

BEFORE THE FEDERAL COMMUNICATIONS
COMMISSION

Commission seeks comment) MB DOCKET
on the proposed merger) NO. 14-57
of Comcast and Time-Warner)
_____)

COMMENTS AND RECOMMENDED MERGER
CONDITIONS FROM THE CENTRAL
COAST BROADBAND CONSORTIUM
FOR THE APPLICATION
OF COMCAST CORP, TIME-WARNER
CABLE INC., CHARTER COMMUNICATIONS,
INC., AND SPINCO TO ASSIGN AND
TRANSFER CONTROL OF FCC LICENSES
AND OTHER AUTHORIZATIONS.

Summary:

Several of the cable systems in Monterey County, California that will transfer from Charter to Comcast under the merger proposal are not capable of ISP operation. A condition should attach to the merger approval to upgrade these systems so that residents have the option to subscribe to Internet service. To the extent that broadband access is extended to new areas, it furthers important objectives set by Congress in section 706 of the Communications Act to see that broadband is widely available throughout the nation.

Introduction

The Central Coast Broadband Consortium is a 11-year old broad-based *ad hoc* group of local governments and agencies, economic development, education and health organizations, community groups and private businesses dedicated to improving broadband availability, access and adoption in Monterey, Santa Cruz and San Benito counties in California. We have a long history of broadband development projects implemented by our members and as a group. We appreciate this opportunity to offer comments on the Comcast acquisition of Time Warner.

We understand the role of the FCC is to determine *whether the public interest, convenience, and necessity* would be served by granting the merger application.

Our Situation

Charter Cable operates in eleven cities and census named places in our tri-county region shown in the map in Attachment I. Three of these (Capitola, Watsonville and Hollister) are modern cable systems offering DOCSIS Internet service. Eight (Prunedale, Pajaro, Castroville, Chualar, Gonzales, Soledad, Greenfield and King City) have legacy one-way cable systems that offer only low-quality cable TV – and most importantly – no Internet service. A copy of the line cards showing the limited capability of some of the current systems is in Attachment II. Residents want cable data added to their arsenal of purchase options. And they want the option to subscribe to Comcast Internet Essentials for families with school aged children in economic disadvantaged categories.

Comcast filings

Included with the Commission's invitation for comments is a description of carefully engineered service area swaps that will remove Charter from California markets in exchange for other customers in the US heartland. The result is that the sub-standard cable systems will all be owned and operated by Comcast. In a filing¹ on June 5th, 2014 Comcast offered maps in their Attachment 4 detailing areas where the combined [merged and realigned] company would compete with ILEC and 4G LTE providers for ISP services. Comcast graphics offer DSL as *competition* regardless of whether it meets FCC² or California Broadband performance targets. Careful inspection of the above referenced maps show that *all* the Charter service areas will post-merger compete for ISP customers. We count that as great news.

We stress that in the cited filings, Comcast has already offered to compete with LEC and LTE-4G carriers in all the substandard Charter properties. To make good on this promise, the several systems will require investment and upgrade.

¹<http://corporate.comcast.com/images/As-Filed-2014-06-05-Comcast-TWC-Supplement-Letter-with-legend.pdf>

²24 Mb/s downstream and 1 Mb/s upstream. <http://transition.fcc.gov/national-broadband-plan/broadband-performance-paper.pdf>

An Observation

We are struck how difficult it is to find information about pre-DOCSIS cable systems operated by the industry major providers: Comcast, Charter, Time-Warner. We would be surprised to hear that our small 3-county region is unique in the nation with its service from obsolete systems. Even with discovery of the satellite downlink receiver in Greenfield that is on the list of licenses to transfer to Comcast, that this is an analog system is not detectable. Collecting line up information was only possible by appearing at the Greenfield office and taking paper copies from the counter. We will submit comments in GN Docket 14-126 to request the Commission to assist in making this information available.

Proposed Merger Conditions

With that as a preface, we want to see Comcast's offer to compete for ISP customers in service areas in Prunedale, Pajaro, Chualar, Castroville, Gonzales, King City, Soledad and Greenfield made a *condition* of the merger. And by *compete* we mean to upgrade or replace the present cable systems with a facility that offers at least DOCSIS 3 Internet service at download speeds up to 100 Mb/s. We want the merger condition to embed a schedule and we tentatively propose that upgrades in four of the areas be completed within one year of the merger approval with the balance by the end of year two.

