

BOARD OF ALDERMEN

ITEM NO. B(3)

AGENDA ITEM ABSTRACT
MEETING DATE: October 26, 2004

TITLE: A Request to Approve the Tolling and Accounting Order for the 2005 Time Warner Cable Rate Filing

DEPARTMENT: Manager's Office	PUBLIC HEARING: No
ATTACHMENTS: A. Resolution B. Tolling and Accounting Order	FOR INFORMATION CONTACT: Bob Sepe, Action Audits – 919/467-5392 Richard White, 918-7314

PURPOSE

The Federal Communications Commission (FCC) 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. Time Warner Cable submitted a 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 purpose of this item is to request that the Board of Aldermen approve the Tolling and Accounting Order to extend the review period 90 days past the original 30 days allowed by the FCC.

INFORMATION

On September 30, 2004, 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 2005 along with previous expenses from the "true up" period October 2003-September 2004.

The Town is certified with the FCC to regulate basic cable service and 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 Board for consideration of the 2005 FCC1240 and FCC1205 Rate Order.

FISCAL IMPACT

N/A

RECOMMENDATION

Staff recommends that the Board approve the Tolling and Accounting Order.