

Honorable Commissioners,

Please find my response to Century Umbrella comments by Mr. Handler and Mr. Dave Marvin's comments from Brighthouse Networks.

First,

I would like to thank Casey and John Carter for their response to Mr. Handler's Comments. They both addressed several valid arguments. I would like to address the comment on local governments and state agencies protection from Mr. Handler along with the Brighthouse comments. For approximately 9 months, I have tried to engage my local government, in the State of Florida, regarding this abuse with very little success. Below please find responses from some of those agencies. Florida Public Service Commission, Attorney General Bill McCollum, Congressman Bilirakis, Senator Bill Nelson as well as Governor Charlie Crist.

Florida Public Service Commission:

“We can only assist in Public Utilities and we suggest that you seek the help of an attorney or the FCC” Phone call 7-24-08

Senator Bill Nelson:

Dear Mr. Cabrera:

Thank you for contacting my office. Your concerns and comments are important to me.

Due to provisions of the Privacy Act of 1974, all Federal agencies are prohibited from releasing any information regarding an individual without that individual's written consent. This protection means that I am unable to help until I have something in writing from the person concerned to show that I am authorized to check into this matter. Please complete and sign the attached form and return it to me as soon as possible.

If you have any questions, please do not hesitate to contact my Orlando, Florida office at (407) 872-7161 or (888) 671-4091, toll free in Florida only.

“Faxed in release form July 23 2008 with no response”

Florida State Attorney General:



BILL MCCOLLUM
ATTORNEY GENERAL
STATE OF FLORIDA

OFFICE OF THE ATTORNEY GENERAL

Office of Citizen Services
The Capitol
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September 10, 2008

Mr. Zuriel Cabrera


Florida Attorney General Bill McCollum received your email regarding your concerns with Live Oak Preserve and cable television bulk billing. Attorney General McCollum ask that I respond on his behalf. A search of our records does not produce any previous correspondence from you relating to this issue. I apologize for any inconvenience this may have caused you.

Attorney General McCollum is concerned with all potentially unfair and deceptive trade practices that mislead consumers. By law, this office exercises statutory authority to address consumer fraud under Chapter 501, Part II, Florida Statutes, known as Florida's Unfair and Deceptive Trade Practices Act. Our office focuses its enforcement efforts on business practices by companies which harm numerous consumers in more than one judicial circuit. We use complaints to develop information about patterns of business activity which may indicate the need for formal investigation or action by our office to protect the broad public interest. We will maintain your information for future reference. However, our office does not mediate individual consumer complaints. Florida law further precludes our office from giving legal advice or opinions to private individuals.

I note that you already contacted the Federal Communications Commission (FCC) which is the appropriate agency to address your concerns, as the FCC has reviewed related cable issues and promulgated rules affecting contracts between cable providers and housing developments. Please continue to work with the FCC in this matter.

I also encourage you to contact your state and federal legislative delegations. The Florida Legislature's website provides contact information for senators and representatives, as well as legislative committees:

http://www.flsenate.gov/Info_Center/index.cfm?Tab=info_center&submenu=1&Tab_Intro=true&Mode=Main

Otherwise, please consult a private attorney for any legal guidance you may need. An attorney can give you the legal advice which our office is precluded by law from giving to private individuals. The Florida Bar offers a Lawyer Referral Service which you may contact toll-free at (800) 342-8060. If you cannot afford an attorney, you may be eligible for low cost or pro bono assistance through a local legal aid office. The Florida Bar can assist you with this process.

We will retain your information in our consumer files to help organize our priorities. Thank you for taking the time to share your concerns with Attorney General McCollum's Office. I hope this issue can be resolved to your satisfaction. If you would like to keep current with news on Attorney General McCollum's efforts to fight fraud please follow this link and subscribe to the Attorney General's weekly and monthly electronic newsletters:

<http://myfloridalegal.com/NewsBrie.nsf/Subscriber>

Sincerely,
Samantha Santana
Office of Citizen Services

Thank you for contacting Governor Charlie Crist. The Governor is sorry to learn of a dispute with a Homeowner's Association and those from whom the association purchases telecommunications services. The Governor asked that I respond on his behalf.