These upgrades are sufficiently important to our constituents that they should be brought forward and made explicit commitments and provided with a time table. Merger conditions should also include a provision that prohibits Comcast from electing to exit these markets for ten years.

These conditions will enhance Internet options in our small corner or rural America.

ATTACHMENT I

Map of State franchised MVPD systems in the CCBC tri-county region. Comcast systems in Santa Cruz County were under local franchise on January 1 and are therefore not shown on this CPUC map.

DRAFT

STATE FRANCHISED TERRITORY



AT&T California



Charter Communications



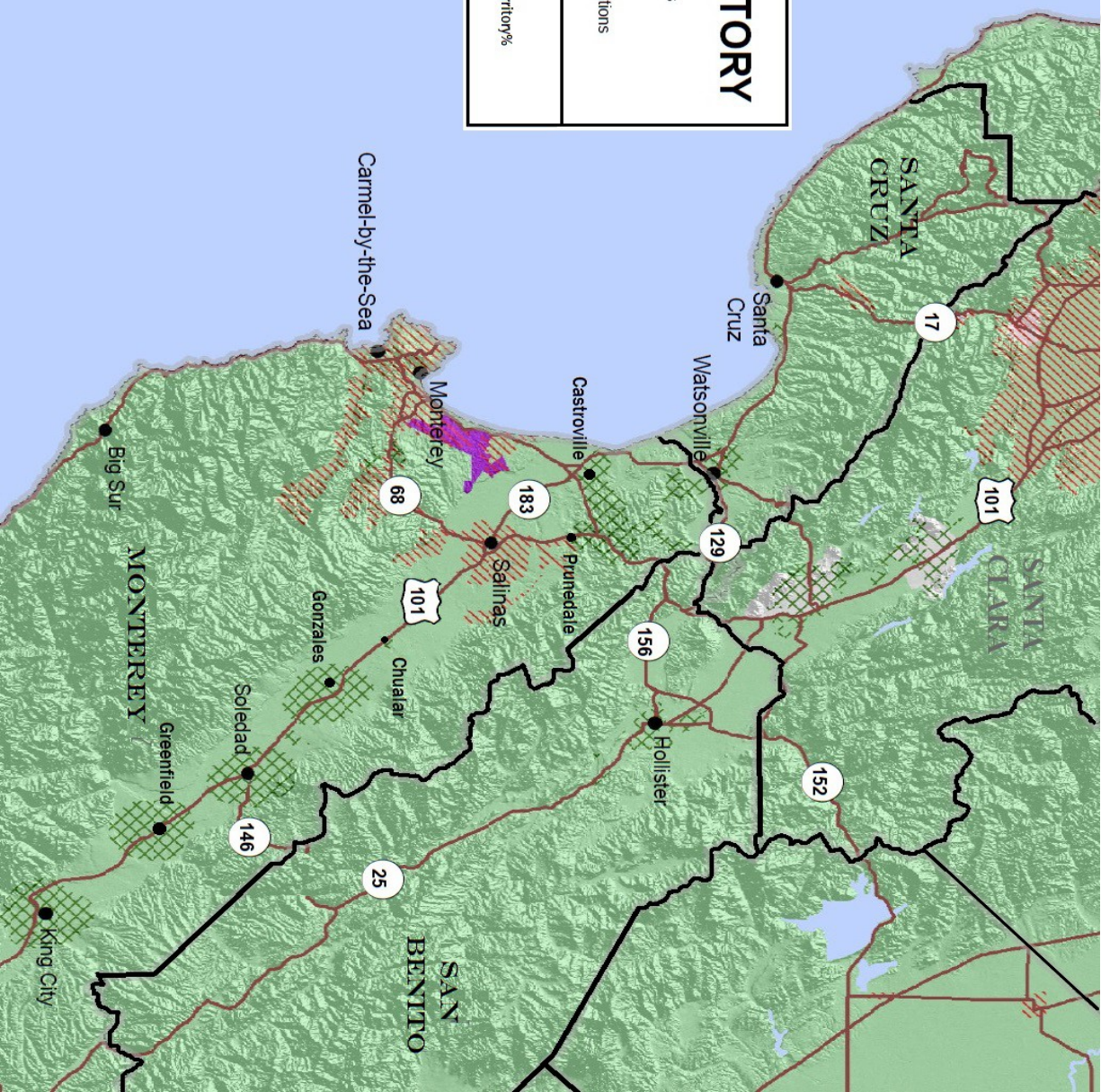
Comcast Cable



Sudden Link Communications

Extract from CPUC map of 1/1/2014

[http://ftp.cpubc.ca.gov/VideoFranchiseTemplate/All%20Video%20Franchise%20Territory%2020140101%20\(b%20Franchise\).pdf](http://ftp.cpubc.ca.gov/VideoFranchiseTemplate/All%20Video%20Franchise%20Territory%2020140101%20(b%20Franchise).pdf)



ATTACHMENT II

Sample line up for one-way cable systems in Monterey County.

