

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

IN RE: RULES GOVERNING COMMUNITY)
ANTENNA TELEVISION SYSTEMS) DOCKET NO. 2008-C-1

NOTICE OF RULEMAKING AND PUBLIC HEARING

The Rhode Island Division of Public Utilities and Carriers (“Division”) will conduct a public hearing on **Wednesday, February 13, 2008 at 10:30 a.m.**, in the second-floor hearing room of the Division’s office located at 89 Jefferson Boulevard, Warwick, Rhode Island, for the purpose of affording all interested persons an opportunity to submit data, views, or arguments, orally or in writing, in response to the Division’s decision to explore the propriety of repealing or modifying the 60-day notification directive currently incorporated in Section 3.5(b) of the Division’s *Rules Governing Community Antenna Television Systems* (“Cable Rules”). The rule in issue currently provides as follows:

The holder of a Construction Certificate shall give the Administrator at least sixty (60) days prior written notice before the anticipated date when the CATV System (or initial segment thereof) will be ready for commencement or actual service to the public.

The Division’s decision to explore the propriety of repealing or modifying the foregoing 60-day notification directive has its genesis in a recent report and order issued by the Division in Docket No. 2007-C-1 (Order No. 19148, issued on December 20, 2007). That decision granted a November 7, 2007 application filing of Verizon New England, Inc. (“Verizon”), wherein Verizon was seeking Certificates of Authority to Operate a Community Antenna Television System in Rhode Island’s CATV System Service Areas 2, 3 and 8. That decision also contained findings suggesting that the 60-day notification requirement in Section 3.5(b) may represent a “regulatory barrier to competition,” and consequently, an instruction that the Division conduct the instant rulemaking proceeding to explore the propriety of repealing or modifying that section of the Cable Rules to better expedite competitive entry into the cable television market in Rhode Island.

The data, views, and arguments received during this rulemaking process will assist the Division in determining whether Section 3.5(b) ought to be preserved, modified or repealed. Copies of Section 3.5(b) or the complete compilation of the Division’s Cable Rules may be obtained in person at the Division, by mail by calling 941-4500, ext. 131, or may be accessed through the Division’s website at http://www.ripuc.state.ri.us/utilityinfo/cabletv/CATVRules_12_06.pdf.

Interested persons wishing to offer data, views, or arguments on this matter may do so either orally on the day of the hearing, or in writing, by submitting their comments to the following address prior to the date of the public hearing:

John Spirito, Jr., Chief of Legal Services
Division of Public Utilities and Carriers
89 Jefferson Boulevard
Warwick, Rhode Island 02888

Inquiries regarding this matter may be directed to the Division's Rules Coordinator, Mr. Thomas Kogut, at 941-4500, Ext. 105.

Reference is made to R.I. Gen. Laws Chapters 42-35, 39-1 and 39-19, and specifically to: §§42-35-1, 42-35-2, 42-25-3, 42-35-4, 42-35-5, 39-1-15, 39-3-8, 39-3-9, 39-3-33, 39-1-38 and 39-19-6.

THE DIVISION IS ACCESSIBLE TO THE HANDICAPPED. INDIVIDUALS REQUESTING INTERPRETER SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE DIVISION BY CALLING 941-4500, EXT. 131, SEVENTY-TWO (72) HOURS IN ADVANCE OF THE HEARING DATE.

Thomas F. Ahern
Administrator
January 10, 2008