

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

In re Petition of) CSR-____-E
)
)
) **PSID No. 003215**
Time Warner Cable Inc.)
For Determination of) Carlisle, City of OH3185
Effective Competition) Centerville, City of OH0497
) Clifton, Village of OH1819, OH1820
) Gratis Township OH3183
) Isreal Township OH3184
) Kettering, City of OH0496
) Oakwood, City of OH0498
) Washington Township OH0610
) Rockport, City of IN0210
) Riley, Town of IN0613
) Vevay, Town of IN0222
Chief, Media Bureau

PETITION FOR SPECIAL RELIEF

Time Warner Cable Inc. (“Time Warner Cable”), by its attorneys, and pursuant to Sections 76.7, 76.905(b) and 76.907 of the Commission’s rules,¹ hereby petitions the Commission for a finding that Time Warner Cable’s cable television system serving the above-captioned communities (unless otherwise noted, individually “Franchise Area” and collectively “Franchise Areas”) is subject to effective competition² and therefore exempt from any rate regulation imposed pursuant to Section 623 of the Communications Act of 1934 (the “Act”).³

¹ 47 C.F.R. §§ 76.7, 76.905(b), 76.907.

² Pursuant to Section 76.910 of the Commission’s rules, rate regulatory authority may be exercised only by a local franchising authority (“LFA”) that has been properly certified. 47 C.F.R. § 76.910. To the extent that any political subdivision covered by this petition is an LFA and has been certified to regulate rates in accordance with the Commission’s rules, Time Warner Cable respectfully requests that the Commission revoke such certification pursuant to Section 76.914(c). 47 C.F.R. § 76.914(c). To the extent that franchising responsibilities of any political subdivision covered by this petition have been reassigned to another governmental body, e.g., pursuant to legislation providing for state-issued franchises, then that political subdivision is no longer an LFA and obviously would no longer have rate regulatory authority. In such event, Time Warner Cable is nevertheless seeking an effective competition determination to achieve the full competitive flexibility associated therewith.

³ 47 U.S.C. § 543. Time Warner Cable requests that, consistent with Commission precedent, any FCC grant of effective competition in the Franchise Areas be effective as of the date of filing of this petition. See, e.g., *Altria Communications, Inc. v. Adelphia Communications Corporation*, 17 FCC Rcd 22955, ¶ 5 (Med. Bur. 2002)

I. TIME WARNER CABLE SATISFIES THE “50/15” OR “COMPETING PROVIDER TEST” IN THE FRANCHISE AREAS.

Pursuant to Section 623(a)(2) of the Act,

[i]f the Commission finds that a cable system is subject to effective competition, the rates for the provision of cable service by such system shall not be subject to regulation by the Commission or by a State or franchising authority under this section.⁴

The Act further provides that a cable system will be considered subject to effective competition (and therefore exempt from rate regulation) under the “50/15” or “Competing Provider” test if, *inter alia*, the franchise area is:

(i) served by at least two unaffiliated multichannel video programming distributors each of which offers comparable video programming to at least 50 percent of the households in the franchise area; and

(ii) the number of households subscribing to programming services offered by multichannel video programming distributors other than the largest multichannel video programming distributor exceeds 15 percent of the households in the franchise area.⁵

As demonstrated below, effective competition exists in the Franchise Areas because (1) competing multichannel video programming distributors (“MVPDs”), namely the direct-to-home (“DTH”) satellite providers DirecTV⁶ and DISH Network⁷ (collectively the “DBS Providers”) provide multichannel video services that are available to more than 50 percent of the households in such areas, and (2) competing MVPDs, namely the aforementioned DBS Providers, as well as the local incumbent telephone company AT&T Services Inc. (“AT&T”), provide multichannel video services that are subscribed to by more than 15 percent, of the households in such areas.

(Commission order released September 26, 2002 found that Adelphia was subject to effective competition in the Arcadia, California franchise area as of October 1, 2001).

⁴ 47 U.S.C. § 543(a)(2).

⁵ 47 U.S.C. § 543(l)(1)(B); *see also* 47 C.F.R. § 76.905(b)(2).

⁶ DirecTV is a registered trademark of DirecTV, Inc.

⁷ DISH Network is a registered trademark of EchoStar Communications Corporation.

A. The DBS Providers Offer Comparable Multichannel Video Programming to More Than 50 Percent of the Households in the Franchise Areas.

Under the first prong of the test, a franchise area must be served by “at least two unaffiliated multichannel video programming distributors. . .⁸ According to the Commission’s rules, an MVPD’s service is deemed to be “offered” for purposes of effective competition:

(1) When the multichannel video programming distributor is physically able to deliver service to potential subscribers, with the addition of no or only minimal additional investment by the distributor, in order for an individual subscriber to receive service; and (2) When no regulatory, technical or other impediments to households taking service exist, and potential subscribers in the franchise area are reasonably aware that they may purchase the services of the multichannel video programming distributor.⁹

As demonstrated below, the two DBS providers clearly “offer” service in the Franchise Areas under this definition.

1. The DBS Providers are “Physically Able” to Offer Service to Subscribers in the Franchise Areas.

The Commission has repeatedly determined that DBS service is technically available throughout the continental United States due to its nationwide satellite footprint.¹⁰ Therefore, the DBS Providers are “physically able” to offer service to subscribers in the Franchise Areas.

2. No Regulatory, Technical or Other Impediments to Households Taking the DBS Providers’ Services Exist.

The DBS providers’ services are deemed to be technically available in a franchise area if the footprints of their satellites cover the franchise area and there are no local regulations prohibiting reception by home satellite dishes.¹¹ As noted above, DBS services have been determined by the Commission to be available throughout the United States. Time Warner Cable is aware of no zoning restrictions in the Franchise Areas that would prevent potential

⁸ 47 U.S.C. § 543(l)(1)(B)(i); 47 C.F.R. § 76.905(b)(2)(i).

⁹ 47 C.F.R. § 76.905(e).

¹⁰ See, e.g., *Bright House Networks, LLC, Petition for Determination of Effective Competition*, Memorandum Opinion and Order, 22 FCC Rcd 4390, ¶ 6 (Med. Bur. 2007) (“*Bright House Networks*”).

¹¹ *Implementation of Sections of the Cable Television Consumer Protection and Competition Act of 1992: Rate Regulation*, 8 FCC Rcd 5631, ¶ 32 (1993) (“*Rate Order*”).

REDACTED VERSION – DOES NOT CONTAIN PROPRIETARY INFORMATION – FOR PUBLIC INSPECTION

subscribers from placing a small dish on their houses or on their properties in order to receive DBS service. Indeed, it would appear that any such restriction would violate Section 207 of the Telecommunications Act of 1996 and Section 25.104 of the FCC’s rules promulgated thereunder.¹² Further, the DBS Providers do not need franchises to offer service to residents in the Franchise Areas. As such, there are no regulatory, technical or other impediments to households in the Franchise Areas taking the DBS Providers’ service.

3. Potential Subscribers in the Franchise Areas are “Reasonably Aware” That They May Purchase the DBS Providers’ Services.

In light of the Commission’s prior findings regarding the ubiquitous availability of DBS service, and in recognition of the DBS Providers’ extensive national, regional and local advertising and marketing efforts through television and radio, Internet, print media and direct marketing, potential subscribers throughout the Franchise Areas are undoubtedly “reasonably aware” of the availability of the DBS Providers’ services.¹³ In addition, the Commission has held that the DBS Providers’ extensive nationwide subscribership and growth in recent years, combined with a substantial local DTH penetration in such areas, is an accurate sign that potential subscribers within that franchise area are “reasonably aware” of the availability of the DBS Providers’ services.¹⁴

¹²Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996); *see* 47 C.F.R. § 25.104.

