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October 18, 2002

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW B204
Washington D.C. 20554

**Re: In the Matter of Applications for Consent to the Transfer of Control;
AT&T Broadband/Comcast Corporation; MB Docket No. 02-70;
Supplemental Comment**

Dear Ms. Dortch:

I submit this letter on behalf of Braintree Electric Light Department/BELD Broadband (BELD), the operator of a cable system in the Town of Braintree, Massachusetts. Our cable system competes with the system currently owned by AT&T. On April 26, 2002, BELD submitted a letter to the Commission commenting on the proposed merger between AT&T Broadband and Comcast Corporation. We asked the Commission to consider how this merger would affect competition for smaller cable companies that are denied equal access to regional programming. This letter supplements our earlier filing.

For BELD Broadband and consumers in Braintree, the proposed merger of AT&T and Comcast continues to raise important issues of program diversity and competition. In BELD's case, AT&T-controlled New England Cable News ("NECN") has repeatedly denied our customers access to its programming due to an exclusive contract with AT&T. Since we last wrote to the Commission, lack of access to NECN continues to impact our subscribers. Because of NECN's refusal to sell its programming to BELD, the Town of Braintree has become involved to attempt a resolution of this important programming access issue. With this letter, we write to briefly update the Commission on developments since the end of April.

The Board of Selectmen of Braintree, Massachusetts, is uniquely well-positioned to understand the public interest in Braintree. On May 6, 2002, concerned with its constituents' lack of access to NECN, the Board voted unanimously to send a letter to AT&T Broadband requesting that AT&T offer NECN to BELD on reasonable prices, terms, and conditions. The Board's letter and revised letter are attached as Exhibits 1 and 2.

Despite the written request from the local government, our repeated attempts to negotiate with NECN, and our willingness to pay for NECN's services, AT&T-owned NECN continues to refuse BELD access to this programming. This conduct is anticompetitive, anti-consumer, and surely conflicts with the public interest in access to diverse programming. Lack of access to key programming at fair and reasonable prices, terms and conditions affects not only BELD, it also harms the system's subscribers. No public interest is served when NECN denies programming to BELD because of an exclusive contract with AT&T. No argument can be made that it serves the public interest for a company with at least 22 million subscribers post-merger, and a multitude of programming assets, to deny regional news and public affairs programming to a single cable system.

BELD asks that the Commission require Comcast and AT&T to address the public interest in distributing NECN to all consumers in Braintree, whether they subscribe to AT&T Comcast or BELD.

Sincerely,



Don Hetherington
Acting General Manager

Exhibit 1

EXECUTIVE SECRETARY

Terri S. Ackerman



TOWN OF BRAINTREE
OFFICE OF THE BOARD OF SELECTMEN
ONE JFK MEMORIAL DRIVE
BRAINTREE, MASSACHUSETTS 02184
TELEPHONE: 781-794-8110 FAX: 781-794-8128

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Alfred W. Varraso
Vice Chairman

Leland A. Dingee
Clerk

Joseph R. Driscoll

Timothy G. Egan

May 5, 2002

David Grain, President
AT&T Broadband
Six Campanelli Drive
Andover, MA 01810

RE: NESN CHANNEL

Gentlemen:

The Board of Selectmen unanimously requests that AT&T allow BELD to carry the NESN channel. We have received a number of requests and complaints from resident subscribers for this channel.

As a gesture of good faith, we ask you to work with Braintree Electric Light Department to provide this most important service.

Very truly yours,

Terri S. Ackerman, Executive Secretary

cc: Louis Russo, AT&T, 440 Miles Standish Blvd., Taunton, MA 02780
Board of Selectmen

AT&T

Exhibit 2

EXECUTIVE SECRETARY

Terri S. Ackerman



TOWN OF BRAINTREE
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Vice ChairmanLeland A. Dingee
Clerk

Joseph R. Driscoll

Timothy G. Egan

May 14, 2002

David Grain, President
AT&T Broadband
Six Campanelli Drive
Andover, MA 01810

RE: NECN CHANNEL

Gentlemen:

To follow up my letter to you dated May 6, 2002, a copy of which is attached, I wish to correct an error in that letter. The correct channel is NECN not NESN. The Board of Selectmen unanimously requests that AT&T allow BELD to carry the NECN channel, not the NESN channel as stated in the letter of May 6, 2002.

I apologize for any inconvenience this error may have caused.

Very truly yours,



Terri S. Ackerman, Executive Secretary

cc Louise Russo, AT&T, 440 Miles Standish Blvd., Taunton, MA 02780
Board of Selectmen

Attachment

AT&T