

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

In the Matter of )
)
Suburban Cable TV, Inc. ) CUID No. NJ0497 (Swedesboro)
)
Refund Plan )

ORDER

Adopted: November 6, 2001 Released: November 7, 2001

By the Acting Chief, Financial Analysis and Compliance Division, Cable Services Bureau:

1. In this Order we consider the refund plan filed by the above-referenced operator ("Operator") in the above-referenced community pursuant to our Order, DA 01-1814 ("Refund Order"). Our review of Operator's refund plan reveals that the refund plan reflects accrued interest only through September 30, 2001. We find that the refund plan fulfills the requirements of the Refund Order provided Operator accrues interest up to the date of the refund.

2. Accordingly, Operator's refund plan IS APPROVED AS MODIFIED HEREIN, and IT IS ORDERED, pursuant to Section 76.962 of the Commission's rules, 47 C.F.R. § 76.962, that Operator implement its refund plan within 60 days of the date of this Order.

3. IT IS FURTHER ORDERED, pursuant to Section 76.962 of the Commission's rules, 47 C.F.R. § 76.962, that Operator file a certificate of compliance with the Chief, Cable Services Bureau, within 90 days of the release of this Order certifying its compliance with this Order.

4. This action is taken pursuant to Section 0.321 of the Commission's rules, 47 C.F.R. § 0.321.

FEDERAL COMMUNICATIONS COMMISSION

Kathleen F. Costello, Acting Chief
Financial Analysis and Compliance Division

1 See In the Matter of Suburban Cable TV, Inc., DA 01-1814 (released July 30, 2001).

2 The Refund Order required Operator to determine the overcharges to cable programming service tier ("CPST") subscribers for the period stated in the Refund Order and file a report with the Chief, Cable Services Bureau, stating the cumulative refund amount determined (including franchise fees and interest), describing the calculation thereof, and describing its plan to implement the refund within 60 days of Commission approval of the plan.

3 Operator calculated a total refund liability of \$5,507.18.

4 Operator's refund plan included an adjustment for changes in external costs in accordance with 47 C.F.R. § 76.922(f)(4); In the Matter of Implementation of the Cable Television Consumer Protection and Competition Act of 1992, Rate Regulation, Memorandum Opinion and Order, 11 FCC Rcd 20206 (1996); and Time Warner Entertainment Co., LP v. FCC, 144 F.3d 75 (D.C. Cir. 1998).

