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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of: )  
)  
Implementation of Sections of )  
the Cable Television Consumer )  
Protection and Competition )  
Act of 1992: Rate Regulation )  
)  
Thirteenth Order on Reconsideration; )  
FCC Form 1240 )

MM Docket No. 92-266

**ORDER**

**Adopted:** January 19, 1996

**Released:** January 19, 1996

By the Chief, Cable Services Bureau:

1. On September 22, 1995, the Commission released a Thirteenth Order on Reconsideration in MM Docket No. 92-266 ("*Thirteenth Reconsideration*"), FCC 95-397, 60 FR 52106 (October 5, 1995), establishing a new optional rate adjustment methodology. On December 15, 1996, the Office of Management and Budget approved the Commission's new FCC Form 1240 (Annual Updating of Maximum Permitted Rates for Regulated Cable Services), which implements that methodology. See Public Notice, OMB Approves FCC Form 1240 (Annual Updating of Maximum Permitted Rates for Regulated Cable Services), DA 96-7 (January 11, 1996). An error was found in the Instructions to the initially released paper copy of the December 1995 version of the Form. The Form has been corrected and a Public Notice has been released describing the error and how to obtain copies of the corrected January 1996 version of Form 1240. See Public Notice, Cable Services Bureau Corrects FCC Form 1240, DA 96-40 (January 19, 1996).

2. Operators are required to use the corrected January 1996 version of Form 1240. We are concerned, however, that operators may have already filed the December 1995 version of Form 1240 with their local franchising authority or with the Commission, or that they have made plans to do so in the immediate future. We do not intend the requirement to file a corrected Form 1240 to affect the review period of the filing.<sup>1</sup> Therefore, operators that have

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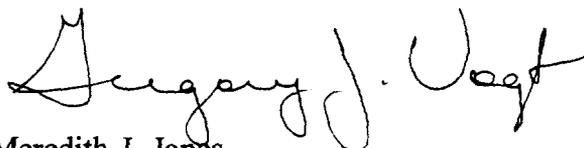
<sup>1</sup> Section 76.933(g) of the Commission's rules requires that an operator proposing a rate change to its existing rates for the basic service tier and associated equipment costs under the

already filed FCC Form 1240 with their local franchising authority or the Commission should submit a corrected Form 1240 by February 20, 1996. Operators who plan to file with their local franchising authority or the Commission by January 26, 1996 are permitted to file a December 1995 Form 1240, but must file a corrected Form 1240 by February 20, 1996. If a corrected filing is made after that date, the franchising authority will have the authority to extend the review period by as many days as the filing is late.

3. This action is taken by the Chief, Cable Services Bureau, pursuant to authority delegated by Section 0.321 of the Commission's rules. 47 C.F.R. § 0.321.

4. For further information, contact Meryl S. Iove, Cable Services Bureau (202) 416-0800.

FEDERAL COMMUNICATIONS COMMISSION

  
for Meredith J. Jones  
Chief, Cable Services Bureau

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annual system file its Form 1240 no later than 90 days before the effective date of the proposed rates. The franchising authority then has 90 days to review the proposed rates. 47 C.F.R. § 76.933(g). Operators that must file Form 1240 with the Commission must do so 30 days before the operator plans to implement the rate change. See 47 C.F.R. § 76.958; *Thirteenth Reconsideration*, ¶¶ 100-101 The filing date affects when the operator's rate will go into effect, and when the operator must give notice of the rate change to its subscribers.