

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

In the Matter of

Charter Communications, Inc.

Petition for Determination of Effective Competition in:

Boylston, MA (MA0260)
Leicester, MA (MA0044)
Northbridge, MA (MA0180)
Paxton, MA (MA0304)
Spencer, MA (MA0043)

MB 13-20
CSR-8763-E

**MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE
OPPOSITION TO CHARTER'S
PETITION FOR SPECIAL RELIEF**

Commonwealth of Massachusetts
Department of Telecommunications and Cable

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Dated: February 11, 2013

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I. INTRODUCTION.

The Federal Communications Commission ("FCC") should deny the January 16, 2013 Petition for Special Relief ("Petition") filed by Charter Communications, Inc. ("Charter") because the methodology used to collect the data Charter submitted in support of the Petition is inadequate under the second prong of the FCC's "Competing Provider Test."¹ If the FCC does not deny the Petition outright, it should at least require Charter to submit more accurate data prior to allowing the Petition. The Massachusetts Department of Telecommunications and Cable ("MDTC") files this Opposition to the Petition pursuant to Section 76.7 of the FCC's rules, and in its capacity as regulator of cable rates in the Commonwealth of Massachusetts.²

¹ See 47 C.F.R. § 76.905(b)(2).

² The MDTC "is the certified 'franchising authority' for regulating basic service tier rates and associated equipment costs in Massachusetts." 207 C.M.R. § 6.02; *see also* MASS. GEN. LAWS ch. 166A, §§ 2A, 15 (establishing the MDTC's authority to regulate cable rates). Also, the MDTC regulates

II. THE FCC SHOULD DENY CHARTER’S PETITION BECAUSE CHARTER FAILED TO SATISFY THE SECOND PRONG OF THE COMPETING PROVIDER TEST.

Under its Competing Provider Test, the FCC may determine that a cable operator is subject to effective competition if the operator can establish that a franchise area is:

- (i) [s]erved by at least two unaffiliated multichannel video programming distributors each of which offers comparable programming to at least 50 percent of the households in the franchise area; and
- (ii) the number of households subscribing to multichannel video programming other than the largest multichannel video programming distributor exceeds 15 percent of the households in the franchise area.³

Charter argues that it meets the Competing Provider Test in Boylston, Leicester, Northbridge, Paxton, and Spencer (collectively, “Franchise Areas”) based upon the presence of two direct broadcast satellite (“DBS”) providers—DirecTV, Inc. and Dish Network, Corp. (“DBS providers”).⁴

The MDTC does not dispute that Charter meets the first prong of this test.⁵ However, given the inadequacy of the methodology used to create the data submitted in support of its Petition, Charter has failed to make the additional showing under the second prong that the DBS providers have a sufficiently high level of subscribership in the Franchise Areas to overcome the

³ telecommunications and cable services within the Commonwealth of Massachusetts and represents the Commonwealth before the FCC. MASS. GEN. LAWS ch. 25C, § 1; MASS. GEN. LAWS ch. 166A, § 16. 47 C.F.R. §§ 76.905(b)(2)(i)-(ii). The MDTC reiterates that regulatory relief on account of “effective competition” does not produce the intended result of basic service rates being held in check. *See, e.g., In the Matter of Charter Commc’ns, Inc. Petition for Determination of Effective Competition in 46 Local Franchise Areas*, CSR-8558-E, et al., MDTC Opposition to Charter’s Petition at 4 n.12 (filed Feb. 15, 2012) (“MDTC 2012 Charter Opposition”).

⁴ Petition at 3, 7.

⁵ As the MDTC has noted in the past, however, given FCC precedent on the issue, the first prong is likely satisfied by *any* cable operator petitioning the FCC for a determination of effective competition based on the Competing Provider Test. *See, e.g., In the Matter of MCC Iowa, LLC Petition for Determination of Effective Competition for Six Local Franchise Areas*, CSR-6482-E, *Memorandum Opinion & Order*, ¶ 3 (rel. Sept. 30, 2005) (holding that the first prong of the Competing Provider Test was met due to the DBS providers’ nationwide footprint, subscriber growth, and available programming).

presumption against effective competition.⁶ First, Charter’s data show an overall multichannel video penetration rate exceeding 100 percent in Paxton, a result that the FCC has used to reject effective competition petitions in the past.⁷ Second, Charter included in its calculations DBS subscribers whose housing units do not qualify as “households,” thereby producing artificially inflated DBS provider penetration rates in the Franchise Areas.⁸ Accordingly, the MDTC requests that the FCC deny the Petition, at least until Charter provides data that accurately calculate the DBS provider penetration rates.

A. Charter’s DBS Subscribership Data Result In A Total Subscribership Penetration Rate Of Over 100 Percent In Paxton, Which Alone Is Sufficient Basis For The FCC To Deny The Petition With Respect To That Town.

