

**BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.**

In the Matter of)	
)	
Implementation of Section 224 of the Act)	WC Docket No. 07-245
)	
A National Broadband Plan For Our Future)	GN Docket No. 09-51

COMCAST RESPONSE TO PETITIONS FOR RECONSIDERATION

Kathryn A. Zachem
Mary P. McManus
COMCAST CORPORATION
300 New Jersey Avenue, NW
Suite 700
Washington, DC 20001-2030
(202) 379-7134

Brian A. Rankin
Jeffrey E. Smith
Tracy Haslett
COMCAST CABLE
COMMUNICATIONS, LLC
One Comcast Center
1701 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2838

Wes Heppler
James F. Ireland
DAVIS WRIGHT TREMAINE LLP
1919 Pennsylvania Avenue, NW
Suite 800
Washington, DC 20006-3401
Phone: (202) 973-4200

Counsel for Comcast Corporation

August 10, 2011

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

In the Matter of)	
)	
Implementation of Section 224 of the Act)	WC Docket No. 07-245
)	
A National Broadband Plan for Our Future)	GN Docket No. 09-51

RESPONSE TO PETITIONS FOR RECONSIDERATION

Comcast Corporation (“Comcast”) hereby responds to the petitions for reconsideration filed by the National Cable & Telecommunications Association, COMPTEL and tw telecom inc. (collectively, “Broadband Attachers”)¹ and the Coalition of Concerned Utilities (“Utility Coalition”)² regarding the pole attachment rules adopted by the Commission in the above captioned proceeding.³

I. INTRODUCTION

The Commission’s *2011 Pole Attachment Order* significantly reduces unnecessary obstacles to broadband deployment and Comcast strongly supports the Commission’s efforts in this area. If the Commission’s objectives are to be fully achieved, however, it is critical that the telecom pole rate formula (“telecom formula”) be clarified as requested by the Broadband Attachers. The requested clarification or rule amendment will ensure that rates paid by telecom

¹ Petition for Reconsideration or Clarification of the National Cable & Telecommunications Association, COMPTEL and tw telecom inc. (WC Docket 07-245), filed June 8, 2011 (“Broadband Attachers’ Petition”).
² Petition for Reconsideration of the Coalition of Concerned Utilities (WC Docket 07-245), filed June 8, 2011 (“Utility Coalition Petition”).
³ *Implementation of Section 224 of the Act; A National Broadband Plan for Our Future*, Report and Order and Order on Reconsideration, FCC 11-50, 26 FCC Rcd 5240 (2011) (“*2011 Pole Attachment Order*”).

attachers are as close as possible to the cable pole rate formula (“cable formula”) – as intended by the *2011 Pole Attachment Order* and as recommended in the National Broadband Plan.⁴

The Utility Coalition’s reconsideration requests would allow utilities to: (i) impose the Oregon Public Utility Commission’s (“Oregon PUC”) safety violation penalties and (ii) apply the Oregon PUC’s unauthorized attachment and safety violation penalties automatically to all attachers rather than through negotiated pole attachment agreements. Neither Utility Coalition proposal is justified by the record and each would precipitate countless and unnecessary controversies requiring Commission resolution – thereby introducing additional obstacles to broadband deployment.

II. CLARIFICATION OF THE TELECOM FORMULA WILL ADVANCE NATIONAL BROADBAND OBJECTIVES

The Commission’s telecom formula is intended to promote increased broadband competition, affordability and availability. As the Commission found in its *2011 Pole Attachment Order*, and as recommended in the National Broadband Plan, lowering the telecom attachment rate as close as possible to the cable attachment rate is crucial to eliminating market distortions and enhancing competitive neutrality among broadband networks.⁵ Further, the Commission concluded that uniform attachment rates will reduce the litigation and uncertainty over the regulatory classification of services where such classifications now dictate higher or lower attachment rates.⁶ Because the cable formula has repeatedly been found to yield just and

⁴ Omnibus Broadband Initiative, Federal Communications Commission, Connecting America: The National Broadband Plan (2010), available at <http://download.broadband.gov/plan/national-broadband-plan.pdf> (“National Broadband Plan”).

⁵ See *2011 Pole Attachment Order* ¶ 126; National Broadband Plan at 110 (“Through a rulemaking, the FCC should revisit its application of the telecommunications carrier rate formula to yield rates as close as possible to the cable rate in a way that is consistent with the Act.”)