¹³ The DBS Providers maintain comprehensive websites, www.dishnetwork.com and www.directv.com, where consumers can learn more about local retail outlets and how to buy the necessary equipment online or through a toll-free number. *See Rate Order* at n. 104 (“[W]e believe that regional or local marketing, such as by a national or regional 800 telephone number, would suffice.”). *See also id.* at ¶ 29; *Adelphia Cable Communications*, 20 FCC Rcd 20487, ¶ 6 (Med. Bur. 2005) (“*Adelphia Effective Competition Order*”) (There is “no reason to require needlessly fractionalized marketing in order to ensure that a national or regional programming service is available in a particular community... [P]otential subscribers may be made reasonably aware of the availability of a competing service... through advertising in regional or local media, direct mail, or *any other* marketing outlet” (citing *Rate Order* at ¶ 29) (emphasis in original)).

¹⁴ Indeed, the Commission has “found households in a franchise area to be reasonably aware that they may purchase DBS service solely based on evidence of DBS’s nationwide growth and local subscriptions, without reference to advertising or other promotion.” *Bright House Networks* at ¶ 6 (referencing *Adelphia Communications, et al., Nineteen Unopposed Petitions for Determination of Effective Competition in Forty-Seven Local Franchise Areas*, Memorandum Opinion and Order, 20 FCC Rcd 7503, ¶ 3 (Med. Bur. 2005)).

Here, the presence of numerous subscribers of the DBS Providers' services in the Franchise Areas, as shown below, demonstrates that such individuals are all obviously aware of their ability to obtain service from a DBS Provider. Moreover, it is reasonable to assume the awareness of the availability of the DBS Providers' services only continues to increase as additional DBS dishes are prominently installed throughout the Franchise Areas.

Because the three factors described above have been satisfied, the DBS Providers "offer" competing MVPD services in the Franchise Areas.

4. The DBS Providers Offer "Comparable Multichannel Video Programming" In the Franchise Areas.

Effective competition exists where programming offered by an MVPD competitor is deemed "comparable" to the programming offered by the unaffiliated cable operator.¹⁵ The programming offered by a competing MVPD is deemed "comparable" if it includes "at least 12 channels of video programming, including at least one channel of nonbroadcast service programming."¹⁶ The Commission's decisions have repeatedly concluded that the DBS Providers satisfy § 76.905(g)'s comparable programming criterion.¹⁷

The programming offered by DirectTV and Dish Network, listings of which are available at www.directv.com and www.dishnetwork.com,¹⁸ includes many of the same popular

¹⁵ 47 U.S.C. § 543(l)(1)(B)(i).

¹⁶ 47 C.F.R. § 76.905(g).

¹⁷ See *ACC Cable Communications, FLA-VA, LLC*, 18 FCC Rcd 7110, ¶ 6 (Med. Bur. 2003) (Town of Lake Waccamaw and Town of Tabor City, North Carolina) ("...the Commission has repeatedly concluded that the programming of DBS providers, such as DIRECTV and Dish, satisfy the Commission's [comparable] programming criterion"); *Adelphia Effective Competition Order* at ¶ 7 ("Because different sets of rules govern which stations cable operators and DBS service providers can or must carry, we have never insisted on absolute parity in station offerings. Instead, an MVPD offers 'comparable programming' if it offers 'at least 12 channels of video programming, including at least one channel of nonbroadcast service programming'"); *Time Warner Entertainment-Advance/Newhouse Partnership*, 20 FCC Rcd 15709, n. 15 (Med. Bur. 2005) (Nineteen California Franchise Areas) ("the DBS providers offer well over 100 channels, most of which are non-broadcast channels," which satisfies the comparable programming criterion).

¹⁸ See *The Helicon Group, L.P.*, 17 FCC Rcd 16636, n. 8 (Med. Bur. 2002) (Barnet, Vermont) ("While Charter did not provide in its Petition a copy of EchoStar's nationwide channel lineup, which is otherwise available at www.dishnetwork.com, we have consistently found that the programming of both DBS providers satisfies the programming compatibility component of the competing provider effective competition test.").

REDACTED VERSION – DOES NOT CONTAIN PROPRIETARY INFORMATION – FOR PUBLIC INSPECTION

nonbroadcast and broadcast programming services available on Time Warner Cable's system serving the Franchise Areas. The DBS Providers' programming lineups amply demonstrate that at least twelve channels of video programming are offered, including at least one channel of nonbroadcast programming service.¹⁹ Thus, the DBS Providers offer "comparable" multichannel video programming, as defined by the Commission, to actual and potential subscribers in the Franchise Areas.

5. The DBS Providers Offer Comparable Multichannel Video Programming to More Than 50 Percent of the Households in the Franchise Areas.

As noted above, at least one MVPD unaffiliated with the incumbent cable operator must offer comparable video programming to at least 50 percent of the households in a franchise area for the first prong of the 50/15 effective competition test to be met.²⁰ In numerous effective competition decisions, the Commission has concluded that the two DBS Providers are deemed to satisfy this 50 percent threshold due to their nationwide satellite footprints.²¹ Accordingly, since the DBS Providers offer comparable programming to greater than 50 percent of the households in the Franchise Areas, the first prong of the 50/15 effective competition test is satisfied.

B. The Number of Households Subscribing to the Programming Services of Competing MVPDs Exceeds 15 Percent of the Households in the Franchise Areas.

Under the second prong of the 50/15 test, the subscriber base of any MVPD or MVPDs, other than the largest MVPD,²² must exceed 15 percent of the households in a franchise area. As demonstrated below, Time Warner Cable's cable system meets this threshold with respect to the

¹⁹ The DBS Providers satisfy the program comparability standard regardless of whether they provide local-into-local service to the Franchise Area. *See Falcon Telecable*, 17 FCC Rcd 22842, ¶ 4 (Med. Bur. 2002) (Four Texas Communities) ("[T]he Commission's effective competition program comparability standard does not include a local television programming component.").

²⁰ *See* 47 C.F.R. § 76.905(b)(2)(i).

²¹ *See* note 9.

²² Time Warner Cable is the largest MVPD in each of these Franchise Areas because it has the most video subscribers in each community. *See attached* Declaration of Ed Kozelek, Regional Vice President of Governmental Relations – Midwest for Time Warner Cable.

Franchise Areas because competing MVPDs, including the DBS Providers and the local incumbent telephone company AT&T, provide multichannel video services that are collectively subscribed to by more than 15 percent of the households in each of those Franchise Areas.²³

Turning first to the DBS providers' subscribership in each Franchise Area, Time Warner Cable has used the ZIP+4 methodology previously approved by the Commission in numerous decisions to calculate the DBS Providers' subscribership in each.²⁴ Attached as Exhibit A is a report from Media Business Corp. ("MBC") which has identified all of the ZIP+4 zip codes that are encompassed, in whole or in part, by each of these Franchise Areas by using mapping software based on data derived from the U.S. Census Bureau and the U.S. Postal Service. Attached as Exhibit B are reports from the Satellite Broadcasting Communications Association ("SBCA"), which has been charged with the task of providing the required DBS Provider combined subscriber data for effective competition purposes, providing DBS Provider subscriber counts for the Franchise Areas and each of the identified ZIP+4 zip codes.²⁵

AT&T also provides multichannel video service in Centerville, Kettering, Oakwood and Washington Township under its Uverse brand.²⁶ Pursuant to Section 76.907(c) of the Commission's Rule, Time Warner Cable has requested and AT&T has provided its Uverse subscriber counts for each of these Franchise Areas.²⁷ AT&T's counts have been combined with

²³ The Commission's rules provide that the subscribers of all MVPDs (other than the largest) serving the franchise area count toward the 15 percent penetration threshold under the second prong of the test, irrespective of whether they are each available to more than 50 percent of households in such franchise area. *See Time Warner Entertainment Co., L.P., et al. v. FCC*, 56 F.3d 151 (D.C. Cir. 1995) (holding that the subscribership of all MVPDs, other than the largest MVPD, may be aggregated to satisfy the 15 percent threshold). *See also* 47 C.F.R. § 76.905(f).

