

May 9, 2013

Steven A. Broeckaert, Senior Deputy Chief
Policy Division
Federal Communication Commission
445 – 12th Street, SW
Washington, DC 20554

Re: **CSR-8775-M, MB Docket No. 13-63**

Dear Mr. Broeckaert:

This responds to the questions set forth in your letter dated April 19, 2013 in connection with the above-referenced proceeding.

- 1) Please tell us the exact date that KJLA was transitioned to digital-only on the Charter systems where KJLA is carried. To the extent that Charter did not transition KJLA to digital-only on the same date for all systems, please specify all relevant dates.

Response: All of Charter's systems carrying KJLA transitioned KJLA to digital-only on February 12, 2013.

- 2) Please explain the discrepancy between the United States Postal Service documentation, submitted as Exhibit 3 to Charter's Opposition to Petition ("Opposition"), which indicates that the letter sent on November 13, 2012 was "First Class Mail," and the submitted copy of Charter's November 13, 2012 notification letter to KJLA, submitted as Exhibit 2 to the Opposition, which states the letter was being sent "Certified Mail." Does Charter have a Certified Mail receipt or other documentation that specifies the full address where the November 13 letter was delivered?

Response: There is no discrepancy between the "First Class Mail" designation on the United States Postal Service ("USPS") electronic delivery receipt and the "Certified Mail" designation on the November 13, 2012 notification letter to KJLA. The USPS explains that "Only mailable matter on which postage is paid at a First-Class rate ... may

be accepted for Certified Mail service.” See Attachment A. Thus, Certified Mail is simply a type of First Class Mail.

Charter included in Exhibit 2 to the Opposition, an electronic copy of mail delivery receipts provided by the USPS, which indicate the mail tracking number (9171969009350029839800), KJLA’s zip code (90064), and the time and date the notification letter was delivered to and signed for by KJLA (12:30 pm on November 20, 2012). Charter has since obtained an electronic copy of the Certified Mail delivery receipt from the USPS with the corresponding mail tracking number, which includes KJLA’s street address (2323 Corinth Ave.) and the signature of Monica Gonzalez indicating that the notification letter was, in fact, received by KJLA. See Attachment B. The website for “Jigsaw Business Contact Directory of Business Contacts and Company Information” identifies Monica Gonzalez as a “Purchase Manager” for KJLA at the same address to which Charter mailed the November 13, 2012 notification. See Attachment C. Notwithstanding KJLA’s opposition, this additional evidence confirms Charter’s original explanation regarding certified delivery of the notification letter to KJLA.

- 3) Please tell us how many Charter subscribers in the Los Angeles DMA have received free digital equipment since the must carry stations, including KJLA, were transitioned to all-digital this past February. If any requesting customers did not receive free digital equipment, please specify the number of customers and the reason(s) why not.

Response: Charter estimates that over 5,900 subscribers in the Los Angeles DMA have received one or more free digital set-top boxes since the must carry stations, including KJLA, were transitioned to all-digital this past February. Charter knows of no eligible requesting customer that did not receive free equipment.

- 4) Does Charter provide customer service representatives with specific guidelines for how to handle calls from customers requesting free digital equipment? If so, please specify those guidelines.

Response: Charter provided its Customer Service Agents (“CSAs”) with general background material explaining that certain channels would be digitized, the dates such channels were scheduled to be digitized, the free set-top box offer, and instructions on how to apply codes associated with the free digital equipment into Charter’s billing system.

The information provided to CSAs included sample talking points, which include language explaining the benefits of the digitization and the options available to customers. For example, one potential talking point for CSAs responding to customers inquiring about the free digital equipment offer states: “Since you would like to keep your current service level another option we can offer is a digital receiver for your TV

that will be free for 24 months. This will give you a chance to experience some of the great features of digital TV with Charter.”