⁶ *2011 Pole Attachment Order* ¶ 5; National Broadband Plan at 110 (“[T]here has been near-constant litigation about the applicability of ‘cable’ or ‘telecommunications’ rates to broadband, voice over Internet protocol and wireless

reasonable compensation to pole owners⁷ at a rate level significantly below the former telecom formula, the *2011 Pole Attachment Order* revised the telecom formula to “yield rates as close as possible to the cable rate in a way that is consistent with the Act.”⁸

The new telecom formula succeeds in establishing near uniform attachment rates for telecom and cable attachers⁹ where the telecom attachments are governed by the Commission’s urban and non-urban area attaching entity presumptions.¹⁰ However, as explained in the Broadband Attachers’ Petition, the amended formula does *not* specifically address situations where a pole owner rebuts the attaching entity presumptions by showing a fewer number of attaching entities. For example, one utility submits that it has just 2.6 attachers per pole in the urbanized areas it serves, which results in a telecom attachment rate 70% higher than the cable

services.”). The Commission found that uncertainty regarding regulatory classification of services that could drive up attachment costs could deter extension of broadband networks. *2011 Pole Attachment Order* ¶ 134 (“This uncertainty results from the risk that, by offering services that potentially could be classified as ‘telecommunications services,’ a higher telecom rental rate might then be applied to the broadband provider’s entire network.”).

⁷ *2011 Pole Attachment Order* ¶ 183. Congress has confirmed that the cable formula is “just and reasonable” in 1982, 1984, 1992, and 1996. See Communications Amendments Act of 1982, Pub. L. No. 97-259, 96 Stat. 1087 (1982); Cable Communications Policy Act of 1984, Pub. L. No. 98-549, 98 Stat. 2779 (1984); Cable Television Consumer Protection and Competition Act of 1992, Pub. L. No. 102-385, 106 Stat. 1460 (1992); and Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996). See, e.g., *Amendment of Commission’s Rules and Policies Governing Pole Attachments; Implementation of Section 703(e) of the Telecommunications Act of 1996*, Consolidated Partial Order On Reconsideration, FCC 01-170, 16 FCC Rcd 12103, 12113 ¶¶ 15-17 (2001) (“We affirm our decision that the *Cable Formula* . . . encompasses the statutory directive to provide just and reasonable rates for pole attachments”); *Alabama Power Co. v. FCC*, 311 F.3d 1357, 1370-71 (11th Cir. 2002) (“[A]ny implementation of the [Commission’s cable pole attachment rate] (which provides for much more than marginal cost) necessarily provides just compensation.”); *FCC v. Florida Power Corp.*, 480 U.S. 245, 253-54 (1987) (finding that it could not “seriously be argued, that a rate providing for the recovery of fully allocated cost, including the actual cost of capital, is confiscatory.”).

⁸ National Broadband Plan at 110.

⁹ Under the cable formula, attachers typically pay 7.4% of the fully allocated annual carrying costs of a pole. Under the old telecom formula in “urban” areas (applying the five attaching entity presumption) attachers paid 11.2% of the fully allocated annual carrying costs of the pole, while in “non-urban” areas (applying the three attaching entity presumption) attachers paid 16.9% of these annual costs. See *2011 Pole Attachment Order* ¶¶ 149-150, n. 453. The new telecom formula redefines the term “cost” in Section 224(e) for urban areas as 66% of such fully allocated costs – 66% x 11.2% = 7.39%. For non-urban areas, the new formula defines “cost” as 44% of such annual costs – 44% x 16.9% = 7.43%. See also 47 C.F.R. § 1.1409(e)(i).

¹⁰ Under Commission rules, in “urbanized areas” (50,000 or higher populations as determined by the Census Bureau) pole owners are presumed to have five attaching entities on each pole. For “non-urbanized” areas (under 50,000 population) the presumption is three attaching entities. 47 C.F.R. § 1.1417(c). These presumptions may be rebutted by the pole owner. *Id.* § 1.1417(d).

rate under the new telecom formula.¹¹ Even if a utility had three attachers per pole in an urbanized area instead of the presumed five, the resulting telecom attachment rate would still be 50% percent higher than the cable rate. Clarifying the telecom formula as requested by the Broadband Attachers would ensure that the telecom formula yields a rate close to the cable formula regardless of the number of attaching entities on utility poles.

