HORIZON
CABLE TV INC.

August 31, 2016

Chairman Tom Wheeler
Commissioner Mignon Clyburn
Commissioner Michael O'Rielly
Commissioner Ajit Pai
Commissioner Jessica Rosenworcel
Federal Communications Commission
445 12th Street SW
Washington DC, 20554

Dear Chairman Wheeler and Commissioners Clyburn, O'Rielly, Pai, and Rosenworcel:

I am writing on behalf of Horizon Cable TV, Inc., a small multichannel video programming distributor (MVPD) providing digital service in northern California, about the Federal Communications Commission's (Commission) Navigation Device proceeding (MB Docket No. 16-42/CS Docket No. 97-80). Our small company has been in business for twenty-nine years and currently operates two standalone systems, with a little under 1,000 total video subscribers, in rural west Marin County just north of San Francisco. We are troubled by the Commission's proposed rules and other potential substitute rules because, if adopted, the substantial implementation costs would force my company to go out of business or cease offering video service. Accordingly, we urge you not to apply new rules to smaller MVPDs.

Like other smaller MVPDs, Horizon Cable faces major challenges in our pay-TV business. Programmers are demanding significant and growing fees and increasing carriage of "unwanted" networks. Our customers have more video choices both from much larger, traditional pay-TV providers and from over-the-top video sources, which often provide comparable services at lower costs. As a result, our margins are slim and continue to erode. Yet despite our troubles, our customers appreciate receiving video service from us because our offerings and customer service meets their needs. For instance, we offer our entire Basic/Expanded Basic tier via "Clear QAM" which offers customers a choice to subscribe to basic video services without requiring them to lease a set top box. Additionally, we provide superior local service -- routinely helping our customers connect and configure their own OTT video devices.

Given this daunting business environment, our company cannot afford the additional regulatory costs of the proposed Navigation Device rules, estimated to be at least $1 million per system, or any other proposals that require such substantial costs.[1] Simply put, we could not

[1] This estimate covers those requirements that are known and sufficiently refined and are based on cable operators satisfying the Commission's proposal at the lowest overall cost possible (i.e. by deploying a gateway device in the customers' homes using third party devices). As others have explained, the Commission's proposal is more a framework with many elements still to be defined and fleshed out. Therefore, one cannot determine whether the predicted lowest cost means is ultimately technologically feasible, what additional costs are necessary and the size of those additional costs, and when this solution would be available to implement. Moreover, given that many larger cable operators are making investments to deliver their services in an all-IP format, there is doubt whether vendors will invest in developing this lowest cost solution when only mid-sized and smaller MVPDs would be utilizing it as a means of complying with the Commission's proposal. If such a

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offset or otherwise tolerate these costs even if we diverted our limited capital spending and spent our cash reserves. And, raising customer prices significantly is out of the question. Should the Commission mandate that small providers spend this much money to comply with such rules, we would be forced to go out of business or cease offering video service. This outcome is certain even if the deadline for compliance is delayed because any solutions that the industry will, if ever, develop for smaller MVPDs are still going to be unaffordable for a company of our size.

On behalf of our customers and our employees, we urge the Commission not to apply any new Navigation Device requirements to smaller MVPDs. Forcing our company out of business or to cease offering video service does not advance the asserted purpose of the proposed rules – to promote innovation and lower consumer prices. Instead, it eliminates a local service option for consumers, and it means the loss of jobs and tax and fee revenues for our community, among other harms.

Thank you for your consideration.

Sincerely,

Susan Daniel
Vice President
Horizon Cable TV, Inc.

Cc: Senator Dianne Feinstein
Senator Barbara Boxer
Congressman Jared Huffman

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solution does not materialize in the market, mid-sized and smaller MVPDs may need to incur far greater costs to satisfy the Commission's proposal by offering their services in all-IP.