

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	File No. EB-02-TC-105
)	
Marcus Cable Associates, LP)	CUID No. TN0036 (Newport)
)	
Refund Plan)	

ORDER

Adopted: October 2, 2002

Released: October 3, 2002

By the Chief, Enforcement Bureau:

1. In this Order we consider the refund plan filed on September 11, 2002 by the above-referenced operator ("Operator")¹ pursuant to Order, DA 02-1697² ("Refund Order").³ Our review of Operator's refund plan⁴ reveals that the refund plan fulfills the requirements of the Refund Order provided Operator accrues interest up to the date of the refund and includes franchise fees, if any, and interest on the franchise fees.

2. Accordingly, IT IS ORDERED that Operator's refund plan IS APPROVED AS MODIFIED HEREIN, and IT IS FURTHER ORDERED, pursuant to Section 76.962 of the Commission's rules, 47 C.F.R. § 76.962, that Operator implement its refund plan within 60 days of the release of this Order.

3. IT IS FURTHER ORDERED, pursuant to Section 76.962 of the Commission's rules, 47 C.F.R. § 76.962, that Operator shall file a certificate of compliance with the Chief, Enforcement Bureau, within 90 days of the release of this Order certifying its compliance with this Order.

4. This action is taken pursuant to Sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

¹ The term "Operator" includes Operator's predecessors and successors in interest.

² *In the Matter of Marcus Cable Associates, LP*, DA 02-1697 (EB, released July 17, 2002).

³ The Refund Order required Operator to determine the overcharges to cable programming service tier ("CPST") subscribers for the period stated in the Refund Order and file a report with the Chief, Enforcement Bureau, stating the cumulative refund amount determined (including franchise fees and interest), describing the calculation thereof, and describing its plan to implement the refund within 60 days of Commission approval of the plan.

⁴ Operator calculated a total remaining refund liability of \$81,505.78.