Electric utilities have submitted substantial information claiming that the Commission's urban and non-urban presumptions are often overstated,¹² and they can be expected to vigorously pursue a strategy of rebutting the attaching entity presumptions at every opportunity. In adopting the attacher presumptions, the Commission had expected that facilities-based telecommunications attachers would proliferate after the 1996 Act. However, ILEC opposition to new competitive telecommunications carriers and the emergence of cable technology integrating broadband (including VoIP) into the same lines used for cable service resulted in far fewer new facilities-based telecommunications attachers than anticipated thereby making the number of presumptive attachers artificially high.¹³

Absent clarification, the new telecom formula will generate a significant increase in Commission complaints arising out of utility attempts to achieve higher attachment rates by rebutting the attaching entity presumptions. To the extent that the utilities are successful in rebutting the presumptions, the new telecom formula will produce a telecom pole rate that is

¹¹ Broadband Attachers' Petition at 5-6, Attachment A.

¹² As the Commission noted, utilities argue that the telecom rate "is based on 'unrealistic presumptions' for the average number of attaching entities on a pole . . ." *2011 Pole Attachment Order* ¶ 180. *See also* Comments of American Electric Power Service Corp. ("AEP"), *et al.* (WC Docket No. 07-245) at 19-28 (filed Mar. 7, 2008) (showing a range of attaching entities from 2.28 to 3.08); Comments of the Edison Electric Institute and Utilities Telecom Council (WC Docket No. 07-245) at 45-48 (filed Mar. 7, 2008) ("2008 EEI Comments") (asserting that many utilities average fewer than 3 attaching entities per pole in urban and rural areas).

¹³ *See, e.g.,* Comments of Comcast Corporation (WC Docket No. 07-245) at 7 (filed Aug. 16, 2010) ("2010 Comcast Comments"); National Cable & Telecommunications Association Comments (WC Docket No. 07-245) at 13 (filed Aug. 16, 2010) ("2010 NCTA Comments").

neither uniform nor close to the cable rate. Further, such higher telecom attachment rates will continue to encourage utility challenges to the regulatory classification of an attacher's services, thereby perpetuating the risks and uncertainties that the *2011 Pole Attachment Order* intended to eliminate.¹⁴

The Commission should adopt the cost allocations (based on the actual number of attaching entities) proposed in the Broadband Attachers' Petition.¹⁵ The resulting rates will remain just and reasonable, constitutionally compensatory and consistent with all applicable Section 224(e) requirements.¹⁶ Adopting this clarification will ensure that the objectives of the *2011 Pole Attachment Order* and National Broadband Plan are achieved by establishing low, uniform attachment rates for telecom attachers thereby minimizing market distortions and regulatory classification disputes for broadband providers.¹⁷

III. THE UTILITY COALITION'S NEW PENALTY PROPOSALS SHOULD BE REJECTED

The Commission wisely refrained from adopting any presumed reasonable penalty fee standard applicable to the highly contentious area of alleged safety violations. Comcast supports

¹⁴ As the Commission explained, "largely eliminating the difference in prices charged to cable operators and telecommunications carriers will significantly reduce the extent to which investment and deployment choices by such providers, and competition more generally, are distorted based on regulatory classifications." *2011 Pole Attachment Order* ¶ 181.

¹⁵ Broadband Attachers' Petition at 6-7, Attachment B.

¹⁶ *2011 Pole Attachment Order* ¶¶ 146-152, 182-198.

¹⁷ Comcast also supports the alternative solution proposed by the Broadband Attachers, if the requested clarification is not adopted. Instead of adopting the requested clarification, the Commission could adopt its initial reinterpretation of the telecom formula as proposed in the Further Notice of Proposed Rulemaking, FCC 10-84, 25 FCC Rcd 11864, 11917-24 ¶¶ 128-141 (2010) ("*2010 Pole Attachment FNPRM*"). Broadband Attachers' Petition at 7. In its *2010 Pole Attachment FNPRM*, the Commission proposed to establish the telecom rate at the higher of the rate yielded by the cable formula or the "lower bound" telecom rate calculated by eliminating the capital components of the carrying charge (i.e., depreciation, rate of return and taxes) from the definition of "cost" in the old telecom formula. 25 FCC Rcd at 11932, App. B. As explained in the 2010 Comcast Comments, this initial proposal is supported by sound economic theory as well as by the language and intent of Section 224(e) and would promote the Commission's broadband objectives by yielding telecom rates as close as possible to the cable rate.

that decision and agrees with pole owner AT&T that the Commission should reject the Utility Coalition's request for such a penalty standard.¹⁸ In addition, the Commission's decision to recognize the Oregon unauthorized attachment regime as a safe harbor of reasonableness when negotiated into new pole agreements *on a prospective basis* should not be disturbed. Adopting the Utility Coalition's proposals would create unnecessary obstacles to broadband deployment.

