

Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

Consumer Information and Disclosure	)	
	)	CG Docket No. 09-158
“Need for Speed” Information for	)	
Consumers of Broadband Services	)	

**REPLY COMMENTS OF MEDIACOM COMMUNICATIONS CORPORATION**

Mediacom Communications Corporation (“Mediacom”) hereby submits the following reply comments in the above-captioned proceeding. The purpose of these reply comments is to address certain assertions made by the City of Iowa (“the City”) regarding Mediacom’s broadband service offerings.<sup>1</sup> Contrary to the impression given by the City in its comments, there is nothing about Mediacom’s broadband service offerings and practices that would justify the application of new mandatory disclosure requirements or other regulatory obligations on broadband ISPs. In fact, Mediacom today offers consumers the fastest, most robust broadband service option available in Iowa and one of the fastest available anywhere in the nation.

Mediacom’s broadband service offerings in Iowa City exemplify how market forces are benefitting consumers without the need for government intervention. Over the past year, Mediacom has invested nearly \$1.4 million in system upgrades to increase the speed of its top broadband service option from 50 Mbps downstream/5 Mbps upstream to 105 Mbps down/10 Mbps up. As part of these upgrades, Mediacom has completed 37 node segmentations and has digitized 49 analog channels.<sup>2</sup> This high-end service is complemented by a number of additional

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<sup>1</sup> Comments of the City of Iowa in CG Docket 09-158 (filed May 23, 2011).

<sup>2</sup> Mediacom notes that it managed this upgrade notwithstanding the fact that the City requires Mediacom to devote seven analog channels to PEG service.

service offerings that allow customers to select the speed that best fits their needs.<sup>3</sup> Under the circumstances, the City's suggestion that Mediacom's performance somehow bolsters the case for regulatory intervention is simply mystifying.

In its comments, the City also asks the Commission not only to mandate the disclosure of detailed performance-related information by broadband ISPs, but also to go beyond the scope of this proceeding and adopt rules relating to the use of "data caps and usage based billing." Again, however, the City has utterly failed to offer any evidence that Mediacom's establishment of 250 GB cap on monthly data use (which the City admits is "rarely enforced") is harming consumers.<sup>4</sup>

In short, Mediacom agrees with those commenters, such as the National Cable & Telecommunications Association, that have shown that the broadband marketplace is working well and that broadband service providers and application providers have strong incentives to meet the needs of consumers without new government regulation.

Respectfully submitted,

**MEDIACOM COMMUNICATIONS CORPORATION**

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<sup>3</sup> In the Iowa City market, Mediacom's residential broadband service options include packages with download and upload speeds up to 3 Mbps by 512 Mbps, 12 Mbps by 1 Mbps, 15 Mbps by 1 Mbps, 20 Mbps by 2 Mbps, 50 Mbps by 5 Mbps, and 105 Mbps by 10 Mbps.

<sup>4</sup> The City contends that Mediacom's terms of service agreement puts consumers at risk of being charged for exceeding the data cap without being informed what those charges would be. In fact, Mediacom's terms of service agreement accurately puts customers on notice that should they exceed the monthly data cap, Mediacom reserves the option of responding in various ways, including suspending the service or asking the consumer to upgrade to a higher "level" of service (at a higher price).