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File No. 82641.00001

June 26, 2013

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: In the Matter of Cable Television Technical and Operational Requirements, MB Docket No. 12-217

Dear Ms. Dortch:

On June 19, 2013, Robert Davison, General Manager of the Sacramento Metropolitan Cable Television Authority ("SMCTC"), Karen Liu, SMCTC's Administrative Services Officer, and the undersigned, general counsel to SMCTC, participated in a conference call with the following persons from the Media Bureau:

- Alison Neplokh, Chief Engineer
- John Wong, Division Chief, Engineering Division
- Walid Kassem, Engineer, Engineering Division
- Sean Yun, Engineer, Engineering Division
- Jeffrey Neumann, Senior Engineer, Engineering Division

The parties to the call discussed how local franchising authorities ("LFAs") typically use technical standards, and how LFAs interact with cable television franchisees and with subscribers concerning signal quality and technical issues.

SMCTC is a joint powers agency whose member agencies are the County of Sacramento, California and the cities of Sacramento, Citrus Heights, Folsom, Rancho Cordova, Elk Grove and Galt. SMCTC handles cable subscriber complaints for all its member agencies.

Comcast, SureWest (acquired by Consolidated Communications Holdings, Inc. in February 2012) and AT&T U-Verse all operate in areas within the jurisdiction of SMCTC. Comcast is the incumbent cable operator. SureWest and U-Verse each provide cable services that compete with Comcast. Mr. Davison stated that, as outlined in the SMCTC reply comments, SMCTC receives complaints about digital cable service quality. SMCTC believes that there are many more complaints than the ones it receives since most subscribers call their cable operator before calling SMCTC. SMCTC generally responds to complaints by contacting the cable operator and requesting that the operator have an inspector go out and test the system. Comcast and SureWest generally will research the problem and report back to SMCTC within ten days of the complaint regarding the resolution of the complaint. AT&T does not generally report back on the resolution of complaints in a timely basis, so it is unclear whether these complaints are resolved. For all three operators, SMCTC sometimes receives follow-up calls from the complaining subscriber updating SMCTC on the subscriber's view of whether the complaint was fully resolved to their satisfaction. SMCTC does not have its own set of standards for digital service. SMCTC believes that the lack of baseline standards makes it difficult to resolve signal quality complaints. SMCTC believes that digital standards would improve the consumer complaint resolution process by establishing the standard for all cable operators and being able to clearly determine whether the operator has met this standard.

The participants on the call discussed the complaint outlined in SMCTC's reply comments. In that complaint, the subscriber had purchased a "state of the art" LED television and was experiencing tiling or pixilization. This appeared to be because of the "refresh rate." Comcast tested the system on numerous occasions and reported that its system was "working properly." Samsung, the television manufacturer, denied that its television was the cause of the poor picture quality. After more than four months and numerous tests at the subscriber's residence, it was finally determined that the television was, in fact, the cause of the problem. Had there been standards for the cable digital system, it would have benefitted the cable operator, the subscriber, and SMCTC in that it would have been clear whether the cable system was operating within established standards. This would have facilitated the timely resolution of this complaint with significantly less "finger pointing."

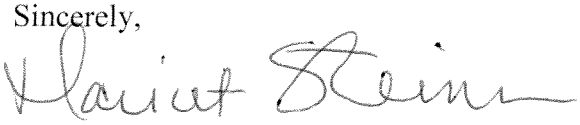
During the call, SMCTC discussed the manner in which it handles customer issues, which is initiated by customer complaint. SMCTC noted that, while SMCTC did independent testing when the Comcast system was analog, since the Comcast system converted to digital, SMCTC has not done independent testing. While SMCTC does not have any plans to change from a complaint initiated system, if there were defined digital standards, SMCTC might determine to do periodic independent testing, especially if there were areas that appeared to have persistent signal quality issues. In addition, SMCTC will work to resolve digital signal quality complaints on a case-by-case basis. And, as discussed above, SMCTC believes that standards would facilitate signal quality disputes.

The FCC participants asked if SMCTC reviewed the results of the annual tests currently conducted by the cable operators. SMCTC responded that it had not since it does not receive

results of the annual testing conducted by the cable operators and had not affirmatively sought this information.

SMCTC suggested that the Commission adopt updated technical and operational requirements applicable to digital cable systems. SMCTC believes that standards would be beneficial to subscribers and cable operators as they would establish the base line adequacy of the digital systems. Standards would also assist SMCTC in resolving customer complaints. In addition, SMCTC believes that there should be a time frame in which cable operators must respond to and resolve signal quality complaints.

Sincerely,



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cc: Robert Davison, SMCTC
Karen Liu, SMCTC