



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

445 12th STREET, S.W.

WASHINGTON, D.C. 20554

DA 06-367

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

MEDIA BUREAU ACTION

February 16, 2006

CENTURY COMMUNICATIONS OF FLORIDA, INC. FILES NOTICE OF INTENT

Pursuant to 47 C.F.R. § 76.1503(b)(1), Century Communications of Florida, Inc., (“Century”) filed a Notice of Intent to Establish an Open Video System in the community known as Viscaya located in Miami-Dade County, Florida. Attached to this Public Notice is a copy of the Notice of Intent filed by Century. In addition, Century’s certification application to operate an Open Video System is available via the Internet: <http://www.fcc.gov/mb/ovs/csovsccer.html>.

Media Contact: Rebecca Fisher at (202) 418-2359.

Media Bureau Contact: Sonia Greenaway-Mickle or Steve Garner (202) 418-7200.

TTY: (202) 418-7172.

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OPEN VIDEO SYSTEM NOTICE OF INTENT

**ATTENTION:
MEDIA BUREAU**

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Century Communications of FL, Inc.) File No. _____
)
Notice of Intent to Establish)
An Open Video System)

NOTICE OF INTENT TO ESTABLISH AN OPEN VIDEO SYSTEM

Century Communications of FL, Inc. (“CCFL”), pursuant to Section 76.1503(b)(1) of the Commission's Rules, hereby submits its Notice of Intent to establish an Open Video System (“OVS”). As required by section 76.1503(b)(1), CCFL respectfully submits the following information:

1. **OVS Operator.** The name, address and telephone number of the OVS Operator is Century Communications of FL, Inc., 1181 S. Rogers Circle, Suite 5, Boca Raton Fl 33487. The contact person is William McKissock. Mr. McKissock may be reached by mail at the above address, by telephone at (561) 961-1999, and by facsimile at (561) 995-2285.

2. **Projected Service Area.** CCFL’s projected OVS service area encompasses the communities known as “Viscaya” located in unincorporated Miami-Dade County, Florida. CCFL is likely to request additional certification during the next several years to expand its OVS service area.

3. **Projected Channel Capacity.** CCFL is providing OVS service over hybrid fiber-coax broadband or GPON technologies. CCFL's OVS will have 79 analog channel inputs, and 56 digital channel inputs.

4. **Carriage Applications and Inquiries.** Potential video programming providers (VPPs) interested in carriage on CCFL's open video system may obtain additional information about the system by completing the attached OVS Information Request Form (Attachment 1) and mailing it to William McKissock, Century Communications of FL, Inc., 1181 S. Rogers Circle, Suite 5, Boca Raton FL 33487. If a VPP has questions concerning the completion of this form, Mr. William McKissock may be reached by telephone at (561) 961-1999 or by facsimile at (561) 995-2285.

Pursuant to Section 76.1503(b)(2) of the Commission's Rules, CCFL will provide a VPP with additional information regarding the OVS system within five (5) business days after CCFL's receipt by mail of a completed OVS Information Request Form. The additional information will include the projected activation date of the OVS, a preliminary carriage rate estimate, equipment requirements and other technical information, and VPP qualification requirements, as well as preliminary enrollment forms, application forms, and information concerning application fees and channel reservation deposits. If a VPP decides to seek carriage on CCFL's open video system after receipt of the additional information, the VPP must timely submit the required forms, a non-refundable application fee, and a channel reservation deposit by the end of the enrollment period.

5. **Initial Enrollment Period.** The initial enrollment period for video programming providers seeking carriage on CCFL's OVS system will commence February 3, 2006, and will end on May 3, 2006 or 90 days after the date upon which the FCC issues a Public Notice of the

filing of this Notice of Intent, whichever is later. To ensure orderly processing of requests and allocation of channels, interested VPPs must submit preliminary enrollment requests on or before May 3, 2006.

6. **Allocation of Capacity.** Initially, one-third (1/3) of total digital channel capacity, and one-third (1/3) of total analog capacity, shall be reserved to CCFL and/or its affiliates. CCFL anticipates that approximately 5 additional analog channels will be used for public, educational and/or governmental (“PEG”) programming pursuant to Section 76.1506 of the Commission’s Rules, and that approximately 20 additional analog channels will be required to serve “Must-Carry” stations entitled to demand carriage pursuant to 47 C.F.R. §76.56 and § 76.1506 of the Commission’s rules. The total number of analog channels reserved for CCFL and/or its affiliates, PEG programming and Must-Carry stations shall be the “Analog Channel Reserved Capacity,” and the total number of digital channels reserved for CCFL and/or its affiliates shall be the “Digital Channel Reserved Capacity” (collectively, the “Reserved Capacity”). The number of channels available on CCFL’s OVS beyond the Analog Channel Reserved Capacity and/or the Digital Channel Reserved Capacity (respectively, the “Remaining Analog Channel Capacity” and the “Remaining Digital Channel Capacity,” or collectively, the “Remaining Capacity”) will be made available to interested, qualified VPPs, provided, however, that no VPP will be entitled to channel capacity greater than that reserved to CCFL and/or its affiliates; and further provided that no VPP will be entitled to request less than one full channel. If the Reserved Capacity for either analog or digital channels, plus the number of analog or digital channels timely requested by qualified VPPs, exceeds the Remaining Analog Channel Capacity and/or the Remaining Digital Channel Capacity, of CCFL’s OVS system, then the Remaining Capacity shall be allocated among qualified VPPs according to the following formulas:

For Analog Channels:

Requested Analog Channel Capacity (per VPP)
_____ x Remaining Analog Channel Capacity

Total Requested Analog Channel Capacity (all VPPs)

For Digital Channels:

Requested Digital Channel Capacity (per VPP)
_____ x Remaining Digital Channel Capacity

Total Requested Digital Channel Capacity (all VPPs)

7. **Notification Requirements.** CCFL has complied with the notification requirements under Section 76.1502(d)(1) of the Commission's regulations. Attachment 2 is a copy of CCFL's notification letter and Attachment 3 is a Certificate of Service upon the appropriate authority in the relevant local communities. CCFL has also complied with the notification requirements under Section 76.1506 of the Commission's open video system regulations concerning must-carry and retransmission consent. Attachment 4 is a copy of CCFL's notification letter and Attachment 5 is CCFL's Certificate of Service upon all commercial and non-commercial television stations in the relevant DMA.

Respectfully submitted, this 3rd day of February, 2006.

Century Communications of FL, Inc.

By _____
William McKissock
Vice President/General Manager
Century Communications of FL, Inc.
1181 S. Rogers Circle, Suite 5
Boca Raton, FL 33487

Attachment 1
Century Communications of FL, Inc.
OPEN VIDEO SYSTEM INFORMATION REQUEST FORM

Identification of Potential Video Programming Provider

Name of Entity: _____

Address of Entity: _____

Contact Person: _____

Telephone No.: _____

Facsimile No.: _____

Carriage Information

Total amount of capacity requested: _____ channels

Certification and Non-Disclosure Statement

The undersigned video programming provider (VPP) represents that it has the right under the Copyright Laws to select and contract for carriage of specific video programming on the CCFL open video system, and that it has no formal or informal affiliation (as defined in 47 C.F.R. Sections 76.1500(g), 76.1500(h) and Notes 1-5 accompanying Section 76.501) or agreement with any other VPP requesting capacity or with any cable operator providing cable television services within CCFL's open video system service area, and that the capacity requested will be used only for the commercial operation of a video program distribution service. The VPP and its affiliates, employees and agents agree not to disclose to any other party the information provided by CCFL in response to this request, except for information that was previously in the public domain and except as required in proceedings pursuant to 47 C.F.R. Section 76.1513, and that they will not use the information for any purpose whatsoever other than making an informed decision as to whether to enroll in CCFL's open video system and the subsequent activation of such enrollment, if any.

Signature

Printed Name and Title

Date _____

Please mail to:
William McKissock
Century Communications of FL, Inc.
1181 S. Rogers Circle, Suite 5
Boca Raton, FL 33487

Attachment 2

Dear _____ :

Please be advised that Century Communications of FL, Inc. ("CCFL") has applied to the FCC for an Open Video System Certification. Please be further advised that upon receipt of said certification, CCFL intends to operate an Open Video System in the community identified in its Notice of Intent. Enclosed you will find a copy of CCFL's certification application including FCC Form 1275, as well as a copy of CCFL's Notice of Intent.

Pursuant to 47 C.F.R. § 76.1502, you must file any comments or oppositions to CCFL's certification application within five calendar days of the FCC's receipt of the certification, and you must serve copies of any comments or oppositions on CCFL. If, after making the necessary calculations, the due date for filing comments falls on a holiday, comments shall be filed on the next business day before noon, unless the nearest business day precedes the fifth calendar day following a filing, in which case the comments will be due on the preceding business day. For example, if the fifth day falls on a Saturday, then the filing would be due on that preceding Friday. However, if the fifth day falls on Sunday, then the filing will be due on the next day, Monday, before noon (or Tuesday, before noon if the Monday is a holiday).

