

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION )  
OF MEDIACOM DELAWARE LLC FOR THE )  
COMMENCEMENT OF PROCEEDINGS PURSUANT )  
TO 47 U.S.C. § 546 REGARDING THE )  
RENEWAL OF THE CABLE TELEVISION ) PSC DOCKET NO. 13-431  
FRANCHISE TO SERVE CERTAIN )  
UNINCORPORATED AREAS OF SUSSEX )  
COUNTY, DELAWARE )  
(FILED OCTOBER 17, 2013) )

**ORDER NO. 8527**

**AND NOW**, this 6<sup>th</sup> day of February, 2014, the Delaware Public Service Commission (the "Commission") determines and orders the following:

**WHEREAS**, Mediacom Delaware LLC ("Mediacom"), is the current holder of a fifteen year cable television franchise issued by the Commission in July, 2000 (the "Franchise") to provide cable television service in certain unincorporated areas of Sussex County (the "Franchise Territory").<sup>1</sup> The Franchise is set to expire on June 10, 2016, but includes a provision granting Mediacom an option to request renewal for an additional period not to exceed 15 years; and

**WHEREAS**, on October 17, 2013, Mediacom filed a letter with the Commission timely<sup>2</sup> invoking the formal, multi-step process for renewing the Franchise pursuant to Section 626 of the Cable Communications Policy Act of 1984 (47 U.S.C. §546(a) - (d)) (the "Application"). The Application also states Mediacom's willingness to proceed with the Application on an informal basis pursuant to 47 U.S.C. §546(h); and

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<sup>1</sup> See PSC Order 5499 (July, 2000).

<sup>2</sup> 47 U.S.C. §546(a) requires cable franchise renewal procedures be invoked ". . . during the 6-month period which begins with the 36<sup>th</sup> month before the franchise expiration . . . ", or approximately three years prior to the Franchise expiration date.

**WHEREAS**, the Commission has authority to consider renewal of the Franchise pursuant to 47 U.S.C. §546(a) - (i) and 26 Del. C. §604(4).

**NOW, THEREFORE, BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS, IT IS ORDERED THAT:**

1. This docket is opened for the Commission's consideration of the possible renewal of the Franchise.

2. R. Campbell Hay is designated as Hearing Examiner for this matter pursuant to 26 Del. C. §502 to conduct two evening public comment sessions at appropriate locations within the Franchise Territory and with appropriate notice and the opportunity for public participation consistent with 47 U.S.C. §546(a) for the purpose of (a) identifying the future cable-related community needs and interests; and (b) reviewing the performance of the cable operator under the Franchise during the current Franchise term.

3. Interested persons or entities may submit written comments or objections to the Application by filing such comments with the Commission **on or before September 30, 2014**. Any written comments received after September 30, 2014 will not be considered without good cause.

4. As part of his duties as Hearing Examiner in this matter, Mr. Hay is further designated authority to grant or deny any petitions for intervention. Pursuant to 26 Del. Admin C. §1001-2.9, the deadline for filing Petitions For Intervention shall be March 17, **2014**. Petitions for Intervention filed after March 17, 2014 will not be considered without good cause. Copies of all Petitions for Intervention must be served on:

Docket No. 13-431, Order No. 8527 Cont'd

R. Campbell Hay  
Hearing Examiner  
Delaware Public Service Commission  
861 Silver Lake Boulevard  
Suite 101  
Dover, DE 19904  
RE: Docket No. 13-431  
[Campbell.Hay@state.de.us](mailto:Campbell.Hay@state.de.us)

Kathleen P. Makowski, Esq.  
Deputy Attorney General  
Delaware Public Service Commission  
861 Silver Lake Boulevard  
Suite 101  
Dover, DE 19904  
RE: Docket No. 13-431  
[Kathleen.Makowski@state.de.us](mailto:Kathleen.Makowski@state.de.us)

Connie S. McDowell  
Senior Regulatory Policy Admin.  
Delaware Public Service Commission  
861 Silver Lake Boulevard  
Suite 101  
Dover, DE 19904  
RE: Docket No. 13-431  
[Connie.McDowell@state.de.us](mailto:Connie.McDowell@state.de.us)

5. Pursuant to 26 *Del. C.* §102A(2), Mediacom shall provide public notice of the Application, this Order, the deadline for filing any petitions for intervention, the deadline and directions for submitting any written comments and any other relevant dates for this matter by publishing a copy of the Notice, in the form attached hereto as **Exhibit "A"** (the "Notice") in the following publications: (a) Delaware State News and (b) The Cape Gazette, on or before February 15, 2014. Mediacom shall file proof of publication of such notice with the Commission **on or before March 31, 2014.**

5. Mediacom may submit a proposal for renewal of the Franchise to the Commission pursuant to 47 U.S.C. § 546(h) on or before April 5, 2014. If timely filed, Commission Staff will review and provide their analysis of the proposal to the Hearing Examiner.

