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Executive Director



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Governor

Public Utility Commission of Texas

TO: Time Warner Cable
Ron McMillan

Commission Staff – Legal Division
Commission Staff – Infrastructure Reliability Division

FROM: Andrew Kang
Administrative Law Judge

RE: Project No. 38325 – Application of Time Warner Cable to Amend Its State-Issued Certificate of Franchise Authority

NOTICE OF APPROVAL

This Notice addresses the application of Time Warner Cable (the Applicant) filed with the Public Utility Commission of Texas (Commission) on June 2, 2010, to expand its service area footprint to include Vidor, Texas.

The project was processed in accordance with applicable statutes. Commission Staff recommended approval of the application. The application is approved.

Findings

1. The application complies with PURA¹ §§ 66.003 and 66.004 and P.U.C. SUBST. R. 28.6.
2. The Applicant is entitled to approval of this application, having submitted a sworn affidavit which complies with PURA § 66.003(b).
3. In its application, Applicant stated its agreement to provide the Commission with a written notice of termination of its SICFA.

¹ The Public Utility Regulatory Act, TEX. UTIL. CODE ANN. §§ 11.001–66.016 (Vernon 2007 & Supp. 2009) (PURA).

4. In its application, the Applicant stated its agreement to provide the Commission a copy of any court order in which its SICFA has been revoked or modified by a court of competent jurisdiction.
5. The Applicant does not seek to terminate an existing cable and/or cable and video franchise agreement with a city.

Ordering Paragraphs

1. The application of Time Warner Cable to amend its SICFA No. 90008 as requested is approved. The Applicant's SICFA is amended to expand its service area footprint to include Vidor, Texas, effective as of the June 24, 2010, expiration of the existing municipal franchise agreement applicable to the requested service area footprint.
2. The name on SICFA No. 90008 shall remain Time Warner Cable.
3. Pursuant to 47 C.F.R. § 76.952, the Commission may direct certificate holders not to include its name on their monthly billing inserts as the local franchising authority. Because the Commission does not have the same authority to consider and resolve customer complaints as did municipal franchising authorities, the Commission directs certificate holders not to include its name, address, and telephone number on monthly bills to subscribers.
4. All other motions, requests for entry of specific findings of fact and conclusions of law, any other requests for general relief or specific relief, if not expressly granted herein, are hereby denied.

SIGNED AT AUSTIN, TEXAS the 18th day of June 2010.

PUBLIC UTILITY COMMISSION OF TEXAS



ANDREW KANG
ADMINISTRATIVE LAW JUDGE