DRAFT

Charter TV® Residential Channel Lineup

Greenfield

Effective April 24, 2012

Your entertainment guide.

- Browse channels by package, theme or numerical listing
- Including special interest tiers, premium channels and more!
- See it all online at charter.com › find it fast › channel lineup



 Charter

Basic Service

3	KCBA-FOX	18	A&E
4	TLC	NEW 19	KSBW-DT2-(ABC)-ABC
6	ABC Family	20	MTV
7	The Weather Channel	21	Nickelodeon
8	KTVU-FOX	22	ESPN
9	KQED-PBS	23	Bravo
10	KSBW-NBC	24	AMC
11	Galavisión	25	CMT
12	KION-CBS	26	Syfy
13	KSMS-Univision	27	Lifetime
14	Local Access	28	HSN
15	Comcast SportsNet Bay Area	29	KMST
16	QVC	30	USA
17	Spike TV	99	KDJT-CA-TEL

Expanded Service

31	Discovery Channel	35	WGN America
32	Telemundo	36	TNT
33	Disney Channel	37	CNN
34	TBS	38	HLN

Premium Services

5	Showtime	2	The Movie Channel
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Communities Served: Greenfield, Monterey County (Greenfield)

HD Channel available in high definition **NEW** New channel just added

← NEW LOCATION Indicates new location for channel

8203/1100/180, 200

©2012 Charter Communications. Programming may vary. Channels, Tiers and Packaging subject to change. Services not available in all areas. SAP - Second Audio Programming (Spanish Language when available) is offered on analog Basic Service & Expanded Service channels. Check your interactive program guide for further details. Channel numbers listed are for either analog cable-ready TV sets or Charter digital receivers. Customers using a QAM tuner TV or other personal QAM tuner device, not connected to a digital receiver, must activate the Auto Program feature, as described in the TV/device's Owner's Manual, to receive some digital services. HD capable equipment is required to view HD programming (where available). All programming may not be available to CableCARD customers.



1-888-GET CHARTER

(1-888-438-2427)
charter.com/welcome

2/26/12

Charter TV[®] Residential Channel Lineup

Soledad, Gonzalez & Monterey County

Effective April 24, 2012

Your entertainment guide.

- Browse channels by package, theme or numerical listing
- Including special interest tiers, premium channels and more!
- See it all online at charter.com › find it fast › channel lineup



 Charter

Basic Service

2	KTVU-FOX	12	KKPX-ION
3	KICU-IND	13	KSMS-Univision
4	KION-CBS	14	Comcast SportsNet Bay Area
5	KCBA-FOX	15	MTV
6	KSBW-NBC	16	QVC
7	Government Access^	17	TBS
8	KMST	23	USA
NEW 9	KSBW-DT2-(ABC)-ABC	24	A&E
10	HSN	99	KDJT-CA-TEL
11	KQED-PBS		

Expanded Service

25	HLN	32	ESPN
26	CMT	33	AMC
27	Nickelodeon	34	CNN
28	Lifetime	35	Discovery Channel
29	Disney Channel	36	Spike TV
30	ABC Family	37	Galavisión
31	Cartoon Network		

Premium Services

18	Showtime	21	HBO
20	Cinemax	22	The Movie Channel

Communities Served: Soledad, Gonzalez & Monterey County

HD Channel available in high definition

NEW New channel just added

← NEW LOCATION Indicates new location for channel

8203/1100/110, 120, 130

*Public, Educational, Government Channel; availability may vary by community.

©2012 Charter Communications. Programming may vary. Channels, Tiers and Packaging subject to change. Services not available in all areas. SAP - Second Audio Programming (Spanish Language when available) is offered on analog Basic Service & Expanded Service channels. Check your interactive program guide for further details. Channel numbers listed are for either analog cable-ready TV sets or Charter digital receivers. Customers using a QAM tuner TV or other personal QAM tuner device, not connected to a digital receiver, must activate the Auto Program feature, as described in the TV/device's Owner's Manual, to receive some digital services. HD capable equipment is required to view HD programming (where available). All programming may not be available to CableCARD customers.



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