

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
)
Time Warner Cable)
)
Social Contract)

ORDER

Adopted: January 25, 2001

Released: January 29, 2001

By the Deputy Chief, Cable Services Bureau:

1. On September 3, 1999,¹ we issued an Order approving a request made by Time Warner Cable (“Time Warner”), and concurred in by MediaOne Group, Inc. (“MediaOne”), formerly Continental Cablevision, that certain cable systems Time Warner acquired from MediaOne be added to the Time Warner Social Contract.² Specifically, our Order approved Time Warner’s request that all acquired cable systems, except those systems serving the communities in and around Dayton, Ohio (collectively referred to as the “Dayton System”), be incorporated in Time Warner’s Social Contract, and that the Dayton System remain under MediaOne’s Social Contract.³ The terms of both the Time Warner and the MediaOne Social Contracts generally provide for rate stability and improved service quality, and encourage system upgrades and improvements. Both Social Contracts also specifically permit the incorporation of acquired systems, subject to Commission approval.⁴

2. This Order addresses Time Warner’s request that our September 3, 1999 Order be revised to ensure that community systems subject to the Time Warner and the MediaOne Social Contracts, respectively, are correctly specified.⁵ In this regard, our September 3, 1999

¹ See *Time Warner Cable Social Contract*, 14 FCC Rcd 14,105 (1999).

² See *Social Contract for Time Warner*, 11 FCC Rcd 2,788 (1995).

³ At the time the MediaOne Social Contract was adopted, MediaOne was known as Continental Cablevision. The MediaOne Social Contract thus refers to the Continental Cablevision Social Contract, as adopted on August 1, 1995, and as amended on August 23, 1996. See *Social Contract for Continental Cablevision*, 11 FCC Rcd 299 (1995); see also *Continental Cablevision, Inc., Amended Social Contract*, 11 FCC Rcd 11,118, 11,1163-64 (1996).

⁴ See *Social Contract for Time Warner*, 11 FCC Rcd at 2,865-66; *Social Contract for Cablevision*, 11 FCC Rcd at 366.

⁵ See Letter from Arthur H. Harding to Magalie Roman Salas (October 8, 1999)(the “October 8, 1999 Letter”). In addition to requesting that our September 3, 1999 Order correctly specify the community systems subject to the Time Warner and the MediaOne Social Contracts, Time Warner subsequently advised the Commission that the provision of our Order regarding bond postings no longer applies and/or has been rendered moot. See Letter from Arthur H. Harding to Magalie Roman Salas (January 5, 2000). The applicable provision of our September 3, 1999 Order referenced Section III.G. of MediaOne’s Social
(continued....)

Order incorporated by reference Time Warner’s attachments, which identified those systems that were to be added to Time Warner’s Social Contract and those systems that were to remain subject to MediaOne’s Social Contract. According to Time Warner, however, its attachments inadvertently identified twelve communities as being added to Time Warner’s Social Contract that should have remained under MediaOne’s Social Contract, and further inadvertently identified one community as being subject to MediaOne Social Contract that should have been added to Time Warner’s Social Contract.

3. We herein grant Time Warner’s request, and incorporate by reference Time Warner’s revised attachment, which specifies the twelve specified community systems that are subject to the terms and obligations of Time Warner’s Social Contract, and the remaining one community system that is subject to the terms and obligations of MediaOne’s Social Contract.⁶

4. Accordingly, **IT IS ORDERED** that the request of Time Warner Cable that the twelve acquired systems remain subject to the Social Contract for Continental Cablevision, Inc., as amended, and that the one acquired system be incorporated into the Social Contract for Time Warner **IS GRANTED**.

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Contract that required MediaOne to “post a performance bond or obtain a letter of credit or other equivalent security” to cover refunds due to subscribers of systems that were sold or traded by MediaOne and that were not upgraded to 550 MHz capacity on or before December 31, 2000. *Time Warner Social Contract*, 14 FCC Rcd at 14,106-07; *Continental Cablevision, Inc., Amended Social Contract*, 11 FCC Rcd at 11,163-64. We agree with Time Warner that the bond posting provision of our September 3, 1999 Order is not applicable and/or is moot, given that the majority of the acquired systems were added to Time Warner’s Social Contract, which did not contain a comparable provision, and, more importantly, that those acquired systems that remained subject to MediaOne’s Social Contract were upgraded prior to December 31, 2000. In this regard, we thus find that the obligations under that Social Contracts have been met, obviating the continued need to post performance bonds or other securities.

⁶ According to Attachment A of the October 8, 1999 Letter, the following communities served by the acquired system should have been, and by this Order are now, incorporated by Media One’s Social Contract:

FRANCHISE	CUID NUMBER
Springfield, OH	OH0441
Madison, OH	OH0556
Enon, OH	OH0690
Madison, OH	OH1037
Pleasant, OH	OH1100
Beavercreek, OH	OH2085
Sugarcreek, OH	OH2086
Madison, OH	OH2279
Miami, OH	OH2280
Stokes, OH	OH2423
Mad River, OH	OH2469
Harmony, OH	OH2471

Additionally, the following community served by the acquired system should have been, and by this Order is now, incorporated by Media One’s Social Contract:

FRANCHISE	CUID NUMBER
Pleasant, OH	OH1036

5. This action is taken by the Deputy Chief, Cable Services Bureau, pursuant to authority granted by the Commission in Social Contract for Continental Cablevision, Inc., as amended, and the Social Contract for Time Warner, and pursuant to authority delegated by section 0.321 of the Commission's rules and regulations, 47 C.F.R. § 0.321.

FEDERAL COMMUNICATIONS COMMISSION

William H. Johnson
Deputy Chief
Cable Services Bureau