²⁴ *See, e.g., Marcus Cable Associates, LLC d/b/a Charter Communications, Inc.*, DA 02-2174, 17 FCC Rcd 16652 (Media Bureau 2002) (Denton, Texas), *aff'd* 18 FCC Rcd 9762 (Media Bureau 2003); *see also Vicksburg Video, Inc. d/b/a Wehco Video, Inc.*, DA 02-2176, 17 FCC Rcd 16659 (Media Bureau 2002) (Vicksburg, Mississippi); *Kilgore Video, Inc. d/b/a Wehco Video, Inc.*, DA 02-2177, 17 FCC Rcd 16662 (Media Bureau 2002) (Kilgore, Texas); *Twelve Oregon Cities Order*.

²⁵ Where the AT&T subscriber figures are sufficient in and of themselves to demonstrate a competing provider penetration in excess of the 15 percent threshold, the DBS Provider subscriber figures have been excluded.

²⁶ AT&T's channel lineup, which is also "comparable" Time Warner Cable's lineup, is attached as Exhibit C.

²⁷ *See* Reponse from AT&T at Exhibit D. AT&T provided its subscribership data for the Franchise Areas on the

REDACTED VERSION – DOES NOT CONTAIN PROPRIETARY INFORMATION – FOR PUBLIC INSPECTION
the DBS Providers' counts to calculate total competing MVPD subscriber counts in each of these Franchise Areas.

In order to complete the penetration calculations, Time Warner Cable next obtained the Census 2010 occupied household figures for each of the Franchise Areas.²⁸ As demonstrated in the following table, AT&T's subscriber counts, combined with the DBS Providers' subscriber counts, indicate that competing MVPD subscriber penetration levels clearly exceed 15 percent of the occupied households in each of the Franchise Areas.

Community	DBS Provider Subscribership ²⁵	AT&T Uverse Subscribership	Combined MVPD Subscribership	2010 Census Occupied Households	Competing MVPD Penetration
Carlisle, City of	467	—	467	1,866	25.03%
Centerville, City of	NA	████	████	10,693	████
Clifton, Village of	12	—	12	64	18.75%
Gratis Township	537	—	537	1,634	32.86%
Israel Township	145	—	145	448	33.37%
Kettering, City of	NA	████	████	25,427	████
Oakwood, City of	361	████	████	3,543	████
Washington Township	NA	████	████	24,496	████
Rockport, City of	391	—	391	908	43.06%
Riley, Town of	36	—	36	93	38.71%
Vevay, Town of	359	—	359	725	49.52%

Consequently, Time Warner Cable has demonstrated that the second prong of the 50/15 effective competition test has been met for each of these Franchise Areas.

Because Time Warner Cable meets both prongs of the 50/15 test in the Franchise Areas, its system serving such areas clearly faces effective competition.

condition that Time Warner Cable seeks confidential treatment with respect to such information. Thus, Time Warner Cable submits this Petition with AT&T's unredacted subscriber figures, and the resultant overall penetration calculations, on a confidential basis. An additional version of this Petition with the sensitive information redacted is supplied for submission into the publicly available docket.

²⁸ 2010 Household Census Report attached as Exhibit E.

CONCLUSION

Because Time Warner Cable has demonstrated that it is subject to effective competition pursuant to Section 623(l)(1) of the Act and Section 76.905(b) of the Commission's rules for the above captioned Franchise Areas, Time Warner Cable respectfully requests that the Commission expeditiously find that Time Warner Cable's cable system serving the Franchise Areas is not subject to rate regulation as to basic cable service or other forms of rate regulation specified in 47 U.S.C. § 543 and revoke the LFAs' certification to regulate basic rates as appropriate.

Undersigned counsel has read the foregoing Petition, and to the best of such counsel's 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 is not interposed for any improper purpose.

Respectfully submitted,

TIME WARNER CABLE INC.

By:  _____
Craig A. Gilley

EDWARDS WILDMAN PALMER LLP
1255 23rd Street, N.W.
Eighth Floor
Washington, D.C. 20037
(202) 478-7370

Its Attorneys

Dated: July 19, 2013

DECLARATION

I, Ed Kozelek, hereby declare under penalty of perjury that:

1. I am the Regional Vice President of Government Relations – Midwest for Time Warner Cable, the operator of the cable system that serves the specific Franchise Areas involved in the foregoing Petition for Special Relief (“Petition”).
2. I have read the foregoing Petition and am familiar with the contents thereof and the matters referred to therein.
3. I have reviewed Time Warner Cable’s respective cable subscriber numbers for each of the communities involved in the Petition, as well as the DBS subscriber numbers provided by SBCA and allocated to each as described in the Petition, and also the subscriber counts provided by AT&T Services Inc. Time Warner Cable is the largest multichannel video program provider serving each of the Franchise Areas.
4. The facts contained within the Petition are true and correct to the best of my knowledge, information and belief.

Ed Kozelek
Ed Kozelek

Date: 7/18/13

EXHIBIT A

Media Business Corp. Zip Code Identification Report

EXHIBIT B

SBCA Effective Competition Tracking Reports

EXHIBIT C

AT&T Channel Lineup

EXHIBIT D

April 25, 2013 Section 76.907(c) Response From AT&T Services Inc.

REDACTED

EXHIBIT E

2010 Census Household Population

CERTIFICATE OF SERVICE

I, Glenda Thompson, a secretary at the law firm of Edwards Wildman Palmer LLP, hereby certify that, on this 19th day of July, 2013, copies of the foregoing “Petition for Special Relief” were sent via first-class mail, postage prepaid, to the following:

William Lake, Esq.*
Chief, Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

William M. Wiltshire, Esq.
Harris, Wiltshire & Grannis LLP
1200 Eighteenth Street, N.W., Suite 1200
Washington, D.C. 20036-2506
Counsel for DirecTV, Inc.

Pantelis Michalopoulos, Esq.
Steptoe & Johnson LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
Counsel for EchoStar Communications Corp.

