



koatrees  
<koatrees@gmail.com>

07/03/2014 09:20 AM

Please respond to  
koatrees@gmail.com

To cabletv@dcca.hawaii.gov,

cc

bcc

Subject Time Warner - Comcast Merger

Please do not allow the merger. Time Warner alone is deficient enough in services, even affordable services. Comcast by itself is a terrible service provider. Ask anyone in the Denver, CO area and they would nix Comcast. Comcast rates first in the highest subscriber costs for services rendered, poor customer service, poor network connection speeds, poor network connectivity and downtime, throttling of bandwidth to customers at their discretion, etc, etc.

If these companies are touting benefits to the subscribers, then do away with their ability to put into their contracts "up to xxMb/second" for xx\$\$\$. Make them specifically say what the minimum "xxMb/second" they will provide at what tier \$\$ cost. Example, if the subscriber is charged "\$50/month for UP TO 10Mb/sec", then if they only provide 2Mb/second they are still within their contract rights. Make them contractually specify what the minimum connectivity speed is. Example, if the subscriber is charged "\$50/month for MINIMUM of 10Mb/sec" then they must provide at least 10Mb/sec or they are out of contract.

The UP TO game is a sham on the subscriber.

Nix the Time Warner - Comcast merger. Please. I have actual experience as a subscriber of both companies for network connectivity.



Aaron Stene  
<aaron@hawaii.rr.com>

07/14/2014 05:22 PM

Please respond to  
aaron@hawaii.rr.com

To cabletv@dcca.hawaii.gov,

cc

bcc

Subject DCCA-CATV Testimony Regarding Comcast/Time Warner  
Cable Merger

Dear Ms. Awakuni,

I am writing to ask the DCCA-CATV Division to reject the merger proposal of Comcast and Time Warner Cable on the ground the companies have failed to show such a merger would be in the best interests of Hawaii and its residents.

Although Time Warner Cable has never been a prize, Comcast's reputation for bad service, high prices, rationed Internet access, and customer abuse is well documented in just about every community the company serves. Comcast has repeatedly been voted the "Worst Company in America" by Consumer Union's Consumerist.com. The American Consumer Satisfaction Index has documented so many complaints about Comcast, it declared it the worst company it has ever scored, performing even worse than the Internal Revenue Service. For more than three years running, Harris Interactive has called Comcast one of the least reputable companies in America.

That alone should be enough to reject this merger out of hand. Permitting it would reward this company's appalling behavior towards its own customers and expose New Yorkers to an even bigger monopoly problem than we deal with now. Unless you live in a Verizon FiOS service area, cable is your only real choice for true broadband speeds. DSL is rapidly losing favor and market share and Verizon has shown no interest in expanding it.

Comcast already uses its market power to its advantage by raising prices... a lot. Time Warner Cable charges less for its services than Comcast does.

For example, Time Warner Cable offers a standard television service package that provides all the popular cable networks for one price. Comcast offers a similar package but stripped out cable networks including Cloo, CNBC World, Al Jazeera America, Discovery Fit & Health, Disney XD, DIY, a range of ESPN's extra networks, EWTN, Fine Living, Fox Business News, Great American Country, IFC, Investigation Discovery, Lifetime Real Women, Military Channel, MLB, most of MTV's extra networks, NBA, National Geographic Channel, NFL Network, NHL Network, most of Nickelodeon's extra networks, OWN, Oxygen, Sundance, Turner Classic Movies, The Science Channel, and VH1's extra networks.

Customers who want these networks, like Turner Classic Movies, National Geographic, and IFC will have to pay a stunning price of up to \$86 a month - just for television. Many of these networks are especially popular with fixed income older residents, who will now face an even larger cable TV bill.

Comcast promotes the fact its Internet speeds are faster than Time Warner Cable, but that is not true as Time Warner Maxx upgrades arrive. Comcast Internet service costs more, is slower, and increasingly usage-capped. Time Warner Cable has made clear it will not limit customers' Internet usage. Comcast has made clear it will, predicting usage limits/usage-based pricing will be imposed on customers across its entire footprint within five years. That is no improvement for Hawaii. That is literally a downgrade. We can do better in Hawaii with Oceanic Time Warner Cable.

Sincerely,  
Aaron Stene

---



"Felix Tengan"  
<fshn@hawaiiantel.net>

07/20/2014 09:58 PM

To <catv@dcca.hawaii.gov>,

cc

bcc

Subject TWC/Comcast merger

Was not able to attend last week's meeting, but would like to make a comment on the possible merger. In the Hawaii Tribune Herald story ( 7/17/14) it states that Comcast Vice Pres. of Gov. Affairs Steven Holmes says that the takeover of TWC would result in faster and more reliable Internet speed and wider selection of channels, video on Demand and other improvements. All very broad and vague references. He doesn't say anything about added costs to customer's bills for improvements or other services that some customers may not want, but will have to pay for anyway. To really find out if their future customers what certain services, they should poll their customers when they send their bills out. Customers should have the option of voting for certain services that they may want.

Felix Tengan



**linda <lindad@akaku.org>**  
07/25/2014 03:03 PM

To cabletv@dcca.hawaii.gov,  
cc  
bcc  
Subject Comcast/Time Warner Cable Merger

In there appearances at the recently held public hearings, it appears Comcast has promised everything I was concerned about; such as net neutrality, protection for PEG access broadcast stations, and timely response to request for service. Reports from current customers would suggest this is not the case where they have contracts in place now. I would like to urge that they be held to these promises in writing; in the contract.

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Honolulu, Hawaii 96819-1754  
www.mgf-hawaii.org

Ph: (808) 839-5334  
Fax: (808) 839-3658  
Email: mgf-hawaii@hawaii.rr.com

July 25, 2014

Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, Hawaii 96809

Aloha,

RE: Olelo Community Media

I am voicing my strong support for Olelo Community Media which has been an integral part of our community sharing perspectives and voices not represented in other Hawaii broadcast media. Over the years it has been serving Hawaii and its residents, Olelo has offered a way for people to express themselves and to document our culture and traditions.

For the past several years, Olelo Community Media has telecast portions of the annual Prince Lot Hula Festival, the island's oldest and largest non-competitive hula exhibition. Additionally, Olelo has filmed, edited and broadcast the festival through a series of programs watched by many. This public service is invaluable to small non-profit organizations like Moanalua Gardens Foundation (MGF) which lack the resources to have this done commercially.

The programs have drawn praise from our local audience, many of whom are elderly and cannot attend the festival in person. They have expressed their gratitude for Olelo's broadcasts which have allowed them to "participate" from home.

This valuable community resource needs to be continued and protected.

Furthermore, Olelo has been instrumental in enabling MGF to fulfill its mission "to preserve and perpetuate the precious cultural and natural resources of our islands through education, celebration and stewardship of Kamananui Valley and Moanalua." Through their broadcasts and re-broadcasts, they are helping MGF preserve and perpetuate our hula traditions.

It is vitally important that Olelo Community Media be afforded the same technology as the commercial broadcast stations, including HD (high definition) capability. Olelo provides a critical community service and should be treated as an equal with the same state-of-the-art equipment that other Hawaii television stations use.

We are grateful to Olelo for their tireless efforts in keeping our community connected to the issues impacting Hawaii and for their role in helping to preserve and perpetuate the diverse cultures of these islands. We humbly ask for your continued support of this valuable resource.

Mahalo a nui loa,

A handwritten signature in black ink, appearing to read "Alike Jamile". The signature is fluid and cursive, with a large loop at the end of the last name.

Alexander Alike Jamile  
Executive Director and President



1132 Bishop Street, #1920 | Honolulu, HI 96813  
1-866-295-7282 | Fax: 808-537-2288 | TTY: 1-877-434-7598  
aarp.org/hi | hiaarp@aarp.org | twitter: @AARPHawaii  
facebook.com/AARPHawaii

Ms. Keali'i S. Lopez  
Director, Department of Commerce and Consumer Affairs  
335 Merchant Street  
Honolulu, HI 96813

July 25, 2014

Dear Director Lopez:

On behalf of AARP and our nearly 150,000 members in Hawaii I wish to comment on the application by Comcast to acquire the current Time Warner cable franchise on Oahu. We want to ensure that the public benefits in the current franchise are preserved and enhanced and that they keep pace with changes in technology throughout the term of any franchise that you might grant.

Everyone benefits from the cablecasts that originate at the Legislature and City Council. Our staff and volunteers testify on many issues at the Legislature and City Council. Government access programs help us make our case to an expanded public. They allow those who cannot get to the gavel-to-gavel hearings to better understand important issues. This is especially important for seniors whose mobility is limited. In the future, an interactive component should be considered to allow people to testify from their homes or nearby access points.

Seniors are among many who profit from the mental stimulation of educational programming that originates from within the University of Hawaii system. Resources for this programming are provided as part of the current franchise, and they need to be retained. Providing channel capacity for similar programming from Hawaii's private colleges might also be considered.

AARP Hawaii has benefitted directly from the production, distribution and archiving capabilities of community access stations. We are a regular contributor to Olelo's Senior Sunrise and Kupuna Power programs that provide content of specific interest to seniors. Olelo has been at our community political debates, as well as our presentations on fraud, age-friendly communities, and long-term care. We have also worked closely with Akaku on Maui and are working with Na Leo on the island of Hawaii on broadcasting a gubernatorial debate as part of AARP's non-partisan voter education outreach.

Real Possibilities

People between the ages of 50 and 65 are the fastest growing group in the nation with respect to adopting technology. More of us are on the internet and use social media. Technology matters to us. Like most of the public, we want higher speed, lower cost broadband. We want better access to high quality production services. We are consumers of public, educational and governmental programming, and we expect cable franchise holders in Hawaii to support these programs with funds, equipment and bandwidth.

Sincerely,

A handwritten signature in black ink that reads "Barbara Kim Stanton". The signature is written in a cursive, flowing style.

Barbara Kim Stanton  
State Director  
AARP Hawaii

---



Sylvia Ho  
<[sylviamau001@gmail.com](mailto:sylviamau001@gmail.com)>

07/25/2014 11:39 PM

To [cabletv@dcca.hawaii.gov](mailto:cabletv@dcca.hawaii.gov),

cc

bcc

Subject 5pam:To oppose the merger of Comcast and Oceanic Cable

Aloha,

My name is Sylvia Ho and I am in opposition to the merger of Comcast and Oceanic Time Warner Cable. I am a firm believer that businesses in America should not be monopolies. The merger of these two mega communications companies will have a negative impact upon freedom of speech within our community and the ability of Community Access TV stations to provide a forum for the public to air their views. A merger of these two companies means a merger of their financial control and their editorial policies. And if such a merger were to happen, the "market place of ideas", as defined by our supreme court, will simply grow that much smaller. It is therefore extremely important for minority speech, especially "unpopular speech" have the opportunity to be heard. We must ensure that unpopular speech has a voice.

The past has shown us Time Warner Cable opposed the State of Hawaii's requirement to provide community access programming. And to this day they still do. There is no reason to believe that the merger of Comcast and Time Warner Cable would in any way "enhance" our individual or collective freedom of speech. Consolidation of ownership, authority, financial and editorial control means a business is less likely to embrace any ideas that may be viewed as a threat to their continued profits.

Please block the proposed merger.

Thank you.

--

*Sylvia Ho*

[sylviamau001@gmail.com](mailto:sylviamau001@gmail.com)

(808) 280-0099



"Terrie Roberts"  
<Terrie@akaku.org>  
07/25/2014 04:33 PM

To <cabletv@dcca.hawaii.gov>,  
cc  
bcc  
Subject Comcast Cable Company

Aloha,

Just want to reiterate that now is the time for the state to ask for better cable service and faster internet service, with Comcast buyout.

Thank you,

*Terrie Roberts*

---

*Administrative Services Director*  
Akaku: Maui Community Television  
333 Dairy Road, Suite 104  
Kahului, HI 96732  
808-871-5554



FOR YOUTH DEVELOPMENT®  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

July 21, 2014

Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809  
Attn: Ms. Keali'i S. Lopez, Director DCCA

RE: Comment Regarding the Transfer Application Submitted by Time Warner Cable  
and Comcast Corporation for the Transfer of Control of Oceanic Time Warner  
Cable LLC Oahu Franchise

Aloha Director Lopez:

I am writing to you today to share the perspective of the YMCA of Honolulu on the proposed transaction between Comcast and Time Warner Cable.

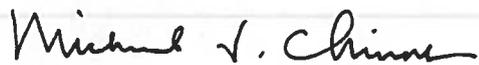
As a company, Comcast has shown itself to be committed to giving back to the local communities it serves and has focused on investing in the areas in which its expertise can make the greatest impact. First and foremost among these efforts are its programs that help to expand digital literacy in low-income communities. These are not hollow efforts, or simply a commitment to fund a few programs, but a strategic, thoughtful and powerful program to address the digital divide. This program, called Internet Essentials, has already connected more than 1.2 million economically disadvantaged Americans in less than three years since its inception. Comcast has promised to continue expanding initiatives like Internet Essentials after the proposed transaction – this can only be good news for the people of Hawaii.

Comcast has also developed a network of partnerships with YMCAs around the country which helps focus its efforts to strengthen the local communities. I was amazed to learn that just this year alone, more than 80,000 Comcast employees volunteered for over 800 projects across the country and, since 2001, more than half a million people have contributed over 3 million volunteer hours in service of through their Comcast Cares Day volunteer program.

Cable Television Division  
Department of Commerce and Consumer Affairs  
July 17, 2014  
Page 2 of 2

The proposed transaction will mean that our community will be able to enjoy the benefits of the company's dedication with the extension of Comcast's local and corporate partnerships, which is why we are supportive of this transaction.

Yours sincerely,

A handwritten signature in black ink that reads "Michael T. Chinaka". The signature is written in a cursive style with a horizontal line underneath it.

Michael T. Chinaka CPA  
Senior Vice President & CFO  
YMCA of Honolulu

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Decision summit - Sept 2014

To: ~~Public Utilities Commission~~ ~~CATV~~

From: Sol Ray Duncan

Subject: Time Warner/Comcast  
Proposed Merger

I am opposed to this merger of Time Warner with Comcast because this would result in a cable monopoly in the way. That would mean higher prices for me and other people. I already pay about \$70.00 a month. I think that this country needs more competition among cable providers. Not less. Please reconsider this when reviewing this application.



**Saint Mark Lutheran School**  
K Ā N E ' O H E , H A W A I ' I

CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

July 25, 2014

2014 JUL 25 P 3: 59

Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809  
Attn: Ms. Keali'i S. Lopez, Director DCCA

A \_\_\_ E \_\_\_ P \_\_\_ S \_\_\_  
FILE \_\_\_\_\_

RE: Comment Regarding the Transfer Application Submitted by Time Warner Cable and Comcast Corporation for the Indirect Transfer of Control of Oceanic Time Warner Cable LLC – Oahu Franchise

Dear Ms. Lopez,

My name is David Gaudi, and I am writing to you today as the head of Saint Mark Lutheran School in Kāne'ohe, Hawai'i, as well as a member of the board of directors for the Hawai'i Association of Independent Schools. It is my pleasure to take a few moments to share my support for Comcast Corporation as their proposed merger with Time Warner Cable is being considered.

It is clear to me that Comcast Corporation has a special commitment to the community and has enhanced the lives of many children throughout the United States. I am convinced that their entrance into the Hawai'i market place will not only increase internet access and technology accessibility for Hawai'i's keiki but will also provide the opportunity for the formation of community partnerships that will potentially benefit both public and independent schools in Hawai'i.

Among the many programs and services that Comcast offers, I am particularly impressed with their Internet Essentials and Digital Connectors programs as well as their commitment to increasing and improving the broadband performance for Hawai'i schools. These programs and services would be a welcomed addition to current offerings.

As the head of a small independent school, it is my hope and belief that Comcast will bring fair pricing to Hawai'i schools and will prove to be more than merely another conglomerate looking to capitalize in a new locale. It is my contention that Comcast will be a civically responsible, community partner who will continually work with educational leaders to explore meaningful and economically reasonable ways to serve Hawai'i's keiki while advancing Hawai'i's technological position as a bridge between the US mainland and Asia.

Comcast's dedication to expanding academic and professional opportunities for young people coupled with their collaborative nature, willingness to invest in the latest technologies, and promotion of civic responsibility, makes their entry into Hawai'i a very attractive proposition.

I hope you will consider these factors when weighing approval of this important and exciting transaction.

Sincerely,

R. David Gaudi Jr., Ed.D.  
Head of School

July 24, 2014

COMMUNITY MEDIA

**Board of Directors**  
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*Chair*

Allan Akamine  
Jill Takasaki Canfield  
Lester Chu  
Rochelle Gregson  
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Tyler Tokioka  
John Williamson  
Scott Wong

Roy K. Amemiya, Jr.  
CEO/President

Ms. Keali'i S. López  
Director  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809

Aloha Director López:

My name is Roy Amemiya, President and CEO of 'Ōlelo Community Media ('Ōlelo). 'Ōlelo, a private non-profit corporation, has been the contractor for PEG service delivery on O'ahu since 1989. Thank you for the opportunity to provide testimony related to the transfer of Time Warner's Oahu franchise to the Comcast entity as part of the acquisition transaction.

