

2012-C-1 COX ANNUAL RATE FILING (CLOSED)

On January 27, 2012 Cox Communications New England (Cox) made their annual cable television rate filing for Area 7 (Portsmouth, Jamestown, Tiverton, Little Compton, Middletown and Newport). The Federal Communications Commission has formally certified that all cable service areas in Rhode Island, except Area 7, are now subject to "effective competition". Consequently, the Division has virtually no regulatory control over the Cox rate and equipment filings as long as they are below the federally mandated maximum permitted rate as calculated on the federal 1205 and 1240 forms. The Division scheduled and held a public hearing on the matter on March 21, 2012. Cox proposed an increase in basic cable (excluding the Public Access and State Regulatory fees) from \$19.99 to \$23.29 per month, an increase below the Maximum Permitted Rate of \$27.33. The company proposed a number of adjustments to equipment and installation rates, all below their respective MPR's. The Division issued an order on March 23, 2012 approving the filing.

2012-C-2 CABLE RULEMAKING (CLOSED)

The Cable Section initiated a rulemaking proceeding to accomplish three goals. The most substantive issue would reduce, by one, the minimum number of fixed public access studios operated statewide by the Rhode Island Public Telecommunications Authority (RIPTA). While the rules do not specify studio locations, the practical effect of this change would allow RIPTA to close the Bristol studio. The other two provisions are generally "housekeeping" matters. Specifically, the amendments would: strike language relating to assessments in Section 1.7 to reflect statutory changes; reduce, by one, the required number of fixed public access studios statewide (Section 14.2); and change the annual report filing deadline for the Rhode Island Public Telecommunications Authority to reflect current practice (section 16.6). A hearing on the proposed changes was held on August 9, 2012. The solicitor for the Towns of Barrington and Bristol and Verizon filed comment in the proceeding. The Towns registered their objection to the proposed studio closing. In testimony at the hearing, RIPTA and the Cable Section noted that the closing had been initially proposed in 2011. RIPTA withdrew that request to allow the towns and other interested parties to join that agency in attempting to increase producer utilization of that facility. The request was reinstated in 2012 after those efforts failed to generate any significant increase in participation. The report and Order in the proceeding was issued on October 1, 2012. It includes some of the recommendations made by Verizon in their comments, including a minor wording change to improve the clarity of the changes in 1.7, and a provision that cable companies be consulted prior to any fixed studio location changes.

2012-C-3 PERIODIC REVIEW OF PEG ACCESS

Pursuant to Section 16.7 of the Cable Rules, the Division initiated a review of PEG access channel compliance as well as a review of Public Access studios. This process has been temporarily suspended amid the proposed elimination of the Rhode Island Public Telecommunications Authority at the end of the current fiscal year. The Division anticipates resumption of the review process once the issue of future PEG studio management has been resolved.