BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF COMCAST NEW CASTLE COUNTY, LLC D/B/A COMCAST CABLE, FOR THE COMMENCEMENT OF PROCEEDINGS PURSUANT TO 47 U.S.C. § 546 REGARDING THE RENEWAL OF THE CABLE TELEVISION FRANCHISE TO SERVE CERTAIN UNINCORPORATED AREAS OF NORTHERN NEW CASTLE COUNTY, DELAWARE (FILED MAY 30, 2017)	)	PSC Docket No. 17-0507

MOTION TO EXTEND DEADLINE TO FILE
PUBLIC NOTICE (AND PROOF THEREOF)AND FOR INTERVENTION

Comcast of New Castle County LLC ("Comcast North NCC") by and through its undersigned counsel, hereby moves the Public Service Commission of the State of Delaware (the "Commission") for an order, in the form attached hereto as Exhibit A, amending Commission Order 9093 dated July 25, 2017 for the purposes of extending the deadlines (i) by which Comcast North NCC must publish public notice (and proof thereof) of its application for renewal of its fifteen year cable television franchise to provide cable television service in certain unincorporated areas of northern New Castle County (the "Application") and (ii) for the filing of petitions to intervene in connection with the Application. In support of its motion, Comcast North NCC respectfully states as follows:

1. Comcast North NCC is the current holder of a fifteen year cable television franchise issued by the Commission in November, 2005 (the "Franchise") to provide cable television service in certain unincorporated areas of northern New Castle County, Delaware (the

"Franchise Territory"). The Franchise is set to expire on March 31, 2020, but includes a provision granting Comcast North NCC an option to request renewal for an additional period not to exceed 15 years.

2. On May 30, 2017, Comcast North NCC filed a letter with the Commission invoking the formal procedures for renewing the Franchise pursuant to Section 626 of the Cable Communications Policy Act of 1984 (47 U.S.C. §546(a) – (d)), but further advising of Comcast North NCC's willingness to proceed with the Application on an informal basis pursuant to 47 U.S.C. §546(h). Thereafter, on July 25, 2017, the Commission entered Order 9093 opening a docket for the Commission's consideration of the possible renewal of the Franchise, pursuant to which the Commission directed, among other things, that Comcast North NCC publish notice of the Application in the Delaware State News and the News Journal (the "Newspapers") on or before August 11, 2017, and file proof of publication thereof on or before August 25, 2017. Pursuant to 26 Del. Admin C. section 1001-2.9, Order 9093 also established a deadline for the filing of petitions for intervention of August 31, 2017.

3. As the result of a miscommunication regarding the deadline for submitting the copy to the Newspapers for timely publication, the Newspapers were unable to publish the notices on the dates requested by Comcast North NCC. As a result, and to ensure that the public receives public notice of the Application and is given the required notice of the deadline for filing petitions to intervene, Comcast has proposed an amendment to Order 9093 for the purposes of extending the deadline to publish notice of the application (and proof of publication thereof), and for the filing of petitions for intervention in connection therewith.

WHEREFORE, Comcast North NCC respectfully requests that the Commission enter an order, in the form attached hereto as Exhibit A, amending Order 9093, and extending the

deadlines by which Comcast North NCC must publish notice of the application with the Newspapers (and proof of publication thereof) and for the filing of petitions for intervention in connection with the Application.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

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September 7, 2017
11273765.1

EXHIBIT A

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF COMCAST OF NEW CASTLE COUNTY, LLC., D/B/A/ COMCAST CABLE, FOR THE COMMENCEMENT OF PROCEEDINGS PURSUANT TO 47 U.S.C. § 546 REGARDING THE RENEWAL OF THE CABLE TELEVISION FRANCHISE TO SERVE CERTAIN UNINCORPORATED AREAS OF NORTHERN NEW CASTLE COUNTY, DELAWARE (FILED MAY 30, 2017)	)	PSC DOCKET NO. 17-0507

AMENDED ORDER NO. 9093

AND NOW, this 14th day of September, 2017, the Delaware Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, Comcast of New Castle County[1], LLC., ("Comcast North NCC" or "cable operator") is the current holder of a fifteen year cable television franchise issued by the Commission in November, 2005 (the "Franchise") to provide cable television service in certain unincorporated areas of northern New Castle County, Delaware (the "Franchise Territory").[2] The Franchise is set to expire on March 31, 2020, but includes a provision granting Comcast North NCC an option to request renewal for an additional period not to exceed 15 years; and

[1] This franchise area is only for certain unincorporated areas of northern New Castle County not to be confused with the other franchise area for New Castle County which includes the unincorporated areas south of the Chesapeake and Delaware Canal in New Castle County.

[2] *See* PSC Order 6775 (November 22, 2005).