We are encouraged by the presentation provided by Mr. Steve Holmes, Vice President-Government Affairs, West Division, Comcast Cable. In his presentation to the DCCA at the public hearing of their franchise transfer request held on Friday, July 18, 2014, he states "The west coast division works hard to maintain positive relationships with PEG in cities like Denver, San Jose, St. Paul and Seattle.

The X1 platform mentioned previously is used to support PEG access channels as any other channels on our system. Per the NBCU purchase, Comcast has not migrated any PEG channels to digital delivery that have not converted to an all digital system and have not implemented any method of changes that resulted in material degradation of signal quality or impairment or inferior reception.

We will meet franchise requirements re: PEG channels and support all the communities that we serve. In addition, Comcast is interested in technology that would enhance the distribution of PEG access programming. For example from 2011 to 2014, we conducted VOD trials in 5 pilot communities where they were provided dedicated content folders in each community and on line custom websites for PEG communities to create virtual channels where they can create and post content with other local interest content. There has been strong support of these programs in the pilot cities and we are interested in sharing the results with the local PEGs here in Hawaii.”

At this time, ‘Ōlelo has no position on whether the franchise transfer from TWE to Comcast should be allowed; however ‘Ōlelo is concerned that terms contained in the franchise agreement as documented in the DCCA’s Cable Television Division’s D&O 346, as well as the Deputy Director’s Final Order Regarding Arbitrator’s Decision Filed on July 27, 2012 in the settlement of the capital arbitration and in Stipulation to Settle all Claims of the Parties, CTV-2013-1 dated March 4, 2014, continue to be requirements of the acquiring entity should the acquisition transaction be allowed. Furthermore, we would like the written assurance that those will continue to be governing documents going forward.

Accordingly, there are several specific requirements that we would like to bring to the attention of the DCCA, the parties in this acquisition transaction, and the general public.

1) **Technical Quality**

Section G-1 of D&O 346 states that “The technical quality of all Franchise Required Channels and PEG Access Channels, to the extent within TWE’s control, shall be at least equivalent to the technical and picture quality of the local broadcast television stations which are Affiliates of major national broadcast networks and satisfy the requirements contained in applicable provisions in the HAR.” At the present time, the Affiliates of major national broadcast networks (ABC, CBS, FOX and NBC) have superior technical and picture quality than ‘Ōlelo because they have been granted High Definition (HD) channels, in addition to non-HD digital channels and analog channels. Regardless the reason for carrying stations in triplicate, we assert that digital and HD subscribers consistently overlook lower-quality channels, and this puts ‘Ōlelo’s analog-only channels at a disadvantage in those households. ‘Ōlelo interprets Section G-1 to mean that the cable franchise operator is required to provide content to its HD subscribers in HD.

Furthermore, should communications technology evolve beyond HD, the requirement in Section G-1 would also apply to the new technology.

'Ōlelo is producing 100% HD content and is ready to deliver HD channels. All of our production equipment, cameras, multi-camera field units and production van have been upgraded to HD. We currently down-convert HD content to SD for delivery to Oceanic Time Warner only because they do not provide our channels in HD. Our master control system has been completely upgraded from analog to digital, and can readily be converted to output in HD.

## 2) Channel Placement

Section G-2 of D&O 346 pertains to the placement of channels and attempts to assure that channel placement is somewhat contiguous in the Channel lineup. Channel placement is becoming increasingly important to PEG television in obtaining viewership because of the plethora of channels now available on the cable spectrum. As cable subscribers continue to migrate to higher service levels, they are being moved to spectrums that are not contiguous to 'Ōlelo channels, which remain aligned in the analog spectrum. This makes it increasingly difficult for subscribers to find 'Ōlelo through channel surfing. For example, an HD subscriber in the 1000 spectrum would be unlikely to surf in the 49 through 55 channel range that 'Ōlelo is located. This could be remedied by having additional channels such that 'Ōlelo 49 can also be viewed on 1049. This same rationale would hold true when video-on-demand (VOD) channels are added as specified in Section III of Stipulation to Settle all Claims of the Parties. In addition, we request that 'Ōlelo's channels, analog, digital and HD, be sequentially numbered; currently our channels skip from 49 to 53, creating unnecessary complexity in communicating with viewers.

In its application, Comcast notes that they have accelerated the migration from analog to digital in all of their markets. When this occurs on O'ahu, it is our understanding that the channel alignment and channel placement changes outlined above would be required.

## 3) Improvement to Two INET Lines to the State Capitol

Section G of D&O 346 contains the TWE commitment to continue to support the INET system and work collaboratively with the State in the extension, performance, and design of the INET. 'Ōlelo's cablecasts of State legislative sessions, hearings, confirmations and meetings are hampered by technology limitations due to INET inadequacies.

One major inadequacy of the current INET configuration is that only two simultaneous events can be transmitted from the State Capitol at any given time. The INET is well over fifteen years old, and has not evolved along with technology trends. The legislature and the DCCA have expressed their desire to have 'Ōlelo increase government programming – and 'Ōlelo has agreed in principle to do so. However, unless the INET system is upgraded or replaced with a superior alternative, the limitation of two simultaneous transmissions creates an imposing barrier.

A second concern is the quality of the transmissions received from the State Capitol. Newer digital transmission technology would make it possible to transmit cleaner and more stable digital signals from the State Capitol.

Digital transmission has evolved, allowing multiple live streams to be transmitted simultaneously. We are currently working with the State Government to install a new digital television production infrastructure at the State Capitol that would allow the legislature to air more than two simultaneous live streams, but only if the transmission infrastructure is upgraded.

To summarize, 'Ōlelo would like the DCCA to uphold the requirements in the existing franchise agreement, as documented in the DCCA's Cable Television Division's D&O 346, as well as the Deputy Director's Final Order Regarding Arbitrator's Decision Filed on July 27, 2012 in the settlement of the capital arbitration and in Stipulation to Settle all Claims of the Parties, CTV-2013-1 dated March 4, 2014 to apply these requirements to the acquiring entity should the acquisition transaction be allowed; and the written assurance that those will continue to be governing documents going forward. This would help ensure that the cable subscribers on O'ahu continue to receive quality PEG services; including required technology upgrades that are still pending.

Thank you for this opportunity to provide testimony. We are confident that in your decisions you will consider the applicant's fulfillment of the public benefits outlined in the above documents and the value of PEG to our community.

Warm regards,



Roy K. Amemiya, Jr.  
CEO and President



Meriel Collins  
<mcollins@pbshawaii.org>

07/25/2014 12:15 PM

To "cabletv@dcca.hawaii.gov" <cabletv@dcca.hawaii.gov> ,

cc

bcc

Subject 5pam:Testimony - DCCA - Comcast

1 attachment



Alm-Comcast Testimony.pdf

Dear DCCA,

Attached is testimony from Robbie Alm, PBS Hawaii Board Chair,

Mahalo, Meriel

Meriel Jane Collins  
Administrative Assistant  
PBS Hawaii  
2350 Dole Street  
Honolulu, HI 96822  
Tel – 808.973.1387

[mcollins@PBSHawaii.org](mailto:mcollins@PBSHawaii.org)  
Website [www.PBSHawaii.org](http://www.PBSHawaii.org)

Sign Up for our Weekly Newsletter: [newsletter@PBSHawaii.org](mailto:newsletter@PBSHawaii.org)

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UNIVERSITY  
of HAWAII  
SYSTEM

Office of Vice President for Information Technology  
and Chief Information Officer

July 23, 2014

Catherine P. Awakuni  
Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809

Dear Ms Awakuni:

This letter is in regards to the application under consideration to transfer the cable television franchise from Oceanic Time Warner Cable (OTWC) to Comcast Corporation.

The University of Hawai'i (UH), in partnership with the Information and Communication Services Division of the Department of Accounting and General Services (ICSD) and the Department of Education (DOE) has had a positive and productive relationship with OTWC via the INET agreement that allows the state partners to provide essential services to the citizens of Hawai'i. Through a 2002 Memorandum of Agreement between the State of Hawai'i, Department of Commerce and Consumer Affairs, and Time Warner Entertainment Company (the parent company of OTWC), the ICSD, the DOE, and the UH have use of fiber connectivity on all major islands as well as capacity of interisland fiber licensed to Time Warner Entertainment (TWE). This has enabled the operation of the INET network to connect schools, university campuses and state government facilities on a statewide basis. This agreement is effective as TWE holds cable franchises authorizing it to provide cable service to the State of Hawai'i.

OTWC has been an exemplary participant to this agreement, working proactively with the three state partners to maintain a high level of service. The INET is an invaluable part of the public infrastructure. This has been a stellar example of a public-private partnership that has worked to the benefit of all.

In addition, the university participates in the Public, Education, and Government (PEG) channels set aside as part of the OTWC franchise agreement. This provides vital educational programming over the OTWC cable system. UH participates in this activity through the Hawai'i Educational Networking Consortium (HENC) composed of the DOE, the UH, and the Hawai'i Association of Independent Schools (HAIS).

The University of Hawai'i strongly encourages the Cable Television Division of the Department of Commerce and Consumer Affairs to mandate a franchise transfer to Comcast Corporation, include continuation of the INET on island fiber and INET interisland lambda MOA, and continuation of the PEG channels. Prior to the announcement of this pending transfer, the INET partners have been contemplating strengthening and extending the public services offered through this MOA. We welcome the opportunity to explore such opportunities with DCCA and Comcast Corporation.

Sincerely,

A handwritten signature in black ink that reads 'Steven Z. Smith'.

Steven Smith  
Interim Vice President for Information Technology and Chief Information Officer  
University of Hawai'i  
Information Technology Services

2520 Correa Road, IT Center 6<sup>th</sup> Floor  
Honolulu, Hawai'i 96822  
Telephone: (808) 956-2808  
Fax: (808) 956-2412

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PETER S. HO  
CHAIRMAN, PRESIDENT AND  
CHIEF EXECUTIVE OFFICER

July 24, 2014

Ms. Keali'i S. Lopez, Director DCCA  
Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809

RE: Comment Regarding the Transfer Application Submitted by Time Warner Cable and Comcast Corporation for the Indirect Transfer of Control of Oceanic Time Warner Cable LLC

Aloha Director Lopez:

I am writing in support of the proposed transaction between Time Warner Cable and Comcast. This transaction will have a positive impact and lead to greater investment in Hawaii's technology infrastructure. The merger combines two top-tier broadband service providers whose economies of scale will help hasten the deployment of next-generation technologies.

Comcast has promised to invest millions of dollars in upgrading and expanding broadband networks across the country. Technological investment has the potential to help small businesses and foster innovation and growth. It will mean access to faster speeds and better services benefitting Hawaii's families and businesses.

This presents a unique opportunity for our state and I respectfully encourage your favorable consideration of this proposed merger.

Thank you for the opportunity to provide this testimony.

With warmest personal regards,

Sincerely,

A handwritten signature in black ink that reads 'Peter S. Ho'.

July 25, 2014

[Via email cabletv@dcca.hawaii.gov](mailto:cabletv@dcca.hawaii.gov)

Ms. Keail'i Lopez, Director  
Department of Commerce and Consumer Affairs  
335 Merchant St. Room 101  
Honolulu, HI 96813

Attention: Catherine Awakuni  
Cable Television Administrator

Re: Application for Transfer of Cable Television Franchise by Time Warner Cable  
to Comcast Corporation

Dear Ms. Awakuni:

Hawaiian Telcom appreciates the opportunity to provide written testimony on the Application for Transfer of Cable Television Franchise filed on May 23, 2014 by Time Warner Cable ("TWC"), the parent of Oceanic Time Warner Cable LLC ("OTWC"), and Comcast Corporation ("Comcast") for the transfer of control of OTWC's Hawaii cable franchises from TWC to Comcast.

As you are aware, in July 2011, Hawaiian Telcom launched the first landline-based competitive TV service offer in Hawaii. We are pleased to report that the response from Oahu consumers to our TV service has been extremely positive. We receive many comments about the advanced, feature-rich, and easy-to-use Hawaiian Telcom TV service, but most notably, customers express gratitude for finally being provided with a viable choice. We are concerned, however, that if the Comcast/TWC merger is allowed to go forward without adequate conditions, it could be used to constrain effective competition in Hawaii in both the video programming distribution and wired broadband markets.

Hawaii's unique construction and logistical difficulties in deploying communications infrastructure (e.g., serving separate islands) greatly magnify the ability of Comcast/TWC to take anticompetitive actions that could hinder the ability of Hawaiian Telcom or others to compete. Any such actions would have a more dramatic impact in Hawaii than the continental U.S. because Time Warner Cable is the monopoly provider of video services in the state of Hawaii as a result of Hawaii's unique geographic issues that make it difficult for over-the-air broadcast TV and Direct Broadcast Satellite ("DBS")

to compete effectively. Time Warner Cable has used its monopoly market share in the video services to gain a monopoly share in the wired broadband market in Hawaii.

In order to protect consumers and encourage effective competition, Hawaiian Telcom strongly advocates that the merger be closely reviewed and conditions be imposed given Hawaii's unique geographic location, TWC's current monopoly market position, and the added market power of the merged Comcast/TWC.

### **Hawaii's Unique Video Programming Distribution Services Market**

Broadcast TV is used as the primary source for video reception in only approximately 5% of the households in Hawaii, and in an even a smaller percentage of households on Oahu. Hawaii's mountainous terrain makes it technically difficult and extremely costly to provide adequate over-the-air broadcast TV signals to Hawaii's consumers. In addition, the higher density of Multiple Dwelling Units ("MDUs") in Hawaii means that the placement of roof antennas is not an option. As a result, without a Multichannel Video Programming Distributor ("MPVD"), a large percentage of Hawaii's residents are unable to get a full complement of the network TV stations – ABC, NBC, CBS, FOX, and PBS.

Dish and DirecTV have a minor combined market share of only approximately 5% of the households in Hawaii and less on Oahu compared to a combined approximately 30% market share for households in the rest of the U.S., according to the FCC's 15th Video Competition Report ("Report") dated July 15, 2013 (see Appendix A for details on Market Share). Hawaii's remote location results in a weaker satellite signal, which increases DBS installation and service costs because larger dish receivers are required. In addition, rain fade problems are more prevalent in Hawaii due to the lower angle of the satellites on the horizon. The higher density of MDUs in Hawaii also makes DBS less viable for a large percentage of households.

TWC has leveraged Hawaii's unique geography to establish a monopoly position serving approximately 86% of total households in the State of Hawaii, compared to cable's nationwide share of approximately 50% of households according to the FCC's Report.

### **Hawaiian Telcom's Entry into the Video Programming Distribution Services Market**

In July 2011, Hawaiian Telcom launched paid video programming services on the island of Oahu. Hawaiian Telcom has approximately 20,000 customers in total or 4.5% of total homes in Hawaii (6.6% on Oahu); by contrast the merged Comcast/TWC will have almost 30,000,000 customers.

TWC leverages its sole source agreement and the production resources for regional sports and mandates that Hawaiian Telcom offer regional sports in its basic tier, forcing Hawaiian Telcom to increase its basic rate for service (an example of raising rivals' costs). Unlike other linear cable regional sports channels, TWC's Regional Sports Network ("RSN") does not allow Hawaiian Telcom or to resell commercial airtime (aka local advertising) to other potential advertisers and RSN programming rights are limited to the residential market, thus requiring Hawaiian Telcom to block RSN programming to commercial businesses or to create a customized channel line-up for commercial establishments. In addition, OTWC produces and offers Hawaii high school sports but unlike University of Hawaii sports, TWC refuses to allow Hawaiian Telcom to purchase this programming at fair market rates to enable us to also offer it to our customers.

### **Hawaii Wired Broadband Market**

Leveraging its video share, TWC is also the dominant provider of wired broadband service in Hawaii with approximately 69% share of the consumer market. Hawaiian Telcom has approximately 25% consumer market share with another 6% served by other providers.

Comcast/TWC will gain significant market influence for wired broadband equipment – both for use in the core network as well as in the home. Comcast/TWC can also leverage the use of the content that it owns to provide a lower cost, high value, differentiated over-the-top offer to its subscribers, which is not available to other competitive video providers.

### **Merger Specific Harm**

The merger could further exacerbate the monopoly power of Comcast/TWC in the Hawaii market and lead to anticompetitive behavior. Comcast/TWC could gain an unfair competitive advantage in the retail market by being able:

- To leverage additional market power and joint purchasing power for programming to obtain discounts which will not be available to competitive video suppliers
- To produce additional unique programming content and not offer this content to Hawaiian Telcom or other competitive providers
- To enter into exclusive arrangements with content, software and hardware providers thereby restricting Hawaiian Telcom's access to critical content and equipment needed to effectively compete in the Hawaii market

- To use access to nearly 30,000,000 customers to generate revenue from ISP content providers such as Netflix, providing a cost advantage over competitive video providers

In addition, Comcast/TWC's size and dominant national footprint could also allow it to expand current and form new exclusive contracts with installation and construction contractors, whose availability in Hawaii is already limited. This would impede Hawaiian Telcom's ability to timely expand its fiber optic network and delay its customer installations while providing Comcast/TWC additional time to sweeten its retention offers.