A. Safety Violation Penalties

The Utility Coalition seeks reconsideration to allow pole owners to impose \$200 per alleged safety violation penalties as provided in the Oregon PUC rules.¹⁹ Since this proceeding was initiated in 2007, the Utility Coalition and several other electric utilities have urged the Commission to allow pole owners to impose significant penalties on third party attachers for alleged safety code violations.²⁰ In response, numerous commenters, including some pole owners, have provided a substantial record refuting any justification for allowing utilities to impose such penalties.²¹ The record establishes that:

- A large number of violations blamed on attachers are in fact caused by electric utilities seeking to shift the blame and cost of correction to attachers;²²

¹⁸ AT&T Inc.'s Response to Petitions for Reconsideration (WC Docket 07-245) at 5 (filed July 5, 2011) ("AT&T Response").

¹⁹Utility Coalition Petition at 15-16 (referencing Oregon Admin. Rules § 860-028-0150(1)-(2)).

²⁰ See, e.g., Comments of the Coalition of Concerned Utilities (WC Docket 07-245) at 78 (filed Mar. 7, 2008); see also 2008 EEI Comments at 79-80; Comments of Ameren Services Co. and Virginia Electric Power Co. (WC Docket 07-245) at 4 (filed Mar. 7, 2008); Comments of the Coalition of Concerned Utilities (WC Docket 07-245) at 101-04 (filed Aug. 16, 2010); Reply Comments of the Coalition of Concerned Utilities (WC Docket 07-245) at 11-12 (filed Oct. 4, 2010); Reply Comments of the Edison Electric Institute and Utilities Telecom Council (WC Docket 07-245) at 56-57 (filed Oct. 4, 2010).

²¹ See, e.g., Comments of CenturyLink (WC Docket No. 07-245) at 38-40 (filed Aug. 16, 2010) ("2010 CenturyLink Comments"); AT&T Response at 5.

²² Comments of Comcast Corporation (WC Docket No. 07-245) at 25 n.86 (filed Mar. 7, 2008); Reply Comments of Comcast Corporation (WC Docket 07-245) at 24-27, Ex. 3 Harrelson Decl. ¶¶ 15-19 (filed Apr. 22, 2008) ("2008 Comcast Reply Comments") (demonstrating that the pole owners themselves cause most of the violations that they later blame on others). See also Ex parte letter from John E. Benedict, CenturyLink, to Marlene Dortch, Secretary, FCC, at 9 (filed Mar. 17, 2011) ("ELCO commonly moves/lowers ILEC attachments, creating costs and hazards."), available at <http://fjallfoss.fcc.gov/ecfs/document/view?id=7021034686>; AT&T Reply Comments (WC Docket No. 07-045) at 34 (filed Apr. 22, 2008) (" [A] safety violation can occur through no fault of an ILEC when an electric company subsequently places facilities such as a transformer onto the pole within the

- Cable and other attachers share a common interest with utilities in complying with safety requirements to protect the public and to help ensure that services will not be disrupted;²³
- Comcast and other cable companies are subject to a host of independent, binding legal requirements under franchise agreements, state and local laws requiring compliance with safety codes.²⁴

Moreover, although electric utilities have warned for decades that attachers disregard safety codes and present a substantial threat to electric safety and reliability, experience shows otherwise.²⁵ Commenters explained that attaching parties and pole owners have successfully resolved virtually all safety compliance issues in due course in the field.²⁶ As electric utility Progress Energy explained to the Commission earlier this year, “most licensees either construct their facilities in compliance with the NESC and [utility specifications] in the first instance or timely correct any violations found during post-attachment inspection.”²⁷ The Commission’s existing attachment policies and the demonstrated ability of parties to efficiently resolve safety issues in the field has facilitated the deployment of advanced broadband networks consistent with pole safety and reliability.

safety zone.”); Comments of Charter Communications, Inc. (WC Docket 07-245) at 26-32 (filed Aug. 16, 2010) (“2010 Charter Comments”); 2010 NCTA Comments at 42-50; Reply Comments of Time Warner Cable, Inc. (WC Docket 07-245), Ex. 3 (filed Apr. 22, 2008) (“2008 Time Warner Reply Comments”).

