

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 6239

Petition of Southern Vermont Cable Company)	
to renew its Certificates of Public Good for its)	Hearing at
cable television systems located in the Towns)	Montpelier, Vermont
of Newfane, Putney, and Dummerston,)	June 30, 1999
Vermont)	

Order entered: 7/13/99

PRESENT: John P. Bentley, Esq.
Hearing Officer

APPEARANCES: Martin K. Miller, Esq.
Miller, Eggleston & Cramer, Ltd.
for Southern Vermont Cable Company

Leslie Cadwell, Esq.
for the Vermont Department of Public Service

INTRODUCTION

On February 5, 1999, Southern Vermont Cable Company ("Southern Vermont") filed a petition to renew the Certificates of Public Good ("Certificate") that it holds to serve the Towns of Newfane, Putney, and Dummerston, Vermont.

A public hearing was held on June 29, 1999, at the Dummerston Town offices, Dummerston Center, Vermont. A technical hearing was held on June 30, 1999, at the Public Service Board, Montpelier. The petition to renew is unopposed.

Based upon substantial and uncontested evidence of record, I make the following report to the Board. Because I have adopted the proposed findings submitted by the parties, I have not added citations to the exhibits and the transcript.

FINDINGS OF FACT

1. Southern Vermont serves customers in the Towns of Newfane, Putney, and Dummerston, Vermont, pursuant to Certificates of Public Good issued in Docket 5280 on July 21, 1988 (Newfane and Putney), and Docket 5861 on December 22, 1995 (Dummerston).
2. Southern Vermont has two headends, one serving customers in Dummerston and Newfane, the other serving customers in Putney. It serves approximately 970 subscribers in its entire system.
3. Southern Vermont has designated adequate channel capacity and appropriate facilities for public, educational, and governmental ("PEG") access. Channel 6 has been designated for PEG access in the Newfane/Dummerston portion of the system and Channel 8 has been designated for PEG access in the Putney system. Putney receives PEG programming under the aegis of the administrative group in charge of the Adelpia system in Brattleboro, Vermont. The same public access provided to Brattleboro subscribers by Adelpia is provided to Putney subscribers. However, no administrative entity has come forward for the Newfane/Dummerston section of the system, and PEG usage in that portion of the system is quite low. An access plan for each section of the system has been adopted and was filed as exhibit Southern Vermont 2.
4. Southern Vermont provides adequate and technically sound facilities and equipment and signal quality. The system carries 48 channels at both headends.
5. Southern Vermont carries a reasonably broad range of PEG access programming.
6. Southern Vermont does not discriminate among customers of basic service, since all customers of basic service receive the same service and pay the same rate.
7. Basic service is provided at a reasonable rate: 35 channels for \$19.95 per month.
8. Southern Vermont provides a reasonable quality of service.
9. Installation and construction of the system conform to all applicable electric codes.
10. Southern Vermont has adequate staff to provide customer service.
11. Southern Vermont has an office that is open during normal business hours plus Saturday mornings, and a toll-free telephone for receipt of customer complaints and service requests.

12. Southern Vermont has reasonable rules for line extensions, disconnections, customer deposits, and billing practices, and those rules comply with applicable Public Service Board rules.

13. There are no neighboring towns that do not receive cable television service that Southern Vermont should be required to serve.

14. Southern Vermont agreed that it would accept and comply with certain procedures relating to consumer complaints, customer service, and other business practices set forth in a document entitled "CAPI Stipulation Criteria CATV Service Providers" and filed as exhibit DPS 1.

15. Southern Vermont's tariff has certain technical shortcomings, and the company has agreed to file a new tariff.

CONCLUSION

Subsequent to the hearing, the parties jointly filed a proposed certificate of public good. I recommend that the Public Service Board renew the Certificate held by Southern Vermont to serve Newfane, Putney, and Dummerston according to the terms in the attached Certificate, which are consonant with those proposed by the parties.

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

Service of this Proposal for Decision on all parties to this proceeding pursuant to 3 V.S.A. § 811 was waived conditioned on the Proposal for Decision and Certificate of Public Good being substantially identical and without material or substantial change from what was submitted jointly by the parties. This Proposal and Certificate of Public Good are substantially identical to and without material or substantial change from the joint submission of the parties.

DATED at Montpelier, Vermont, this 13th day of July, 1999

s/ John 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 Findings and Conclusions of the Hearing Officer are adopted.
2. A renewed Certificate of Public Good shall be issued to Southern Vermont Cable Company to provide service to the Towns of Newfane, Putney, and Dummerston, Vermont.
3. Southern Vermont Cable Company shall file with the Public Service Board current tariffs within thirty days of this Order.
4. Southern Vermont Cable Company shall file with the Public Service Board its PEG access plan within thirty days of this Order.

DATED at Montpelier, Vermont, this 13th day of July, 1999.

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

OFFICE OF THE CLERK

FILED: JULY 13, 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.

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.