### **Merger Specific Conditions**

Hawaiian Telcom strongly advocates that the following conditions be imposed, should DCCA decide to approve the proposed transfer application, in order to protect consumers and to ensure competition is not stifled by this transaction:

#### Require access to programming and advertising

- Provide Hawaiian Telcom continued access to network content and programming contracts for RSN networks and all University of Hawaii sports and allow Hawaiian Telcom to make such RSN programming available to commercial businesses
- Prohibit exclusive programming content arrangements with non-affiliated and affiliated content providers and ensure that competitive video providers gain access to Hawaii high school sports and NGN in addition to Comcast NBC Universal programming (USA, E!, Universal HD, Golf, Syfy, MSNBC, CNBC, Oxygen, Sprout, Telemundo, Comcast Network)

#### Ban exclusive contracts

- Disallow exclusive contracts with installation and construction contractors and equipment vendors for video services and broadband services, including access to emerging technology equipment that is critical to effective competition

#### Prohibit anticompetitive behavior

- Use of revenue shares, "door fees", marketing support and/or exclusive wiring agreements impacting competitive video providers' ability to compete in bulk buildings/MDU space

Ms. Keail'i Lopez, Director  
July 25, 2014  
Page 5



- Require Comcast/TWC to offer Hawaiian Telcom reasonable access to and non-discriminatory prices, terms, and conditions for purchasing programming content
- Ensure Comcast/TWC does not prevent third party hardware and software providers from offering non-discriminatory prices and terms to other competitors
- Forbid Comcast/TWC from dictating that Hawaiian Telcom offer RSNs as part of Hawaiian Telcom's basic tier package and allow Hawaiian Telcom to make such RSN programming available to commercial businesses
- Extend NBC/Universal merger conditions and extend access to RSNs under Adelphia rule

### **Conclusion**

The Comcast/TWC merger will further stifle competition and harm Hawaiian Telcom and other competitors in the paid video programming services and wired broadband markets in Hawaii unless conditions are imposed. TWC already holds monopoly shares in both video and wired broadband in Hawaii, although its share in video is larger than in wired broadband. The merger would increase TWC's market power and is likely to lead to greater anticompetitive behavior, in addition to existing tactics.

For the foregoing stated reasons, Hawaiian Telcom strongly advocates that conditions be placed on the merger in order to address the anti-competitive concerns, given Hawaii's unique market.

If you have any questions concerning Hawaiian Telcom's testimony, please feel free to contact me at 546-3877.

Sincerely,

A handwritten signature in black ink, appearing to read "St P. Golden".

Steven P. Golden  
Vice President External Affairs

## Appendix A

### Time Warner Cable Has Monopoly Share of Video Market in Hawaii

| <u>Video Subscribers (in millions)</u>               | <u>2012</u> <sup>2</sup> | <u>US Market Share</u> <sup>3</sup> | <u>Hawaii Market Share</u> | <u>Oahu Market Share</u> |
|------------------------------------------------------|--------------------------|-------------------------------------|----------------------------|--------------------------|
| <b>Cable</b>                                         | <b>57.3</b>              | <b>49.7%</b>                        | <b>86.0%</b>               | <b>86.0%</b>             |
| Comcast                                              | 22.1                     |                                     |                            |                          |
| Time Warner Cable                                    | 12.5                     |                                     |                            |                          |
| Cox                                                  | 4.7                      |                                     |                            |                          |
| Charter                                              | 4.3                      |                                     |                            |                          |
| Cablevision                                          | 3.3                      |                                     |                            |                          |
| All Other Cable                                      | 10.5                     |                                     |                            |                          |
| <b>DBS</b>                                           | <b>34.0</b>              | <b>29.5%</b>                        | <b>5.0%</b>                | <b>3.0%</b>              |
| DIRECTV                                              | 19.9                     |                                     |                            |                          |
| DISH Network                                         | 14.1                     |                                     |                            |                          |
| <b>Telco IPTV</b>                                    | <b>9.1</b>               | <b>7.9%</b>                         | <b>4.5%</b>                | <b>6.6%</b>              |
| AT&T U-verse                                         | 4.1                      |                                     |                            |                          |
| Venzon FiOS                                          | 4.5                      |                                     |                            |                          |
| All Other Telephone                                  | 0.5                      |                                     |                            |                          |
| <b>Other: Broadcast TV / OTT / no TV<sup>1</sup></b> | <b>14.8</b>              | <b>12.9%</b>                        | <b>4.5%</b>                | <b>4.4%</b>              |

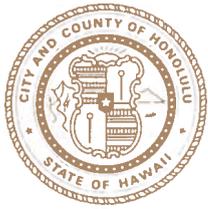
Note TW Cable is Hawaii's only cable provider

Notes

<sup>1</sup> "% Other" represents the remaining market share

<sup>2</sup> FCC 15th Annual Video Competition Report, p61-62, Table 7  
<http://www.fcc.gov/document/fcc-adopts-15th-report-video-competition-0>

<sup>3</sup> US Census 2012 Occupied HHS (in M) 115.2  
[http://factfinder2.census.gov/faces/tableservices/jsi/pages/productview.xhtml?pid=ACS\\_12\\_5YR\\_DP04](http://factfinder2.census.gov/faces/tableservices/jsi/pages/productview.xhtml?pid=ACS_12_5YR_DP04)



CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

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A\_\_E\_\_P\_\_S\_\_

July 7, 2014

FILE

Ms. Catherine Awakuni, Administrator  
Cable Television Division  
Department of Commerce & Consumer Affairs  
335 Merchant Street  
Honolulu, Hawaii 96813

Dear Ms. Awakuni:

Thank for your letter of June 20, advising the Honolulu City Council (Council) on the proposed transfer of control of Oceanic Time Warner Cable to Comcast Corporation. The Council neither supports nor opposes Comcast's application for the transfer at this time. However, the Council offers the following comments.

Any acquisition or transfer of Oceanic Time Warner must not degrade or otherwise detrimentally impact support for the PEG structure. The Council currently relies on equipment and technical support from the PEG structure to enable the residents of the City & County of Honolulu to observe the actions of the Council over live community cablevision.

The Council is keenly interested in expanding its original programming for broadcast over PEG channels. To the extent that this transfer would result in enhanced support for the Council with regard to its programming goals, it should be encouraged.

Finally, the Council relies on the expertise and resources of the DCCA, Cable Television Division, to ensure that all public benefits under the Oahu Cable Franchise Agreement are fully transferred to Comcast, should its application be approved, and that Comcast fulfills all commitments under that agreement.

Please feel free to contact Mark Segami, Council Media Director, at 768-5080 should you have any questions. He can also be reached via e-mail at [msegami@honolulu.gov](mailto:msegami@honolulu.gov).

Sincerely,



Ernest Y. Martin  
Chair and Presiding Officer  
Honolulu City Council

Cc: All Councilmembers  
Mark Segami, Media Director



CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

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A \_\_\_ E \_\_\_ P \_\_\_ S \_\_\_

FILE \_\_\_\_\_

July 24, 2014

Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809  
Attn: Ms. Keali'i S. Lopez, Director DCCA

RE: Comment Regarding the Transfer Application Submitted by Time Warner Cable and Comcast Corporation for the Indirect Transfer of Control of Oceanic Time Warner Cable LLC

Aloha Director Lopez:

The proposed merger of Comcast Corporation and Time Warner Cable will bring Comcast service to the State of Hawaii for the first time. I write today on behalf of the Hawaii Association of Independent Schools (HAIS) to share our optimism about the potential value-added for Hawaii's private school community. Comcast's reputation as a strong community partner committed to education and youth development creates new opportunities for the 125 schools, 4,000 teachers, and 36,000 students represented by our association, along with Hawaii Catholic Schools.

Today education must assure students they will have all the necessary capacities in science, math, inquiry-based learning, problem-solving, and excellent oral and written communication skills, requisite for purposeful careers in the 21<sup>st</sup> century. That is why we are particularly interested in the prospect of our association and our member schools collaborating and innovating with a community partner like Comcast, whose investment in their network to support schools' technology needs and commitment to education generally – and digital literacy specifically – is unparalleled among Internet Service Providers.

The introduction of bandwidth-intensive learning applications, including video and peer-to-peer applications in teaching, has fundamentally transformed the way teachers teach and students learn. Yet, according to the FCC, just 61% of Hawaii K-12 schools report having broadband Internet access on site. Comcast's planned investment in their network will allow for them to offer Hawaii's schools high-performance broadband solutions. Such technology would support the use of electronic records by enabling district-wide communication, allowing teachers to integrate data-intensive content like e-textbooks, video, and distance learning into their classrooms.

Comcast's Digital Connectors program, launched five years ago, has equipped hundreds of community computer labs and trained thousands of high school students on basic digital literacy skills. These students not only gain the digital skills that will enable them to succeed in the future, but they then become "digital ambassadors" in their own communities, helping to promote the importance of computer and Internet use. We would welcome such a program here in Hawaii.

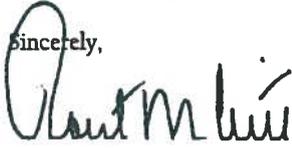
We are particularly excited about the potential impact of Comcast's Internet Essentials program. Offering families with children eligible for the National School Lunch Program home Internet service for only \$9.95 per month, free digital skills training, and the option to purchase a heavily-subsidized computer, the Internet Essentials program could have a strong and lasting impact on our state where some 113,000 children participate in the NSLP and eligibility rates among school-aged students exceed 50% on the Big Island alone.

As an education partner, Comcast has several other programs that we would be excited to see available to Hawaii students. The Leaders and Achievers fund has awarded \$20 million in scholarships to high school seniors seeking higher education. Through a partnership with City Year, Comcast is helping to lower high school dropout rates, a problem with which high schools in Hawaii are too familiar (20% dropout rate). Further, Comcast hosts the nation's largest corporate mentoring program through a partnership with Big Brothers Big Sisters of America that we would hope to expand to its future offices in Hawaii.

Hawaii Association of Independent Schools • 1585 Kapiolani Blvd. #1212 • Honolulu, HI 96814  
Phone: (808) 973-1535 Fax: (808) 973-1545 Website: [www.hais.org](http://www.hais.org)

Comcast's reputed commitment to improving academic and professional opportunities for young people, both through the various programs described above and through its recent investments in bringing its broadband services to schools and libraries, makes it a very attractive potential partner to public and independent schools alike. I hope you will consider these factors when weighing approval of this transaction.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert M. Witt". The signature is written in a cursive style with a large initial "R" and "W".

Robert M. Witt, Executive Director (Ret.)

**Date:** 07/18/2014

**Time:** 04:30 PM

**Location:** King Kalaukua Building  
335 Merchant Street  
Honolulu, HI 96813

**State Agency:** Department of Commerce and  
Consumer Affairs

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Public Hearing:** Cable Television Franchise Transfer Application from Oceanic Time Warner Cable, LLC to Comcast Corporation

**Purpose of Testimony:** Define the Department of Education Requests from Comcast Corporation as a Condition of the Transfer Application

**Department's Position:**

The Department of Education ("DOE") appreciates the benefits to the State of Hawaii ("State") that are the result of the cable television franchising requirements administered by the Department of Commerce and Consumer Affairs ("DCCA"). The DOE submits the following general comments regarding the pending cable television franchise transfer between Oceanic Time Warner Cable of Hawaii ("Oceanic") and Comcast. We look forward to detailed discussions on these as well as other possible related matters. It is the DOE's hope and expectation that the relationships and benefits currently in place between the State and Oceanic will not only continue, but also be expanded and enhanced, upon the successful transfer of Oceanic's franchise to Comcast.

Following are the DOE's general comments and requests; we look forward to discussing them in more detail with the DCCA:

1) The Institutional Network ("INET"):

- Provide dark fiber between the following DOE locations, at no cost to the State:
  - (a) Castle High School to Farrington High School
  - (b) Farrington High School to the Queen Liliuokalani Building
  - (c) Radford High School to Aiea High School
  - (d) Mililani High School to Pearl City High School
  - (e) Kapolei 2 (new elementary school) Data Center to Ewa Makai Middle School
  - (f) Moanalua High School to DR Fortress
  - (g) and additional connections to be determined by the DOE in consultation with Comcast.
- Interconnections of new schools, and existing schools that are relocated to new locations. This could also include DOE administrative offices, and colocation facilities, at no cost to the State.
- Provide bulk internet feed to our select data center facilities within the state, at no cost to the State.
- Extension of fiber on school campuses from current Oceanic termination point to locations to be determined by the DOE, at no cost to the State.
- Provide Wi-Fi equipment and installation services on school campuses and administrative locations to be determined by the DOE, at no cost to the State.

- 2) Metro Ethernet ("MEF"). Expand capacity of existing MEF connections, at no cost to the State.
- 3) Immediate and full implementation of the Comcast Internet Essentials program to our low-income students and families in Hawaii, at no cost to the State.
- 4) Free internet service to DOE teachers and administrators.
- 5) Continuation of basic cable television service to all DOE schools and offices, at no cost to the State.
- 6) New technologies. The DOE reserves the right to request access to new technologies that are not currently deployed by the cable industry, at no cost to the State. For example, if Comcast or the industry moves to a wireless delivery of service, the DOE, under its INET provision, reserves its right to utilize these new technologies and services provided by them.
- 7) All requests will be completed within a reasonable time frame, not to exceed six months.

Thank you for the opportunity to provide comments on this matter. The DOE looks forward to detailed discussions with the DCCA on this pending transfer between Oceanic and Comcast. Please contact Mr. David Wu, Assistant Superintendent and CIO, Office of Information Technology Services, at 808-586-3307 for questions or follow up.

July 17, 2014

CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS



Aloha United Way

Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809  
Attn: Ms. Keali'i S. Lopez, Director DCCA

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RE: Comment Regarding the Transfer Application Submitted by Time Warner Cable and Comcast Corporation for the Indirect Transfer of Control of Oceanic Time Warner Cable LLC  
- Oahu Franchise

Aloha Director Lopez:

United Ways nationwide have a long-standing partnership with Comcast in working together to provide services for the needy in their communities. As a result we believe Comcast's entrance into the Hawaii market would bring significant benefits to the families and children served by the Aloha United Way.

As a company, Comcast has a record of being a good community citizen which, as a part of its mission, invests significant dollars in the people and communities which they serve. Comcast and its employees across the country have stepped up to support schools, rebuild parks and public places, and volunteered their time and efforts in the community.

However, it is Comcast's commitment to closing the Digital Divide that we at the Aloha United Way are most excited about. The Digital Divide is a very real issue here in Hawaii, and Comcast's Internet Essentials Program has the potential to have a real impact in closing that Divide. At its heart, Internet Essentials is a unique and powerful offer that will connect thousands of low income families with children in Hawaii to the Internet allowing them for the first time to leverage the amazing power of the Internet to connect to education, family, health care, and social services.

While we understand that the proposed transaction between Comcast and Time Warner Cable is complex, we welcome a long-standing national United Way partner to Hawaii, so that we can work together to serve the needs of the community.

Sincerely,

A handwritten signature in black ink that reads "Kim Gennaula".

Kim Gennaula  
President & CEO  
Aloha United Way

# Testimony on the Proposed Merger of Comcast and Time Warner Cable

By

Dr. David Rezachek  
710 Lunalilo St, Apt 1107  
Honolulu, HI 96813  
(808) 524-1954  
rezachekd001@hawaii.rr.com

I am **STRONGLY OPPOSED** to this merger.

Not only should this merger be stopped, but Oceanic Time Warner Cable ("OTWC") should be provided closer scrutiny and increased regulation.

They should be required to improve their equipment, reliability, customer service, and management, before they are allowed to even contemplate a merger.

## **OTWC HAS LOUSY EQUIPMENT, LOUSY RELIABILITY, LOUSY CUSTOMER SERVICE, AND LOUSY MANAGEMENT.**

I have had to replace my DVR many times. I am on my ninth one right now. Tomorrow, I will be forced to waste my valuable time and effort to obtain my tenth DVR. I have had the ninth one for only a few weeks and I am forced to reboot every morning to get it to work.

These DVRs require excessive numbers of reboots and work poorly even when they are working.

Often functions of the DVR freeze, or do not work at all.

The DVRs have significantly less recording capacity than those from Hawaiian Telcom. Even well before they are 100% full, they do not allow additional recording. The DVRs also fail to record scheduled shows and have lost (deleted) a number or recorded programs.

The recordings are often of poor quality with excessive pixilation, freezing, and, at times, lack of synchronization between the sound and picture.

OTWC reliability is also very poor. This poor reliability includes internet service and email service through Roadrunner. Frequent dropped signals require a reboot of the modem and router. Frequent inability to access emails (both send and receive).

