

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

In the Matter of)	
)	
Continental Cablevision, Inc.)	CUID No. MA0082 (Lowell)
)	
Complaint Regarding)	
Cable Programming Services Tier)	
Rate Increase)	

ORDER

Adopted: April 21, 1997

Released: April 23, 1997

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

1. In this Order we consider a complaint concerning the October 1, 1996 rate increase of the above-captioned Operator ("Operator") for its cable programming services tier ("CPST") in the community referenced above. We have already issued a separate order which found that Operator CPST rates prior to May 15, 1994 were not unreasonable.¹ Our amended Social Contract with Operator resolved the remaining complaints filed prior to the October 1, 1996 increase.² Upon review of the most recent complaint, referenced above, we conclude that the CPST rate increase of \$3.87 effective October 1, 1996 is not unreasonable.

2. Under the Communications Act,³ the Federal Communications Commission ("Commission") is authorized to review the CPST rates of cable systems not subject to effective competition to ensure that rates charged are not unreasonable. If the Commission finds the rate unreasonable, it shall determine the correct rate and any refund liability.⁴ The Telecommunications Act of 1996 ("1996 Act")⁵ and our rules implementing the new legislation,⁶ require that complaints against the CPST rates be filed with the Commission by a local

¹ See *In the Matter of Colony Communications, Inc.*, 10 FCC Rcd 3422 (1995).

² See *In the Matter of Continental Cablevision, Inc.*, 11 FCC Rcd 11118 (1996).

³ Section 623(c) of the Communications Act of 1934, *as amended*, 47 U.S.C. Section 543(c) (1996).

⁴ See 47 U.S.C. Section 543(c) (1993).

⁵ Pub. L. No. 104-104, 110 Stat. 56 (1996).

⁶ See *Implementation of Cable Act Reform Provisions of the Telecommunications Act of 1996*, 11 FCC Rcd 5937 ("*Interim Rules*").