Importantly, although the material provided to CSAs allows them to explain the benefits of upgrading to digital service packages, it does *not* contain any statements directing or suggesting that CSAs should not make the free digital equipment available. Nor does it contain instructions that CSAs should discourage customers from taking advantage of the free digital equipment offer. In fact, the background materials contain language emphasizing that CSAs may encourage subscribers to take the free digital equipment. For example, the information provided to CSAs states: “Representatives may aggressively present these [free set-top box] offers to qualifying customers in the effort to prevent customers from losing their TV service as a result of the [format] change.”

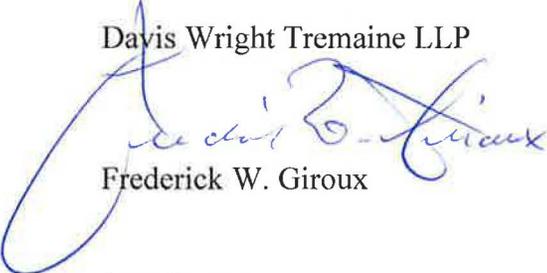
- 5) Please describe the type(s) of free equipment Charter distributed to requesting subscribers. The January 2013 subscriber notification letter, submitted as Exhibit 4 to the Opposition, mentions a “digital receiver” – is a “digital receiver” the same as a DTA or is it equipment with greater functionality?

Response: Charter provides requesting customers with free, fully functioning digital set-top boxes, each with greater functionality than a basic DTA. The particular make and model of the free set-top boxes is based on the available inventory at the relevant Charter warehouse facilities.

Please feel free to contact me if you have any questions regarding the above responses.

Sincerely

Davis Wright Tremaine LLP



Frederick W. Giroux

Attachments

cc: Barry A. Friedman, Esq., counsel for KJLA (via e-mail)

ATTACHMENT A



About

2-3 Certified Mail — PS Form 3800

2-3.1 General Information

Certified Mail service provides the sender with a mailing receipt and, upon request, electronic verification that the Postal Service delivered or attempted to deliver an article. The recipient signs a delivery receipt — PS Form 3849, *Delivery Notice/Reminder/Receipt* — and the Postal Service stores the delivery information, including the recipient's signature. Customers may obtain the delivery record by purchasing return receipt service and providing a complete return address on the mailpiece. A Certified Mail item is dispatched and handled in transit as ordinary mail. No insurance is provided. Only mailable matter on which postage is paid at a First-Class Mail rate (including Priority Mail service) may be accepted for Certified Mail service.

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ATTACHMENT B

Product Tracking System



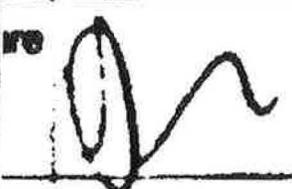
Home Search Reports Manual Entry Rates/Commitments PTS / EDW EMCA Activity April 26, 2013

Track & Confirm Intranet Delivery Signature and Address

Tracking Number: 9171 9690 0935 0029 8398 00

This item was delivered on 11/20/2012 at 12:30:00

[< Return to Tracking Number View](#)

Delivery Section	
Signature	
Name	MONICA GONZALEZ
Address	2323 CONINTA

Enter up to 10 items separated by commas.

Select Search Type: Quick Search

Submit

Product Tracking System, All Rights Reserved
Version: 1.1.0.147.2

ATTACHMENT C

[Sign Up](#) | [Log In](#)

Make professional connections with accurate business contact and company information.

Monica Gonzalez
Purchase Manager

[Join to view email and phone](#)

KJLA-TV
2323 Corinth Ave
Los Angeles, CA 90064-1701
United States

What we do

provide accurate and comprehensive business contact and company information

Who we help

salespeople, marketers, and recruiters looking for potential customers

What's the cost

None. It's free to join and free to use

[Or, view our paid options for getting contacts fast](#)

[Find Monica Gonzalez on 123people](#)

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Business Directory

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Business Contact Directory

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