Internet speed is incredibly slow at times and is unable to support continuous streaming of services such as Netflix.

**OTWC customer service is a joke.**

Of particular concern is their online chat. OTWC's chat personnel are poorly trained and not very knowledgeable.

Their standard "assistance" apparently consists of reading from a one page, cheat sheet.

"Check all of your connections." "Reboot your DVR." "I am sorry, I can't help you, you will have to exchange your DVR." "I will have to schedule a technician, the earliest time is [one+ week from now]."

Similarly poor customer service occurs when you call them.

When you do schedule a service call, you have to wait at least a week, and stay at home all day waiting for them. The "fix" is then temporary, at best. This is ridiculous.

Finally, OTWC management is the worst. They do not respond to emails. They do not respond to complaints. And, rather than spending money to improve their equipment, reliability, and customer service, they waste it telling everyone how wonderful they are and advertising additional, unlikely-to-work-well services.

"The American Customer Satisfaction Index has pegged Time Warner Cable Inc. as the nation's most unloved company.

Based on phone and online surveys, it rated Time Warner Cable's Internet service as 236th out of 236 companies in customer satisfaction – a list that included Coke, Campbell Soup, Nissan, Allstate and Verizon Communications. Time Warner Cable's TV service rated 25th.

Comcast Corp.'s Xfinity Internet service placed at 234 out of 236 and its TV service landed at 232 in the list released in May." (<http://www.pressherald.com/2014/06/05/time-warner-comcast-internet-services-vie-for-bottom-of-list/>)

When you merge one large, lousy company with another large, lousy company, you get an even larger, and lousier company.

**DON'T LET THIS MERGER HAPPEN.**

**FIX Oceanic Time Warner Cable.**

Thank you for this opportunity to testify.



Brian Morrow  
<b.thomas.morrow@gmail.com>  
m>

07/23/2014 09:39 PM

To cabletv@dcca.hawaii.gov,

cc

bcc

Subject Oceanic Time Warner / Comcast Merger

Aloha,

I oppose the Oceanic Time Warner (OTW) and Comcast merger. However, I cannot find legal authority to deny Comcast from assuming control of the franchise agreements of OTW. Denying Comcast their application may result in even less competition in this market than currently exists and could ultimately harm the market for cable and data services. In the Hawaii market this merger will essentially result in a substitution in services from one provider to another; however, in a larger context the merger will reduce the number of companies that provide essential services in the modern economy.

The merger of Time Warner Cable and Comcast will reduce the number of companies in a market that is quickly becoming essential to the modern economy. Video content may be considered a luxury; however, high-speed internet access is quickly becoming a necessity. Many jobs can only be applied for on-line and businesses are increasingly relying more on employment websites for posting their vacancies than other forms of job postings.

On page 138 of Comcast's Public Interest Statement, Comcast states, "Because the Parties Do Not Compete for Consumers, There is no Plausible Theory of Competitive Harm..." and on page 139, they go on to say, "[c]onsumers do not buy video, broadband, or voice service based on which provider is in their DMA or MSA, but rather based on which provider services their local neighborhood." This is commonly referred to as the "last mile" problem. Consumers are required to purchase service from the company that has provided service in the "last mile" from the common hub to the door.

Comcast argues that there is no anti-competitive effect to the merger because, as they say on page 139 of the Public Interest Statement, "Again, because TWC and Comcast do not compete with each other there will be no reduction in competitive choices in any relevant market." Their argument seems to be, there is no reduction in competitive choices because there is no competition. Government's have not provided a need for competition by leaving the "last mile" unregulated.

No competition is a monopoly. Proof of monopolistic prices are apparent when services "cost less than \$5 to provide and is sold for between \$40 and \$60 per month." - Quoted from an article in the New York Daily News written by Tim Wu "Say no to this cable business beast." Sunday, July 20, 2014 (<http://www.nydailynews.com/opinion/cable-business-beast-article-1.1872542>), written specifically regarding the Time Warner/Comcast merger.

The anti-competitive effects of this merger may not be readily apparent in today's economic realities; however, as we continue to gain a dependence on the internet as a distribution channel the consolidation of service providers will ultimately distill market control in a few firms. It is reminiscent of the late 19th century as the country passed the Sherman Acts that were designed to reign in control of the trusts that were monopolizing the necessities of life.

I don't see a relevant argument for the DCCA to not approve the Comcast application; and in fact, not approving would leave a void in available providers hindering what little competition exists.

I do ask that the state of Hawaii institute policy reform on the "last mile" problem that will create a competitive environment for high-speed internet providers. Regulate the connection from the common hub to the door and allow companies to compete for individual consumers and break

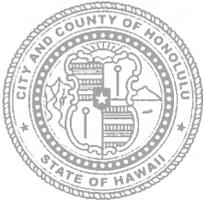
the monopolistic stranglehold service providers have on individual consumers.

Sincerely,

Brian Morrow

Ewa Beach, HI

Richardson, Evening Division



CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

2014 JUL 23 A 8:42

**CAROL FUKUNAGA**

HONOLULU CITY COUNCIL, DISTRICT 6  
PHONE: 768-5006 FAX: 768-1170  
EMAIL: cafukunaga@honolulu.gov

July 21, 2014

Ms. Catherine Awakuni, Administrator  
Cable Television Division  
Department of Commerce  
and Consumer Affairs  
P. O. Box 541  
Honolulu, Hawaii 96809

Email: cabletv@dcca.hawaii.gov

Dear Ms. Awakuni:

Without commenting on the specifics of Comcast's application to acquire Time Warner Cable's parent company, I am writing to support the continuation and continued improvement of the Public, Education, and Government (PEG) Access television in any transfer of Hawaii cable franchises. PEG programming has provided an invaluable community resource to Hawaii residents.

Just this past weekend, I was especially gratified to observe that OLELO provided live coverage/streaming of the 17<sup>th</sup> Annual Prince Lot Hula Festival at Moanalua Gardens. Several of the hula halau performing that day have not performed publicly in recent years; as such, the OLELO programming, rebroadcasts and related video DVD's represent a significant tool for preserving Hawaii's rich ethnic heritage and diversity.

Such programming, coupled with OLELO's pioneering efforts to bring media production skills to Hawaii's keiki, kupuna, and disenfranchised voices, is of immense community value.

Sincerely,

  
Councilmember Carol Fukunaga  
District 6 (Makiki/Punchbowl, Papakōlea, Downtown,  
Chinatown, Kakaako, Pauoa, Nu'uuanu, Liliha, Alewa,  
Kamehameha Heights, Kalihi Valley, Aiea, and Moanalua)



CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

FOR YOUTH DEVELOPMENT®  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

2014 JUL 23 A 8: 42

July 21, 2014

A \_\_\_\_\_ E \_\_\_\_\_ S \_\_\_\_\_  
FILE \_\_\_\_\_

Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809  
Attn: Ms. Keali'i S. Lopez, Director DCCA

RE: Comment Regarding the Transfer Application Submitted by Time Warner Cable  
and Comcast Corporation for the Transfer of Control of Oceanic Time Warner  
Cable LLC Oahu Franchise

Aloha Director Lopez:

I am writing to you today to share the perspective of the YMCA of Honolulu on the proposed transaction between Comcast and Time Warner Cable.

As a company, Comcast has shown itself to be committed to giving back to the local communities it serves and has focused on investing in the areas in which its expertise can make the greatest impact. First and foremost among these efforts are its programs that help to expand digital literacy in low-income communities. These are not hollow efforts, or simply a commitment to fund a few programs, but a strategic, thoughtful and powerful program to address the digital divide. This program, called Internet Essentials, has already connected more than 1.2 million economically disadvantaged Americans in less than three years since its inception. Comcast has promised to continue expanding initiatives like Internet Essentials after the proposed transaction – this can only be good news for the people of Hawaii.

Comcast has also developed a network of partnerships with YMCAs around the country which helps focus its efforts to strengthen the local communities. I was amazed to learn that just this year alone, more than 80,000 Comcast employees volunteered for over 800 projects across the country and, since 2001, more than half a million people have contributed over 3 million volunteer hours in service of through their Comcast Cares Day volunteer program.

Cable Television Division

Department of Commerce and Consumer Affairs

July 17, 2014

Page 2 of 2

The proposed transaction will mean that our community will be able to enjoy the benefits of the company's dedication with the extension of Comcast's local and corporate partnerships, which is why we are supportive of this transaction.

Yours sincerely,

A handwritten signature in black ink that reads "Michael T. Chinaka". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Michael T. Chinaka CPA  
Senior Vice President & CFO  
YMCA of Honolulu



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

**CAROL FUKUNAGA**  
HONOLULU CITY COUNCIL, DISTRICT 6  
PHONE: 768-5006 FAX: 768-1170  
EMAIL: [cafukunaga@honolulu.gov](mailto:cafukunaga@honolulu.gov)

July 21, 2014

Ms. Catherine Awakuni, Administrator  
Cable Television Division  
Department of Commerce  
and Consumer Affairs  
P. O. Box 541  
Honolulu, Hawaii 96809

Email: [cabletv@dcca.hawaii.gov](mailto:cabletv@dcca.hawaii.gov)

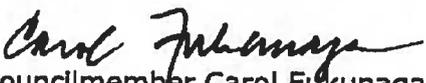
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Kamehameha Heights, Kalihi Valley, Aiea, and Moanalua)

COMCAST CORPORATION

Written Comments in Support of the Transfer Application Submitted by  
Time Warner Cable and Comcast Corporation for the  
Indirect Transfer of Control of Oceanic Time Warner Cable LLC  
Submitted July 18, 2014  
Oahu Franchise

**I. Introduction**

Director Lopez, ladies and gentlemen, Aloha. My name is Steve Holmes. I'm Vice President of Government Affairs with the West Division of Comcast. The West Division consists of twelve Western states where Comcast does business, from Kansas to California, with nearly 6 million subscribers in all.

Thank you for this opportunity to appear before you and the people of Oahu to discuss the proposed transaction between Comcast and Time Warner Cable. The transaction will create a new world-class communications, media, and technology company, which will deliver real benefits to consumers, businesses, and public institutions in the State of Hawaii.

Through the transaction with Time Warner Cable, Comcast will significantly expand Oceanic Time Warner Cable's digital presence and investment in the State, making next-generation broadband, cable, and voice services available to thousands of Hawaii residents. As a recognized industry leader with the financial capabilities and technological expertise to provide high quality services, Comcast will deliver services that will improve the quality of life of Hawaii residents. We will also continue to work with the DCCA staff to help ensure that the transaction is seamless and that Hawaii customers receive better, more reliable services.

Tonight, I would like to briefly describe three items. First, since our company is new to the islands, I'd like to talk with you a bit about Comcast's history, and how we came to be among the country's largest video, voice and data providers. Second, I'd like to describe some

of the significant benefits that the transaction will deliver to Hawaii residential customers and businesses. Although I recognize that the DCCA's regulatory jurisdiction is over cable television or video matters, my testimony will also cover other significant benefits that this transaction will bring to the people in the State – including faster and more reliable broadband and Comcast's binding commitment to an open Internet. Finally, I want to talk about Comcast's history of community participation, and what our company's philosophy of local investment will mean here in Hawaii.

## **II. History, Products and Services, and Public Interest Commitments**

### ***A. History***

Time Magazine reported once that Comcast must be the only major media company that owes its start to beltless pants. Ralph Roberts, our founder, was running a belt-and-suspenders business when he saw something alarming: an ad for slacks that didn't need a belt to stay up. He very quickly decided to sell that business, and, along with two partners, Julian Brodsky and Dan Aaron, bought a cable franchise in Tupelo, Mississippi, in 1963. That franchise served approximately 1,200 customers.

From there, Comcast grew rather slowly and methodically over the next several decades, reaching 1.2 million subscribers in 1986 and 4.3 million subscribers in 1995. This growth was largely through acquisitions—it's important to know that Comcast traditionally has taken the long view in its cable holdings, and has mostly been a buyer, not a seller, of cable companies. We buy and invest, and use our platform and scale to provide new and exciting products.

For example, in 1996, concurrent with the regulatory relief provided by the 1996 Telecommunications Act, Comcast launched its first broadband product—a watershed moment

for the company. The following year, Bill Gates himself recognized the future of the cable platform for high speed Internet, and agreed to invest a billion dollars in Comcast.

And in 2002, Comcast completed its biggest merger to date—the 45 billion dollar merger with AT&T Broadband, combining systems to serve 21 million video customers in 28 states, including 3.3 million high speed data customers, and 1.3 million phone customers. It was that merger that created Comcast’s West Division, and brought Comcast to the Western half of the mainland.

Today, under the leadership of our CEO Brian Roberts, Ralph Roberts’ son, Comcast serves about 22 million residential and business customers with voice, video, data, homes security and other services. When the transaction is complete, we’ll grow to approximately 29 million customers, and have the opportunity to provide service in several new states, including the State of Hawaii.

## ***B. Products and Services***

### ***a. Residential Customers***

What will the transaction mean for Hawaii cable subscribers? For residential customers, Comcast will invest heavily to upgrade Oceanic’s Hawaii systems and transition them to all-digital channels more quickly than Oceanic could do on its own. Comcast has already transitioned the overwhelming majority of its mainland systems to all-digital, and has the expertise and financial resources to do it here in Hawaii. All-digital systems will allow Comcast to deliver next-generation advanced video and voice services, more programming choices, faster Internet speeds, and significantly improved network performance, reliability, and security.

More specifically, the proposed transaction will improve customer experiences for Oceanic video subscribers. Comcast enjoys positive relationships with programmers. Neither

Comcast nor NBC Universal has been involved in a negotiation with a major cable network or major broadcaster that resulted in the loss of programming to consumers.

Comcast's revolutionary X1 operating platform is the next-generation of cable television, providing unmatched interactive TV functionality. Our live TV streaming feature allows X1 customers to stream practically their entire cable channel lineup, including must-carry stations and PEG channels, to computers and mobile devices throughout their homes.

Finally, our XFINITY On Demand product includes approximately 50,000 programming choices – more than double compared to Time Warner Cable – featuring most current TV shows and movies. These selections are accessible on multiple devices and over 80 percent are free of charge.

*b. Customer Service*

Comcast recognizes that improving customer service is another critical issue, not only in Hawaii, but everywhere that the combined company will serve. Comcast has invested billions of dollars in network infrastructure, greatly improving service reliability and reducing trouble calls.

Comcast is also deploying innovative products and features to make it easier and more convenient for customers to interact with us.

- We offer one to two hour appointment windows, including evenings and weekends. 97% of service calls are within these scheduled appointment windows.
- We offer more self-installation options so customers can install and activate services without a service call. In 2013, more than four out of every ten customers used these options – a 40% increase as compared to 2012.
- And we've made our billing practices more transparent, while providing better online and mobile options for customers to manage their accounts. More than

one-third of our customers managed their accounts online in 2013, a 42% increase over 2012.

Although there is still progress to be made, these efforts are making a positive difference:

- Repeat service visits for installations and service appointments are down approximately 20% since 2010.
- Since 2010, Comcast has improved its J.D. Power Overall Satisfaction score by nearly 100 points as a video provider, and close to 80 points in High Speed Data – more than any other provider during the same period.
- In a recent report on Comcast’s 2013 fourth quarter performance, well-regarded industry analyst Craig Moffett similarly noted that Comcast’s customer service has “*improved by light-years.*”

Comcast will bring this same commitment to improved customer service to consumers here in Hawaii.

***c. Business Customers***

For business customers, the combination of Comcast and Time Warner Cable will create a stronger, more cost-efficient services provider for Hawaii businesses of all sizes, including businesses with locations in various parts of the State. This can help bring greater competition to a market still mostly dominated by entrenched telephone companies, and help drive small and medium business growth and economic development throughout the State.

Where Comcast has made inroads into business markets in our current areas, this new competition has forced entrenched telephone companies to lower their prices and improve their services. We believe this could significantly enhance competition for business services in Hawaii and ultimately redound to the benefit of consumers.

#### *d. Broadband Services*

In addition to bringing improved performance and reliability for video and voice services, the transaction will significantly improve customer experiences for broadband services. In existing Comcast systems, we've increased Internet speeds 13 times in the last 12 years, offering residential broadband speeds of up to 105 Mbps downstream throughout most of the West Division.

Moreover, Comcast is the only ISP in the country that has agreed to be legally bound by the FCC's original Open Internet rules. Time Warner Cable is not currently bound by the Open Internet Rules. If the transaction is approved, Comcast will extend the protections afforded by the FCC's Open Internet Rules to all Time Warner Cable customers.

In short, approval of the transaction will bring improved, faster, more reliable Internet services to customers in Hawaii.

### **III. Public Interest and Community Investment**

The transaction offers other important public benefits too. For example, Comcast will extend its industry leading diversity programs and unique external Joint Diversity Advisory Council to the acquired Time Warner Cable systems, bringing greater diversity in governance, employment, suppliers, programming, and community investment.

