

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of  
Shared Tenant Services  
Certificate No. 5247 issued to  
Rifkin/Narragansett South  
Florida CATV Limited Partnership  
d/b/a CableVision Communications  
for violation of Rule 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees; Telecommunications  
Companies.

DOCKET NO. 991877-TS  
ORDER NO. PSC-00-1033-AS-TS  
ISSUED: May 25, 2000

The following Commissioners participated in the disposition of  
this matter:

JOE GARCIA, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
E. LEON JACOBS, JR.  
LILA A. JABER

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Rifkin/Narragansett South Florida CATV Limited Partnership  
d/b/a CableVision Communications (CableVision Communications)  
obtained Certificate No. 5247 on October 22, 1997, to provide  
Shared Tenant Service. CableVision Communications had not paid the  
1998 Regulatory Assessment Fees (RAFs). Also, accrued statutory  
penalties and interest charges for late RAFs payments for the year  
1998 had not been paid. RAFs are required by Section 364.336,  
Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.

All entities that apply for certification receive a copy of  
our rules governing Shared Tenant Service. All applicants must  
attest that these rules have been received and understood by the  
applicant and an affidavit must be attached to the application in  
order for the application to be processed.

DOCUMENT NUMBER-DATE

06447 MAY 25 8

PSC-REGULATORY/REPORTING

ORDER NO. PSC-00-1033-AS-TS  
DOCKET NO. 991877-TS  
PAGE 2

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. The RAFs form was mailed to CableVision Communications for the period of January 1 through December 31. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. However, pursuant to Section 350.113(4), Florida Statutes, the Commission shall provide at least a 45 days notice of the date the payment is due prior to the due date. CableVision Communications was scheduled to remit its RAFs by February 1, 1999. As of March 17, 1999, CableVision Communications had not paid the required fees.

On March 23, 2000, Mr. Ken Hoffman, CableVision Communications's attorney, contacted our staff and asked that this docket be deferred from the March 28, 2000, Agenda Conference. He advised that the company would pay the past due amount and propose a settlement. CableVision Communications has since paid the 1998 RAFs, including accrued statutory penalties and interest charges, the 1999 RAFs, including accrued statutory penalties and interest charges, offered to contribute \$100 to the State General Revenue Fund, and proposed to pay future RAFs on a timely basis.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. CableVision Communications must comply with these requirements within ten business days from the date this Order becomes final. The contribution should be identified with the docket number and the company name. Upon timely receipt, the contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If CableVision Communications fails to comply with this Order, its certificate will be canceled administratively. Upon remittance of the \$100 contribution or cancellation of the certificate, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Rifkin/Narragansett South Florida CATV Limited Partnership d/b/a CableVision Communications settlement proposal summarized in the body of this Order is hereby approved. It is further


ORDER NO. PSC-00-1033-AS-TS  
DOCKET NO. 991877-TS  
PAGE 3

ORDERED that this docket shall remain open pending receipt of the \$100 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that if Rifkin/Narragansett South Florida CATV Limited Partnership d/b/a CableVision Communications fails to comply with this Order, its certificate will be canceled administratively. It is further

ORDERED that upon receipt of the \$100 contribution or cancellation of the certificate this docket shall be closed.

By ORDER of the Florida Public Service Commission this 25th day of May, 2000.

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

ORDER NO. PSC-00-1033-AS-TS  
DOCKET NO. 991877-TS  
PAGE 4

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

✓ corrected per  
Kov's email  
issue 5/25

RECEIVED TPSC

M E M O R A N D U M

00 MAY 23 PM 3:36

May 22, 2000

RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA)

RE: DOCKET NO. 991877-<sup>TS</sup>~~TC~~ - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF SHARED TENANT SERVICES CERTIFICATE NO. 5247 ISSUED TO RIFKIN/NARRAGANSETT SOUTH FLORIDA CATV LIMITED PARTNERSHIP d/b/a CABLEVISION COMMUNICATIONS FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

1033 - AS

Attached is an ORDER APPROVING SETTLEMENT to be issued in the above-referenced docket. (Number of pages in order - 4)

KMP/jmb  
Attachment  
cc: Division of Communications  
I: 991877s.kmp

See 1+2+3

faxed - 2/0  
mailed -