To calculate DBS provider penetration rates, Charter included certain subscribers in its calculations without including their housing units.⁹ This method creates the potential for overall multichannel video penetration rates in excess of 100 percent in certain franchise areas, which is statistically impracticable if accurate data are used. Indeed, Charter’s data suggest that the multichannel video penetration rate in fact does exceed 100 percent in Paxton.¹⁰ The FCC stated that data yielding penetration rates that exceed 100 percent of the households in a franchise area are “obviously inaccurate,”¹¹ adding later that it would dismiss such evidence regardless of its

⁶ 47 C.F.R. § 76.906 (“In the absence of a demonstration to the contrary, cable systems are presumed not to be subject to effective competition.”).

⁷ See *infra* Part II.A.

⁸ See *infra* Part II.B.

⁹ *Id.* Another potential reason for the overall video penetration rate being above 100 percent in Paxton is because Charter may have included DBS subscribers that do not actually live in the town. See Exhibit 1 (showing that, despite Charter’s representations in Exhibit 4, the five-digit ZIP Code 01612 does not lie entirely within the boundaries of Paxton). The black objects on the map represent households. *Id.*

¹⁰ Taking into account Charter subscribers, the overall multichannel video penetration rate is 101.81 percent in Paxton. Exhibit 2.

¹¹ *Comm’n Announces New Standards for Showings of Effective Competition for Cable Serv.*, DA 08-1892, *Pub. Notice* (rel. Aug. 13, 2008).

format.¹² In fact, the FCC denied an effective competition petition where the petitioner claimed that penetration rates exceeded 100 percent in some franchise areas.¹³ The FCC later called the data submitted in that petition “patently inaccurate and unreliable” because the multichannel video penetration rates exceeded 100 percent.¹⁴

In a past instance in which the MDTC demonstrated that, based on Charter’s data, the multichannel video penetration rate exceeded 100 percent in a particular town, Wales, MA, Charter voluntarily withdrew its petition for determination of effective competition in that town.¹⁵ In doing so, Charter admitted that “a minor reporting error affecting this one small community *could* have substantive impact.”¹⁶ Charter’s claimed DBS provider penetration rate in Wales was 17.53 percent.¹⁷ Comparatively, Charter’s claimed DBS provider penetration rate in each of the five Franchise Areas in the Petition is under 16 percent.¹⁸ If a minor reporting error could have a substantive impact in Wales, certainly such error could also have a substantive impact in the small communities at issue in the Petition. At a minimum, the FCC should adhere to its precedent and deny the Petition to the extent Charter seeks a determination of effective competition in Paxton.

¹² *Comm’n Clarifies Standards for Evidence of Competing Provider Effective Competition for Cable Serv.*, DA 09-1361, *Pub. Notice* (rel. June 18, 2009) (declaring that the FCC will “dismiss evidence that shows obviously inaccurate . . . levels of subscription regardless of the format of such evidence.”).

¹³ *In the Matter of Time Warner Cable Inc. & Time Warner Entm’t-Advance Newhouse P’ship* (25 Petitions in Various Cmtys. in the State of N.Y. & the Commonwealth of Pa.), CSR-7243-E, et al., DA 08-1893, *Memorandum Opinion & Order*, ¶ 10 (rel. Aug. 13, 2008), *recons. denied*, DA 08-4265 (rel. Nov. 7, 2008).

¹⁴ *In the Matter of Time Warner Cable Inc. Petition for Determination of Effective Competition in Cheshire, MA*, CSR-7233-E, *Memorandum Opinion & Order*, ¶ 13 n.38 (rel. Feb. 15, 2011) (“[T]he combined subscribership of both DBS providers and Time Warner in [CSR-7243-E] exceeded 100% in many franchise areas, thus making the submitted data patently inaccurate and unreliable.”).

¹⁵ *In the Matter of Charter Commc’ns, Inc. Petition for Determination of Effective Competition in Wales, MA*, CSR-8558-E, Charter Motion to Withdraw (filed Feb. 27, 2012); *see* MDTC 2012 Charter Opposition at 5-6, Exhibit 3.

¹⁶ *In the Matter of Charter Commc’ns, Inc. Petition for Determination of Effective Competition in 46 Local Franchise Areas*, CSR-8558-E, et al., Charter Reply to MDTC Opposition at 8 (filed Feb. 27, 2012) (“Charter Reply”) (emphasis in original).

¹⁷ *In the Matter of Charter Commc’ns, Inc. Petition for Determination of Effective Competition in Wales, MA*, CSR-8558-E, Charter Petition at Exhibit 6 (filed Dec. 6 2011).

¹⁸ Petition at Exhibit 6; *see also infra* Part II.C.

B. Charter Included Certain DBS Subscribers In Its Statutory Numerator Without Including Those Subscribers' Households In Its Statutory Denominator, Thereby Artificially Inflating DBS Provider Penetration Rates Upward.

