

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
ATLANTIC BROADBAND DELMAR, LLC, F/K/A)
CHARTER COMMUNICATIONS, INC., FOR THE)
COMMENCEMENT OF PROCEEDINGS PURSUANT)
TO 47 U.S.C. § 546 REGARDING THE) PSC DOCKET NO. 02-405
RENEWAL OF THE CABLE TELEVISION)
FRANCHISE TO SERVE CERTAIN UNINCOR-)
PORATED AREAS OF KENT AND NEW CASTLE)
COUNTIES, DELAWARE)
(FILED NOVEMBER 18, 2002))

ORDER NO. 6743

This 11th day of October, 2005, the Commission determines and Orders the following:

1. Until 2004, Charter Communications, Inc. ("Charter") owned and operated a cable television system serving the unincorporated areas of northern Kent County and southern New Castle County under a franchise granted by this Commission. In November 2002, Charter initiated the formal procedure, permitted under 47 U.S.C. § 546(a)-(d), to renew its franchise to operate such cable system. See PSC Order No. 6071 (Dec. 3, 2002) (initiating formal franchise renewal proceeding). Thereafter, the Commission held a public comment session to allow subscribers and other interested persons to voice their views concerning future cable-related community needs and interests within the franchise area and Charter's past performance in providing cable services. While this renewal proceeding was pending, Atlantic Broadband Delmar, LLC ("Atlantic Broadband") acquired the system previously operated by Charter. See PSC Order No. 6351 (Feb. 10, 2004) (approving transfer of franchise to Atlantic Broadband). At the Commission's direction, an additional public

comment session was held to allow further public input in light of Atlantic Broadband's acquisition of the system.

2. Atlantic Broadband has now proposed for the Commission's approval a renewed franchise document. The proposed new franchise document would govern the operation of Atlantic Broadband's cable system in the Kent and New Castle Counties franchise area for a new term of fifteen years. The Staff recommends that the Commission consider granting such renewed franchise.

3. The Commission will now, pursuant to 47 U.S.C. § 546(h) and 26 Del. C. § 603, provide public notice of the proposed renewed franchise document proposed by Atlantic Broadband and allow the public the opportunity to comment. Such comments can focus on the particular terms of the document as well as the ultimate issue of whether the Commission should grant, deny, or modify the renewed franchise. In addition, the Commission will hold a public hearing on such proposed renewed franchise at a regular Commission meeting after the close of the opportunity for public comment. After considering any comments from the public, Atlantic Broadband, and Staff, the Commission will determine, under 47 U.S.C. § 546(h) and 26 Del. C. § 604(4), whether to grant, deny, or modify the proposed renewed franchise.

Now, therefore, **IT IS ORDERED:**

1. That Atlantic Broadband Delmar, LLC, shall publish a notice in the form attached hereto as Exhibit "A" in the two newspapers listed below, in two-column format outlined in black, on the dates designated:

The News Journal (October 18, 2005)

Middletown Transcript (October 20, 2005)

Atlantic Broadband Delmar, LLC, shall file proof of such publication on or before November 15, 2005.

2. That the Secretary shall post a copy of the public notice attached as Exhibit "A" on the Commission's website for a period of forty days from the date of this Order. Such notice shall be posted under the appropriate heading announcing that the Commission is considering a renewed franchise proposed by Atlantic Broadband Delmar, LLC.

3. That the Secretary shall post to the Commission's website a copy of this Order and the renewed franchise document proposed by Atlantic Broadband Delmar, LLC. Such copy shall be posted under an appropriate heading describing the document as the proposed franchise for the cable system operated by Atlantic Broadband Delmar, LLC.

4. That members of the public and other interested persons shall have the opportunity, as described in Exhibit "A," to file written comments concerning the terms of the proposed renewed franchise document and whether the Commission should grant, deny, or modify such proposed franchise. In addition, the Commission will conduct a public hearing on Tuesday, November 22, 2005, beginning at 1:00 P.M. The public and other interested persons can offer comments, data, evidence, or other information at such public hearing.

5. That the Commission reserves the jurisdiction and authority to enter such other or further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

Vice Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

ATTEST:

/s/ Norma J. Sherwood
Acting Secretary

E X H I B I T "A"

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IMPORTANT NOTICE RELATED TO THE
PUBLIC SERVICE COMMISSION'S
CONSIDERATION OF RENEWED FRANCHISE FOR
ATLANTIC BROADBAND DELMAR, LLC

**TO: SUBSCRIBERS OF CABLE TELEVISION SERVICE FROM
ATLANTIC BROADBAND DELMAR, LLC, IN THE
UNINCORPORATED AREAS OF KENT AND NEW CASTLE
COUNTIES, AND OTHER INTERESTED PERSONS**

Atlantic Broadband Delmar, LLC ("Atlantic Broadband"), a cable television system serving residents in the unincorporated areas of southern New Castle County and northern Kent County operates under a franchise granted by the Delaware Public Service Commission ("PSC"). A franchise is a document that defines the terms and conditions for Atlantic Broadband's operation of its cable television system. The terms included in such franchise are governed, to a large extent, by the provisions of 26 Del. C. § 604 and 47 U.S.C. subchapter V-A.

Atlantic Broadband has now proposed for the PSC's approval a new renewed franchise document. Such proposed franchise would govern Atlantic

Broadband's cable system operations in its franchise area for a new fifteen-year period. The PSC Staff has tentatively recommended that the PSC grant such renewed franchise to Atlantic Broadband.

The PSC now solicits comments from subscribers, members of the public, and other interested persons and entities concerning the terms of the proposed renewed franchise and whether the PSC should grant, deny, or modify such renewed franchise. You can obtain a copy of the proposed renewed franchise document from the PSC at its Dover office at the address listed below. You can also review and download a copy of the proposed renewed franchise document at the PSC's website at www.state.de.us/delpsc.

If you wish to comment concerning the terms of the proposed renewed franchise or express your views whether the PSC should grant, deny, or modify that document, you must submit your comments or views in writing to the PSC at the address below:

Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware 19904
Attn: PSC Dckt. No. 02-405

You should submit five copies of your written comments. Your comments or views must be filed with the PSC on or before November 17, 2005.

In addition, the PSC will hold a public hearing on the proposed renewed franchise during its regularly scheduled meeting on Tuesday, November 22, 2005. That hearing will begin at 1:00 P.M. at the PSC's Dover office at the address given above. You may, at such hearing, also offer comments concerning the proposed renewed franchise and present other materials relevant to the PSC's decision on such renewed franchise.

If you have any questions about this proceeding or the renewed

franchise, you can contact the PSC in person or by telephone at 1-800-282-8574 (in Delaware only) or (302) 739-4247 (including text telephone). You can also send questions and inquiries by Internet e-mail addressed to william.schaffer@state.de.us. If you are disabled and need assistance in reviewing materials, filing comments, or participating in the hearing, please contact the PSC, by any means, to discuss how such assistance can be provided to you.