²³ 2008 Comcast Reply Comments at 23 and Ex. 3 Harrelson Decl. ¶¶ 3-4.

²⁴ *Id.* 23-24.

²⁵ *Id.* Ex. 4 (Appendix of Commission Authority Rejecting Utility Safety Arguments). The Utility Coalition’s contention that communications attachers are not qualified to comply with safety requirements and do not follow appropriate standards is completely unsubstantiated and, most importantly, wrong. Utility Coalition Petition at 15-16 n. 27. In fact, communications attachers have decades of experience building advanced, nationwide broadband networks consistent with safety concerns and the reliability of the electric grid.

²⁶ *See, e.g.*, Reply Comments of Time Warner Cable, Inc. (WC Docket No. 07-245) at 36 (filed Oct. 4, 2010) (“TWC appreciates and accepts its role in avoiding the creation of unsafe pole conditions and correcting code violations attributable to it whenever they are found.”); 2010 CenturyLink Comments at 39 (“[M]ost such issues are resolved reasonably and amicably.”); 2008 Comcast Reply Comments at 28 (“[T]he reality is that cable, ILEC and electric company facilities have coexisted on poles safely and successfully for some 40 years with only an occasional need to seek Commission intervention to correct unreasonable utility behavior.”).

²⁷ Ex parte letter from Scott Freeburn, Progress Energy, to Marlene Dortch, Secretary, FCC, WC Docket No. 07-245 (Mar. 7, 2011), *available at* <http://fjallfoss.fcc.gov/ecfs/document/view?id=7021033478>.

Conversely, the Utility Coalition’s proposed safety penalty regime would prove highly divisive – creating incentives for utilities and their contractors to impose penalties where none are justified.²⁸ Utilities will launch coast-to-coast efforts to generate lucrative safety penalty fees triggering scores of controversies that the Commission will ultimately be called upon to resolve.²⁹ Such utility-manufactured conflicts will ultimately divert significant attacher resources and delay broadband deployment.

The record in this proceeding contains no evidence of any systemic problem with regard to safety violations and the Utility Coalition Petition offers nothing that the Commission has not already fully considered and rejected.

B. Prospective Application of Oregon Unauthorized Attachment Regime

In the *2011 Pole Attachment Order*, the Commission revised its limitation on unauthorized attachment penalties, which generally had limited such penalties to 5 years of back rent per unauthorized attachment.³⁰ The Commission’s new policy creates a “safe harbor” for unauthorized attachment penalties on a prospective basis based upon the penalties and the attacher procedural protections in the Oregon PUC rules.³¹ The Commission modified its policy due to concerns that the existing penalty limitations did not provide adequate financial incentive

²⁸ See 2010 Charter Comments at 26-32 (describing disputes over Oregon safety penalties).

²⁹ As explained by pole owner CenturyLink, “[c]reating a penalty system creates an incentive for pole owners to find and impose penalties as a revenue enhancement, and could needlessly multiply disputes.” 2010 CenturyLink Comments at 39.

³⁰ *2011 Pole Attachment Order* ¶ 115.

³¹ *Id.* For example, the Oregon rules allow a penalty of up to \$500 per pole for unauthorized attachments made by a party without a contract. In addition, if a pole owner discovers the unauthorized attachment in an inspection that the attacher declined to participate in, the penalty is five years back rent plus \$100 per unauthorized pole. If the unauthorized attachment is self-reported or discovered in a joint inspection, the penalty is limited to five years back rent per pole. The safe harbor also provides important protections for attachers including a requirement that utilities provide notice (including pole number and location) and an opportunity for the attacher to avoid penalties by submitting a correction plan. *Id.* In addition it would be unreasonable, inter alia, to impose the no contract penalty where contract negotiations are underway to replace an expired or terminated contract or where the parties are operating under the terms of an expired contract as if the terms are mutually agreeable and still applicable. See Ex Parte letter from Paul Glist to Marlene H. Dortch, WC Docket No. 07-245(Mar. 30, 2011), available at <http://fjallfoss.fcc.gov/ecfs/document/view?id=7021235912>.