The methodology used to collect the data Charter submitted in support of the Petition produced artificially inflated DBS provider penetration rates in the Franchise Areas. In the Petition, Charter collected its data using the same methodology used in previous effective competition petitions—a methodology that the MDTC has previously argued is inaccurate.¹⁹ Specifically, Charter included DBS subscribers in its penetration calculations whose housing units do not qualify as “households,” skewing the Franchise Areas’ DBS provider penetration rates upwards, potentially in excess of the 15 percent statutory threshold. As the MDTC has stated previously, the FCC should not rely upon data calculated in this matter to render an effective competition decision.²⁰

Charter states that it obtained DBS subscribership data from the Satellite Broadcasting and Communication Association (“SBCA”).²¹ Charter took the total number of DBS subscribers in each of the Franchise Areas as a numerator (“statutory numerator”), divided it by the number of “households” in each of the Franchise Areas (“statutory denominator”), and the result, according to Charter, is the penetration rate of the DBS providers in each of the Franchise Areas.²² In these calculations, however, Charter included subscribers in its statutory numerator

¹⁹ See *In the Matter of Petition of the City of Boston, Mass. For Recertification to Regulate the Basic Cable Serv. Rates of Comcast Cable Commc'ns, LLC (CUID MA0182)*, CSR 8488-R, MDTC Opposition to Comcast’s Petition (filed May 30, 2012) (“MDTC Comcast Opposition”); MDTC 2012 Charter Opposition. At the time of this filing, the FCC has not issued a ruling in either of these proceedings.

²⁰ MDTC 2012 Charter Opposition at 6. The MDTC has provided detailed explanations of the fallacies of the SBCA’s methodology in the past, so the MDTC will provide only a brief overview here. See MDTC Comcast Opposition at 3-5; MDTC 2012 Charter Opposition at 6-8.

²¹ Petition at 6-7. The MDTC notes that Charter does not offer service to 100 percent of the “households” in the Franchise Areas, meaning that some, if not many, of the DBS subscribers that Charter includes in its calculations are unable to subscribe to Charter’s cable service. Using these subscribers as support for Charter’s claim of effective “competition” is clearly incongruous. See also MDTC 2012 Charter Opposition at n.23.

²² Petition at 7.

whose housing units do not qualify as “households” and thus were not included in Charter’s statutory denominator. This results in artificially inflated DBS provider penetration rates.

The SBCA likely included DBS subscribers in seasonal homes, vacations homes, and temporary homes in its subscriber numbers.²³ The SBCA makes no specific mention of the fact that such homes are excluded. Similarly, the SBCA explicitly included subscribers in multiple dwelling units (“MDUs”) in its DBS subscriber numbers, but did not exclude any type of MDU.²⁴ It is thus reasonable to conclude that the SBCA included subscribers in MDUs such as college dormitories, nursing homes, and other assisted living facilities in its reported number of DBS subscribers.²⁵ These inclusions are problematic, not necessarily because the subscriber numbers are inaccurate, but because none of those types of housing units qualify as “households” under the FCC’s definition.²⁶ The result is that Charter likely included subscribers in college dormitories, seasonal or vacation homes, nursing homes, and other assisted living facilities in its statutory numerator, but did not include those subscribers’ housing units in its statutory denominator. This calculation will overstate the DBS provider penetration rates.

By way of example, Charter asserts that Spencer has 714 DBS subscribers and 4,744 housing units, resulting in a DBS penetration rate of 15.05 percent.²⁷ If as few as 17 seasonal homes in Spencer are DBS subscribers—and thus were not included in Charter’s statutory

²³ See *id.* at Exhibit 4.

²⁴ *Id.* (“each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber”).

²⁵ The SBCA has stated that college dormitories and nursing homes are commercial accounts and thus are excluded from the SBCA’s subscriber numbers. *In the Matter of Petition of the City of Boston, Mass. For Recertification to Regulate the Basic Cable Serv. Rates of Comcast Cable Commc’ns, LLC (CUID MA0182)*, CSR 8488-R, Comcast Reply to MDTC Opposition at Exhibit C (filed June 12, 2012). However, given that these types of MDUs are by their nature residential, the FCC should at the very least require a similar explanation in support of the Petition.

²⁶ *In the Matter of Time Warner Entm’t-Advance/Newhouse P’ship Petition for Determination of Effective Competition in Wilson, N.C.*, CSR-7199-E, *Memorandum Opinion & Order*, ¶ 20 (rel. Mar. 16, 2011) (stating that that “households” do not include “college or university dormitories, seasonal or vacation homes, or nursing homes and similar assisted living facilities.”) (citations omitted).

²⁷ Petition at Exhibit 6.

denominator—the DBS provider penetration rate fails to reach the 15 percent threshold when the statutory denominator is adjusted to reflect accurate data.²⁸ Though the MDTC does not have access to the number of DBS subscribers residing in these types of housing units in the Franchise Areas, there are at least 13 seasonal homes in Boylston, 39 in Leicester, 28 in Northbridge, nine in Paxton, and 158 in Spencer.²⁹ The FCC should closely scrutinize Charter’s data before ruling on a Petition that is based upon internally inconsistent calculations.

