

## BOARD OF ALDERMEN

ITEM NO. B(3)

### AGENDA ITEM ABSTRACT MEETING DATE: December 3, 2002

**TITLE: A Request to Approve the Tolling and Accounting Order to Extend the Review  
Period for the 2003 Time Warner Cable FCC1240, 1205, and 1235 Rate Filing**

<b>DEPARTMENT: Manager's Office</b>	<b>PUBLIC HEARING: No</b>
<b>ATTACHMENTS:</b> <b>A. Resolution</b> <b>B. 2003 Tolling and Accounting Order</b>	<b>FOR INFORMATION CONTACT:</b> <b>Robert W. Morgan, 918-7315</b> <b>Bob Sepe, Action Audits – (919) 467-5392</b> <b>Richard White, 918-7314</b>

#### PURPOSE

Time Warner Cable submitted an FCC-1240 Updating Maximum Permitted Rates filing, FCC-1205 Determining Regulated Equipment and Installation costs filing, and FCC-1235 cost of Service Filing for Cable Network Upgrades for Regulated Cable Service with the Town. The Federal Communications Commission has transmitted rate filing procedures that allow cable operators to estimate future external costs, costs associated with system upgrades, and to recover those projected costs utilizing the FCC-1240 filing process which is performed annually. The purpose of this item is to request that the Board of Aldermen approve the 2003 Time Warner Cable Tolling and Accounting Order to extend the review period.

#### INFORMATION

On October 1, 2002, Time Warner Cable submitted an FCC-1240 Updating Maximum Permitted Rates filing, FCC-1205 Determining Regulated Equipment and Installation costs, and FCC-1235 cost of Service Filing for Cable Network Upgrades for Regulated Cable Service with the Town. The filing includes actual and estimated costs that Time Warner Cable may incur during the projected period of January -December 2003 along with previous expenses from the "true up" period October 2001-September 31, 2002;

The Town is certified with the FCC to regulate basic cable service, equipment and installation rates and services within Town. The FCC §76.933 grants franchise authorities the ability to toll the time in which to review rate filings submitted by cable operators and to extend the review period from the initial 30 days to 120 days past the original date of receipt by the franchise authority.

After Mr. Sepe has completed his review and has met with the town's Cable Television Committee, this matter will come back to the Board to request approval of the 2003 FCC1240 and FCC1205 Rate Order.

#### FISCAL IMPACT

N/A

#### RECOMMENDATION

The Administration recommends that the Board approve the 2003 Time Warner Cable Tolling and Accounting Order to extend the review period.