Timothy A. Whitley
General Attorney
AT&T Services Inc.
208 S. Akard
Dallas, TX 75202

Hon. Harold Goffinet
City of Rockport
426 Main Street
Rockport, IN 47635

Board of Commissioners
Town of Vevay
210 Ferry Street
Vevay, IN 47043

Ms. Wanda Hylton
Town of Riley
7310 State Road 46
Riley, IN 47871

Mr. Richard Bair
Gratis Township
P.O Box 24
West Elkton, Ohio 45070

Ms. Lavon Wright
Israel Township
10893 State Route 177
College Corner, Ohio 45003

Mr. Ron Hovell
City of Carlisle
760 W. Central Avenue
Carlisle, OH 45005

Ms. Sue Chasnov
Village of Clifton
P.O. Box 27
Clifton, OH 45316

Mr. Mark Schwieterman
City of Kettering
3600 Shroyer Rd.
Kettering, OH 45429

Mr. Norbert Klopsch
City of Oakwood
30 Park Ave.
Dayton, OH 45419

Ms. Jesse Lightle
Washington Township - Montgomery County
8200 McEwen Road
Dayton, Ohio 45458

Ms. Debra James
City of Centerville
100 W. Spring Valley Rd.
Centerville, OH 45458

*Via ECFS

Glenda Thompson

DECLARATION

I, Ed Kozelek, hereby declare under penalty of perjury that:

1. I am the Regional Vice President of Government Relations – Midwest for Time Warner Cable, the operator of the cable system that serves the specific Franchise Areas involved in the foregoing Petition for Special Relief (“Petition”).
2. I have read the foregoing Petition and am familiar with the contents thereof and the matters referred to therein.
3. I have reviewed Time Warner Cable’s respective cable subscriber numbers for each of the communities involved in the Petition, as well as the DBS subscriber numbers provided by SBCA and allocated to each as described in the Petition, and also the subscriber counts provided by AT&T Services Inc. Time Warner Cable is the largest multichannel video program provider serving each of the Franchise Areas.
4. The facts contained within the Petition are true and correct to the best of my knowledge, information and belief.

Ed Kozelek

Ed Kozelek

Date: 7/18/13

EXHIBIT A

Media Business Corp. Zip Code Identification Report

Franchise & ZIP+4 Identification

Data Documentation

Franchise: Cable operator's franchised service area

Franchise boundary file vintage : County Sep 2012 (source : Dynamap), MCD Sep 2012 (source : Dynamap), Place Sep 2012 (source : Dynamap)

Vintage is the currency of the data as of a specific date and does not correspond exactly to the time of product release because of data-to-product production time.

FIPS: One of a series of codes, issued by the National Institute of Standards and Technology (NIST), assigned for the purpose of ensuring uniform identification of geographic entities throughout all Federal Government programs and agencies.

Each officially recognized Census place has its own unique 5-10 digit identifier. For more information, please see <http://www.census.gov/geo/www/fips/fips.html>.

County: Census county in which the franchise resides

State: State in which the franchise resides

ZIP: United States Postal Service 5-digit ZIP code that covers, either in whole or in part, the cable operator's franchise area.

ZIP Code boundary file vintage : Dec 2012 (source : Dynamap)

Vintage is the currency of the data as of a specific date and does not correspond exactly to the time of product release because of data-to-product production time.

PLUS4: USPS +4 extension to the 5-digit ZIP code. Using geocoding technology, and using only +4s that could be determined to be entirely within the cable operator's franchise area, MBC determined that each of the ZIP+4s on the tab(s) included in this repo

ZIP4: 5-Digit USPS ZIP code and 4-digit extension.

ZIP+4 boundary file vintage : Dec 2012 (source : Dynamap)

Vintage is the currency of the data as of a specific date and does not correspond exactly to the time of product release because of data-to-product production time.

USPS Record Type: H - high-rise; F - firm; S - street; R - rural route/highway contract; P - post office box; G - general delivery.

* Type H Records (High Rises, Buildings, Apartments) are assigned a ZIP+4 centroid based on the actual address. If a ZIP+4 centroid cannot be assigned, a ZIP+2 or 5-digit ZIP centroid is assigned.

* Type F Records (Firms) are assigned a ZIP+4 centroid based on the actual address. If a ZIP+4 centroid cannot be assigned, a ZIP+2 or 5-digit centroid is assigned.

* Type S Records (Streets) are assigned a ZIP+4 centroid that falls on an address range. If a ZIP+4 centroid cannot be assigned, a ZIP+2 or 5-digit centroid is assigned.

* Type R Records (Rural Routes) are assigned ZIP+2 centroids if possible. In cases where this is not possible, a 5-digit centroid is assigned.

* Type P (P.O. Box) and Type G (General Delivery Records) are assigned a 5-digit centroid.

Centroid Type: Each record includes a centroid type code that indicates whether the ZIP+4 has been assigned a ZIP+4, ZIP+2 or 5-digit ZIP centroid.

* ZIP+4 - 1

* ZIP+2 - 2

* 5-digit ZIP - 3

* None - 0

Census 2010 HHS: Count of Census 2010 households by community. For Counties and Minor Civil Divisions (MCDs), HHS reflect count of community minus any incorporated areas within the larger franchise.

EXHIBIT B

SBCA Effective Competition Tracking Reports

ECTR – Effective Competition Tracking Report



Provided by
Satellite Broadcasting and Communications Association

Pursuant to Section 76.907(c) of the FCC Rules, and your effective competition tracking request dated July 11, 2013 please find the following Direct-to-Home (DTH) satellite subscriber numbers per zip code (and/or zip+4 where necessary). The provision and use of this Effective Competition Tracking Report is governed by and subject to the terms and conditions of the Agreement for Provision and Use of Confidential Data, between your company and SBCA.

Report Date: July 12, 2013

ZIP Codes

DTH Count

Requested total for Carlisle, OH	467
----------------------------------	-----

Data is current through 6/30/2013

Report Prepared by:
Martin Esteves
Program Manager
202-349-3630
mesteves@sbca.org

Methodology: Direct-To-Home (DTH) subscriber data reflects aggregated DIRECTV and DISH Network residential subscriber totals. The following data collection procedures are applied by Members in the normal course of business: a) single accounts with multiple receivers are only counted once; b) commercial and test accounts are not included; c) each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber; d) zip codes are taken from service locations (not billing addresses, where different); e) inactive accounts are routinely removed; f) invalid (undeliverable) addresses have been corrected where known; g) courtesy or complimentary accounts are included; and h) zip code information for Members' subscribers is periodically updated to reflect changes to zip codes by the United States Postal Service.

ECTR – Effective Competition Tracking Report



Provided by
Satellite Broadcasting and Communications Association

Pursuant to Section 76.907(c) of the FCC Rules, and your effective competition tracking request dated July 11, 2013 please find the following Direct-to-Home (DTH) satellite subscriber numbers per zip code (and/or zip+4 where necessary). The provision and use of this Effective Competition Tracking Report is governed by and subject to the terms and conditions of the Agreement for Provision and Use of Confidential Data, between your company and SBCA.

Report Date: July 12, 2013

ZIP Codes

DTH Count

ZIP Codes	DTH Count
Requested total for Clifton, OH	12

Data is current through 6/30/2013

Report Prepared by:
Martin Esteves
Program Manager
202-349-3630
mesteves@sbca.org

Methodology: Direct-To-Home (DTH) subscriber data reflects aggregated DIRECTV and DISH Network residential subscriber totals. The following data collection procedures are applied by Members in the normal course of business: a) single accounts with multiple receivers are only counted once; b) commercial and test accounts are not included; c) each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber; d) zip codes are taken from service locations (not billing addresses, where different); e) inactive accounts are routinely removed; f) invalid (undeliverable) addresses have been corrected where known; g) courtesy or complimentary accounts are included; and h) zip code information for Members' subscribers is periodically updated to reflect changes to zip codes by the United States Postal Service.