C. Even If The Error Resulting From Charter’s Flawed Methodology Is Minor, It Is Significant In The Franchise Areas.

In Charter’s Reply to the MDTC 2012 Charter Opposition, the company repeatedly asserted that the errors that the MDTC pointed out were inconsequential.³⁰ However, given the asserted DBS provider penetration rates in the Franchise Areas, even a minor reporting error is material to the FCC’s analysis.³¹ According to Charter, the DBS provider penetration rates in the Franchise Areas are 15.84 percent, 15.37 percent, 15.26 percent, 15.14 percent, and 15.05 percent, respectively.³² As noted above, Charter acknowledged in the Charter Reply that “a minor reporting error affecting . . . one small community *could* have substantive impact.”³³ Even based on Charter’s faulty statutory numerators and denominators, the company reaches the 15

²⁸ Put another way, if using a more accurate statutory denominator adds as few as 17 previously omitted housing units to Charter’s statutory denominator in Spencer, the DBS penetration rate is below the 15 percent threshold ($714/4,761 = .14997$).

²⁹ Exhibit 3. The MDTC acknowledges that it is unlikely that all of the seasonal housing units in the Franchise Areas are DBS subscribers. However, assuming that seasonal residents subscribe to DBS providers at the same rate of the overall population of Spencer, using Charter’s 15.05 percent DBS provider penetration rate in Spencer, this would translate to 24 seasonal DBS subscribers ($.1505*158$). Adding these subscribers’ housing units to Charter’s statutory denominator decreases the DBS provider penetration rate in Spencer to 14.97 percent ($714/4,768$), below the statutory threshold.

³⁰ Charter Reply at 6, 7, 8 (characterizing the errors as having no “material effect” and being “slight,” “minor,” and “minimal”).

³¹ The MDTC maintains that as minor as any flaw in Charter’s data may be, the FCC should not rule on an effective competition petition until a cable operator provides reliable, internally consistent competing provider penetration data.

³² Petition at Exhibit 6.

³³ Charter Reply at 8.

percent threshold by only 15 subscribers in Boylston and Leicester, 16 subscribers in Northbridge, and a mere *three subscribers* in Paxton and Spencer.³⁴ Certainly even a “minor reporting error” in any of these Franchise Areas could have a material impact on the presence of effective competition. The FCC should not take Charter’s data at face value, but rather should examine the inconsistencies and require Charter to file more reliable data.

III. CONCLUSION.

While the data Charter submitted show that the DBS provider subscribership is above the 15 percent threshold as is required by the second prong of the Competing Provider Test, the MDTC urges the FCC to look closely at Charter’s data and to evaluate the manner in which Charter arrived at those numbers, particularly because the DBS provider penetration rates in each of the Franchise Areas are so close to the 15 percent threshold. Charter’s data produced a DBS provider penetration rate that exceeds 100 percent in Paxton, a fact that in and of itself has caused the FCC to reject effective competition petitions in the past. In addition, Charter cannot dispute that it included some DBS subscribers in its statutory numerators without including their households in the correlating statutory denominators, causing DBS provider penetration rates to appear higher than they actually are.

³⁴ The MDTC arrived at these figures by taking 15 percent of Charter’s asserted number of households, subtracting that number from Charter’s asserted number of DBS subscribers, and rounding up to the nearest whole subscriber.

The MDTC respectfully requests that the FCC deny Charter's Petition, at least until the company provides data that accurately reflect the DBS provider penetration rates.

Respectfully submitted,

GEOFFREY G. WHY, COMMISSIONER

By: /s/
Sean M. Carroll, Hearing Officer

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February 11, 2013

CERTIFICATION PURSUANT TO 47 C.F.R. § 76.6(a)(4)

The undersigned signatory has read the foregoing Opposition, and, to the best of my knowledge, information and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification or reversal of existing law; and it is not interposed for any improper purpose.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sean M. Carroll', is written over a horizontal line.

Sean M. Carroll

Commonwealth of Massachusetts
Department of Telecommunications and Cable
1000 Washington Street, Suite 820
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(617) 305-3580

February 11, 2013

DECLARATION OF MICHAEL MAEL

I, Michael Mael, declare, under penalty of perjury that:

1. I am a senior financial analyst at the Massachusetts Department of Telecommunications and Cable ("MDTC"). My duties include, among other things, maintaining the MDTC's records of cable basic service tier rates.
2. I have read the foregoing Opposition to Charter's Petition for Special Relief, and I am familiar with the contents thereof and the matters referred to therein.
3. The facts contained within the Opposition are true and correct to the best of my knowledge, information, and belief.

Date:

