

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

In the Matter of)	
)	
TCI Cablevision of California, Inc. Francisco))	CUID No. CA0282 (City of South San
)	
Refund Plan)	

ORDER

Adopted: February 14, 2001

Released: February 16, 2001

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

1. In this Order we consider the refund plan filed on May 19, 1997 by the above-referenced operator ("Operator") in the above-referenced community pursuant to our Order, DA 97-576¹ ("Refund Order").² In reviewing Operator's refund plan and the accompanying rate cards, we discovered that Operator's total overcharges are *de minimis* and it would not be in the public interest to require Operator to refund the overcharges. Therefore, we will dismiss Operator's refund plan as moot and Operator is not required to refund any overcharges pursuant to the Refund Order.

2. Accordingly, IT IS ORDERED, pursuant to Section 76.962 of the Commission's rules, 47 C.F.R. § 76.962, that Operator's refund plan IS DISMISSED AS MOOT.

3. 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
Cable Services Bureau

¹ See In the Matter of TCI Cablevision of California, Inc., DA 97-576, 13 FCC Rcd 4093 (1997).

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.