

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7511

Petition of Topsham Communications, LLC, for)
a certificate of public good to own and operate a)
cable television system to provide services in)
the Towns of Corinth, Topsham, Orange,)
Washington, Bradford, Newbury, Fairlee, West)
Fairlee, and Vershire, Vermont)

Entered: 8/20/2009

CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A. § 504

IT IS HEREBY CERTIFIED that the Public Service Board ("Board") of the State of Vermont on this date finds and adjudges that the issuance of a Certificate of Public Good ("Certificate") to Topsham Communications, LLC, ("Topsham Communications") to provide cable television service in the Towns of Bradford, Fairlee, and West Fairlee, and Topsham Telephone Company, Inc.'s, service areas in Corinth, Topsham, Orange, Washington, Newbury, and Vershire, Vermont, and the operation of cable systems in said cities and towns¹ and service areas will promote the general good of the State of Vermont, subject to the following conditions:

1. Topsham Communications shall maintain at its business office schedules of the rates, terms, and conditions of services as required by Board Rule 8.312(A).
2. Topsham Communications shall not itemize on subscriber bills the Vermont gross revenue tax, imposed on Topsham Communications pursuant to 30 V.S.A. § 22, unless Vermont law allows such itemization.
3. Topsham Communications shall at all times provide a reasonable quality of service, having regard to Federal Communications Commission minimum service standards, available technology, subscriber interest and costs. Topsham Communications shall at all times offer a

1. A certificate for a city, town, gore, or service area is a franchise to serve customers throughout that area, subject to the company's line extension tariff and the provisions of the certificate.

reasonably broad range of programming, having regard to available technology, subscriber interest, the revenues and potential revenues of the system, and costs. The Board shall, to the extent permitted by law, retain jurisdiction to prescribe broad categories of programming.

4. Prices for services not subject to rate regulation shall at all times be reasonable, having regard to the costs of providing such services.

5. If Topsham Communications does business in the State of Vermont under any name other than the name in use on the date of the Order in this Docket, thirty (30) days prior to doing so it shall file a notice of the new tradename, along with a copy of its Vermont Secretary of State's Tradename Certificate, with the Clerk of the Public Service Board and the Department of Public Service.

6. Topsham Communications shall at all times comply with Vermont law and all applicable regulations, as they may be amended from time to time.

7. Topsham Communications shall comply with all regulations of the Federal Communications Commission, including the regulations governing commercial leased access. Compliance with the commercial leased-access rules requires Topsham Communications to provide non-discriminatory access to its facilities to all video programmers qualified by the leased-access regulations to such access.

8. This Certificate shall expire eleven years from the date of this Certificate.

9. This Certificate shall be subject to revocation upon a showing of good cause, including a substantial or continuous failure to abide by its material terms or the representations of the Petition and Application.

10. This Certificate may not be transferred without the consent of the Public Service Board.

Public, Educational, and Governmental Access

11. Topsham Communications shall continue to provide public, educational, and governmental ("PEG") access services consistent with the provision of Board Rule 8.400.

Line Extensions

12. Following adoption by the Board of currently pending amendments to Board Rule 8.000, Topsham Communications shall file a line-extension tariff in compliance with the Amended Rule.

13. Topsham Communications shall undertake construction of line extensions in the service area based on Rule 8.000 (as amended) three (3) months after it has completed the currently planned construction project necessary to enable Topsham Communications to deliver Triple-Play services in the Proposed Service Area.

14. Topsham Communications shall not be required to overbuild another company, or provide cable service to locations served by another cable company, or to locations to which another cable company has made a binding commitment to extend service within eighteen (18) months. For purposes of this condition, "serve" means the duty to build a network so as to pass every required residence and business within the length of a standard no-charge service drop, and be willing, ready, and able to provide service from that plant to any customer that requests it.

15. Topsham Communications may at any time petition the Board for a waiver of any line extension requirements under Rule 8.000 as amended.

Customer Service and Subscriber Notices

16. Topsham Communications shall abide by the so-called "CAPI Stipulation Criteria: CATV Service Providers" developed by the Department of Public Service, as amended from time to time.

17. Topsham Communications shall annually cause to be mailed to each of its subscribers a notice, approved by the Board that:

- a. States that the Board and the Department desire to hear the views of subscribers regarding the quality of services provided by Topsham Communications and as to the reasonableness of the terms upon which such services are provided; and
- b. Informs the subscribers how they may communicate their views to the Board, the Department, and to Topsham Communications.

18. On or before January 30 of each year, Topsham Communications shall certify to the Board, under oath, that it has distributed the notice during the previous calendar year.

19. Topsham Communications shall annually notify all subscribers of the complaint and appeal procedure for complaints against Topsham Communications itself and any PEG access administrative entity in Topsham Communications' system.

Dated at Montpelier, Vermont, this 20th day of August, 2009.

s/James Volz)

) PUBLIC SERVICE

s/David C. Coen)

) BOARD

s/John D. Burke)

) OF VERMONT

OFFICE OF THE CLERK

FILED: August 20, 2009

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 in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)