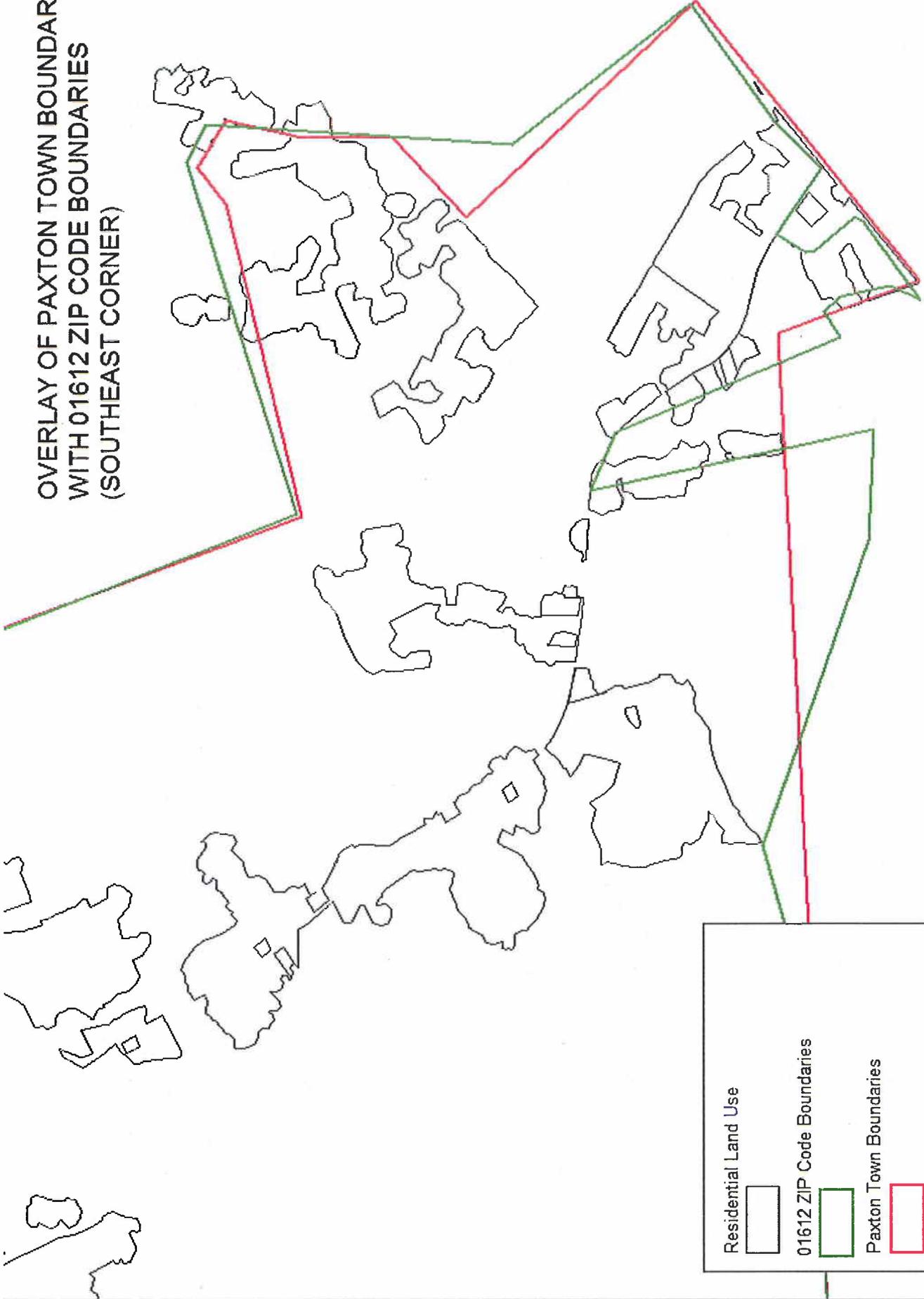
2/11/13



Michael Mael

Exhibit 1

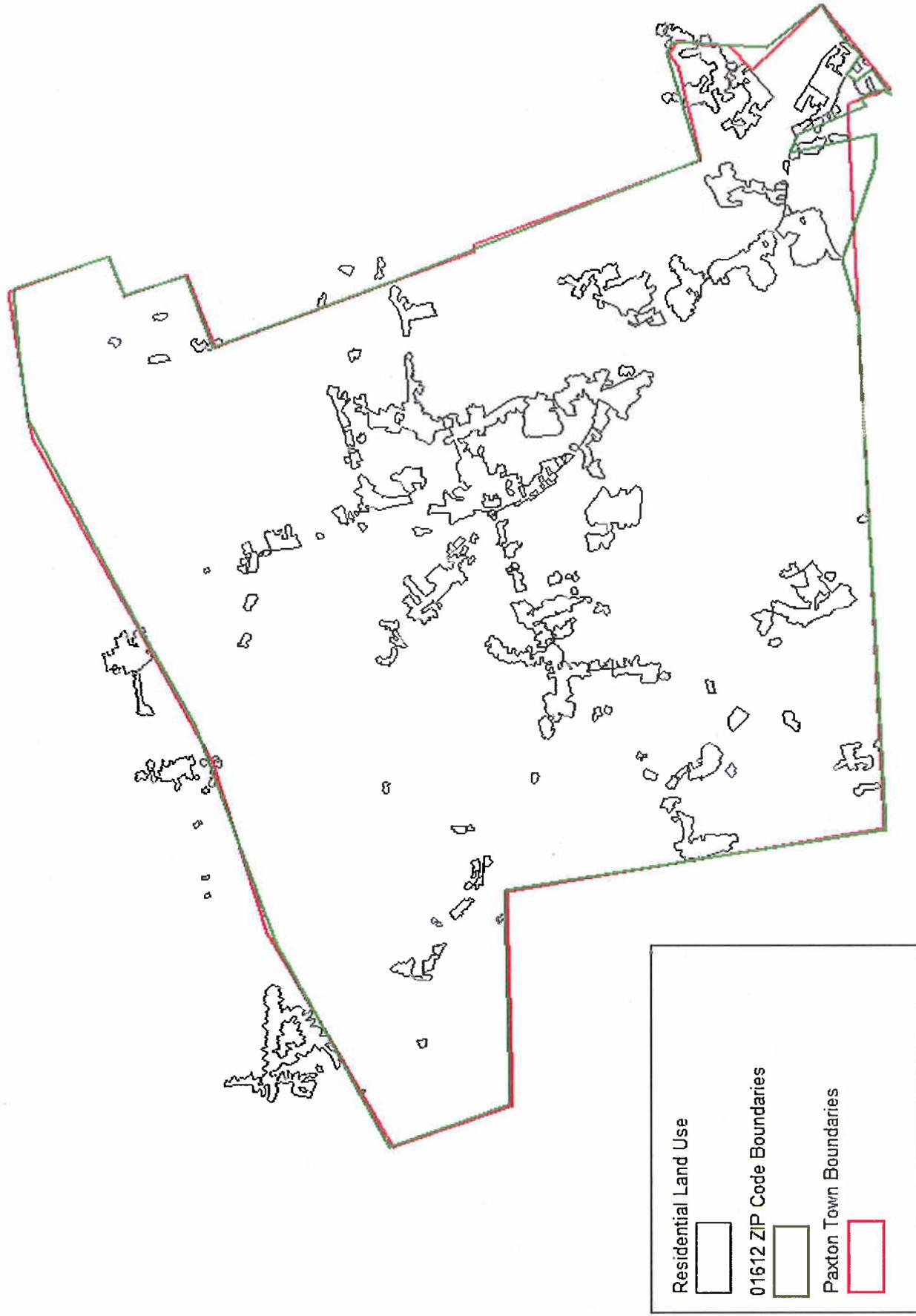
OVERLAY OF PAXTON TOWN BOUNDARIES
WITH 01612 ZIP CODE BOUNDARIES
(SOUTHEAST CORNER)



Residential Land Use	
01612 ZIP Code Boundaries	
Paxton Town Boundaries	

Sources: Community Boundaries Map, MassGIS; Zip Code boundaries obtained from ESRI, Redlands, California, 2007, through MassGIS; Massachusetts Land Use, 2005, MassGIS.

OVERLAY OF PAXTON TOWN BOUNDARIES WITH 01612 ZIP CODE BOUNDARIES



Sources: Community Boundaries Map, MassGIS; Zip Code boundaries obtained from ESRI, Redlands, California, 2007, through MassGIS; Massachusetts Land Use, 2005, MassGIS.

Exhibit 2

Town	DBS Subscribers ¹	Charter Subscribers ²	Total Subscribers	Households ³	Total Penetration Percentage
Boylston	269	1,342	1,611	1,698	94.88%
Leicester	618	3,119	3,737	4,021	92.94%
Northbridge	900	4,637	5,537	5,896	93.91%
Paxton	234	1,340	1,574	1,546	101.81%
Spencer	714	3,609	4,323	4,744	91.13%

¹ Petition at Exhibit 6.

² Charter, FCC Form 1240 (filed Oct. 1, 2012).

³ Petition at Exhibit 6.

Exhibit 3



QT-H1

General Housing Characteristics: 2010

2010 Census Summary File 1

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <http://www.census.gov/prod/cen2010/doc/sf1.pdf>.

Geography: Boylston town, Worcester County, Massachusetts

Subject	Number	Percent
OCCUPANCY STATUS		
Total housing units	1,778	100.0
Occupied housing units	1,698	95.5
Vacant housing units	80	4.5
TENURE		
Occupied housing units	1,698	100.0
Owner occupied	1,434	84.5
