

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 6166

Petition of Jeffersonville Cable TV Corporation )  
for renewal of its Certificate of Public Good )

Entered: 12/20/99

RENEWED CERTIFICATE OF PUBLIC GOOD  
ISSUED PURSUANT TO 30 V.S.A. §§ 231 AND 503

IT IS HEREBY CERTIFIED that the Public Service Board of the State of Vermont on this date finds and adjudges that the issuance of a Certificate of Public Good (Certificate) to Jeffersonville Cable TV Corporation "(Jeffersonville)" to serve the Town of Cambridge and the operation of a cable system in said Town will promote the general good of the State of Vermont. This Certificate is subject to the following conditions:

1. Jeffersonville 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.
2. Jeffersonville shall at all times offer a reasonably broad range of programming, having regard to available technology, subscriber interest, and costs.
3. Jeffersonville shall provide reasonable public, educational, and governmental access in accordance with the standards for public, educational, and governmental access set forth in Vermont Public Service Board Rule § 8.400 *et seq.*, as may be amended from time to time. Jeffersonville is required to create and maintain a plan for reasonable public access appropriate for its system, in light of the current technology and the economics of the system. The plan shall address the following aspects of public access operations:
  - a. channels to be allocated to public, educational, and governmental programming;
  - b. facilities and equipment for production and cablecast;

- c. personnel to train producers, service and maintain equipment, and schedule and cablecast programming;
  - d. initiatives to inform residents of the service territory that public access facilities, equipment, and training are available;
  - e. annual operating budget;
  - f. operating procedures, rules and protocols;
  - g. implementation schedule;
  - h. initiatives to encourage the creation of a Public, Educational and Governmental Access Board for the Town of Cambridge;
  - i. criteria by which the above aspects of public access operations will be changed in the future.
4. The Public Service Board shall, to the extent permitted by law, retain jurisdiction to prescribe broad categories of programming.
5. Prices for services shall at all times be reasonable, having regard to the costs of providing such service.
6. Jeffersonville shall notify the Clerk of the Public Service Board and the Department of Public Service (Department) thirty (30) days prior to any:
  - a. change in rates, terms or conditions of service;
  - b. change in channels offered;
  - c. retiering of any channel; and
  - d. lien, mortgage, pledge or other encumbrance on assets in the service territory.
7. Line extensions shall be made without customer contribution where "H" is equal to or greater than 15.
8. For the purposes of determining whether a line extension should be constructed without a customer contribution:
  - a. Jeffersonville shall count a dwelling as a year-round residential unit if the subscriber is paying for year-round service, regardless of the period of actual occupancy;
  - b. Jeffersonville shall count a subscriber as verified if the subscriber has entered into a two-year contract for year-round service;

- c. Jeffersonville shall count seasonal dwellings as one-third of a year-round residential unit unless there is credible evidence that a higher or lower percentage should be used;
  - d. Jeffersonville shall count seasonal subscribers that enter into two-year contracts on a pro-rata basis; a two-month contract would result in a one-sixth of a year-round subscriber; a three-month contract would result in a one-fourth of a year-round subscriber; a four-month contract would result in a one-third of a year-round subscriber; and a six-month contract would result in a one-half of a year-round subscriber;
  - e. in counting residential units for the purpose of implementing its line extension policy, Jeffersonville shall count all dwellings within 500 feet of the proposed extension; (customers may be charged for the costs of providing a service connection which are in excess of the cost of a standard drop);
  - f. in counting residential units for the purpose of implementing its line extension policy, Jeffersonville shall not count that part of the house drop (the facilities located between the dwelling and Jeffersonville's distribution facilities generally located in the road right-of-way) constructed with coax as part of the line extension;
  - g. Jeffersonville shall respond within ten days to any information request from the Department of Public Service or the Public Service Board concerning the status of line extension plans or construction progress.
9. At the time of filing its annual report pursuant to 30 V.S.A. § 22, Jeffersonville shall also file with the Public Service Board the following:
- a. Jeffersonville's Access Plan and a description of its access facilities and services and the use thereof during the preceding calendar year or annual period;
  - b. a copy of all written consumer complaints and notations regarding oral and telephone complaints received during the preceding calendar year or annual period;
  - c. a map sufficiently outlining the service territory and describing the existing plant and any extensions and replacements planned for commencement or completion within one calendar year from the close of the preceding calendar year or annual period;
  - d. a listing of services, the rates charged for each service as of the filing of the report, a statement of any changes in any such rates from the preceding calendar year or annual period, and a statement of the revenue derived from each service during the calendar year or annual period;