If you wish to respond to CCFL's filing you must submit your comments or oppositions to the Office of the Secretary and the Bureau Chief, Media Bureau. Comments will not be considered properly filed unless filed with both of these Offices. You are required to attach a cover sheet to the filing indicating that the submission is a pleading related to an **open video system** application, the only wording on this cover sheet shall be "**Open Video System** Certification Application Comments." This wording shall be located in the center of the page and should be in letters at least 1/2 inch in size. You must also include the words "**open video systems**" on their mailing envelopes.

Finally, please be advised that pursuant to 47 C.F.R. § 76.1505, CCFL would like to discuss and reach an agreement with you as to its public, educational, and governmental programming obligations. This effort will be pursued separate and apart from the above-described certification and comment proceedings.

Sincerely,

William McKissock
Vice President/General Manager
Century Communications of FL, Inc.
1181 S. Rogers Circle, Suite 5
Boca Raton, FL 33487

Attachment 3

CERTIFICATE OF SERVICE

I, William McKissock, an employee with Century Communications of FL, Inc., hereby certify that on this 3rd day of February, 2006, I served the foregoing notification, and all attachments referred to therein, by Federal Express (next business day delivery) to the following local cable franchising authorities within Century Communications of FL, Inc.'s open video system area:

Administrator, Cable/Telecommunications Licensing
Miami-Dade County
Consumer Services Department
140 West Flagler Street
Suite 902
Miami, FL 33130-1561

William McKissock

Attachment 4

Dear _____ :

Please be advised that Century Communications of FL, Inc. ("CCFL") intends to begin operating an Open Video System ("OVS") in the communities known as Viscaya located in unincorporated Miami-Dade County. Service activation is expected to occur on or about May 3, 2006.

Your station is entitled to carriage on the OVS, provided that it delivers a good quality signal to the principal headend location in Viscaya in Miami-Dade County, and further provided that carriage of content you provide will not subject CCFL to copyright liability.

If your station is a commercial broadcast station, you may, pursuant to 47 C.F.R. § 76.1506, elect mandatory carriage of your signal. If you elect mandatory carriage, CCFL will cause your signal to be delivered to all subscribers of any Video Programming Provider ("VPP") that utilizes the OVS. Alternatively, you may negotiate consent for retransmission of your signal. If you elect retransmission, you may negotiate with one or more VPPs delivering programming over the OVS for inclusion in their programming package. Please notify us by certified mail no later than May 3, 2006 of your election. We will notify all VPPs of your election. Please keep in mind that, under applicable FCC regulations, your election must be the same as any election you make or have made with respect to the cable system operators that serve or have franchise rights to serve the same area(s).

You must also provide us with notification of black-out requirements related to sports broadcasts, network non-duplication, and syndicated exclusively. CCFL will make these notifications available to all VPPs and will cause signals to be deleted or blocked in accordance with your notification and with FCC regulations. Additionally, if you have negotiated to have your signal retransmitted as part of one or more VPP's programming packages, you should also notify those VPPs directly.

Please send your written election, as well as any notifications or other correspondence to:

William McKissock
Century Communications of FL, Inc.
1181 S. Rogers Circle, Suite 5
Boca Raton, FL 33487

Sincerely,

William McKissock
Vice President/General Manager
Century Communications of FL, Inc.

Attachment 5

CERTIFICATE OF SERVICE

I, William McKissock, an employee with Century Communications of FL, Inc., hereby certify that on this 3rd day of February, 2006, I served the foregoing notification, and by first class U.S. mail, postage prepaid, to the following television stations within Century Communications of FL, Inc.'s open video system area:

WPBT (PBS Channel 2)
14901 Northeast 20th Ave.
Miami, FL 33181

WBFS (UPN Channel 33)
16550 Northwest 52nd Ave.
Hialeah, FL 33014

WFOR (CBS Channel 4)
8900 Northwest 18th Ter.
Miami, FL 33172

WPXM (PAX Channel 35)
9100 S. Dadeland Blvd.
Miami, FL 33156

WTVJ (NBC Channel 6)
316 N. Miami Ave.
Miami, FL 33128

WBZL (WB Channel 39)
2055 Lee St.
Hollywood, FL 33020

WSVN (Fox Channel 7)
1401 North Bay Causeway
Miami, FL 33125

WHFT (TBN Channel 45)
3324 Pembroke Road
Hollywood, FL 33021

WPLG (ABC Channel 10)
3900 Biscayne Blvd.
Miami, FL 33137

WSCV (Telemundo Channel 51)
2340 West 8th Ave.
Hialeah, FL 33010

WLRN (PBS Channel 17)
172 Northeast 15th St.
Miami, FL 33132

WAMI (Telefutura Channel 69)
605 Lincoln Rd.
Miami Beach, FL 33139

WLTW (Univision Channel 23)
9405 Northwest 41st St.
Miami, FL 33178

William McKissock