Owned with a mortgage or loan	1,060	62.4
Owned free and clear	374	22.0
Renter occupied	264	15.5
VACANCY STATUS		
Vacant housing units	80	100.0
For rent	12	15.0
Rented, not occupied	1	1.3
For sale only	19	23.8
Sold, not occupied	5	6.3
For seasonal, recreational, or occasional use	13	16.3
For migratory workers	0	0.0
Other vacant	30	37.5
TENURE BY HISPANIC OR LATINO ORIGIN OF HOUSEHOLDER BY RACE OF HOUSEHOLDER		
Occupied housing units	1,698	100.0
Owner-occupied housing units	1,434	84.5
Not Hispanic or Latino householder	1,423	83.8
White alone householder	1,358	80.0
Black or African American alone householder	6	0.4
American Indian and Alaska Native alone householder	3	0.2
Asian alone householder	43	2.5
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	1	0.1
Two or More Races householder	12	0.7
Hispanic or Latino householder	11	0.6
White alone householder	8	0.5
Black or African American alone householder	0	0.0
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	2	0.1
Two or More Races householder	1	0.1
Renter-occupied housing units	264	15.5
Not Hispanic or Latino householder	260	15.3
White alone householder	254	15.0
Black or African American alone householder	4	0.2

Subject	Number	Percent
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	1	0.1
Two or More Races householder	1	0.1
Hispanic or Latino householder	4	0.2
White alone householder	2	0.1
Black or African American alone householder	0	0.0
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	2	0.1
Two or More Races householder	0	0.0

X Not applicable.