WHEREAS, on May 30, 2017, Comcast North NCC filed a letter with the Commission timely[3] invoking the formal, multi-step process for renewing the Franchise pursuant to Section 626 of the Cable Communications Policy Act of 1984 (47 U.S.C. § 546(a) - (d)) (the "Application"). The Application also states Comcast North NCC's willingness to proceed with the Application on an informal basis pursuant to 47 U.S.C. § 546(h); and

WHEREAS, on July 25, 2017, the Commission entered Order 9093 opening a docket for the Commission's consideration of the possible renewal of the Franchise which the Commission has authority to consider pursuant to 47 U.S.C. § 546(a)-(i) and 26 *Del. C.* § 604(4); and

WHEREAS, on September 7, 2017, Comcast North NCC filed a motion seeking an amendment to Order 9093 for the purposes of extending the deadlines for publishing a copy of the public notice of the Application, proof of publication thereof and for the filing of any petitions for intervention.

NOW, THEREFORE, BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMSISIONERS, IT IS ORDERED THAT:

1. This docket is opened for the Commission's consideration of the possible renewal of the Franchise.

2. R. Campbell Hay is designated as Hearing Examiner for this matter pursuant to 26 *Del. C.* § 502 to conduct two evening public comment sessions at appropriate locations within the Franchise Territory and with appropriate notice and the opportunity for public participation consistent

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3 47 U.S.C. § 546(a) requires cable franchise renewal procedures be invoked ". . . during the 6-month period which begins with the 36th month before the franchise expiration . . . ", or approximately three years prior to the Franchise expiration date.

with 47 U.S.C. § 546(a) for the purpose of (a) identifying the future cable-related community needs and interests; and (b) reviewing the performance of the cable operator under the Franchise during the current Franchise term.

3. Interested persons or entities may submit written comments or objections to the Application by filing such comments with the Commission ***on or before February 16, 2018***. Any written comments received after February 16, 2018 will not be considered without good cause.

4. As part of his duties as Hearing Examiner in this matter, Mr. Hay is further designated authority to grant or deny any petitions for intervention. Pursuant to *26 Del. Admin C.* § 1001-2.9, the deadline for filing Petitions For Intervention shall be **October 20, 2017.** Petitions for Intervention filed after **October 20, 2017** will not be considered without good cause. Copies of all Petitions for Intervention must be served on:

R. Campbell Hay
Hearing Examiner
Delaware Public Service Commission
861 Silver Lake Boulevard
Suite 101
Dover, DE 19904
RE: Docket No. 17-0507
Campbell.Hay@state.de.us

Thomas D. Walsh, Esq.
Deputy Attorney General
Delaware Public Service Commission
861 Silver Lake Boulevard
Suite 101
Dover, DE 19904
RE: Docket No. 17-0507
ThomasD.Walsh@state.de.us

Pamela R. Knotts
Regulatory Policy Admin.
Delaware Public Service Commission
861 Silver Lake Boulevard
Suite 101
Dover, DE 19904
RE: Docket No. 17-0507
pamela.knotts@state.de.us

5. Pursuant to 26 *Del. C.* § 102A(2), Comcast North NCC shall provide public notice of the Application, this Order, the deadline for filing any petitions for intervention, the deadline and directions for submitting any written comments and any other relevant dates for this matter by publishing a copy of the Notice, in the form attached hereto as **Exhibit "A"** (the "Notice") in the following publications: (a) Delaware State News and (b) The News Journal, on or before **September 22, 2017**. Comcast North NCC shall file proof of publication of such notice with the Commission on or before **October 6, 2017**.

6. Comcast North NCC may submit a proposal for renewal of the Franchise to the Commission pursuant to 47 U.S.C. § 546(h) on or before **September 15, 2017**. If timely filed, Commission Staff will review and provide their analysis of the proposal to the Hearing Examiner.

7. Following completion of both public comment sessions, the expiration of the period for submission of written comments and receipt, if filed, of Comcast North NCC's proposal for renewal of the Franchise pursuant to 47 U.S.C. § 546(h), Mr. Hay shall prepare and file a report (i) detailing attendance at the public comment sessions and summarizing all oral and written comments timely received; and (ii) recommending either that the Commission grant or deny the Application pursuant to 47 U.S.C. § 546(h) and the reasons therefor, or in the alternative, the scheduling and completion of a full evidentiary hearing on the Application pursuant to 47 U.S.C. § 546(a)-(g).

8. Comcast North NCC is hereby advised that it will be charged with, and be required to pay, all costs related to this proceeding up to the maximum permitted pursuant to 26 *Del. C.* § 610.

