

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

In the Matter of)
Applications for Consent to the Assignment) MB Docket No. 05-192
and/or Transfer of Control of Licenses)
Adelphia Communications Corporation,)
(and subsidiaries, debtors-in-possession),)
Assignors,)
to)
Time Warner Cable Inc. (subsidiaries),)
Assignees;)
Adelphia Communications Corporation,)
(and subsidiaries, debtors-in-possession),)
Assignors and Transferors,)
to)
Comcast Corporation (subsidiaries),)
Assignees and Transferees;)
Comcast Corporation, Transferor,)
to)
Time Warner Inc., Transferee;)
Time Warner Inc., Transferor,)
to)
Comcast Corporation, Transferee)

ORDER GRANTING REQUEST FOR EXTENSION OF TIME

Adopted: September 29, 2006

Released: September 29, 2006

By the Chief, Media Bureau:

1. On July 13, 2006, the Commission approved with conditions the sale of substantially all of the cable systems and assets of Adelphia Communications Corporation ("Adelphia") to Time Warner Inc. ("Time Warner") and Comcast Corporation ("Comcast"), the exchange of certain cable systems and assets between affiliates or subsidiaries of Time Warner and Comcast, and the redemption of Comcast's interests in Time Warner Cable Inc. and Time Warner Entertainment Company, L.P. One of the Commission's conditions was the requirement that, within 60 days after consummation of the

1 Applications for Consent to the Assignment and/or Transfer of Control of Licenses Adelphia Communications Corporation, (and subsidiaries, debtors-in-possession), Assignors, to Time Warner Cable Inc. (subsidiaries), Assignees; Adelphia Communications Corporation, (and subsidiaries, debtors-in-possession), Assignors and Transferors, to Comcast Corporation (subsidiaries), Assignees and Transferees; Comcast Corporation, Transferor, to Time Warner Inc., Transferee; Time Warner Inc., Transferor, to Comcast Corporation, Transferee, Memorandum Opinion and Order, MB Docket No. 05-192, FCC 06-105 (rel. July 21, 2006).

transactions, Time Warner and Comcast each provide to the Commission an affidavit signed by a competent officer of the company certifying that the requirements of section 76.501(d) and (e) of the Commission's rules (the "cable/SMATV cross-ownership rule") had been satisfied.² Because the transactions were consummated on July 31, 2006, the deadline for certifying compliance with the cable/SMATV cross-ownership rule is September 29, 2006.³

2. By letter dated September 27, 2006, Comcast requests a 90-day extension through December 28, 2006 to comply with the certification requirement with respect to five SMATV systems it is required to interconnect with the surrounding cable systems as a result of the transactions.⁴ For the reasons provided below, we grant Comcast's request.

3. The five SMATV systems for which Comcast is seeking an extension are located in Fox Meadow, Leominster, Massachusetts; Cranmore Ridge, Concord, New Hampshire; Fox Hollow, Manchester, New Hampshire; Wellington Hills, Manchester, New Hampshire; and Chester Village, Chester, New Hampshire.⁵ Comcast states that interconnection for three of the systems will entail a complete rewiring of the buildings. In addition, customer premises equipment must be replaced for each customer. Comcast asserts that it has begun the integration process for each of the five systems, including the hiring of contractors to work with Comcast construction personnel. Comcast provides assurances that a 90-day extension will allow it sufficient time to integrate the systems, while ensuring that service to customers remains uninterrupted.

4. We find that granting Comcast an extension of time through December 28, 2006 serves the public interest and will not unduly harm diversity or competition in the relevant markets. Accordingly, we grant Comcast's request and require Comcast to provide on or by December 29, 2006 an affidavit signed by a competent officer of the company certifying that the requirements of section 76.501(d) and (e) of the Commission's rules have been satisfied with respect to the five SMATV systems at issue.

² Section 76.501 prohibits cable operators from offering satellite master antenna television ("SMATV") service separate and apart from any franchised cable service in any portion of a franchise area served by the cable operator or its affiliates, unless the service is offered in accordance with the terms of a cable franchise agreement. 47 C.F.R. § 76.501(d), (e).

³ Letter from Martha E. Heller, Wiley Rein & Fielding LLP, Counsel for Comcast Corporation, to Marlene H. Dortch, Secretary, FCC (Aug. 3, 2006) at 1.

⁴ Letter from James R. Coltharp, Comcast Corporation, to Marlene H. Dortch, Secretary, FCC (Sept. 27, 2006). Comcast states that it will certify by September 29, 2006 that the remaining SMATV systems it acquired as a result of the transactions are in compliance with the cable/SMATV cross-ownership rule. *Id.* at 2 n.6. Comcast cites several Commission decisions providing extensions of six to 12 months to enable compliance with various ownership rules. *Id.* at 3 n.7.

⁵ *Id.* at 2-3. Comcast notes that these five systems serve in the aggregate a total of less than 1000 subscribers.

5. This action is taken pursuant to authority delegated by section 0.283 of the Commission's rules.⁶

FEDERAL COMMUNICATIONS COMMISSION

Donna C. Gregg
Chief, Media Bureau

⁶ 47 C.F.R. § 0.283.