ECTR – Effective Competition Tracking Report



Provided by
Satellite Broadcasting and Communications Association

Pursuant to Section 76.907(c) of the FCC Rules, and your effective competition tracking request dated July 11, 2013 please find the following Direct-to-Home (DTH) satellite subscriber numbers per zip code (and/or zip+4 where necessary). The provision and use of this Effective Competition Tracking Report is governed by and subject to the terms and conditions of the Agreement for Provision and Use of Confidential Data, between your company and SBCA.

Report Date: July 12, 2013

ZIP Codes

DTH Count

Requested total for Gratis Township, OH	537
---	-----

Data is current through 6/30/2013

Report Prepared by:
Martin Esteves
Program Manager
202-349-3630
mesteves@sbca.org

Methodology: Direct-To-Home (DTH) subscriber data reflects aggregated DIRECTV and DISH Network residential subscriber totals. The following data collection procedures are applied by Members in the normal course of business: a) single accounts with multiple receivers are only counted once; b) commercial and test accounts are not included; c) each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber; d) zip codes are taken from service locations (not billing addresses, where different); e) inactive accounts are routinely removed; f) invalid (undeliverable) addresses have been corrected where known; g) courtesy or complimentary accounts are included; and h) zip code information for Members' subscribers is periodically updated to reflect changes to zip codes by the United States Postal Service.

ECTR – Effective Competition Tracking Report



Provided by
Satellite Broadcasting and Communications Association

Pursuant to Section 76.907(c) of the FCC Rules, and your effective competition tracking request dated July 11, 2013 please find the following Direct-to-Home (DTH) satellite subscriber numbers per zip code (and/or zip+4 where necessary). The provision and use of this Effective Competition Tracking Report is governed by and subject to the terms and conditions of the Agreement for Provision and Use of Confidential Data, between your company and SBCA.

Report Date: July 12, 2013

ZIP Codes DTH Count

Requested total for Israel Township, OH	145
---	-----

Data is current through 6/30/2013

Report Prepared by:
Martin Esteves
Program Manager
202-349-3630
mesteves@sbca.org

Methodology: Direct-To-Home (DTH) subscriber data reflects aggregated DIRECTV and DISH Network residential subscriber totals. The following data collection procedures are applied by Members in the normal course of business: a) single accounts with multiple receivers are only counted once; b) commercial and test accounts are not included; c) each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber; d) zip codes are taken from service locations (not billing addresses, where different); e) inactive accounts are routinely removed; f) invalid (undeliverable) addresses have been corrected where known; g) courtesy or complimentary accounts are included; and h) zip code information for Members' subscribers is periodically updated to reflect changes to zip codes by the United States Postal Service.

ECTR – Effective Competition Tracking Report



Provided by
Satellite Broadcasting and Communications Association

Pursuant to Section 76.907(c) of the FCC Rules, and your effective competition tracking request dated March 25, 2013 please find the following Direct-to-Home (DTH) satellite subscriber numbers per zip code (and/or zip+4 where necessary). The provision and use of this Effective Competition Tracking Report is governed by and subject to the terms and conditions of the Agreement for Provision and Use of Confidential Data, between your company and SBCA.

Report Date: March 26, 2013

ZIP Codes	DTH Count
Requested total for Oakwood, OH	361

Data is current through 2/28/2013

Report Prepared by:
Martin Esteves
Manager, Membership and Data Management
202-349-3630
mesteves@sbca.org

Methodology: Direct-To-Home (DTH) subscriber data reflects aggregated DIRECTV and DISH Network residential subscriber totals. The following data collection procedures are applied by Members in the normal course of business: a) single accounts with multiple receivers are only counted once; b) commercial and test accounts are not included; c) each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber; d) zip codes are taken from service locations (not billing addresses, where different); e) inactive accounts are routinely removed; f) invalid (undeliverable) addresses have been corrected where known; g) courtesy or complimentary accounts are included; and h) zip code information for Members' subscribers is periodically updated to reflect changes to zip codes by the United States Postal Service.

ECTR – Effective Competition Tracking Report



Provided by
Satellite Broadcasting and Communications Association

Pursuant to Section 76.907(c) of the FCC Rules, and your effective competition tracking request dated July 11, 2013 please find the following Direct-to-Home (DTH) satellite subscriber numbers per zip code (and/or zip+4 where necessary). The provision and use of this Effective Competition Tracking Report is governed by and subject to the terms and conditions of the Agreement for Provision and Use of Confidential Data, between your company and SBCA.

Report Date: July 12, 2013

ZIP Codes

DTH Count

Requested total for Rockport, IN	391
----------------------------------	-----

Data is current through 6/30/2013

Report Prepared by:
Martin Esteves
Program Manager
202-349-3630
mesteves@sbca.org

Methodology: Direct-To-Home (DTH) subscriber data reflects aggregated DIRECTV and DISH Network residential subscriber totals. The following data collection procedures are applied by Members in the normal course of business: a) single accounts with multiple receivers are only counted once; b) commercial and test accounts are not included; c) each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber; d) zip codes are taken from service locations (not billing addresses, where different); e) inactive accounts are routinely removed; f) invalid (undeliverable) addresses have been corrected where known; g) courtesy or complimentary accounts are included; and h) zip code information for Members' subscribers is periodically updated to reflect changes to zip codes by the United States Postal Service.

ECTR – Effective Competition Tracking Report



Provided by
Satellite Broadcasting and Communications Association

Pursuant to Section 76.907(c) of the FCC Rules, and your effective competition tracking request dated July 11, 2013 please find the following Direct-to-Home (DTH) satellite subscriber numbers per zip code (and/or zip+4 where necessary). The provision and use of this Effective Competition Tracking Report is governed by and subject to the terms and conditions of the Agreement for Provision and Use of Confidential Data, between your company and SBCA.

Report Date: July 12, 2013

ZIP Codes	DTH Count
Requested total for Riley, IN	36

Data is current through 6/30/2013

Report Prepared by:
Martin Esteves
Program Manager
202-349-3630
mesteves@sbca.org

Methodology: Direct-To-Home (DTH) subscriber data reflects aggregated DIRECTV and DISH Network residential subscriber totals. The following data collection procedures are applied by Members in the normal course of business: a) single accounts with multiple receivers are only counted once; b) commercial and test accounts are not included; c) each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber; d) zip codes are taken from service locations (not billing addresses, where different); e) inactive accounts are routinely removed; f) invalid (undeliverable) addresses have been corrected where known; g) courtesy or complimentary accounts are included; and h) zip code information for Members' subscribers is periodically updated to reflect changes to zip codes by the United States Postal Service.

ECTR – Effective Competition Tracking Report



Provided by
Satellite Broadcasting and Communications Association

Pursuant to Section 76.907(c) of the FCC Rules, and your effective competition tracking request dated July 11, 2013 please find the following Direct-to-Home (DTH) satellite subscriber numbers per zip code (and/or zip+4 where necessary). The provision and use of this Effective Competition Tracking Report is governed by and subject to the terms and conditions of the Agreement for Provision and Use of Confidential Data, between your company and SBCA.

Report Date: July 12, 2013

ZIP Codes

DTH Count

Requested total for Vevay, IN	359
-------------------------------	-----

Data is current through 6/30/2013

Report Prepared by:
Martin Esteves
Program Manager
202-349-3630
mesteves@sbca.org

Methodology: Direct-To-Home (DTH) subscriber data reflects aggregated DIRECTV and DISH Network residential subscriber totals. The following data collection procedures are applied by Members in the normal course of business: a) single accounts with multiple receivers are only counted once; b) commercial and test accounts are not included; c) each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber; d) zip codes are taken from service locations (not billing addresses, where different); e) inactive accounts are routinely removed; f) invalid (undeliverable) addresses have been corrected where known; g) courtesy or complimentary accounts are included; and h) zip code information for Members' subscribers is periodically updated to reflect changes to zip codes by the United States Postal Service.

