

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 6101

Petitions for renewal of Certificates of Public)
Good held by Mountain Cable Company and)
Better TV, Inc. of Bennington, both d/b/a)
Adelphia Cable Communications)

Order entered: 5/28/99

**PROCEDURAL ORDER AND EXTENSION OF
EFFECTIVE PERIOD OF CERTIFICATE OF PUBLIC GOOD HELD BY
MOUNTAIN CABLE COMPANY AND BETTER TV, INC. OF BENNINGTON**

REPORT

This docket concerns the renewal of the Certificate of Public Good ("Certificate") held by Mountain Cable Company d/b/a Adelphia Cable Communications ("Mountain Cable" or "Adelphia") to serve 31 Vermont communities. Earlier in this Docket the parties agreed to an extension of the Certificate held by Mountain Cable so that consideration of the renewal of that Certificate could be consolidated with that of Better TV, Inc. of Bennington d/b/a Adelphia Cable Communications ("Better TV" or "Adelphia"). The Board issued an extension of Mountain Cable's Certificate on December 3, 1998.

Adelphia has now asked that the schedule of the case be extended by about two months; the Department of Public Service and seven other parties¹ support the request, and no party has opposed it. The proposed schedule is set out below; however, because the schedule runs past the expiration of Mountain Cable's and Better TV's Certificates, a further extension is required. The new schedule will not be adopted unless and until the Board adopts this Order for extension.

1. The 2010 Committee, RETN, Channel 17, the City of Burlington, the Town of Bennington, the Southwest Vermont Supervisory Union, and CAT-TV.

Revised Schedule as of May 28, 1999

May 17 — June 15	Settlement Conferences
June 15	Proposed scoping orders filed by parties
July 1	Adelphia files rebuttal testimony; reply comments to Hearing Officer's Briefing Questions due
July 1 — July 15	Discovery on Adelphia with 15-day turnaround
August 6	DPS & Intervenors file surrebuttal
August 6 — August 20	Discovery on DPS & Intervenors with 15-day turnaround
Through early September	Opportunity for additional settlement discussions and preparations for hearings
September 8 — September 17	Technical hearings
October 12 & 13	Supplemental hearing dates available if necessary
October 27	Briefs due
November 17	Reply briefs due
January 31, 2000	Expiration of Adelphia Certificates

In addition to the extension of Adelphia's Certificates, I recommend the following actions to the Board:

1. That the Board remove this case from the Hearing Officer and hear it directly. This case is sufficiently significant for the future course of cable television in Vermont that it merits the Board's direct participation.

2. That the parties to this Docket indicate to the Board, within fifteen days of the date of this Order, whether this case and the petition by the Department of Public Service for sanctions against Adelphia in Docket No. 6223 should be consolidated and heard together by the Board.

The foregoing is hereby reported to the Public Service Board in accordance with the provisions of 30 V.S.A. § 8.

DATED at Montpelier, Vermont, this 28th day of May, 1999.

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

ORDER

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

1. The report and recommendation of the Hearing Officer is accepted.
2. The Certificate of Public Good issued to Mountain Cable Company d/b/a Adelphia Cable Communications in Docket 5247 is hereby extended to expire on January 31, 2000, and the Certificate of Public Good issued to Better TV, Inc. of Bennington d/b/a Adelphia Cable Communications in Docket 5431 is hereby extended to expire on January 31, 2000.
3. This Docket will be heard directly by the Board; the Hearing Officer will continue to be responsible for resolution of discovery and scheduling matters.
4. The parties to this Docket shall indicate to the Board, within fifteen days of the date of this Order, whether this case and the petition by the Department of Public Service for sanctions against Adelphia in Docket No. 6223 should be consolidated and heard together by the Board.
5. Future filings in this Docket should be made in accordance with Board Rule 2.204(D), a copy of which is attached to this Order.

DATED at Montpelier, Vermont, this 28th day of May, 1999.

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

OFFICE OF THE CLERK

FILED: MAY 28, 1999

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 of any technical errors, in order that any necessary corrections may be made.