

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

_____	)	
Notice of Proposed Rulemaking	)	
	)	CS Docket No. 02-52
Appropriate Regulatory Treatment for	)	
Broadband Access to the Internet Over	)	
Cable Facilities	)	
_____	)	

**COMMENTS OF THE CITY OF SAN DIEGO, CALIFORNIA**

These comments are filed by the City of San Diego, California in support of the comments filed by the Alliance of Local Organizations Against Preemption (the "Alliance"). Like the Alliance, City of San Diego believes that (a) local communities should be able to require cable operators to obtain additional authorizations to use and occupy public rights of way to provide cable services, and to enforce existing authorizations that have been granted for the service; (b) should be able to obtain fair and reasonable compensation for use and occupancy of the public rights of way to provide non-cable services; and (c) should be able to regulate cable companies in their provision of non-cable services, as provided under the Cable Act.

Respectfully submitted,

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