EXHIBIT C

AT&T Channel Lineup

AT&T U-verse Channel Lineup

Residential Packages in 45316: Change | As of: July 12, 2013

Show only:

[Shop U-verse](#)

[Print](#)

Search by channel names

Ex.: CNN, Cartoon, ESPN [Reset](#)

Compare Packages

U450

U300

U200

U-family

U-basic

[Clear comparisons](#)

Compare TV Packages

Create your own side-by-side comparison.

[Select to Compare](#)

Use these filters to customize your view.

[Clear filters](#)

Filter by Category

[Favorites](#)

HD

Movies

Sports

News

Local

Educational

Filter by Premium Package

Movie Pkgs.

Sports Pkgs.

International Pkgs.

U-family TV Package | \$59/mo.

[View premium add-on channels](#)

up to 130 channels

Sort by: Channel Name | Channel #

WDTN-2 (NBC)	2	Home Shopping Network (HSN)	3	WHIO-7 (CBS)	7
QVC	8	WPTD-16 (PBS)	16	WKEF-22 (ABC)	22
WBDT-26 (THE CW)	26	As Seen On TV	37	WKOI-43 (TBN)	43
WRGT-45 (FOX)	45	Amex-Explore Play Learn	81	As Seen On TV	82
Valu TV	82	AT&T U-verse Shopping 1	84	LifeLock	88
U-verse Games Channel	93	AT&T U-verse Front Row	100	AT&T Pay Per View Schedule	101
Discovery Channel	120	Justice Central	166	ION	195
BuyIt	196	Jewelry Television	197	AT&T U-verse Shopping 4	198
Offers On Demand	199	AT&T U-verse Movies	200	News Multiview	201
CNBC	216	CNBC Application	218	Bloomberg Television	222
The Weather Channel	225	Weather On Demand	227	BUY TV	228
C-SPAN	230	C-SPAN2	231	C-SPAN3	232
BuyIt2	247	Animal Planet	252	History	256
Science	258	National Geographic Channel	265	Buick	297
Kids Multiview	301	Disney Channel	302	Disney XD	304
U-verse Message Channel	307	Nickelodeon	314	Nick2	316
Nicktoons	318	Nick Jr.	320	TeenNick	322
Boomerang	327	qubo	328	Baby TV	330
The Hub	335	PBS Kids Sprout	337	Smile of a Child TV	340
tvMall	367	AT&T U-verse Shopping 3	399	Customer Notification	400
All About U-verse Interactive Channel	401	Shopping Multiview	412	QVC	420
Home Shopping Network (HSN)	422	HSN Shop by Remote	423	ShopNBC	424
Jewelry Television	428	AT&T U-verse Shopping 4	429	Home & Garden Television (HGTV)	450
Food Network	452	DIY Network (Do-It-Yourself Network)	454	Food Network Application	457
tvMall	471	MC Music Choice	500	SWRV	501
CMT (Country Music Television)	525	CMT Pure Country	527	Country Deep	530
TBN - Trinity Broadcasting Network	560	Eternal Word Television Network (EWTN)	562	Daystar	563
INSP (Inspiration Network)	564	The Church Channel	565	FamilyNet	566
BYU	567	JCTV	570	The Word Network	575
Family Entertainment TV	578	FAITH	580	AT&T U-verse Sports	600
Sports Multiview	601	U-verse Message Channel	607	Sports Alternate 5	695
U-verse Showcase	800	AT&T U-verse Movies	945	AT&T U-verse Movies	960
Customer Notification	962	AT&T U-verse Sports	963	U-verse Showcase	964
As Seen On TV	1037	Amex-Explore Play Learn	1081	Valu TV	1082
AT&T U-verse Shopping 1	1084	LifeLock	1088	Customer Notification	1100
AT&T Pay Per View Schedule	1101	AT&T U-verse Shopping 4	1198	AT&T U-verse Movies	1200

News HD Multiview	1201	CNBC Application	1218	BuyIt2	1247
Buick	1297	Kids HD Multiview	1301	tvMall	1367
All About U-verse Interactive Channel	1401	Shopping Multiview	1412	HSN Shop by Remote	1423
Jewelry Television	1428	AT&T U-verse Shopping 4	1429	Food Network Application	1457
tvMall	1471	MC Music Choice	1500	Country Deep	1530
AT&T U-verse Sports	1600	Sports HD Multiview	1601	U-verse Showcase	1800
Customer Notification	2500	qubo	3061	EWTV Espanol	3077
SWRV	5100	MC Hit List	5101	MC Hip-Hop and R&B	5102
MC Throwback Jamz	5107	MC R&B Classics	5108	MC R&B Soul	5109
MC Gospel	5110	MC Reggae	5111	MC Classic Rock	5112
MC Rock	5114	MC Soft Rock	5119	MC Pop Hits	5120
MC 90s	5121	MC 80s	5122	MC 70s	5123
MC Solid Gold Oldies	5124	MC Party Favorites	5125	MC Stage & Screen	5126
MC Kidz Only!	5127	MC Toddler Tunes	5128	MC Todays Country	5129
MC True Country	5130	MC Classic Country	5131	MC Contemporary Christian	5132
MC Sounds of the Seasons	5133	MC Soundscapes	5134	MC Smooth Jazz	5135
MC Jazz	5136	MC Blues	5137	MC Singers & Swing	5138
MC Easy Listening	5139	MC Classical Masterpieces	5140	MC Light Classical	5141
MC Musica Urbana	5142	MC Pop Latino	5143	MC Tropicales	5144
MC Mexicana	5145	MC Romances	5146	Live Multiview Alternate 1	9211
Live Multiview Alternate 6	9216	My Enabled Devices	9301	My Enabled Devices DEV	9315
Phone Services	9900	Account Manager	9910	U-verse Message Channel	9920
Whats On Now Multiview	9925	FamilyMap on U-verse TV	9930	DVRAPP	9999

Premium Add-on Channels

[Back to top ^](#)

lnovelas	191	mun2	192	AT&T U-verse Buzz	300
Tumblebooks	345	Tr3s	506	Univision Deportes	658
HBO (Home Box Office)	802	HBO (Home Box Office) - West	803	HBO2	804
				HBO2 - West	805
HBO Family	806	HBO Family - West	807	HBO Signature	808
HBO Signature - West	809	HBO Comedy	810	HBO Comedy - West	811
HBO Zone	812	HBO Zone - West	813	HBO Latino	814
HBO Latino - West	815	Cinemax	832	Cinemax - West	833
MoreMAX	834	MoreMAX - West	835	ActionMAX	836
ActionMAX - West	837	ThrillerMAX	838	ThrillerMAX - West	839
5StarMAX	840	OuterMAX	844	Showtime	852
Showtime - West	853	Showtime Too	854	Showtime Too - West	855
Showtime Showcase	856	Showtime Showcase - West	857	Showtime Extreme	858
Showtime Extreme - West	859	Showtime Beyond	860	Showtime Family Zone	862
Showtime Next	864	Showtime Women	866	The Movie Channel (TMC)	882
The Movie Channel (TMC) - West	883	TMC Xtra	884	TMC Xtra - West	885
		FLIX	890	Starz	902
Starz - West	903	Starz Edge	904	Starz inBlack	906
Starz Cinema	908	Starz Comedy	910	Starz Kids & Family	912
IndiePlex	914	RetroPlex	916	Encore	932
Encore - West	933	Encore Love	934	Encore Suspense	936
Encore Action	938	Encore Westerns	940	Encore Drama	942
Encore Espanol	943	Encore Family	944	Playboy TV	952
Playboy TV HD	953	Playboy TV en Espanol	954	AT&T U-verse Buzz	961
AT&T U-verse Buzz	1000	WDTN-HD-2 (NBC)	1002	HSN HD	1003
WHIO-HD-7 (CBS)	1007	QVC HD	1008	WPTD-HD-16 (PBS)	1016