The Florida Constitution limits the Governor's intervention in matters that should be resolved through the court system. The person who can best answer your legal questions is an attorney. If you need assistance in locating an attorney, please call the Florida Bar's Referral Service at 1-800-342-8011. For those unable to afford a lawyer, Florida Legal Services or your local legal aid office has information about the availability of pro bono counsel. The main telephone number for Florida Legal Services is 850-385-7900.

Thank you again for taking the time to contact Governor Crist. Please know this is due to lack of jurisdiction, not a lack of concern.

Sincerely,

**Warren Davis
Office of Citizen Services**

**Congressman Gus M.
Bilirakis:**

GUS M. BILIRAKIS
9TH DISTRICT, FLORIDA
COMMITTEE ON HOMELAND SECURITY
COMMITTEE ON FOREIGN AFFAIRS
COMMITTEE ON VETERANS' AFFAIRS
REPUBLICAN POLICY COMMITTEE
CHAIRMAN, TASK FORCE ON VETERANS' AFFAIRS
SENIOR FRESHMAN WHIP



Congress of the United States
House of Representatives
Washington, DC 20515-0909
July 28, 2008

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Mr. Zuriel E. Cabrera
[REDACTED]

Dear Zuriel:

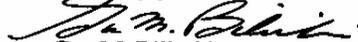
Thank you for expressing your concerns about the quality of the telecommunications services provided to Florida homeowners. I appreciate you bringing this to my attention.

In order to better address your concerns, I have contacted the Federal Communications Commission on your behalf. This agency should be able to respond to your concerns and questions specifically. Once I receive a response, I will forward it to you immediately.

As a resident of the Ninth District of Florida, your comments and opinions are an important source of information to assist me in carrying out my duties as your representative. You may rest assured that I will remember your concerns regarding the quality of the telecommunications services provided to Florida homeowners should Congress consider legislation relating to this issue in the future. Additionally, I will share your concerns with my colleagues in the House of Representatives.

Please do not hesitate to contact me on future issues of interest to you.

Sincerely yours,


Gus M. Bilirakis
Member of Congress

As you can see their responses are typical and automated. The responsibility of Government & its agencies are to uphold law while protecting the rights of the people. The rights of the people should not be infringed upon by red tape. Some suggested that I contact the Federal Communication Commission. Others forward me to deferent state agencies. I implore you to answer a simple question, what does one have to do to get their American right to choose services and not be forced to pay double? It appears that one has to be part of a large corporation, with heavily paid lawyers lobbying, in order to receive answers or come to a resolution. Do I have to be XM, Sirius, or perhaps Bell Atlantic? Should I just wait until February 2009 to convert to HDTV? Maybe I can hire Mr. Handler firm or others alike. Oops! Sorry, I can't afford that.

The longer the ban is held off the more owners face foreclosure notices. Homeowners, barely making ends meet, are forced to pick up the slack of those that are not paying. More homes are abandoned. Some of our Troops have to come home to cable bills regardless. Others will have to choose to pay the cable even if they are handicapped and have no use for service while paying the abandoned home next door. What about the seniors on a fixed income that do not use internet or cable?