Source: U.S. Census Bureau, 2010 Census.

Summary File 1, Tables H3, H4, H5, and HCT1.



QT-H1

General Housing Characteristics: 2010

2010 Census Summary File 1

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <http://www.census.gov/prod/cen2010/doc/sf1.pdf>.

Geography: Leicester town, Worcester County, Massachusetts

Subject	Number	Percent
OCCUPANCY STATUS		
Total housing units	4,270	100.0
Occupied housing units	4,021	94.2
Vacant housing units	249	5.8
TENURE		
Occupied housing units	4,021	100.0
Owner occupied	3,192	79.4
Owned with a mortgage or loan	2,470	61.4
Owned free and clear	722	18.0
Renter occupied	829	20.6
VACANCY STATUS		
Vacant housing units	249	100.0
For rent	62	24.9
Rented, not occupied	4	1.6
For sale only	49	19.7
Sold, not occupied	5	2.0
For seasonal, recreational, or occasional use	39	15.7
For migratory workers	0	0.0
Other vacant	90	36.1
TENURE BY HISPANIC OR LATINO ORIGIN OF HOUSEHOLDER BY RACE OF HOUSEHOLDER		
Occupied housing units	4,021	100.0
Owner-occupied housing units	3,192	79.4
Not Hispanic or Latino householder	3,131	77.9
White alone householder	3,031	75.4
Black or African American alone householder	19	0.5
American Indian and Alaska Native alone householder	8	0.2
Asian alone householder	37	0.9
Native Hawaiian and Other Pacific Islander alone householder	1	0.0
Some Other Race alone householder	5	0.1
Two or More Races householder	30	0.7
Hispanic or Latino householder	61	1.5
White alone householder	38	0.9
Black or African American alone householder	1	0.0
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	18	0.4
Two or More Races householder	4	0.1
Renter-occupied housing units	829	20.6
Not Hispanic or Latino householder	797	19.8
White alone householder	730	18.2
Black or African American alone householder	52	1.3

Subject	Number	Percent
American Indian and Alaska Native alone householder	5	0.1
Asian alone householder	6	0.1
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	2	0.0
Two or More Races householder	2	0.0
Hispanic or Latino householder	32	0.8
White alone householder	16	0.4
Black or African American alone householder	0	0.0
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	15	0.4
Two or More Races householder	1	0.0

X Not applicable.

Source: U.S. Census Bureau, 2010 Census.

Summary File 1, Tables H3, H4, H5, and HCT1.



QT-H1

General Housing Characteristics: 2010

2010 Census Summary File 1

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <http://www.census.gov/prod/cen2010/doc/sf1.pdf>.

Geography: Northbridge town, Worcester County, Massachusetts

Subject	Number	Percent
OCCUPANCY STATUS		
Total housing units	6,172	100.0
Occupied housing units	5,896	95.5
Vacant housing units	276	4.5
TENURE		
Occupied housing units	5,896	100.0
Owner occupied	4,042	68.6
Owned with a mortgage or loan	3,230	54.8
Owned free and clear	812	13.8
Renter occupied	1,854	31.4
VACANCY STATUS		
Vacant housing units	276	100.0
For rent	112	40.6
Rented, not occupied	10	3.6
For sale only	38	13.8
Sold, not occupied	9	3.3
For seasonal, recreational, or occasional use	28	10.1
For migratory workers	0	0.0
Other vacant	79	28.6
TENURE BY HISPANIC OR LATINO ORIGIN OF HOUSEHOLDER BY RACE OF HOUSEHOLDER		
Occupied housing units	5,896	100.0
Owner-occupied housing units	4,042	68.6
Not Hispanic or Latino householder	3,994	67.7
White alone householder	3,911	66.3
Black or African American alone householder	19	0.3
American Indian and Alaska Native alone householder	6	0.1
Asian alone householder	32	0.5
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	1	0.0
Two or More Races householder	25	0.4
Hispanic or Latino householder	48	0.8
White alone householder	37	0.6
Black or African American alone householder	2	0.0
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	8	0.1
Two or More Races householder	1	0.0
Renter-occupied housing units	1,854	31.4
Not Hispanic or Latino householder	1,790	30.4
White alone householder	1,738	29.5
Black or African American alone householder	23	0.4



Subject	Number	Percent
American Indian and Alaska Native alone householder	5	0.1
Asian alone householder	7	0.1
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	0	0.0
Two or More Races householder	17	0.3
Hispanic or Latino householder	64	1.1
White alone householder	44	0.7
Black or African American alone householder	1	0.0
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	17	0.3
Two or More Races householder	2	0.0

X Not applicable.

Source: U.S. Census Bureau, 2010 Census.

Summary File 1, Tables H3, H4, H5, and HCT1.



QT-H1

General Housing Characteristics: 2010

2010 Census Summary File 1

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <http://www.census.gov/prod/cen2010/doc/sf1.pdf>.