WKEF-HD-22 (ABC)	1022	WBDT-HD-26 (THE CW)	1026	WRGT-HD-45 (FOX)	1045
Velocity HD	1104	Universal HD	1105	AXS TV	1106
TNT HD	1108	TNT HD - West	1109	TBS HD	1112
TBS HD - West	1113	Discovery Channel HD	1120	USA Network HD	1124
FX Network HD	1128	A&E HD	1132	EI Entertainment HD	1134
TV Land HD	1138	Comedy Central HD	1140	Spike TV HD	1145
G4 HD	1149	Syfy HD	1151	BET (Black Entertainment Television) HD	1155
TV One HD	1157	Crime & Investigation HD	1163	truTV HD	1164
Justice Central HD	1166	OWN - Oprah Winfrey Network HD	1170	GSN - Game Show Network HD	1173
ABC Family Channel HD	1178	WGN America HD	1180	Bravo HD	1181
Nuvo HD	1182	CNN HD	1202	CNN Headline News HD	1203
Fox News Channel HD	1210	Fox Business Network HD	1211	msnbc HD	1215
CNBC HD	1216	The Weather Channel HD	1225	TLC HD	1250
Animal Planet HD	1252	Travel Channel HD	1254	History HD	1256
H2 HD	1257	Science HD	1258	Investigation Discovery HD	1260
National Geographic Channel HD	1265	Nat Geo WILD HD	1266	BIO HD	1272
Disney XD HD	1304	AT&T U-verse Buzz	1300	Disney Channel HD	1302
Cartoon Network HD	1325	Disney Jr HD	1306	Nickelodeon HD	1314
Sprout HD	1337	Cartoon Network HD - West	1326	The Hub HD	1335
Oxygen HD	1368	Lifetime Television HD	1360	LMN HD	1362
HSN HD	1422	Style Network HD	1380	QVC HD	1420
DIY Network (Do-It-Yourself Network) HD	1454	HGTV HD	1450	Food Network HD	1452
MTV (Music Television) HD	1502	Cooking Channel HD	1456	Destination America HD	1465
CMT (Country Music Television) HD	1525	Wealth TV HD	1470	SWRV HD	1501
ESPNNews HD	1604	MTV2 HD	1504	VH1 HD	1518
Longhorn Network HD	1609	fuse HD	1535	TBN HD	1560
NBC Sports Network HD	1640	BYU HD	1567	ESPN HD	1602
Speed HD	1652	ESPNU HD	1605	ESPN2 HD	1606
Univision Deportes HD	1658	NBA TV HD	1632	MLB Network HD	1634
Sports HD Alternate 2	1692	Golf HD	1641	BTN HD	1650
Sports HD Alternate 5	1695	Fox Soccer Plus HD	1653	Fox Soccer HD	1654
FSN Ohio-Cincinnati HD	1732	The Tennis Channel HD	1660	Sports HD Alternate 1	1691
AMC HD	1795	Sports HD Alternate 3	1693	Sports HD Alternate 4	1694
HBO HD - West	1803	Sports HD Alternate 6	1696	Sports HD Alternate 7	1697
HBO Family HD	1806	FSN Ohio-Cleveland HD	1734	Turner Classic Movies (TCM) HD	1790
HBO Signature HD - West	1809	ReelzChannel HD	1799	HBO HD	1802
HBO Zone HD	1812	HBO2 HD	1804	HBO2 HD - West	1805
HBO Latino HD - West	1815	HBO Family HD - West	1807	HBO Signature HD	1808
MoreMax HD	1834	HBO Comedy HD	1810	HBO Comedy HD - West	1811
ActionMAX HD - West	1837	HBO Zone HD - West	1813	HBO Latino HD	1814
5StarMax HD	1840	Cinemax HD	1832	Cinemax HD - West	1833
Showtime HD - West	1853	MoreMAX HD - West	1835	ActionMax HD	1836
Showtime Showcase HD	1856	ThrillerMax HD	1838	ThrillerMAX HD - West	1839
The Movie Channel HD	1882	OuterMax HD	1844	Showtime HD	1852
Starz HD	1902	Showtime Too HD	1854	Showtime Too HD - West	1855
Starz Comedy HD	1910	Showtime Showcase HD - West	1857	Showtime Extreme HD	1858
Encore HD - West	1933	The Movie Channel (TMC) HD - West	1883	Showtime Extreme HD - West	1859
Univision	3002	Starz HD - West	1903	TMC Xtra HD	1884
		Starz Kids & Family HD	1912	TMC Xtra HD - West	1885
		Encore Action HD	1938	Starz Edge HD	1904
		Galavision	3003	Encore HD	1932
				Paquete Espanol Multiview	3001
				UniMas	3005

Telemundo	3007	MEGA TV	3008	mun2	3009
Once Mexico	3011	WAPA America	3013	V-me	3015
lnovelas	3016	Latele Novela	3017	Pasiones	3018
Azteca America	3019	Azteca Mexico	3020	Canal 22	3022
Estrella	3024	TV Colombia	3026	Television Espanola	3029
TV Chile	3032	Telefe Internacional	3035	Centroamerica TV	3044
Television Dominicana	3047	Utilisima	3049	Disney XD en Espanol	3052
Boomerang en Espanol	3053	HITN	3055	V-me Kids	3058
Multimedios	3065	CBTV Michoacan	3067	TBN Enlace USA	3078
Nat Geo Mundo	3101	Discovery en Espanol	3102	Discovery Familia	3103
History en Espanol	3104	FOROtv	3108	CNN en Espanol	3110
SUR	3111	ESPN Deportes	3113	Univision Deportes	3117
Cine Estelar	3124	Cine Nostalgia	3125	Cinelatino	3126
De Pelicula	3128	De Pelicula Clasico	3129	Viendo Movies	3132
Cine Mexicano	3134	Tr3s	3142	Telehit	3143
Bandamax	3146	Ritmoson Latino	3149	Univision Deportes HD	3317
CCTV-4	3603	CTI-Zhong Tian	3604	Phoenix InfoNews	3605
Phoenix North America	3606	ET-News	3631	ET-Global	3632
Chinese Channel		TVBe	3638	MBC America	3643
Saigon Broadcasting	3662	TVB-V	3664	TV Japan	3680
Television Network		The Filipino Channel	3682	GMA Pinoy	3683
VivaTV Plus	3690	Zee TV	3702	TV Asia	3703
Sony Entertainment	3704	STAR India PLUS	3706	MTV India	3709
Television Asia (SET Asia)		aapka Colors	3712	Arabic Radio & Television	3732
MTV ARABIA	3738	Rai Italia	3802	TV5MONDE	3832
TV Polonia	3862	Channel One Russia	3882	Playboy TV	3952
Playboy TV HD	3953	Playboy TV en Espanol	3954	MC University	5103
MC Dance-Electronica	5104	MC Rap	5105	MC Hip-Hop Classics	5106
MC Retro Rock	5113	MC Metal	5115	MC Alternative	5116
MC Classic Alternative	5117	MC Adult Alternative	5118		

EXHIBIT D

April 25, 2013 Section 76.907(c) Response From AT&T Services Inc.