to some attachers to obtain pole permits in advance. However, the Commission also recognized that utilities often abuse the inspection process by imposing unjustified penalties on attachers due to poor utility record keeping, changes in pole ownership and other utility practices addressed at length by attachers in the comments.³² As a result, the *2011 Pole Attachment Order* provides that the new unauthorized attachment penalty safe harbor policies apply “on a prospective basis only – i.e., to new agreements, or amendments to existing agreements, executed after the effective date of this Order.”³³

The Utility Coalition seeks reconsideration of the prospective application of the new policy and requests the Commission to impose the entire Oregon unauthorized attachment regime automatically and immediately on all attachers. The Utility Coalition proposal fails to recognize that unauthorized attachment provisions in existing agreements often contain fully negotiated provisions detailing the pole audit process, frequency of inspections, notice and opportunity to participate, cost-sharing, safe harbors and cure provisions.³⁴ Any effort to superimpose the entire Oregon unauthorized attachment regime on thousands of existing contracts will prove to be both chaotic and riddled with disputes requiring Commission resolution.

³² *2011 Pole Attachment Order* ¶ 114. Numerous attachers reported examples of improper utility pole attachment audit practices that result in greatly exaggerated claims and lucrative penalties for pole owners. *See, e.g.*, 2010 Comcast Comments at 33-36; 2010 CenturyLink Comments at 38-39 (“Many properly placed attachments – including attachments installed many years ago – are actually just problems in record-keeping. . . . The problem may result from a failure to bill, or some other record error.”); Comments of Time Warner Cable, Inc. (WC Docket No. 07-245) at 30-36 (filed Aug. 16, 2010); 2008 Comcast Reply Comments at 28-30; 2008 Time Warner Reply Comments at 47-49; Comments of Knology, Inc. (WC Docket 07-245) at 18 (filed Mar. 7, 2008); AT&T Reply Comments (WC Docket No. 07-045) at 32-35 (filed Apr. 22, 2008); Reply Comments of Verizon (WC Docket No. 07-045) at 17-19 (filed Apr. 22, 2008).

³³ *2011 Pole Attachment Order* ¶ 114.

³⁴ *See, e.g.*, Ex Parte letter from Paul Glist to Marlene H. Dortch (WC Docket No. 07-245) at 2 (filed Mar. 30, 2011) (noting negotiated safe harbor of 2% governing unauthorized attachment penalty process in pole attachment agreement). 2010 CenturyLink Comments at 39-40 (“Pole attachment agreements often include provisions to address [unauthorized attachments]. * * * The Commission should not adopt any provisions that permit pole owners to levy penalties for unauthorized attachments or safety violations, at least until such provisions can be freely negotiated between the parties.”).

Given the lack of complaints concerning unauthorized attachments before the Commission, there will likely be many instances where neither party is interested in disturbing an existing negotiated agreement through the automatic imposition of new standards and processes. Certainly, attaching parties who negotiated specific inspection practices and unauthorized attachment provisions reflecting the experiences and needs of specific systems should not be compelled to substitute the Oregon regime unless in the context of a prospective contract negotiation. The Commission has chosen the appropriate course by allowing the parties in their individual circumstances to negotiate how best the Oregon model will apply on a prospective basis.

For the reasons stated above, Comcast urges the Commission to clarify the *2011 Pole Attachment Order's* telecom formula as requested by the Broadband Attachers, and to reject the Utility Coalition's proposed revisions to the Commission's pole attachment penalty policies in order to prevent the unnecessary introduction of obstacles to broadband deployment.

Kathryn A. Zachem
Mary P. McManus
COMCAST CORPORATION
300 New Jersey Avenue, NW
Suite 700
Washington, DC 20001-2030
(202) 379-7134

Brian A. Rankin
Jeffrey E. Smith
Tracy Haslett
COMCAST CABLE
COMMUNICATIONS, LLC
One Comcast Center
1701 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2838

s/ Wes Heppler

Wes Heppler
James F. Ireland
DAVIS WRIGHT TREMAINE LLP
1919 Pennsylvania Avenue, NW
Suite 800
Washington, DC 20006-3401
Phone: (202) 973-4200

Counsel for Comcast Corporation