Geography: Paxton town, Worcester County, Massachusetts

Subject	Number	Percent
OCCUPANCY STATUS		
Total housing units	1,599	100.0
Occupied housing units	1,546	96.7
Vacant housing units	53	3.3
TENURE		
Occupied housing units	1,546	100.0
Owner occupied	1,462	94.6
Owned with a mortgage or loan	1,072	69.3
Owned free and clear	390	25.2
Renter occupied	84	5.4
VACANCY STATUS		
Vacant housing units	53	100.0
For rent	1	1.9
Rented, not occupied	0	0.0
For sale only	25	47.2
Sold, not occupied	2	3.8
For seasonal, recreational, or occasional use	9	17.0
For migratory workers	0	0.0
Other vacant	16	30.2
TENURE BY HISPANIC OR LATINO ORIGIN OF HOUSEHOLDER BY RACE OF HOUSEHOLDER		
Occupied housing units	1,546	100.0
Owner-occupied housing units	1,462	94.6
Not Hispanic or Latino householder	1,439	93.1
White alone householder	1,406	90.9
Black or African American alone householder	10	0.6
American Indian and Alaska Native alone householder	1	0.1
Asian alone householder	15	1.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	0	0.0
Two or More Races householder	7	0.5
Hispanic or Latino householder	23	1.5
White alone householder	17	1.1
Black or African American alone householder	0	0.0
American Indian and Alaska Native alone householder	1	0.1
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	3	0.2
Two or More Races householder	2	0.1
Renter-occupied housing units	84	5.4
Not Hispanic or Latino householder	82	5.3
White alone householder	80	5.2
Black or African American alone householder	0	0.0

*

Subject	Number	Percent
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	2	0.1
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	0	0.0
Two or More Races householder	0	0.0
Hispanic or Latino householder	2	0.1
White alone householder	2	0.1
Black or African American alone householder	0	0.0
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	0	0.0
Two or More Races householder	0	0.0

X Not applicable.

Source: U.S. Census Bureau, 2010 Census.

Summary File 1, Tables H3, H4, H5, and HCT1.



QT-H1

General Housing Characteristics: 2010

2010 Census Summary File 1

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <http://www.census.gov/prod/cen2010/doc/sf1.pdf>.

Geography: Spencer town, Worcester County, Massachusetts

Subject	Number	Percent
OCCUPANCY STATUS		
Total housing units	5,295	100.0
Occupied housing units	4,744	89.6
Vacant housing units	551	10.4
TENURE		
Occupied housing units	4,744	100.0
Owner occupied	3,065	64.6
Owned with a mortgage or loan	2,334	49.2
Owned free and clear	731	15.4
Renter occupied	1,679	35.4
VACANCY STATUS		
Vacant housing units	551	100.0
For rent	187	33.9
Rented, not occupied	8	1.5
For sale only	74	13.4
Sold, not occupied	5	0.9
For seasonal, recreational, or occasional use	158	28.7
For migratory workers	0	0.0
Other vacant	119	21.6
TENURE BY HISPANIC OR LATINO ORIGIN OF HOUSEHOLDER BY RACE OF HOUSEHOLDER		
Occupied housing units	4,744	100.0
Owner-occupied housing units	3,065	64.6
Not Hispanic or Latino householder	3,021	63.7
White alone householder	2,975	62.7
Black or African American alone householder	13	0.3
American Indian and Alaska Native alone householder	4	0.1
Asian alone householder	8	0.2
Native Hawaiian and Other Pacific Islander alone householder	1	0.0
Some Other Race alone householder	1	0.0
Two or More Races householder	19	0.4
Hispanic or Latino householder	44	0.9
White alone householder	24	0.5
Black or African American alone householder	4	0.1
American Indian and Alaska Native alone householder	2	0.0
Asian alone householder	0	0.0
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	13	0.3
Two or More Races householder	1	0.0
Renter-occupied housing units	1,679	35.4
Not Hispanic or Latino householder	1,638	34.5
White alone householder	1,601	33.7
Black or African American alone householder	8	0.2



Subject	Number	Percent
American Indian and Alaska Native alone householder	2	0.0
Asian alone householder	8	0.2
Native Hawaiian and Other Pacific Islander alone householder	0	0.0
Some Other Race alone householder	1	0.0
Two or More Races householder	18	0.4
Hispanic or Latino householder	41	0.9
White alone householder	18	0.4
Black or African American alone householder	3	0.1
American Indian and Alaska Native alone householder	0	0.0
Asian alone householder	1	0.0
Native Hawaiian and Other Pacific Islander alone householder	1	0.0
Some Other Race alone householder	17	0.4
Two or More Races householder	1	0.0

X Not applicable.

Source: U.S. Census Bureau, 2010 Census.

Summary File 1, Tables H3, H4, H5, and HCT1.

CERTIFICATE OF SERVICE

I, Catrice C. Williams, do hereby certify on this 11th day of February, 2013 that a true and correct copy of the foregoing "Opposition to Charter's Petition for Special Relief" has been sent via U.S. mail, postage prepaid to the following:

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