Federal Trade Commission's Secretary
Office of the Secretary, Federal Communications Commission
236 Massachusetts Avenue, NE, Suite 110
Washington DC (confirm ZIP)

Subject: MB Docket No. 07-51, Exclusive Service Contracts for Provision of Video Services in Multiple Dwelling Units and Other Real Estate Developments, Request for Comments with regard to bulk billing

1) I am a resident of a planned community, Venetia Community Association Number one, Inc, in Venice, Florida. . Our developer Venetian Community Development, Inc and Venetia Community Association (which was controlled by the developer when the contract was signed) signed an agreement with Comcast Cablevision of West Florida Inc, Sarasota, Florida to provide cable television services and at the time of the agreement an addendum was signed that provides for a bulk billing provision.

The contract provides for COMCAST to install cable "install all facilities necessary to transmit services to the facilities" in return for consideration of $1.00. The contract is for successive 10 year periods and runs for up to 30 years. The contract does not contain language that requires COMCAST to maintain and upgrade the system to industry standards, nor does it require COMCAST to offer competitive and varied programming options that are equal to its competitors. COMCAST was the sole franchiser for the County of Sarasota and no other provider of cable services available.

Additionally, the bulk Billing Payment Addendum is for a 15 year period of time and is automatically renewed for an additional 15 years unless canceled. The company may change programming and change its programming at will but again is not required to provide residents with state of the art services or with programming options available from such other sources. E.g Direct TV, Dish, FIOS, etc..

It calls for COMCAST to provide basic cable television service at a reduced rate to all residents of Venetia in consideration of this long term agreement. Residents who don't use the service are forced to pay for the service even if they don't want or have the service.

I believe that contracts such as the one between our developer and COMCAST are "Anti Competitive" and violate the spirit and intent of your ruling as they give the Cable Company an Unfair competitive advantage for the following reasons:

1) COMCAST and such providers who hold the local franchise rights from local governments are not providing anything special or unusual to a development by agreeing to set up cable television services in a community. In fact that is actually what the franchise provides for them to provide to residents of the given jurisdiction. Consideration of $1.00 for a service that would have been provided anyway is arguably not really a contract as both parties are not

getting consideration since residents of the jurisdiction would have received cable television services anyway.

2) The bulk billing Payment Addendum does provide for a decreased monthly fee but it is deceiving and in reality is not being provided at a reduced rate. Communities such as Venetia and others throughout Florida and other seasonal areas have many residents that are not full time residents. In some cases there is no cable television service to the homes, but the homeowners must still pay for the service pursuant to the Bulk Billing Addendum.

In other cases, COMCAST does not offer all the services that residents would like to purchase, including competitive digital services and sports programming. In these cases our residents have to pay the monthly bulk billing payment even though they receive no service from COMCAST.

Based on the foregoing it is requested that the Commission declare all such Installation and Services Agreements and in particular the Bulk Billing Payment Addendums illegal as they do not allow for free and open competition and because they in many cases are forcing citizens to pay for services they do not want and/or don't even receive. If citizens are forced to have Cable and pay for it even if they don't use it I believe that these contracts are a constraint of trade and anti competitive.

Cable companies such as COMCAST should not be allowed to hold its customers hostage for up to thirty years and they should not be allowed to get paid for services they are not even providing.

If citizens of our community want to buy premium services from other providers we must pay what is essentially a Cable tax because the developer entered into a contract that presumably gave him $1.00 for service that the Cable provider would have already provided as the County Franchisor for Cable. The reduced fees that are being charged to "all' residents are actually a windfall profit for the Cable company as they do not provide any service t many residents and still get paid anyway.

Please contact me if you have any questions or would like to discuss these comments.

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