REDACTED

EXHIBIT E

2010 Census Household Population

GCT-PL2 - Ohio: Population and Housing Occupancy Status: 2010 -
2010 Census Redistricting Data (Public Law 94-171) Summary File

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <http://www.census.gov/prod/cen2010/pl94-171.pdf>

NOTE: Change to the California, Connecticut, Mississippi, New Hampshire, Virginia, and Washington P. L. 94-171 Summary Files as delivered.

Geographic area	Total	Housing units		
		Total	Occupied	Vacant
Ohio	11,536,504	5,127,508	4,603,435	524,073
Gratis township, Preble County	4,408	1,742	1,634	108
Israel township, Preble County	1,169	520	448	72
Washington township, Montgomery County	56,607	26,172	24,496	1,676

GCT-PL2 - Indiana: Population and
Housing Occupancy Status: 2010 - State --
Place

2010 Census Redistricting Data (Public

NOTE: For information on confidentiality
protection, nonsampling error, and
definitions, see

<http://www.census.gov/prod/cen2010/pl94-171.pdf>

NOTE: Change to the
California, Connecticut, Mississippi, New
Hampshire, Virginia, and Washington P. L.
94-171 Summary Files as delivered.

Geographic area	Total	Housing units		
		Total	Occupied	Vacant
Riley town	221	103	93	10
Rockport city	2,270	1,026	908	118
Vevay town	1,683	826	725	101

GCT-PL2 - Ohio: Population and Housing Occupancy Status:
 2010 - State -- Place
 2010 Census Redistricting Data (Public Law 94-171)
 Summary File

NOTE: For information on confidentiality protection,
 nonsampling error, and definitions, see
<http://www.census.gov/prod/cen2010/pl94-171.pdf>

NOTE: Change to the California, Connecticut, Mississippi, New
 Hampshire, Virginia, and Washington P. L. 94-171 Summary
 Files as delivered.

Geographic area	Total	Housing units		
		Total	Occupied	Vacant
Ohio	11,536,504	5,127,508	4,603,435	524,073
Carlisle city	4,915	2,066	1,866	200
Centerville city	23,999	11,421	10,693	728
Clifton village	152	80	64	16
Kettering city	56,163	27,602	25,427	2,175
Oakwood city	9,202	3,772	3,543	229

CERTIFICATE OF SERVICE

I, Glenda Thompson, a secretary at the law firm of Edwards Wildman Palmer LLP, hereby certify that, on this th day of July, 2013, copies of the foregoing "Petition for Special Relief" were sent via first-class mail, postage prepaid, to the following:

William Lake, Esq.*
Chief, Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

William M. Wiltshire, Esq.
Harris, Wiltshire & Grannis LLP
1200 Eighteenth Street, N.W., Suite 1200
Washington, D.C. 20036-2506
Counsel for DirecTV, Inc.

Pantelis Michalopoulos, Esq.
Steptoe & Johnson LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
Counsel for EchoStar Communications Corp.

Timothy A. Whitley
General Attorney
AT&T Services Inc.
208 S. Akard
Dallas, TX 75202

Hon. Harold Goffinet
City of Rockport
426 Main Street
Rockport, IN 47635

Board of Commissioners
Town of Vevay
210 Ferry Street
Vevay, IN 47043

Ms. Wanda Hylton
Town of Riley
7310 State Road 46
Riley, IN 47871

Mr. Richard Bair
Gratis Township
P.O Box 24
West Elkton, Ohio 45070

Ms. Lavon Wright
Israel Township
10893 State Route 177
College Corner, Ohio 45003

Mr. Ron Hovell
City of Carlisle
760 W. Central Avenue
Carlisle, OH 45005

Ms. Sue Chasnov
Village of Clifton
P.O. Box 27
Clifton, OH 45316

Mr. Mark Schwieterman
City of Kettering
3600 Shroyer Rd.
Kettering, OH 45429

Mr. Norbert Klopsch
City of Oakwood
30 Park Ave.
Dayton, OH 45419

Ms. Jesse Lightle
Washington Township - Montgomery County
8200 McEwen Road
Dayton, Ohio 45458

Ms. Debra James
City of Centerville
100 W. Spring Valley Rd.
Centerville, OH 45458

*Via ECFS


Glenda Thompson



Online Payment

Step 3: Confirm Payment

1 | 2 | 3

Thank you.
Your transaction has been successfully completed.

Pay.gov Tracking Information

Application Name: Remittance Advice
Pay.gov Tracking ID: 25BKDEQG
Agency Tracking ID: PGC2357873
Transaction Date and Time: 07/19/2013 12:04 EDT

Payment Summary

Address Information	Account Information	Payment Information
<p>Account Holder Name: Robert C. McGowan Billing Address: 20 Church Street Billing Address 2: City: Hartford State / Province: CT Zip / Postal Code: 06103 Country: USA</p>	<p>Card Type: Visa Card Number: *****9545</p>	<p>Payment Amount: \$1,355.00 Transaction Date and Time: 07/19/2013 12:04 EDT</p>

Agency Tracking ID:PGC2357873 Authorization Number:02412G

Successful Authorization -- Date Paid: 7/19/13 FILE COPY ONLY!!

READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING (1) LOCKBOX #979089	FEDERAL COMMUNICATIONS COMMISSION REMITTANCE ADVICE FORM 159 PAGE NO 1 OF 1	APPROVED BY OMB 3060-059 SPECIAL USE FCC USE ONLY
SECTION A - Payer Information		
(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card) Time Warner Cable Inc.		(3) TOTAL AMOUNT PAID (dollars and cents) \$1355.00
(4) STREET ADDRESS LINE NO. 1 60 Columbus Circle		
(5) STREET ADDRESS LINE NO. 2		
(6) CITY New York		(7) STATE NY
		(8) ZIP CODE 10023
(9) DAYTIME TELEPHONE NUMBER (INCLUDING AREA CODE) 212-3648482		(10) COUNTRY CODE (IF NOT IN U.S.A.) US
FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED		
(11) PAYER (FRN) 0007556251		(12) FCC USE ONLY
IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)		
(13) APPLICANT NAME Time Warner Cable Inc.		
(14) STREET ADDRESS LINE NO. 1 60 Columbus Circle		
(15) STREET ADDRESS LINE NO. 2		
(16) CITY New York		(17) STATE NY
		(18) ZIP CODE 10023
(19) DAYTIME TELEPHONE NUMBER (INCLUDING AREA CODE) 212-3648482		(20) COUNTRY CODE (IF NOT IN U.S.A.) US
FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED		
(21) APPLICANT (FRN) 0007556251		(22) FCC USE ONLY
COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET		
(23A) FCC Call Sign/Other ID 003215	(24A) Payment Type Code(PTC) TQC	(25A) Quantity 1
(26A) Fee Due for (PTC) \$1,355.00	(27A) Total Fee \$1355.00	FCC Use Only
(28A) FCC CODE 1 X	(29A) FCC CODE 2 X	
(23B) FCC Call Sign/Other ID		
(24B) Payment Type Code(PTC)		
(25B) Quantity		
(26B) Fee Due for (PTC)		
(27B) Total Fee		
(28B) FCC CODE 1		
(29B) FCC CODE 2		