6. Following completion of both public comment sessions, the expiration of the period for submission of written comments and receipt,

if filed, of Mediacom's proposal for renewal of the Franchise pursuant to 47 U.S.C. § 546(h), Mr. Hay shall prepare and file a report (i) detailing attendance at the public comment sessions and summarizing all oral and written comments timely received; and (ii) recommending either that the Commission grant or deny the Application pursuant to 47 U.S.C. § 546(h) and the reasons therefor, or in the alternative, the scheduling and completion of a full evidentiary hearing on the Application pursuant to 47 U.S.C. § 546(a) - (g).

6. Mediacom is hereby advised that it will be charged with, and be required to pay, all costs related to this proceeding up to the maximum permitted pursuant to 26 Del. C. §610.

7. 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:

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Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

Docket No. 13-431, Order No. 8527 Cont'd

/s/ Jeffrey J. Clark

Commissioner

\_\_\_\_\_  
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley

Secretary

**"EXHIBIT A"**

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IN THE MATTER OF THE APPLICATION )  
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**PUBLIC NOTICE OF APPLICATION OF MEDIACOM DELAWARE LLC  
FOR RENEWAL OF CABLE TELEVISION FRANCHISE**

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**TO: ALL CUSTOMERS OF MEDIACOM DELAWARE LLC:**

On October 17, 2013, Mediacom Delaware LLC ("Mediacom") filed an application (the "Application") with the Delaware Public Service Commission (the "Commission"), seeking renewal of its current cable television franchise (the "Franchise") serving unincorporated areas of Sussex County, Delaware (the "Franchise Territory").

On February 6, 2014, the Commission entered an order to, among other things, open a docket for consideration of the Application and direct completion of two public comment sessions for the purpose of: a) identifying the future cable-related community needs and interests; and (b) reviewing the performance of the cable operator under the Franchise during the current Franchise term.

The Commission will hold two separate public comment sessions on the Application at a date and time to be determined. Separate notice of the

public comment sessions will be published in this newspaper and will be posted on the Commission's website at <http://depsc.delaware.gov/>.

Anyone planning to attend either public comment session should consult the Commission's website prior to either event for any changes or cancellation in the time, location or date.

Interested persons or entities may file written comments or objections to the Application. Any written comments must be sent to the Commission at the following address:

Public Service Commission  
861 Silver Lake Blvd.  
Cannon Bldg., Suite 100  
Dover, DE 19904  
**Attn: PSC Docket No. 13-431**

Written comments may also be sent electronically to [psc@state.de.us](mailto:psc@state.de.us) and should include "PSC Docket No. 13-431" in the subject line. Such written comments or objections must be filed with the Commission **on or before September 30, 2014**. Any written comments received after September 30, 2014 will not be considered without good cause.

The Commission will hold a public evidentiary hearing (the "Evidentiary Hearing") on the Application during the Commission's regularly scheduled meeting at its Dover Office at a date and time to be determined.

If you wish to formally participate as a party in this matter with the right to present evidence at the Evidentiary Hearing, you must file with the Commission a written petition requesting leave to intervene ("Petitions For Intervention") in accordance with the requirements of 26 Del. Admin. C. §1001-2.9 of the Commission's Rules of Practice and Procedure **on or before Monday, March 17, 2014**. Petitions For Intervention received

after March 17, **2014** will not be considered without good cause. Copies of all Petitions for Intervention and any related documents must be sent to:

R. Campbell Hay  
Hearing Examiner  
Delaware Public Service Commission  
861 Silver Lake Boulevard  
Suite 101  
Dover, DE 19904  
RE: Docket No. 13-431  
[Campbell.Hay@state.de.us](mailto:Campbell.Hay@state.de.us)

Kathleen P. Makowski, Esq.  
Deputy Attorney General  
Delaware Public Service Commission  
861 Silver Lake Boulevard  
Suite 101  
Dover, DE 19904  
RE: Docket No. 13-431  
[Kathleen.Makowski@state.de.us](mailto:Kathleen.Makowski@state.de.us)

Connie S. McDowell  
Senior Regulatory Policy Admin.  
Delaware Public Service Commission  
861 Silver Lake Boulevard  
Suite 101  
Dover, DE 19904  
RE: Docket No. 13-431  
[Connie.McDowell@state.de.us](mailto:Connie.McDowell@state.de.us)

You are invited to review the Application and supporting documents to determine whether your interests may be affected. You may review the Application and supporting material in person at the Commission's Dover office or on the Commission's website at <http://depssc.delaware.gov/water.shtml>. You may also review the Application and supporting documents at the office of the Division of the Public Advocate located at the Carvel State Office Building, 4th Floor, 820 North French Street, Wilmington, Delaware 19801. Please call (302) 577-5077 or 1-888-607-2427 to arrange a time to review the documents at that location.

If you have a disability and wish to participate or to review the materials in this matter, please contact the Commission to discuss any auxiliary aids or services you might need to help you. You may contact

the Commission in person, by writing, by telephone (including text telephone) or by e-mail.

If you have questions about this matter, you may call the Commission at 1-800-282-8574 (toll-free in Delaware) or (302) 736-7500 (voice and text telephone). You may also send questions regarding this matter by e-mail addressed to [psc@state.de.us](mailto:psc@state.de.us) and include "PSC Docket No. 13-431" in the subject line.