Comcast also has a proven commitment to local communities and organizations. Since 2001, Comcast has invested over \$3.2 billion in cash and in-kind contributions supporting local non-profit organizations and other charitable partners. Beyond financial gifts, Comcast shares its greatest resource – its people – in giving back to local communities. In 2013 alone, as part of our annual “Comcast Cares Day” event, over 85,000 Comcast employees, families, friends, and

local partners contributed more than half a million hours to improve schools, parks, senior centers, and other vital local community sites.

And I have to mention our highly-acclaimed Internet Essentials program. Through Internet Essentials, Comcast has made important progress in closing the broadband adoption gap, with a special focus on school age children. Internet Essentials provides low-income households with low-cost broadband, the option to purchase an Internet-ready computer for just under \$150, and multiple options for accessing free digital literacy training in print, online, and in person. Comcast has already connected over 1.2 million low-income Americans to the Internet, more than any other program of its kind. The transaction will expand that program to low-income students and families throughout the current Oceanic Time Warner Cable footprint.

Finally, our Comcast Leaders and Achievers Scholarship Program is now in its 13<sup>th</sup> year. Funded through the Comcast Foundation, the program recognizes high school seniors from Comcast communities for their commitment to community service, academics and demonstrated leadership. To acknowledge these accomplishments, Leaders and Achievers are awarded one-time scholarships, with a base award of \$1,000. Since 2001, Comcast has awarded close to \$20 million in scholarships to nearly 20,000 students. More than 950 scholarships awarded last year benefitted students from diverse backgrounds.

In closing, I'd like to touch on a couple of final points. First, I want to mention PEG Access programming, because I understand that it is very important to communities here in Hawaii. Our Division works hard to maintain positive relationships with access centers and programmers in many of our major cities, including Denver, San Jose, St. Paul and Portland. The X1 Platform that I mentioned earlier supports local access channels in the same manner as any other channel on our system. Per our commitments in the NBC Universal purchase, we have

not migrated any PEG channels to digital delivery on any system that has not converted to all-digital distribution, and have not implemented changes in the method of delivery of PEG channels that resulted in a material degradation of signal quality or impairment of viewer reception. We will meet our franchise commitments regarding PEG channels and support in all of the communities we serve.

In addition, our company is very interested in ways that technology can enhance the distribution of access programming. For example, between February 2011 and January 2014, Comcast conducted VOD and online PEG trials in five pilot communities, including Fresno, California and Houston, Texas in the West Division. The VOD component of the pilot program consisted of dedicated content "folders" accessible to Comcast VOD customers in each of the pilot communities, while the online pilot program consisted of custom-built websites that were branded with the name and theme chosen by each pilot community. The websites serve as portals for the communities, traditional PEG programmers, and other partners to create and manage virtual "channels" where they can post video content, along with other local interest information.

The results showed strong support among content providers and consumers for the pilot platforms, particularly the websites. We would be very interested in sharing the results of our pilot programs with access managers and producers here in the islands.

Second, it's important to recognize that while the transaction promises many significant benefits for the people of Hawaii, it will have no adverse effect on competition. Because Oceanic, and in fact all of Time Warner Cable and Comcast serve separate and distinct geographic areas today, and do not compete for any services or customers, there will be no reduction in competition or consumer choice in any local market. Instead, as recent

announcements by AT&T, Google, and others demonstrate, the transaction will spur *increased* investment and competition in these markets.

#### IV. Conclusion

In closing, upon approval of this transaction, the people of Hawaii can expect to benefit from:

- Next-generation video technologies with more programming choices at home and on the go; enhanced competition for advanced business services; and faster, more reliable, and more secure Internet services.
- A commitment to greater broadband adoption, diversity, and investment in local communities.
- Comcast's extension of the protections afforded by the FCC's Open Internet rules to Oceanic's customers.
- And a laser-like focus on improving customer service.

As Comcast's record from prior transactions demonstrates, we are a company that not only keeps – but often *over-delivers* on – our promises. Thank you.

Steven Holmes  
Vice President of Government Affairs  
Comcast Cable  
15815 25<sup>th</sup> Avenue West  
Lynnwood, WA 98087  
Phone: (425) 741-5765  
Email: Steven\_Holmes@cable.comcast.com



July 22, 2014

Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809

RE: Testimony on 'Ōlelo Community Media's positive impact to our Organization and Community

This letter is provided as written support of 'Ōlelo Community Media in their continuation as Oahu's PEG access provider. For over 20 years 'Ōlelo has provide Oahu with their services and have been a valuable asset to our community.

'Ōlelos programs offer a vital service to our community that helps strengthen our community through access to information that the residents of our state care about. We are in full support of continuing 'Ōlelo as the PEG provider for the state, and additionally ask your support to assist 'Ōlelo in making certain that community television is afforded the same technology, High Definition (HD) that broadcast states have available.

Further we hope that with possible Comcast acquisition of Oceanic Time Warner Cable's parent company, we want to assure that 'Ōlelo does not incur any reduction in channel capacity, funding or any other resources that are currently required to continue their outstanding works as the PEG provider for Hawaii.

Goodwill Industries of Hawaii has had a partnership with 'Ōlelo to help to promote Goodwill's mission of assisting people with employment barriers to become self-sufficient. 'Ōlelo has provided key opportunities to share our mission through its programming and has assisted us with production education and technology for our limited staff to be able to deliver outstanding television content that helps to promote our mission. Without this support from 'Ōlelo, we would have been limited in promoting our mission and outcomes to the general community. 'Ōlelo successfully helped us to further our reach to people who need and rely on Goodwill's services.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Laura D. Smith".

Laura D. Smith  
President/CEO

we see the good. we see the will **Goodwill** works.



Nancy Aleck  
<NAleck@hawaii.rr.com>  
07/22/2014 09:15 AM

To <cabletv@dcca.hawaii.gov>,  
cc  
bcc  
Subject Regarding TWC sale to Comcast

Aloha,

There isn't much the 99% can do right now to slow corporate growth/greed. But, if Comcast is going to become even more gigantic by swallowing up another giant, Time Warner Cable, at least the people should also get some of the profits. These profits should be in the form of access to quality services such as:

- Increase the amount/percentage of unrestricted funding that goes to public access media
- Allow public stations to have both quality and access equal to other local broadcast channels.
- Make the fees for cable tv and high speed internet much more affordable for the people of Hawaii.
- Expand free wi-fi offerings throughout community hubs and centers.
- Wherever Comcast provides the very best public benefits, this should be matched for Hawaii.
- Comcast should pledge to support continued net neutrality.

Thank you,  
Nancy Aleck  
PO Box 61212  
Honolulu, HI 96839



Susan J  
<notmycow@gmail.com>  
07/18/2014 04:04 PM

To "cabletv@dcca.hawaii.gov" <cabletv@dcca.hawaii.gov>,  
cc  
bcc

Subject Vote no on Time Warner - Comcast merger

Aloha--

I oppose the proposed merger on the basis that Comcast would not be good for the Hawaii consumer. They have a terrible record of customer service, as illustrated by the viral video circulating this week, in which a customer service rep, who is paid to keep customers stuck in the Comcast system, refuses to let the customer turn off their service. We don't need that lack of respect and monopolistic control here in Hawaii. You will be doing the consumers absolutely no favor by supporting this merger.

--Susan

---

Susan Jaworowski

BEFORE THE DIRECTOR OF THE STATE OF HAWAII  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

2014 JUL 18 P 1:11

In the Matter of the  
Joint Application of

TIME WARNER CABLE  
and  
COMCAST CORPORATION

For Approval of the Proposed  
Transfer of Current Ownership from  
OTWC, LLC to Comcast Corporation

A \_\_\_ E \_\_\_ P \_\_\_ S \_\_\_  
FILE \_\_\_\_\_

PUBLIC TESTIMONY

July 18, 2014 Public Hearing

The purpose of this testimony is to suggest a procedure and a device which provide assurances to future subscribers of Oceanic Time Warner (OTW) that the broadest array of services will be transmitted with state-of-the-art technologies, at prices attractive to all segments of the market. If and when adopted, the procedure and the device will not be prejudiced to OTW or its competitors. Indeed, the result will create positive pressures on the dominant provider of cablevision/internet/broadband services to Hawaii's homes and businesses. The pressure to improve OTW's services will, in turn, create competitive pressures on OTW's competitors, as well.

**1.0 WORKING ASSUMPTIONS**

Limitations on time and resources have prevented in-depth research prior to preparing this testimony. I will leave it to the professional staff of the Cable Television Division to document the following, which I assume are factually correct:

- The overriding regulatory entity governing the terms and conditions of the proposed transfer of ownership is the Federal Communication Commission (FCC), not the Director of the Hawaii Department of Commerce and Consumer Affairs.
- Notwithstanding that reality, the Director has some limited regulatory authority which the FCC must acknowledge and abide by, to wit: conditions for approval of transfer of ownership.
- OTW's system is currently predominantly hard-wired with fiber optic, but the advances in broadband-related technologies track the path of Murphy's Law: doubling capacity/capabilities every 18-24 months.
- OTW is in a competitive environment; but some of OTW's competitors in select market segments must utilize OTW's facilities and services.
- To the extent content providers whipsaw "distributors" such as OTW, OTW/Comcast has the ability either (a) to pass on to consumers its increasing costs, or (b) to cross subsidize between and among its markets/discreet services.

## **2.0 EARLIER APPROACHES TO REGULATORY ORDERS**

### **2.1 THIS DEPARTMENT'S SEPTEMBER 25, 1992 DECISION AND ORDER NO. 153 NEED NOT BE REPEATED.**

The 20 page single-spaced Order No. 153 is technical, particularly with regard to dedicated channels for "public access, government access, and educational access" (PEG). No technical issues are addressed in this testimony. Rather, you are urged to adhere to two principles previously used by Hawaii's regulators.

## 2.2 HERE, SIMPLE MAY BE BETTER.

The Director does have some regulatory powers over the quality of the signal and provision of bandwidth for PEG, but is without legal authority to regulate retail rates, capital expenditures, terms of financing, or the content of programming. Partial regulation of private industry is more difficult than the comprehensive regulation of pure monopolies. Thus, in order to advance the public interest, going forward, you must utilize your limited powers in a most effective way when reviewing changes in ownership. Seller and buyer dearly want their envisioned transaction approved; Buyer will promise you many future features, some of which will be antiquated within a few years. The task-at-hand, then, is to employ a device which makes the Buyer's promises enforceable long after your Order has been issued. Take Buyer at its word, reducing its promises to writing, and have the Buyer enter into an Agreement with the Department.

The prospective Buyer presumably represents to you that Comcast will maintain OTW as one of the premier operating companies in the country. OTW had been an innovator in the industry. And Hawaii customers financed the growth and evolution of OTW.

I suggest Comcast enter into an Agreement with the director of the Department that OTW and its successors and assigns, making legally enforceable Comcast's commitment to maintain OTW as the best cablevision company in Comcast's stable of operating companies. When new, advanced technologies are introduced in any Comcast operating company, those same technologies must be introduced to OTW in a timely fashion. It is best not to become wedded to a particular service or technology, because both are ever changing.

There is precedent for such an agreement. An "Agreement" was entered into between the Hawaii Public Utilities Commission (an agency with comprehensive regulatory powers), and

Hawaiian Electric Industries, Inc. (a holding company formed by the management and approved by the shareholders of Hawaiian Electric Company, Inc.) A copy of that agreement is attached as Exhibit A, to my testimony.

The array of services offered by Comcast should be defined as broadly as possible, to ensure that Hawaii's consumers receive the best services—video transmissions, data flows at the highest speeds, and the broadest expanse of programming as any Comcast operating company. Terms and conditions in the Agreement should require Comcast to provide the director quarterly updates of all of Comcast's local franchises' improvements and upgrades, in order to keep your Department fully informed as to Comcast Corporation's compliance with the proposed agreement.

If Comcast breaches the terms of such an Agreement, the Director shall be at liberty to issue a "Show Cause Order," ordering Comcast to demonstrate why it should not divest itself of OTW's operating rights and facilities. Of course, any future forced sale should be fair and equitable to Comcast, but should not unduly burden, encumber, or hinder the provision of quality services, going forward by a successor owner/operator.

Thank you for your attention and for your consideration of the concept set forth, above.

CONDITIONS FOR THE MERGER AND CORPORATE RESTRUCTURING  
OF HAWAIIAN ELECTRIC COMPANY, INC.

This Agreement, made as of the            day of  
1982, by and between HAWAIIAN ELECTRIC INDUSTRIES INC., a Hawaii  
corporation, whose principal place of business and executive  
offices are located at 900 Richards Street, Honolulu, Hawaii  
96813, ("Industries" hereinafter), and PUBLIC UTILITIES  
COMMISSION, DEPARTMENT OF BUDGET AND FINANCE, STATE OF HAWAII,  
whose address is 1164 Bishop Street, Suite 900, Honolulu, Hawaii  
96813 ("Commission" hereinafter),

W I T N E S S E T H    T H A T:

Whereas, Hawaiian Electric Company Inc. ("HECO"  
hereinafter) Inc. a public utility under the jurisdiction of the  
Commission has filed an Application seeking approval for  
Industries to own all of the issued and outstanding common stock  
of HECO, Docket No. 4337;

Whereas, Industries will become the holding company of  
HECO and will not be subject to the jurisdiction of the  
Commission except through the investigative powers of the  
Commission;

Whereas, Hawaii Revised Statutes, Section 269-17,  
269-17.5, 269-19 and 417-11 require the Commission's prior  
approval for the issuance of public utility securities, ownership  
of more than 25 per cent of utility common stock by any one  
person, and mergers by public utilities;

Whereas, it appears reasonable, as a prerequisite to  
our approval, to impose certain conditions to the merger and

EXHIBIT A



corporate restructuring so that the public welfare and HECO's operations and financial integrity are both protected;

Whereas, the Commission by Decision and Order No. 7070 has approved HECO's and Industries Application for the merger and restructuring, subject however, to this Agreement being executed by the authorized officers of Industries;

NOW, THEREFORE, the parties hereto agree as follows:

1. Hawaiian Electric Industries, Inc., its successors and assigns, including all subsidiaries in which Hawaiian Electric Industries, Inc., or its subsidiaries have a substantial interest, now existing or to be acquired or created in the future, hereinafter collectively called "Industries" shall furnish to the Public Utilities Commission, State of Hawaii, hereinafter called "Commission" any and all records, books or documents of every nature and kind when requested in writing by the Commission. Information requested of Industries by the Commission will relate to information that is necessary to fulfill the statutory responsibilities of the Commission. Industries shall also provide the same information requested by the Commission to the Public Utilities Division, Department of Regulatory Agencies, State of Hawaii ("Consumer Advocate" herein). The Consumer Advocate shall utilize the procedures set forth in Section 269-54(d), Hawaii Revised Statutes when it requests information from Industries.
2. Industries, when requested in writing or in open hearing, shall voluntarily have any employee, officer, director or agent of Industries appear before the Commission for the purpose of testifying before the Commission.
3. The Commission shall have the right to investigate any matter, activity or transaction between Hawaiian Electric

Company, Inc., and its subsidiaries, hereinafter collectively called "Utility Corporation" and Industries. For purposes of investigation, the Commission shall have the right to enter the premises of Industries during normal working hours and to review any and all records, books or documents of every nature and kind which relate to the investigation or inquiry.

4. Industries shall furnish to the Commission and the Consumer Advocate the following: (1) quarterly and annual financial statements in reasonable detail; (2) annual consolidated financial statements, in reasonable detail, certified by independent certified public accountants; and (3) consolidating statements involved in the preparation of the financial statements together with an explanation of the nature of intercompany transactions and the basis of any allocations made.

5. The Commission and the Consumer Advocate shall have the right to review any intercompany charges and allocations of common expenses between the Utility Corporation and Industries. Such allocations shall include, but not be limited to:

- a) Salaries of personnel who perform duties for the utility as well as an affiliate; and other related expenses such as payroll taxes, pension and group insurance costs, travel and reimbursable expenses.
- b) Common expenses for facilities, including rent, taxes, depreciation and insurance.
- c) Expenditures for outside services such as legal counsel, auditing, advertising and public relations.

- d) Construction costs including equipment and materials expended thereon.

Any intercompany charges and allocations not deemed proper for ratemaking and quality of service purposes may be disregarded by the Commission in determining allowable expenses, revenues, rate base and rate of return for the Utility Corporation.

6. Any plant or property carried on the books of the Utility Corporation shall be subject to review by the Commission for determination of its qualification as being "used or useful" in utility operation. The Commission may exclude from the rate base any assets determined to be non-utility in nature, so long as any related income and expenses are excluded from earnings in determining rate of return.

7. The Commission shall continue to have full authority over the Utility Corporation's issuance of securities. The Utility Corporation shall not apply for approval of issuance of any securities which would result in long-term debt being more than 60%, or common equity being less than 35% of the Utility Corporation's capitalization. For this purpose, short term bank loans utilized for interim financing of capital projects shall not be included as part of capitalization. The capitalization ratio restrictions in this paragraph shall in no way be construed to mean that the Commission has relinquished its right to review at any time the Utility Corporation's financial policies.