9. The Commission reserves the jurisdiction and authority to enter such other or further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

_____
Chair

_____
Commissioner

_____
Commissioner

_____
Commissioner

_____
Commissioner

ATTEST:

_____
Secretary

"EXHIBIT A"

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF COMCAST OF NEW CASTLE COUNTY, LLC FOR THE COMMENCEMENT OF PROCEEDINGS PURSUANT TO 47 U.S.C. § 546 REGARDING THE RENEWAL OF THE CABLE TELEVISION FRANCHISE TO SERVE CERTAIN UNINCORPORATED AREAS OF NORTHERN NEW CASTLE COUNTY, DELAWARE (FILED MAY 8, 2017)	)	PSC DOCKET NO. 17-0507

PUBLIC NOTICE OF APPLICATION OF COMCAST OF NEW CASTLE COUNTY, LLC FOR RENEWAL OF CABLE TELEVISION FRANCHISE

TO: ALL CUSTOMERS OF COMCAST OF NEW CASTLE COUNTY LLC:

On May 8, 2017, Comcast of New Castle County, LLC("Comcast North New Castle County") filed an application (the "Application") with the Delaware Public Service Commission (the "Commission"), seeking renewal of its current cable television franchise (the "Franchise") serving unincorporated areas of Sussex County, Delaware (the "Franchise Territory").

On July 25, 2017, the Commission entered an order, and on September 14, 2017, entered an amended order to, among other things, open a docket for consideration of the Application and direct completion of two public comment sessions for the purpose of: a) identifying the future cable-related community needs and interests; and (b) reviewing the performance of the cable operator under the Franchise during the current Franchise term.

The Commission will hold two separate public comment sessions on the Application at a date and time to be determined. Separate notice of the public comment sessions will be published in this newspaper and will be posted on the Commission's website at http://depsc.delaware.gov/.

Anyone planning to attend either public comment session should consult the Commission's website prior to either event for any changes or cancellation in the time, location or date.

Interested persons or entities may file written comments or objections to the Application. Any written comments must be sent to the Commission at the following address:

Public Service Commission
861 Silver Lake Blvd.
Cannon Bldg., Suite 100
Dover, DE 19904
Attn: PSC Docket No. 17-0507

Written comments may also be sent electronically to psc@state.de.us and should include "PSC Docket No. 17-0507" in the subject line. Such written comments or objections must be filed with the Commission ***on or before February 16, 2018***. Any written comments received after **February 16, 2018** will not be considered without good cause.

The Commission will hold a public evidentiary hearing (the "Evidentiary Hearing") on the Application during the Commission's regularly scheduled meeting at its Dover Office at a date and time to be determined.

If you wish to formally participate as a party in this matter with the right to present evidence at the Evidentiary Hearing, you must file with the Commission a written petition requesting leave to intervene ("Petitions For Intervention") in accordance with the requirements of 26

Del. Admin. C. §1001-2.9 of the Commission's Rules of Practice and Procedure ***on or before Friday, October 20, 2017***. Petitions For Intervention received after **October 20, 2017** will not be considered without good cause. Copies of all Petitions for Intervention and any related documents must be sent to:

R. Campbell Hay
Hearing Examiner
Delaware Public Service Commission
861 Silver Lake Boulevard
Suite 101
Dover, DE 19904
RE: Docket No. 13-431
Campbell.Hay@state.de.us

Thomas D. Walsh, Esq.
Deputy Attorney General
Delaware Public Service Commission
861 Silver Lake Boulevard
Suite 101
Dover, DE 19904
RE: Docket No. 13-431
ThomasD.Walsh@state.de.us

Pamela R. Knotts
Regulatory Policy Admin.
Delaware Public Service Commission
861 Silver Lake Boulevard
Suite 101
Dover, DE 19904
RE: Docket No. 17-0507
pamela.knotts@state.de.us

You are invited to review the Application and supporting documents to determine whether your interests may be affected. You may review the Application and supporting material in person at the Commission's Dover office or on the Commission's website https://delafile.delaware.gov/Login.aspx for DelaFile, its electronic filing system under Search Docket # insert 17-0507. You may also review the Application and supporting documents at the office of the Division of the Public Advocate located at the Carvel State Office Building, 4th Floor, 820 North French Street, Wilmington, Delaware 19801 or 29 South State Street, Dover, De. 19904. Please call (302) 577-5077 for the Wilmington

Office or (302) 241-2555 for the Dover Office or 1-888-607-2427 to arrange a time to review the documents at that location.

If you have a disability and wish to participate or to review the materials in this matter, please contact the Commission to discuss any auxiliary aids or services you might need to help you. You may contact the Commission in person, by writing, by telephone (including text telephone) or by e-mail.

If you have questions about this matter, you may call the Commission at 1-800-282-8574 (toll-free in Delaware) or (302) 736-7500 (voice and text telephone). You may also send questions regarding this matter by e-mail addressed to psc@state.de.us and include "PSC Docket No. 17-0507" in the subject line.

CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2017 I caused the foregoing Motion To Extend Deadline To File Public Notice (And Proof Thereof) And For Intervention to be served upon the following via hand delivery:

Andrew C. Slater
Delaware Division of Public Advocate
820 North French Street, 4th Floor
Wilmington, DE 19801

Donna L. Culver

Donna L. Culver (#2983)

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