its CATV certificates to the Division, as mandated under Section 5.5 of the Division’s Cable Rules.
3. That Block Island Cable TV Inc. is hereby directed to remove its cable lines and equipment from all power and telephone poles located in Service Area 9 within one year from the issue date of this order. The Company shall also honor all pole rental financial obligations.
4. That Block Island Cable TV Inc. may request a “final abandonment order” from the Division upon a timely showing of proof that it has

³ Evidenced by a November 15, 2006 memorandum from Eric Palazzo, the Division’s Associate Administrator of Cable TV.

removed its cable lines and equipment from all power and telephone poles located in Service Area 9.

Dated and Effective at Warwick, Rhode Island on November 17, 2006.

Thomas F. Ahern
Administrator