8. In the event of an issue of common stock by the Utility Corporation, to be purchased by Industries, the price to be paid per share will be determined after hearing HECO's application to issue securities, but in no event will the price per share be less than that calculated by applying current

price/earnings ratios of publicly held electric distribution companies of comparable size and comparable risk to the indicated current annual earnings of the Utility Corporation and, in any event, shall be not less than the book value of common stock. In the event there is a dispute over determining the price/earnings ratio, the Commission may seek the opinion of a mutually acceptable expert witness in this field, any costs incurred thereby to be borne by the Utility Corporation.

9. The Utility Corporation shall obtain its own interim and long-term borrowing as in the pre-corporate-restructuring period. Any cash advances made to the Utility Corporation by Industries shall bear interest at a rate not higher than that currently being paid on the Utility Corporation's principal bank borrowings.

10. The Utility Corporation shall not loan directly or indirectly any funds to Industries without prior Commission approval. Any loans made hereunder shall be evidenced by a Note of Indebtedness specifying principal amount, interest rate and maturity date. Such loans shall bear interest at a rate not less than that paid by Industries on its principal bank loans.

11. The Utility Corporation shall not pay cash dividends to its stockholders in excess of 70% of its earnings available for payment of dividends in its current fiscal year and preceding five years less the amount of dividends paid by the Utility Corporation during such period. In the event of a decrease in earnings, judged by the board of directors of the Utility Corporation to be temporary in nature, dividend payments may be continued during the balance of its fiscal year at current rates. In the succeeding year, however, the Utility Corporation shall follow the restrictions on dividend payments set forth in

this paragraph unless otherwise permitted by the Commission. The restriction in this paragraph shall in no way be construed to mean that the Commission has relinquished its right to review at any time the Utility's Corporation's dividend policy.

12. The Utility Corporation shall not redeem any of its common stock without prior approval of the Commission.

13. In any transactions with affiliates, the Utility Corporation and the affiliates shall deal fairly with each other, and where appropriate, Industries shall retain and rely upon the advice of independent experts to assure such fairness.

14. The Utility Corporation shall not transfer any of its assets nor assume any liabilities of Industries, directly or indirectly, without the prior approval of the Commission; provided, however, that common expenses paid for in the ordinary course of business by the Utility Corporation not exceeding \$50,000 at any one time outstanding, such as rent, travel, communications, etc., shall be permitted. Any approved transfer of the Utility Corporation's assets shall be at fair market value for which the Utility Corporation shall be duly compensated.

15. The accounts, accounting methods and procedures of Industries shall be maintained in such manner that they will accurately reflect, under generally accepted accounting principles, the operations, assets and liabilities and the overall financial condition of the Utility Corporation. The Utility Corporation shall continue to comply in all respects with the procedures established by the Commission pursuant to the Uniform System of Accounts.

16. Industries shall always maintain a complete set of their books of accounts and supporting records in the State of Hawaii.

17. Industries shall not sell or otherwise divest itself of any of the common stock of the Utility Corporation without the prior approval of the Commission. The acquisition of the Hawaiian Electric Industries, Inc., by a third party, whether by purchase, merger, consolidation or otherwise, shall require prior written approval of the Commission.

18. In any of the foregoing matters, the information obtained by the Commission and its Staff and/or the Consumer Advocate and its staff shall be considered as having been obtained for the sole purpose of properly exercising the Commission's jurisdiction over the Utility Corporation. Information relating to the assets, liabilities, income and expense of Industries shall not be deemed a public record, as that term is defined in Hawaii Revised Statutes, Section 92-50, and shall not be open to public inquiry without the express written permission of the management of Hawaiian Electric Industries, Inc., except in cases where they are material or relevant in a proceeding before the Commission, or before the courts; said determination of materialness or relevance to be determined by the presiding body.

19. If at any time, the Commission finds that the Utility Corporation or Industries is not complying in good faith with the provisions or the intent of this order, the following procedures will be instituted:

- a) The Utility Corporation or Industries or both shall be notified in writing of the action, circumstance or condition which requires correction and the measures necessary to rectify the situation.

- b) Industries shall have a minimum of ten days, unless extended further by the Commission, in which to undertake the corrective measures.
- c) If Industries fails to undertake a correction of the breach of the Agreement, the Consumer Advocate may initiate a request for an order to show cause from the Commission or the Commission may institute a show cause proceeding.
- d) If Industries fails, after hearing and a decision rendered, to comply with the Commission's order to rectify the breach of this Agreement, the Commission may issue an order requiring Industries, (or its successor as parent company of the Utility Corporation) to divest itself of its ownership of the Utility Corporation's common stock under terms and conditions which will take into consideration the best interests of the Utility Corporation's customers, employees and stockholders.

20. Industries represents that the proposed merger and corporate restructuring are designed for the following purposes:

- a) To separate the operations now conducted by Hawaiian Electric Company, Inc. from future diversified activities which will be non-utility in nature. Such diversified activities, if conducted by the present corporation, either directly or through a subsidiary, could involve the Utility

Corporation's assets and credit. If undertaken by an affiliate, there would be no involvement of the utility, thus permitting the utility's activities to be confined to an area more clearly delineated for regulation by the Commission.

- b) To facilitate vertical integration which would be accomplished by entry into alternate energy business by non-regulated affiliates of the Utility Corporation which could supply energy to the Utility Corporation.
- c) To provide a means of assisting the efforts to enhance commercialization of alternate energy technologies.
- d) To allow greater flexibility in the financing of certain activities in the alternate energy and other fields because the restrictive covenants in various instruments under the first mortgage bonds and other securities of the Utility Corporation would not apply.

21. In construing or interpreting this document, the construction or interpretation which most favors the regulation and control over the Utility Corporation shall be applied.

22. For good cause shown, the parties to this Agreement or the Consumer Advocate may request that this Agreement be amended in whole or in part.

23. Industries agrees that this Agreement shall be binding on its successors and assigns.

24. All papers to be served by either party regarding this Agreement shall utilize the procedures outlined in Section 2-3 of the Rules of Practice and Procedure of the Commission.

25. This agreement shall be governed by the laws of the State of Hawaii and of the United States of America.

IN WITNESS WHEREOF, the undersigned here caused their presents to be executed as of the day and year first above written.

PUBLIC UTILITIES COMMISSION  
DEPARTMENT OF BUDGET & FINANCE  
STATE OF HAWAII

By \_\_\_\_\_  
Albert Tom, Chairman

By \_\_\_\_\_  
Sunao Kido, Commissioner

By \_\_\_\_\_  
Clyde S. DuPont, Commissioner

HAWAIIAN ELECTRIC INDUSTRIES, INC.

By \_\_\_\_\_  
Its

By \_\_\_\_\_  
Its

STATE OF HAWAII )  
 )  
CITY AND COUNTY OF HONOLULU ) SS.

On this \_\_\_\_\_ day of April, 1982, before me appeared \_\_\_\_\_ and \_\_\_\_\_, to me personally known, who, being by me duly sworn, did say that they are the \_\_\_\_\_ and \_\_\_\_\_, respectively, of HAWAIIAN ELECTRIC INDUSTRIES, INC., a Hawaii corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and said Officers acknowledged said instrument to be the free act and deed of said corporation.

\_\_\_\_\_  
Notary Public, State of Hawaii

My commission expires:

CERTIFICATE OF APPROVAL  
OF PUBLIC UTILITIES COMMISSION

Pursuant to Section 417-10, Hawaii Revised Statutes, the Public Utilities Commission of the State of Hawaii hereby certifies that in Decision and Order No. 7070, Docket No. 4337, filed April 19, 1982, it approved the Agreement and Plan of Merger by and among Hawaiian Electric Company, Inc., New Heco, Inc. and Hawaiian Electric Industries, Inc., and the proposed merger of New Heco, Inc. into Hawaiian Electric Company, Inc., pursuant to said Agreement and Plan of Merger.

This Certificate of Approval is executed pursuant to said Decision and Order No. 7070.

DONE at Honolulu, Hawaii, this            day of April,  
1982.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By \_\_\_\_\_  
Albert Tom, Chairman

By \_\_\_\_\_  
Sunao Kido, Commissioner

By \_\_\_\_\_  
Clyde S. DuPont, Commissioner

APPROVED AS TO FORM:

\_\_\_\_\_  
HARRY S. Y. KIM  
Commission Counsel

EXHIBIT B



Ryan Berthold  
<ryan.berthold@gmail.com>  
07/18/2014 11:09 AM

To cabletv@dcca.hawaii.gov,  
cc  
bcc  
Subject Opposed to the TWC-Comcast Merger

Hello,

I am against the proposed TWC-Comcast merger. TWC already enjoys a virtual monopoly on cable service in Hawaii because TWC and Comcast refuse to compete in the same markets; for evidence look no further than "Comcast Public Interest Statement 4-8.14", which has a section amusingly titled "Because the Parties Do Not Compete for Consumers, There Is No Plausible Theory of Competitive Harm Arising from the Horizontal Elements of the Transaction". In other words, "we're already engaging in anti-competitive practices, so what's the harm in turning a virtual monopoly into an actual monopoly?"

If I'm to be stuck with a monopoly either way, I'd prefer a non-merged TWC. In April Comcast won the Consumerist's annual poll for "Worst Company in America", and perhaps you've heard the more recent recording of Ryan Block trying to cancel his Comcast service? Their customer service representatives are downright abusive. Of course, once Comcast merges with TWC they'll have no more need for a "retention department", as their customers will have nowhere to go -- but somehow I don't expect the savings to be passed on to the consumer.

Of course, there are some who think they can make a deal with the devil. Jay April, CEO of Akakū Maui Community Media, believes that the islands can get "better cable services and faster internet as a condition of sale". Unfortunately, telecom companies have been making and breaking such agreements for years with no consequences. Consider Verizon's promises of 100% fiber coverage in Pennsylvania and New York City in exchange for tax breaks upward of \$2 billion: the coverage has yet to materialize and a refund is not forthcoming. Why would Comcast bother to improve services once there's no one left to compete with and no real penalty for renegeing? Why not just keep the same equipment, not upgrade anything, raise everyone's bills, and laugh all the way to the bank? Will the State of Hawaii sue for damages when the promised improvements fail to arrive? I can't wait to foot the bill for both sides of that lawsuit, once as a taxpayer and once as a Comcast customer.

Please deny the TWC-Comcast merger and save everyone a load of grief.

Sincerely,

Ryan Berthold  
Hilo



Mary DeVincent  
<druma99801@yahoo.com>

07/17/2014 10:10 PM

Please respond to  
Mary DeVincent  
<druma99801@yahoo.com>

To "cabletv@dcca.hawaii.gov" <cabletv@dcca.hawaii.gov>,  
cc  
bcc  
Subject Comcast/TimeWarner merger

My friends, family and I are against the merger of Comcast and Time Warner. Allowing a monopoly is not in the interests of the public and should NOT be allowed.

Monopolies always work against the consumer with price increases, less choice and usually poor customer service.

After watching a video today of a customer trying to cancel their Comcast service and the employee doing everything they could to ignore the request of the consumer and continuing to batter the consumer asking "WHY" they wanted to cancel and refusing to take action until the consumer gave an answer. After much time, the employee would not listen to the consumer and did not cancel the service. Unacceptable behavior by this employee following the directions of their corporation.

This merger is not wanted by consumers and is only in the interests of the corporation. What happened to the laws (Uniform Commercial Codes) preventing monopolies? Do not allow this merger to take place please. Thank you.

Aloha,  
Malia & Kimo DeVincent

The accomplice to the crime of corruption is frequently our own indifference.  
Bess Myerson

July 17, 2014

To: [cabletv@dcca.hawaii.gov](mailto:cabletv@dcca.hawaii.gov)

Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541, Honolulu, HI 96809

Re: Favorable impact of 'Ōlelo Community Media

To Whom It May Concern:

The principles of PEG access call for three strong components: Public, Education and Government programming.

For the House of Representatives and State Senate Minority Caucuses, PEG access has provided the Representatives and Senators a forum to produce shows that deal with issues regarding their communities.

The importance of making certain that community television is afforded and has the same technology as the broadcast stations, such as high definition (HD), creates an interchangeable product among the producers and other broadcast stations.

'Ōlelo/PEG access is a valuable community resource that needs to be continued and protected. Over the years, 'Ōlelo has established facilities at middle schools and colleges. Under the guidance and supervision of the 'Ōlelo management and staff the students at various schools have gained national awards and recognition. Wai'anae High School students formed their own "Sea Rider Productions" organization, which accompanied and filmed Governor Lingle on her trip to China.

I am asking that you refrain from any reduction in channel capacity, funding, or any other actions that would hinder the existing franchise. 'Ōlelo continually strives for continued improvement to PEG access in Hawaii. 'Ōlelo has always provided me and the companies I have served, such as the Honolulu Zoo, Junior Achievement and the Hawaii Restaurant Association, with top rate services. For the past 17 years, I have used the Mapunapuna facility and most recently I use the 'Ōlelo facility at the Hawaii State Capitol to direct, edit and produce videos on public, educational and governmental issues. The staff is exceptionally knowledgeable and eager to assist their clients in all aspects of video editing and production.

I can testify that 'Ōlelo provides the best educational training, equipment and facilities in video for the community at large. The ability to provide this high quality service takes exceptional knowledge and management, which 'Ōlelo has consistently maintained. In my opinion, under 'Olelo's PEG access services the community and schools have benefited and have access to the finest creative media services in the State of Hawai`i.

With aloha,

Michele Van Hessen  
Media Consultant/College Professor  
e-mail: [mvanhess@gmail.com](mailto:mvanhess@gmail.com)

or  
[m.vanhessen@capitol.hawaii.gov](mailto:m.vanhessen@capitol.hawaii.gov)



Mark Koppel  
<koppelm@me.com>  
07/17/2014 03:59 PM

To cabletv@dcca.hawaii.gov,  
cc  
bcc  
Subject NO merger

Aloha:

A merger of Comcast and TWC would eliminate what little "competition" exists.  
A monopoly is an outrage.

Please come out against the merger.

Mahalo.

Mark A. Koppel  
Umauma

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Bringing the world to Hawaii and Hawaii to the world

CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

2014 JUL 18 A 9:18 July 18, 2014

Ms. Keali'i Lopez, Director  
Hawaii State Dept. of Commerce and Consumer Affairs  
335 Merchant Street  
Honolulu, Hawaii 96813

A \_\_\_ E \_\_\_ P \_\_\_ S \_\_\_

FILE \_\_\_\_\_

Dear Director Lopez:

RE: Comcast Community Investment

Thank you for this opportunity to submit testimony on the expected arrival of Comcast to our local marketplace.

As the state's only public television station, PBS Hawaii has been able to use the 1% of cable franchise fees directed to us to serve the entire state, providing equal opportunity for lifelong learning. These funds provide stability which sustains enormous value for citizens.

The island home of Big Bird, Downton Abbey, Frontline, and trademark locally produced shows, PBS Hawaii harnesses the power of free noncommercial television to provide Hawaii's people with knowledge they need to make informed civic decisions; close the achievement gap; share 21<sup>st</sup>-century skills; cultivate an appreciation of the arts and humanities; engage audiences to share their stories; and improve their overall quality of life.

During the depths of the recent economic recession, monies from the cable franchise fees buoyed PBS Hawaii's efforts to strengthen our activities in this time of increased community need. HIKI NŌ, the nation's first statewide student news network, debuted as a learning initiative that exposed public, charter and private school students and teachers to 21<sup>st</sup>-century experiential learning opportunities, at no cost to the schools. Today, HIKI NŌ has grown to serve 84 schools on six islands and has won numerous national accolades for the innovative use of public media.

Moving forward, PBS Hawaii will continue to engage and collaborate with diverse communities statewide to advance learning and discovery through storytelling that profoundly touches lives. We sincerely thank the Department of Commerce and Consumer Affairs for seeking public media benefits in cable providers' use of public resources. PBS Hawaii looks forward to continued 1% franchise funding with a new community partner, Comcast.

Sincerely,

Leslie Wilcox  
President and CEO



"Blessum, Tabitha"  
<tblessum@kiheicharter.org>

07/17/2014 11:21 AM

To cabletv@dcca.hawaii.gov,

cc

bcc

Subject 5pam:Sale of Time Warner Cable

Aloha,

Here in Hawaii, we have one provider for internet, cable TV, and home phone services, all of which the modern family is very dependent on. It has come to my attention that Comcast has been unconcerned with the needs of other United States communities that it operates in. The sale of Time Warner to Comcast would worsen the internet service provider monopoly in Hawaii. The Sherman Anti-Trust Act bans the creation of monopolies in America. Although this sale is technically under the law, the nature of it presents a high potential of being unconstitutional and unfair to the consumers of Hawaii. Input from the community is the most important source of feedback you can receive. Please listen to the public.