In Mr. Handlers comments he stated, "the notable success of Live Oak Preserve". Mr. Handler, with all do respect, please research the Live Oak case in detail before addressing our case as a notable success. Success for whom is more like it?? We the owners had very little say in the legal case between Century Communication and Engle/Tousa Homes/Live Oak HOA. Please note, that the sale of the agreement between Century Communication and Brighthouse network was driven by Century. Not one homeowner was asked for approval. I urge commissioners to ask Brighthouse for homeowner's signature approving

the sale. Make sure they are dated before June 2008. As a matter of fact, the Home Owners Association did not ask the homeowners for their approval. We did not vote for it and we had no say on choice for provider, choice of service or packages. It was up to the highest bidder. In our case, Brighthouse Networks won that bid. I asked Mr. Marvin to disclose the amount for the sale of our contract in our June meeting. Until today, we the homeowners of Live Oak Preserve do not know what Brighthouse paid for our contract and how much Century profited. Sure we have better service now, however, is it the services that I wanted or that others from the international community wanted? What about those in the Information Technology industry who want higher download/uploads? What about the technology fans that want better HD programming for their high-end home theater system? What about sports fans that want more NFL/MLB/NHL/MLS channels? What about those that lost their jobs and want to cut back on none essentials? We were yet again not given a choice. We the homeowners of Live Oak Preserve find it contradictory when Brighthouse boasts that they have no contracts, but has managed to tie our community into one for ten years. The issue is not just Brighthouse, but other cable providers that are abusing the hard earned money of homeowners nationwide.

Engle homes did not shed light into the matter until the Estopple letter was signed by Touse/Engle and not one Homeowner. Engle tried very hard to sell us on the notion that we were to receive better services and a possible price cut. Considering that what we were paying for Century communication and the service they provided us is not a fair comparison. Again Please note that the deals were made by the developer/former developer as well as two communications companies. Not one owner was in the process of negotiation. Engle Homes which runs Live Oak Preserve HOA dropped the legal case against century for all 4 years of neglect and stolen money. They later filed bankruptcy protection leaving us under worse circumstances. Engle signed the approval just so they could get out of the cost of legal action and because they thought they could brush the problem under the rug. Where is the Justice in this Mr. Handler? Century Profited yet again from us and not one dime came back to LOP for the years of neglect.

What Mr. Handler and others fail/forget to realize, is that some communities do not have homeowner managed HOA's but Developer managed. In some cases the developer turn over the HOA with the contract in place leaving the recently elected board member with the contract in place. Those very same agreements are put in place by builders before buyers move in.

Response to Brighthouse comments:

Mr. Marvin claims that Live Oaks new service is 37 percent cheaper and better. What they failed to mention and will most likely never admit, is that their comparing Century to BHN and not apples to apples. Mr. Marvin and I have had these conversations several times and he claims that better service is on the way for Live Oak. That's great! However, it doesn't address the fundamental issue with these agreements. We came from possibly the worst service in the industry. Century communications is a far cry from technology and more like one would be holding two cups and a string for signal. Mr. Marvin states that we are getting a great price but what he doesn't state is how BHN has other communities like Bridgewater and Grand Hamptons, as well as those in Ocala at a higher rate and hold the communities responsible for the collection of debt, causing a financial stress on HOA's and MDU's. In Live Oak Preserves case, the very same builder that signed the approval (Estopple) letter left us with a \$380K+ deficit in our HOA. Please note that we the homeowners had zero and I mean literally zero input on the

decision. As a matter of fact, Neil and the Falcone brothers (Century Communication) drove the negotiations. Never was there a survey sent out to paying owners. Not even a public meeting asking the 1000 homes and residents.

Now, Lets challenge both the cable industry and the developers while possibly helping the FCC make a fair and balanced decision.

1. Disclose all current agreements and contracts to the FCC media bureau and legal advisors. Including those with developers involved in compensation agreements.
2. Disclose the amount of customer serviced under agreements along with service packages and what the local competition is offering.
3. Demonstrate how the contracts are fair and how homeowners have a choice in programming or service.
4. Show all terms of the agreements.
5. Show what options HOA, MDU, and the homeowner have if they can't pay the bill.
6. Show the FCC how homes that do not pay are disconnected or how Cable Companies are helping in the collection process.

If Mr. Handlers clients and others in the industry feel that they are providing a great price and competitive service, then prove it. If there is only a few bad providers and the cable industry feel so confident on their claims, then this challenge is as easy as a walk in the park.

Regards,

Zuriel Cabrera