

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 6165

Petition of Harron Communications Corporation )	Public Hearing at
d/b/a Adelphia Harron Cable Communications )	Pawlet, Vermont
to renew its Certificate of Public Good for its )	October 19, 2000
cable television systems located in the Towns of )	
Wells and Pawlet, Vermont )	

Entered: 6/6/2001

I. INTRODUCTION

By Order dated June 28, 1990, the Public Service Board ("Board") granted Harron Communications Corporation ("Harron") a Certificate of Public Good to provide cable service in the Towns of Wells and Pawlet, Vermont. By a letter dated November 5, 1998, Harron requested a renewal of its Certificate of Public Good, which was due to expire June 27, 2001. On August 9, 1999, in Docket 6242, the Board approved the acquisition of the stock of Harron by Adelphia Communications Corporation. Since that transfer, the cable system has been operated under the name of Adelphia Harron Cable Communications (referenced in this Order as "Adelphia Harron"). The parties to Docket 6242 agreed that the Certificate of Public Good that is the subject of this Docket ought to incorporate the conditions imposed in the Certificates of Public Good issued to other Adelphia Communications Corporation operating companies in Docket 6101.

On October 19, 2000, I held a properly noticed public hearing in the Town of Pawlet. On December 4, 2000, the parties to this Docket (that is, Adelphia Harron and the Vermont Department of Public Service ("Department")) submitted a Stipulation and Agreement ("Stipulation") that calls for the Board to renew the Certificate of Public Good.<sup>1</sup> The Stipulation was accompanied by a draft Certificate of Public Good that incorporates the provisions of the Certificates issued in Docket 6101, properly modified to recognize the different times of issuance.

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1. The Stipulation is attached to this Order.

The following findings and conclusions are based upon the Stipulation between Adelpia Harron and the Department, public comment, and Board records.

## II. FINDINGS OF FACT

1. The Towns of Wells and Pawlet have been served for eleven years by the present system, which is in much need of the system rebuild that Adelpia Communications Corporation promised for this and its other systems in Docket 6101.

2. There are no Public, Educational, or Governmental access entities active yet in the territory served by Adelpia Harron. However, the proposed Certificate of Public Good provides the same potential for access as was provided in Docket 6101.

3. As an operating affiliate of Adelpia Communications Corporation, Adelpia Harron will meet the criteria of 30 V.S.A. Chapter 13 and of Board Rule 8.214, as found after extensive investigation in Docket 6101.

The Stipulation waives the rights of the parties to review and comment upon this Proposal for Decision in accordance with 3 V.S.A. § 811, provided the Board accepts the Stipulation and the proposed Certificate of Public Good.

## III. CONCLUSION

I conclude that operation of a cable system in the Towns of Wells and Pawlet by Adelpia Harron will promote the general good of the state, and that the Board ought to accept the Stipulation and the proposed Certificate of Public Good.

Dated at Montpelier, Vermont, this 4<sup>th</sup> day of June, 2001.

s/John P. Bentley  
John P. Bentley, Esq.  
Hearing Officer

#### IV. BOARD DISCUSSION

The Stipulation between Adelpia Harron and the Department of Public Service calls for inclusion of the Adelpia Harron Towns, Wells and Pawlet, into the systems subject to a one million dollar performance bond that was imposed in Docket 6101/6223. The Board has expressly considered increasing the size of the bond but concluded that the small size of the Adelpia Harron system compared to the size of the statewide Adelpia Cable Communications operations (207 subscribers out of 109,000) made such a change not worth the administrative expense. However, we do wish to notify the parties that if in the future there is a significant increase in the systems covered by the bond, we reserve the right to adjust the size of the bond.

#### V. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. The Findings and Conclusion of the Hearing Officer are accepted.
2. A renewed Certificate of Public Good shall be issued to Harron Communications Corporation d/b/a Adelpia Harron Cable Communications to operate a cable system in the Towns of Wells and Pawlet, Vermont.

DATED at Montpelier, Vermont, this 6<sup>th</sup> day of June, 2001.

<u>s/Michael H. Dworkin</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/David C. Coen</u>	)	BOARD
	)	
	)	OF VERMONT
<u>s/John D. Burke</u>	)	

OFFICE OF THE CLERK

FILED: June 6, 2001

ATTEST: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or mail) of any technical errors, in order that any necessary corrections may be made. (E-mail address: Clerk@psb.state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.*