Sincerely, Tabitha Blessum



Veryl Ann Grace  
<verylann@gmail.com>  
07/17/2014 03:04 PM

To cabletv@dcca.hawaii.gov,  
cc  
bcc  
Subject 5pam:Comcast / Time Warner

Dear Department of Commerce and Consumer Affairs Committee,

We are strongly opposed to the acquisition of Oceanic Time Warner Cable's Hawaii franchise by Comcast.

We have friends on the mainland who have Comcast service. None of them are satisfied with the level of service nor the responsiveness of the company.

Comcast has already stated that it intends to raise rates and put a gigabyte download cap on its internet service. We mainly maintain our cable service because of the internet connection. We do not relish having that connection taken over by a company who has said up front that it plans on degrading it.

We also have significant problems with any company, no matter what the company, gaining such a monopoly across the country over what has become an essential service for most of the nations populace.

We respectfully ask that you deny Comcast's request to acquire the licenses held by Oceanic Time Warner Cable.

Sincerely,

Veryl Ann Grace

Glenn R. Grace

# Think Tech Hawaii

900 Fort Street Mall, Suite 30 (Lower Level)  
Honolulu, Hawaii 96813 Telephone 780-9254

July 17, 2014

Cable Television Division  
Department of Commerce and Consumer Affairs  
P.O. Box 541  
Honolulu, Hawaii 96809

CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS  
2014 JUL 17 P 2:32  
A—E—P—S—  
FILE \_\_\_\_\_  
1

Attn: Ms. Keali'i S. Lopez, Director, Department of Commerce and Consumer Affairs

RE: Comment Regarding the Transfer Application Submitted by Time Warner Cable and Comcast Corporation for the Indirect Transfer of Control of Oceanic Time Warner Cable LLC

Aloha Director Lopez:

I am writing regarding the proposed merger between Comcast and Time Warner Cable. I believe this merger would provide significant Internet and television infrastructure improvements to the State of Hawaii, benefiting our residents and local businesses in a variety of ways.

As the President of the non-profit corporation ThinkTech Hawaii, one of my goals has been to raise public awareness regarding the importance of technology to Hawaii. In recent years we have seen substantial improvements in health care technology, sustainable energy and communications systems.

I believe that the key to continuing this technological revolution is through state-of-the-art infrastructure. Access to reliable high-speed Internet and all related new technology is essential to solving problems and fostering future development and innovation.

Criticism regarding Comcast's merger with Time Warner Cable is not justified. In fact, I understand Comcast will offer connection speeds of up to 505 Mbps in certain markets and up to 100 Mbps across their footprint. This enhanced speed will be most helpful for cable customers and especially the tech community.

Ms. Keali'i S. Lopez  
July 17, 2014  
Page 2

Comcast has indicated that it will spend billions to improve the systems that Time Warner Cable has in place. These infrastructure improvements will provide benefits for residents and businesses alike.

I also understand that customers will have access to Comcast's cloud services, more entertainment options with cutting-edge user interfaces and increased connectivity with mobile devices like cell phones and tablets.

Comcast has said it is committed to providing additional services and education to underserved communities through its Internet Essentials program which provides low-cost access to broadband, free digital literacy training, and the option to purchase a discounted computer; and that will also be very desirable.

On balance, it appears that the merger between Comcast and Time Warner Cable will bring increased speeds, reliability, features and program offerings. I believe these benefits will improve the lives of the people of Hawaii and I hope you will consider approving the deal.

Sincerely,

*Jay M. Fidell*

Jay M. Fidell  
President  
ThinkTech Hawaii, Inc.

CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

2014 JUL 17 A 8:09

A\_\_E\_\_S\_\_

FILE\_\_

P.O. Box 1031  
Honolulu, HI 96808

July 16, 2014

Cable Television Division  
Department of Commerce & Consumer Affairs  
P.O. Box 541  
Honolulu, HI 96809

Re: Merger of Time Warner Cable & Comcast

Dear Cable Television Division Members:

I am against the merger of Time Warner Cable and Comcast. The merger would make it the largest in America and as we have seen with other companies that get too large, the customers suffer and our economy is also affected. We should have learned our lesson from what happened with the Banks which really hurt the economy and our economy is still recovering from it.

I am very happy with Oceanic Time Warner Cable here with Olelo which gives us local community programs. Keep our cable with Oceanic Time Warner.

Thank you for taking comments from the community. I really appreciate your consideration in this matter.

Mahalo,



Dorothy L. Bona



R YIM  
<us2yims@gmail.com>  
07/17/2014 07:24 AM

To cabletv@dcca.hawaii.gov,  
cc  
bcc  
Subject Oppose Merger

Aloha,

I am opposed to the merger between Comcast and Time Warner. Being a senior citizen and a victim of identity theft, I received a call while shopping at Foodland Pearl City one day from a collection agency in Texas(?) trying to verify my identity, address, social security number and contact(They were Phishing.

When I questioned the caller, I realized that it was a collection agency trying to collect an unpaid debt for Comcast.

I was informed that I owed more than a thousand dollars to Comcast for services rendered in Indiana.

Upon informing the person I lived in Hawaii, I was asked to prove it by filing a police report (HPD thought this a waste of time since crime was NOT in the state of hawaii), prove my residency by providing utility bills and complete an affidavit.

How does a company such as Comcast allow people to commit fraud using fake identities, utilize their services without paying until it becomes an excessive amount and then when it becomes uncollectible, send it to a collection agency in another state to come after unsuspecting people such as myself?

Why was it so easy for someone to commit fraud against COMCAST without them first verifying the subscribers ID?

As a customer of Time Warner, if this merger should take place, I will cancel my services completely.

These companies such as Comcast do not realize how stressful it was for me to deal with these collection agencies.

I did not even receive as much as a "Thank You" for cooperating in proving they were after the "WRONG PERSON". and my innocence.

Thank you,

Ronald W. Yim



Ji Sook Kim/DCCA  
07/16/2014 09:24 AM

To Lynn F Suekawa/DCCA@DCCA,  
cc Laureen K Wong/DCCA@DCCA, Glen WY  
Chock/DCCA@DCCA  
bcc  
Subject Fw: Personal - for Ms. J. Uchida plus cable TV regulatory  
office re second complaint re fraudulent billing in  
Ocdeanic/Time Warner cable company

Lynn,

Jo Ann requested that we include the attached as testimony for the Comcast-TWC merger public hearings.

Thanks,  
Lisa

----- Forwarded by Ji Sook Kim/DCCA on 07/16/2014 09:21 AM -----

---

From: Jo Ann M Uchida/DCCA  
To: Glen WY Chock/DCCA@DCCA, Ji Sook Kim/DCCA@DCCA, Laureen K Wong/DCCA@DCCA,  
Cc: Kealii S Lopez/DCCA@DCCA  
Date: 07/15/2014 11:28 AM  
Subject: Fw: Personal - for Ms. J. Uchida plus cable TV regulatory office re second complaint re fraudulent  
billing in Ocdeanic/Time Warner cable company

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Please follow up as appropriate. Please also include as written testimony for the merger hearings.

Thanks.

----- Forwarded by Jo Ann M Uchida/DCCA on 07/15/2014 11:27 AM -----

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From: "Frederick H." <sndtxt@gmail.com>  
To: juchida@dcca.hawaii.gov, dcca@hawaiidcca.gov, catv@hawaiidcca.gov,  
cabletv@hawaii.dcca.gov,  
Date: 07/15/2014 11:24 AM  
Subject: Personal - for Ms. J. Uchida plus cable TV regulatory office re second complaint re fraudulent  
billing in Ocdeanic/Time Warner cable company

---

Re: Frederick Harris -Oceanic complaint.

See also this hyperlink:

[http://link.techcrunch.com/50cda0f221e070dffa6d838f1okv9.duit/U8VQGcPo\\_nWo0x3FAe2fc](http://link.techcrunch.com/50cda0f221e070dffa6d838f1okv9.duit/U8VQGcPo_nWo0x3FAe2fc)  
[http://link.techcrunch.com/50cda0f221e070dffa6d838f1okv9.duit/U8VQGcPo\\_nWo0x3FAe2fc](http://link.techcrunch.com/50cda0f221e070dffa6d838f1okv9.duit/U8VQGcPo_nWo0x3FAe2fc)

Dear Ms. Uchida,

I received a reply to my complaint re Oceanic/TWC. Thank you for the reply. I appreciate the courtesy. I am sending this to you and to the cable TV office for follow-up. I have attached a sound recording which I hope you will listen to and also pass along to your regulatory colleagues. This is a fair representation of the mentality at Oceanic regarding its customers.

Here is what your office should know about Oceanic/TWC/Comcast, the latter which is in merger acquisition talks with TWC.

1. Please listen to the sound recording attached. I assure you you will find it informative. It is absolutely worth listening to.
2. Time Warner/Oceanic employees always lie.
3. Oceanic habitually bills for services not asked for.
4. I had to fight with the Oceanic rep to get her to do as I asked, which was to take advantage of the \$ 19.95 promotion.
5. The person who did the installation would not take back the modem. He basically refused, notwithstanding my work order.
6. I have no intention of paying Oceanic either for the modem or the modem rental. I asked for a separate broadband line dropped into my home. That is all I asked and will agree to pay for. I did not agree to rent a modem or to pay for it.
7. Oceanic can send all the invoices it likes. I will pay \$19.95 a month for broadband installation charge and the installation charge. Nothing else. I
8. I have a feeling my correspondence with your office will be ongoing for some time.
9. I predict that Oceanic/TWC will attempt to disconnect my service.  
Finally, the email addresses provided to me by your office (see above) are all wrong. The actual address is [cabletv@hawaii.dcca.gov](mailto:cabletv@hawaii.dcca.gov).

Thank you for your office's reply to my complaint. Apparently it is too early to close the complaint. Please see and listen to the hyperlink below.

It is fair to say this is the sort of conversation I had with the Oceanic representative, notwithstanding Oceanic's recorded item which has probably been edited.

[http://link.techcrunch.com/50cda0f221e070dffa6d838f1okv9.dui/U8VQGcPo\\_nWo0x3FAe2fc](http://link.techcrunch.com/50cda0f221e070dffa6d838f1okv9.dui/U8VQGcPo_nWo0x3FAe2fc)

Sincerely,  
Frederick Harris  
Complainant

On Fri, Jul 11, 2014 at 11:33 AM, Frederick H. <[sndtxt@gmail.com](mailto:sndtxt@gmail.com)> wrote:  
Re: Second Notice Oceanic/Time Warner  
July 11, 2014  
Dear Ms. Uchida,

Several days ago I attached a copy of my complaint related to Oceanic/Time Warner Cable. The complaint relates to billing practices at Oceanic/Time Warner Inc. I requested that your office please instruct a staff person who deals with Oceanic in connection with complaints to tell Oceanic/TWC cease and desist from fraudulent billing practices.

I also requested that your office consider allowing cable subscribers to file complaints via email. To date I have not received any communication I know of from your department.

Might I respectfully again request that your office deal with this matter and the related complaint which I have again attached for your convenience and information. I will look forward to an email response from your office on this matter?

I have attached in a PDF the original copy of my complaint.

Thank you.

Frederick Harris

Complainant

Tel: 808-282-5642

[Preview attachment Informal-Complaint.Form V1.pdf](#)

PDF Attached



Lau Ronald  
<RonaldLau@laulaw.com>  
Sent by: Ron Lau  
<ronaldlau79@gmail.com>

To "cabletv@dcca.hawaii.gov" <cabletv@dcca.hawaii.gov>,  
cc  
bcc

07/16/2014 06:31 AM

Subject: Objection to Comcast and Oceanic Merger

I object to this merger. It would not be in the Hawaii consumer's best interests to contribute to the development of this monopoly. The risk of increased costs and less responsive service is too high to justify Hawaii's loss of its' only cable internet service provider and cable tv service. The increased cost of my Oceanic service forced me to switch to Dish TV. I tried DIRECT TV but they unilaterally deleted the Weather Channel, making it impossible to get accurate and up to date Weather tv coverage of the mainland cities where my daughters are going to college.

This is an example of how bad their customer service can be.

<http://bgr.com/2014/07/15/why-is-comcast-so-bad-4/>

In addition, all public officials are required by law to use Aloha when performing their duties. I do not believe that you and the commission members would be fulfilling your responsibilities by letting such an uncivil and uncaring mainland company to control Hawaii's only high-speed cable internet.

Very truly yours,  
Ronald Lau, Esq.  
(808) 388-1292

"I will make a difference in the life of a child today" - Ronald Lau

CABLE TELEVISION  
COMMERCE AND  
CONSUMER AFFAIRS

1207 Kamehame Drive  
Honolulu, HI 96825  
July 15, 2014

Cable Television Division  
Department of Commerce and Consumer Affairs  
P. O. Box 541  
Honolulu, HI 96809

2014 JUL 16 A 9:38  
A—E—  
FILE

Dear Committee Members:

This constant consolidation of various companies does not serve any public good, because Time Warner delivers terrible customer service now. Below are a few examples, but these few raise many negative consequences.

Personally, I've had to replace my cable box twice in the last 5 years, because these boxes were outdated. There were frequent black outs, where certain stations I watch could not be seen, either live or recorded on Time Warner's DVR service. Just last week their DVR only recorded one minute of an entire one hour show.

A few months ago my husband called to get credit for a half-day's worth of shows on a particular station because there was a black out of that station due to technical difficulties. He missed out watching any show during this time whether live or recorded. After speaking with the customer service rep, who spoke to his/her supervisor, his request was denied. He has had to request credits every year for the last 5 years, because of black outs.

The remote controller was replaced every year for the last three years, because it would not rewind or fast forward or both. Sometimes, it couldn't change the channels.

For this less than average service I pay about \$150 per month which includes internet. For that amount of money I should be able to get excellent service and unlimited programming. But to receive independent movies I would need to pay extra. For increased internet speed I would need to pay extra. Frankly, Time Warner doesn't deserve the money I pay now. If this merger goes through, what's to stop them from raising prices more and probably for more inferior service?

I could go on and on, but surely you have heard these same complaints from thousands if not millions of other consumers, who are deeply troubled by this merger between Time Warner and Comcast.

Sincerely,



Sandra M. Barker



"Chris Jansen"  
<cjansen1@hawaii.rr.com>

07/15/2014 12:43 PM

Please respond to  
"Chris Jansen"  
<cjansen1@hawaii.rr.com>

To <cabletv@dcca.hawaii.gov>,

cc

bcc

Subject Comcast merge with Oceanic Time Warner Cable

***I'm opposed to transfer of control of Oceanic's Hawaii cable franchises, at the parent level, from Time Warner Cable to Comcast. If you do a internet search on Comcast you will see Comcast does not have a good reputation with customer service or it's cable service to consumers. Mergers between two companies are not always good for consumers. Typically consumers are faced with less choices and the fees to consumers usually rise, with there being less competition. Do not let big corporations monopolize business and decrease consumers right to choose which service we wish to pay for.***



Stuart Novick  
<sonofjehiel@gmail.com>  
07/14/2014 02:21 PM

To "cabletv@dcca.hawaii.gov" <cabletv@dcca.hawaii.gov>,  
cc  
bcc

Subject Time Warner - Comcast Merger

I strongly oppose this merger. We need more competition, not less, regardless of the smoke being blown by these mammoth corporations. Leave well enough alone. Sometimes change only makes things worse. And more expensive.

Sincerely,

Stuart Novick

---



EDGAR HAMASU  
<edgarahamasu@gmail.com  
>

07/14/2014 05:11 PM

To cabletv@dcca.hawaii.gov,  
cc dfrancis@staradvertiser.com

bcc

Subject Merger of Time Warner Cable and Comcast Corp.

Dear Sir or Madame,

We thank the Honolulu Star-Advertiser for informing us about the public hearings scheduled for the proposed merger of Time Warner Cable (TWC) and Comcast Corp.

We understand that Comcast submitted a joint application with Oceanic Time Warner Cable's parent company, TWC, for the transfer of control of Oceanic's Hawaii cable franchises, at the parent level, from TWC to Comcast.

Since I am unable to attend in person, I wish to submit my comments by email.

Rana Foroohar, in her monthly commentary in the July 21, 2014 issue of Time magazine, stated that more than 50% of all corporate mergers and acquisitions (M&A) end in failure. She went on to say that like many marriages, M&A often face irreconcilable cultural and financial differences.

Yet, she says, M&A activity was up sharply in 2013 and reached pre-recession levels this year.

She summarized the sharp uptick as an easy way for companies to make quick buck and please Wall Street. Increasingly, business is serving markets rather than markets serving business, as they were originally meant to do in our capitalist system.

She gave as an example the American pharmaceutical giant Pfizer's recent bid to buy British drugmaker AstraZeneca. The deal made little strategic sense and would probably have destroyed thousands of jobs as well as slowed research at both companies. It would have meant Pfizer to move to Britain, where companies pay less tax. That, in turn, would have boosted share prices in the short term, enriching the executives paid in stock and about half a billion dollars or so in fees to bankers, lawyers and other financial intermediaries. (Public outcry eventually helped scuttle the plan.)