- e. a statement of significant changes to be implemented during the current calendar year or annual period in Jeffersonville's business structure;
- f. a balance sheet, an income statement, a statement of changes in financial condition and a statement of assets used and useful for the provision of service in Vermont, as of the close of the preceding calendar year or annual period;
- g. a current copy of the complete corporate System of Accounts, with on-going updates;
- h. House Count Surveys of all unserved areas of the franchised territory, both at the ends-of-lines and unserved interior areas, and a construction budget providing for the construction of all areas identified by the House Count Surveys as meeting Jeffersonville's tariffed criterion for line extensions without a contribution-in-aid-of-construction (CIAC). The construction budget shall list each line extension separately, with its length and estimated total cost, and each extension shall be keyed to the appropriate area on the individual town House Count Survey Map and on the individual road data sheets.

10. Jeffersonville shall, within 30 days after the close of the calendar year or annual period, file for all necessary permits to construct the line extensions of Condition 9.h. above, particularly all pole attachment applications.

11. Jeffersonville shall, within 60 days of the date of this Certificate, submit a Line Extension and Makeready Procedure with respect to its relationship with the Pole Owning Utilities. The Procedure shall be submitted to the Vermont Public Service Board for its approval.

12. Jeffersonville shall, within 90 days from the date of this Certificate, calculate the appropriate "H" for the system, including the effects of businesses on the house count.

13. Jeffersonville shall calculate and report, in the annual report, "H," using data from the Annual Report to the Department.

14. The deposit and disconnection policies of Jeffersonville shall at all times be consistent with Public Service Board Rules 3.200, 3.400 and 8.000, and as may be amended from time to time.

15. If Jeffersonville does business in the State of Vermont under any other name other than the name in use on the date of this Certificate, it shall file a notice of the new trade name with the Clerk of the Public Service Board and the Department fifteen (15) days prior to doing so.<sup>1</sup>

16. Jefferson shall annually cause to be mailed to each of its subscribers a notice, approved by the Public Service Board which:

- a. states that the Public Service Board and the Department desire to hear the views of subscribers regarding the quality of services provided by the company 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 Public Service Board, to the Department, and to the company.

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

17. Jeffersonville shall, within 60 days of the date of this Certificate, prepare, for Vermont Public Service Board approval, a procedure for handling complaints by either subscribers or producers of PEG programming, with respect to the PEG entity or its coordinator, or the company with respect to PEG issues.

18. Jeffersonville shall, within 90 days of the date of this Certificate, and thenceforth annually, notify all subscribers of the appeal procedures for complaints regarding PEG issues. The complaint procedure shall be provided to PEG producers by the PEG entity.

19. This Certificate shall expire eleven years from the date of the Certificate.

20. This Certificate shall be subject to any rules lawfully adopted or to be adopted by the Vermont Public Service Board, in particular Rules 3.200, 3.400, 3.700 and 8.000, and this Certificate hereby incorporates these rules by reference. This Certificate shall be subject to revocation upon good cause, including a substantial or continuous failure to abide by its material terms.

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

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1. For a corporate name change, see 11 V.S.A. § 401 and 30 V.S.A. § 231. Petitioners may wish to contact the Clerk of the Board for assistance.

22. Jeffersonville shall comply with state and federal laws, rules and regulations governing cable companies.

23. Jeffersonville shall, within 60 days from the date of this Certificate, file for CPGs for the adjacent Towns of Underhill, Westford, Fairfax, Fletcher, Waterville, and Johnson.

DATED at Montpelier, Vermont, this 20<sup>th</sup> day of December, 1999.

s/Michael H. Dworkin )

) PUBLIC SERVICE

s/Suzanne D. Rude )

) BOARD

s/David C. Coen )

) OF VERMONT

OFFICE OF THE CLERK

FILED: December 20, 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.*