

August 21, 2008

Nicholas Neeley
Acting Executive Secretary
Department of Public Utility Control
10 Franklin Square
New Britain, CT 06051

Re: Cablevision of Connecticut, L.L.P. – Community Access

Dear Mr. Neeley:

On August 15, 2008, Cablevision of Connecticut, L.L.P. (“Cablevision”) notified the Department of Public Utility Control (“DPUC” or “Department”) of its intention to begin transmitting its public, educational and governmental (“PEG”) access channels and the local programming channel in digital-only format beginning on September 16, 2008. Cablevision further indicated that its analog only customers who do not wish to upgrade to digital service will be offered one free converter box per household. In order to receive this box, however, customers must request the converter within sixty days of receiving notification from Cablevision.

On August 20, 2008, the DPUC directed Cablevision to respond to a number of information requests concerning its proposal. Among other things, the Department asked Cablevision to provide the number of customers affected, how this proposal would affect those customers with more than one television, how such customers would be treated if they failed to respond to Cablevision’s notice within its proposed sixty-day time limit and how Cablevision will be in compliance with Conn. Gen. Stat. § 16-331a(b) if not all Cablevision customers do not request a converter box.

Richard Blumenthal, Attorney General for the State of Connecticut (“Attorney General”), hereby respectfully requests that the DPUC open a contested proceeding to investigate this important matter. As the Department properly noted in its August 20, 2008 letter, Cablevision’s proposal appears to be in conflict with § 16-331a(b), which states that:

[e]ach company or organization selected pursuant to subsection (c) of this section, in consultation with the franchise's advisory council, shall provide facilities, equipment, and technical and managerial support to enable the production of meaningful community access programming within its franchise area. Each company shall include all its community access channels in its basic service package. Each company or organization

shall annually review its rules, regulations, policies and procedures governing the provision of community access programming. Such review shall include a period for public comment, a public meeting and consultation with the franchise's advisory council.

(Emphasis added).

PEG access provides important programming to all customers, including those that do not wish to, or lack the financial means to, upgrade to digital service. It is critical that the DPUC ensure that Cablevision is complying with all relevant legal requirements and properly serving its customers by providing adequate PEG access. Moreover, this inquiry should be done in the context of a contested case rather than through un-docketed correspondence, which is now the case.

Very truly yours,

RICHARD BLUMENTHAL
ATTORNEY GENERAL

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Cc: Cablevision
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Cablevision of Connecticut Advisory Counsel
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