Based on the foregoing, and additionally just when we are told that the jobs in Hawaii are picking up, may I inquire how many jobs in Hawaii will be destroyed by the merger? Also, when our State and City are cutting services because of decrease in tax revenues, I'd like to ask how much tax revenue will be lost because of the merger? These are legitimate questions to support and strengthen Hawaii's economy.

Thank you very much.

Edgar A. Hamasu

Past President of Military Intelligence Veterans of Hawaii;

Past Adjutant/Quartermaster of State Veterans of Foreign Wars.

Edgar A Hamasu

\*\*\*\*\*

edgarahamasu@gmail.com



# 'IOLANI SCHOOL

HEAD OF SCHOOL

July 14, 2014

Cable Television Division  
Department of Commerce and Consumer Affairs  
PO Box 541  
Honolulu, HI 96809

Re: Comment Regarding the Transfer Application Submitted by Time Warner Cable and Comcast Corporation for the Transfer of Control of Oceanic Time Warner Cable LLC's Oahu Franchise.

Dear DCCA:

As Head of School at 'Iolani School in Honolulu, the largest Episcopal school in the US, I am pleased to have learned about the proposed merger of Comcast Corporation and Time Warner Cable. Three years ago, I joined 'Iolani after serving as Head of the Harley School in Rochester, New York and prior to Harley I was a senior administrator at the Lawrenceville School in Lawrenceville, New Jersey where I witnessed first-hand the positive impact Comcast Corporation had on education and youth development in the greater Philadelphia area. I believe the addition of Comcast to the Hawai'i community will add similar support that will benefit many young people in our state.

Science, technology, engineering and mathematics (STEM) education is widely recognized as a key component for 21st century learning. More than ever, with expanding global competition and collaboration, our students need to be equipped with the skills and technology that will make them valued in the workplace of the future. The introduction of STEM curricula and associated professional development for our teachers needs strong corporate partners who are willing to support these emerging programs. Among peer companies, Comcast has an unparalleled record of supporting schools' technology needs and moving beyond this to many efforts that enhance students' digital literacy. They are highly commendable and this will be a great partnership for our school systems, public and private.

One the main technical challenges facing schools is the integration of cloud-based systems, mobile devices and high bandwidth learning materials. Our students need real time access to video, file sharing and collaboration tools that are in many ways directly analogous to what high level professionals are using around the world. At 'Iolani this past year, we rolled out a 1:1 iPad initiative that added approximately

CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

2014 JUL 16 A 9 38

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2,500 concurrent connections to our WiFi network. The use of productivity Apps and paperless workflow are becoming a common part of the student experience. Fortunately, the school has the resources and knowhow to implement such a major academic technology project.

We are, however, in the minority in our state and it will take a dedicated corporate partner such as Comcast to make this level of academic technology the norm, and it is crucial for future generations and our economy that it does so. Comcast's planned investment in Time Warner Cable's network will allow it to offer Hawaii's schools high-performance broadband solutions with speeds ranging from 1 Mbps to 10 Gbps. Such technology will support the use of electronic records by enabling district-wide communication, allowing teachers to integrate data-intensive content like e-textbooks, video, and distance learning into their classrooms.

Comcast's record in this regard is well established. Its Digital Connectors program has equipped hundreds of community computer labs and trained thousands of high school students on basic digital literacy skills. Programs like these reach beyond the first circle of students and into the community at large. Distributed implementation models are powerful because the students themselves become the community leaders who can promote the importance of digital literacy to those around them.

Another initiative for which I have a great deal of optimism is Comcast's Internet Essentials program. Within this program, families with children are eligible for the National School Lunch Program home Internet service for only \$9.95 per month, free digital skills training, and the option to purchase a heavily-subsidized computer. At 'Iolani and our peer school, Punahou, we run summer learning programs for this precise demographic that have proven effective in closing the achievement gap and increasing high school graduation and college matriculation. One common challenge is the lack of technology in the home. The Internet Essentials program will directly address this technology gap and benefit this group of learners, which is in excess of 100,000 children in our state.

As I noted above, I have witnessed directly how Comcast Corporation's commitment to community and education positively impact the lives of many young people. From the perspective of the business sector in which I work - education - the children of the State of Hawai'i will benefit from our leaders choosing to support companies such as Comcast whose mission includes supporting education. I encourage you to take this point into strong consideration when considering approval of this transaction.

Sincerely,

A handwritten signature in black ink that reads "Timothy R. Cottrell". The signature is fluid and cursive, with a long horizontal stroke at the end.

Timothy R. Cottrell, Ph.D.  
Head of School, 'Iolani School



Ernest K Hamada  
<ernie.hamco@hawaiiantel.net>

07/12/2014 06:19 AM

To "cabletv@dcca.hawaii.gov" <cabletv@dcca.hawaii.gov>,

cc

bcc

Subject Comcast & Oceanic merger

We are against the proposed merger. Cutting out competition will leave the consumer in harms way

Sent from my iPad

---



Camilla Aluli  
<caluli@marktravel.com>  
07/12/2014 09:35 AM

To "cabletv@dcca.hawaii.gov" <cabletv@dcca.hawaii.gov>,  
cc  
bcc  
Subject Comcast/Time Warner Merger

I am asking that you not approve this proposal. Comcast has a very bad record and reputation as a provider of cable service in the communities they serve, including, but not limited to:

Shoddy and unresponsive customer service  
Overall unreliability of cable service  
Exorbitant rate hikes

---

Please do not approve this and ruin what we already have. Once it is done, there is no going back.

Mahalo,

Camilla Aluli  
5642 Haleola St.  
Honolulu, HI. 96821

IMPORTANT NOTICE: This message and any attachment may contain privileged and/or confidential information. This transmission is not intended nor may it be construed to create a binding legal obligation in the absence of a writing signed by an authorized officer of the company. If you are not the addressee indicated in this message, (or responsible for its delivery to such person), you may not copy or disseminate this message and any attachment to anyone. In such case, you should destroy this message, any attachment, and all copies and kindly notify us by reply email. We do not assure the security of information electronically transmitted, and your communication with us through such means shall signify your acceptance of such risks. Conclusions and other information in this message that do not relate to the official business of La Macchia Enterprises, Inc and /or its subsidiaries and affiliates are understood as neither given nor endorsed by it. \_LE



Marcy Katz  
<hawaiikatz@mac.com>

07/08/2014 07:35 PM

To cabletv@dcca.hawaii.gov,

cc

bcc

Subject 5pam:Comcast/TWC merger

To whom it may concern :  
which is ALLl of us on TWC,  
Please do not allow this merger.

I have used TWC for more than 30 years at a single family residence and as a resident in a small apartment house in Makiki with 42 apartments, all of which are under a new contract with TWC. While TWC is not perfect, they have the fiber optics cables, a decent repair crew and pretty decent customer service base for their subscribers.

Comcast, on the other hand, is a horror. I have had personal experience with them through their Florida service for my parents.

When my dad died, and I had to move my mother to Hawaii, I called to find out where to drop off phone equipment and cable boxes. I did as instructed and then experienced months and months of bills for equipment, phone calls to ignorant and indifferent sullen Comcast employees 6 time zones away. After 2 years of this, they quit billing me for the returned equipment, but to this day, 4 3/4 years later, I still get statements from Comcast showing a "zero" balance.

This is a strong indicator of the WASTE of time, manpower, paper, stamps that goes into the running of this company. This is probably only a tiny fraction of the idiocy of this huge company, but to consumers it indicates a much bigger problem for which we will end up paying big time if this company merges with TWC.

Also, with a conglomerate like this if merger occurs, it will control all cable companies competition and crush Hawaiian telecom.

Watch our rates soar, and infrastructure deteriorate and the idiocy of Comcast management cause us grief.

Sincerely against this merger, I am  
Marcy Katz



Maud Lawrence  
<musicms1@yahoo.com>  
07/07/2014 07:24 AM

To "cabletv@dcca.hawaii.gov" <cabletv@dcca.hawaii.gov>,  
cc  
bcc

Subject Merger

Thank you for giving us this opportunity to provide feed back on the proposed merger between Comcast and Oceanic Time Warner. My cable bill is one of the largest bills I have. Every summer I call Oceanic to brainstorm ways to lower it. Every year I consider eliminating cable entirely and switching to streaming content only. My husband is a sports enthusiast and the cable company in collusion with (mostly) FOX sports has seen to it that every major football, basketball, and baseball game, of interest to a viewer in our time zone, be blacked out from stand alone packages like NFL Sunday Ticket.

I am for a merger that will lower my bill and reduce the vice grip on sports that cable companys use to keep us tethered. The cable company's past behavior doesn't assure me of this, however. Oceanic has used every means to keep my bill high and offer me the barest minimum of service. They have outsourced their technical support and used substandard digital boxes imported from Asia. It took them years to upgrade the physical system when they took over from Comtec. I wonder if they ever completed line repairs and updates that were needed or if they chose to repair only what was necessary.

Now Oceanic wants to tag team with another cable bully to squeeze us for every penny they can. Cable companys will become desperate to restrict what we view to their offerings, as more content is available to stream. Then they will look at ways to restrict access and raise prices on internet packages. Streaming is the way of the future and recent legislation to allow the big players to buy faster internet is the beginning of a prejudicial system which, in the end, we consumers will pay for.

This merger is a done deal. Money and big business will win in the end. Don't say we didn't warn you.

Maud Lawrence



Charles B  
Clark/DLIR/StateHIUS@STA  
TEHIUS

07/07/2014 09:38 AM

To Cable Television/DCCA@DCCA  
cc  
bcc  
Subject Cable merger

CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

2014 JUL -7 P 12: 59

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To whom it may concern;

The issues I have with the Time Warner and the cable services in Hawaii are the prices are very expensive and rising too fast. More competition is needed to bring down the prices to a more affordable level. People complain about high electrical prices but the cable bill is getting out of hand.



Robert Mitchel  
<gordomitchel@gmail.com>  
07/04/2014 03:26 PM

To cabletv@dcca.hawaii.gov,  
cc  
bcc  
Subject Oceanic Time-Warner - Comcast merger (takeover of OTW  
by Comcast)

Dear Sir-

I must inform you that this proposed takeover of Oceanic Time-Warner by Comcast would not be in the best interest of Hawaii residents. I believe I am qualified to say this, because I reside half time in California and half time in Hawaii. In California I have Comcast for my internet, TV and telephone; in Hawaii I have Oceanic TW for the same, this has been going on for about 4 years.

The services I have are approximately the same in both Hawaii and California, the monthly costs are about the same, but my experiences have been very different.

In California (Comcast) they don't give a vacation rate like Oceanic Time Warner. I pay the full rate for my services there while I am in Hawaii. Previously I could reduce my services to a basic level and save nearly half the cost, but they have recently raised this rate now I save only about \$10/month out of a total of \$170/month. Oceanic in Hawaii allows me to deactivate my phone, TV and internet while I am gone and I only pay about a third of my rate while I am gone.

Granted, not everyone needs this, but it is a very nice feature.

More importantly I see a big difference in service level between the two providers. Previously I could schedule a Comcast technician to come to my house when I could not explain things well enough over the phone. Now it is virtually impossible to get a person to come. They have outsourced help calls to a desk somewhere, where the people are very polite and constantly apologizing, but they don't really know anything. By contrast, Oceanic generally routes my initial call to a machine screener, but if I call again about the same matter it routes me to a knowledgeable technician. I can also get a technician to come to the house - there may be a delay of days or even weeks in some cases, but at least I can count on this.

One recent experience in California to illustrate the problem: I had a cordless phone system that was getting old and the batteries no longer held a charge. I bought a new cordless phone system and installed it, but I could not get the caller ID to work - this is an important feature in California where we get so many solicitations. I called Comcast and the technician told me that our phone system was set to show caller ID, so the problem must be with the phone. I tried to work with the cell phone system to trouble shoot it, but could not fix it. Finally, I returned the cordless phone to the store and bought another phone system and installed it. This system's caller ID would not function also. After much time and effort, I called Comcast again and got the technician to refer me on to 'the next level' technician. It took close to a week, but finally someone called me and informed me that my Comcast phone was actually not set up to show caller ID, but that she had changed it. There was no explanation why the first technician said it was set correctly. Sure enough, caller ID did work when I reinstalled the original new phone system, but I wasted almost a month trying to resolve this issue.

In summary, mergers do not always bring benefits. We have been quite satisfied with Oceanic T-W in the 4 years we have had it. Issues can usually be resolved quickly by speaking on the phone with a knowledgeable technician. In contrast, in the seven years we have been a Comcast customer, we have seen a trend for the worse in its customer service, and a raising of rates. I don't see any positive benefits from this merger. I have no faith in Comcast to do the right thing for us, the customers. Their focus seems to be on relentless salesmanship, outsourcing help and cutting customer service. I pray this merger will not go through, it is not in Hawaii customer's best interest.

Best Regards,  
Bob Mitchel  
Hilo

---



Darlene Ferrantino  
<darlenejof@yahoo.com>

07/04/2014 11:15 AM

Please respond to  
Darlene Ferrantino  
<darlenejof@yahoo.com>

To "cabletv@dcca.hawaii.gov" <cabletv@dcca.hawaii.gov>,

cc

bcc

Subject merger of comcast/Time Warner

I will not be on Hawaii island during the public hearings on July 14 so I am sending my comments now.

I think this merger is a good thing as my service with Time Warner has been less than satisfactory. I have a bundled package: Internet and TV cable with HD box, telephone and long distance service for \$96 month.

Sometimes I wait for 30 seconds before my phone call goes through and the phone starts ringing. Since I installed the service, I have not been able to receive faxes--connected to my telephone. I am able to send faxes, but not receive. Time Warner says it is because of my fax machine, but I received faxes perfectly when using Verizon tel. I believe this is the company's excuse for not being able to provide the complete service.

The caller ID sometimes shows a phone number and caller, and sometimes only shows "unknown caller/number". Why is that?

People on the mainland have raved about Comcast, and I hope this merger will help improve our island service without raising any costs.

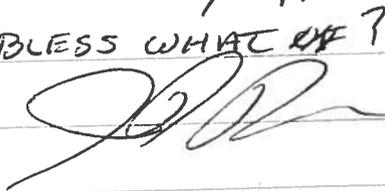
If the merger will negatively impact consumers by increasing costs, then I am against it and will switch my service.

CABLE DIVISION  
COMMERCE AND  
CONSUMER AFFAIRS

2014 JUL - ~~SA~~ <sup>9:28 AM</sup> I'm AGAINST ANY MERGER BY  
A ~~E~~ ~~P~~ ~~TS~~ ~~WARRER~~ AND COMEAS IT'S JUST  
FILE ~~AWOTHE~~ WAY TO MAKE 99% OF THE PEOPLE  
A LITTLE POORER AND THE TOP 1% RICHER.

THEY'LL LAYOFF A NUMBER OF PEOPLE AT  
BOTH COMPANIES, RAISE PRICES AND GIVE  
WORST SERVICE BECAUSE OF LESS EMPLOYEES

OF COURSE IT WILL HAPPEN ALL GOVERNMENT  
AND EMPLOYEES OF THESE LARGE COMPANYS  
AND WILL DO WHAT THEY WANT, THIS COUNTRY  
IS AN ARISTOCRACY OR OLIGARCHY HAS <sup>NOT</sup> BEEN A  
DEMOCRACY IN YEARS. SO IF I WAS A BETTING  
MAN I'LL BET ON THE 1% WITH ITS ELECTED  
CROWIES TO STUFF ANY OPPOSITION UNDER.  
GOD BLESS WHAT WE?



Mr. John R. Bigler  
PO Box 1627  
Kapaau, HI 96755

HONOLULU HI 968  
03 JUL 2014 PM 5 L





"Robert J. Conlan"  
<robertj.conlan@gmail.com>  
07/04/2014 03:39 PM

To cabletv@dcca.hawaii.gov,  
cc  
bcc  
Subject 5pam:Comcast/Time Warner Cable merger

I ask that you reject the proposed Comcast/Time Warner Cable merger, and stand up for Americans like me who are sick of skyrocketing cable rates, slow and selective broadband speeds, and lousy customer service.

We need more competition in the cable and Internet marketplace, not less, and this mega-merger will result in a Comcast conglomerate that will dominate cable and broadband in our nation -- leading to higher prices, fewer program choices and even worse customer service.

If you allow this merger to go through, Comcast will:

- \* Control two-thirds of the nation's cable subscribers, five times the subscriber base of any other cable company and 50 percent more than the largest satellite TV service.
- \* Control nearly 40 percent of the U.S. broadband market.
- \* Have enormous gatekeeper power over the content that reaches consumers
- \* Give the company even more power to raise rates for its competitors, passing those price hikes on to customers.
- \* Combine two companies that already rank near the bottom of Consumer Reports annual consumer satisfaction survey of 80,000 readers.

Please reject the Comcast/Time Warner Cable merger, and give American consumers a break.

-----  
**Robert J. Conlan**  
**520 Pine Street # 313**  
**Wahiawa, Hawaii 96786-1832**  
**808 343-9289**