

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

MCC ILLINOIS LLC

Application for State-Issued Authorization to
Provide Cable Service Pursuant to Section 401
Of the Cable and Video Competition Law of 2007

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)
) **14-0100**
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VERIFIED STATEMENT OF JAMES ZOLNIEREK

My name is James Zolnierек and I am employed by the Illinois Commerce Commission as the Director of the Policy Division. Among my duties as Director is to review applications for State-issued authorization to provide cable services.

OVERVIEW

On February 3, 2014, MCC Illinois LLC (“Mediacom”) filed, pursuant to Section 401 of the Cable and Video Competition Law of 2007 (the “Law”) (220 ILCS 5/21-401), an Application (“Application”) for State-issued authorization to use, occupy, and construct facilities in the public rights-of-way for the delivery of cable service and for State-issued authorization to provide cable services, in the City of Aledo. On February 10, 2014 and February 12, 2014, Mediacom supplemented its application with additional support information. I have attached this information as Attachments A and B to this affidavit.

The purpose of my verified statement is to provide a recommendation as to the completeness of the application and determine whether the Applicant has provided

adequate assurances that it possesses the financial, managerial, legal and technical qualifications necessary to comply with the Law.

COMPLETENESS OF APPLICATION AND AFFIDAVIT

I have examined the Application and affidavit to ensure that they contain the affirmations and information required by subsection 401(b) of the Law (220 ILCS 5/21-401(b)). Based on my examination, I conclude that the application and affidavit, including the supplemental support provided by Mediacom, comply with the requirements for completeness in accordance with the Law.

ADEQUACY OF ASSURANCES IN THE APPLICATION

The Law requires, among other things, that the Application include “adequate assurances that the applicant possesses the financial, managerial, technical and legal qualifications necessary to construct and operate the proposed system, and to promptly repair any damage to the public right-of-way caused by the applicant, and to pay the cost of removal of its facilities.” (220 ILCS 5/21-401(b)(8)) I have examined the Application and affidavit to ensure that they contain the assurances required by the Law. Based on my examination, I conclude that the application and affidavit, including the supplemental support provided by Mediacom, contain the assurances required by the Law.

I note, in making my recommendation, that Mediacom continues to operate under a local franchise agreement that it asserts “expired” in 2006 and, therefore, it has not provided notice to the City of Aledo of its intent to file an application for a State-issued

authorization 180 days prior to filing such application pursuant to Section 21-301(c)(1) of the Law. While this is a legal matter, I'm advised by counsel that whether or not Mediacom was required to and/or did comply with Section 21-301(c)(1) could be raised by the City of Aledo as an issue with either the Commission (by intervening and requesting rehearing or reopening based on new facts) or the Attorney General, which is responsible for administering and ensuring holder's compliance with the Law pursuant to Section 21-1301 of the Law.

RECOMMENDATION

I recommend that Mediacom's application for State-issued authorization to use, occupy, and construct facilities in the public rights-of-way for the delivery of cable service and for State-issued authorization to provide cable services be considered complete and that its request for service authorization be granted.

PUBLIC

Docket 14-0100

Attachment A- Mediacom's Data Request Responses

Craig A. Gilley

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February 10, 2014

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Re: Docket No. 14-0100
MCC Illinois, LLC: Application for State-Issued Authorization to Provide Cable
Service.

Dear Ms. Turner & Mr. Zolnierek:

Enclosed please find responses to Staff Data Requests JZ 1.01 through JZ 1.04 by MCC Illinois, LLC (“Mediacom”) regarding the above-referenced docket. Please note the separately attached Exhibit A, which contain sensitive, highly confidential, non-public information and for which we request confidential treatment.

Very truly yours,

// *Craig Gilley* //

Craig A. Gilley
Counsel for Mediacom

Enclosures

Illinois Commerce Commission

February 10, 2014

Page 2

JZ 1.01 Mediacom’s Application for State-Issued Authorization to Provide Cable Service states, at 2, that Mediacom “provides cable or video services under a franchise agreement with a local unit of government that expired in 2006.” Did Mediacom provide cable or video services in the City of Aledo under a franchise agreement with a local unit of government pursuant to Section 11-42-11 of the Illinois Municipal Code (65 ILCS 5/11-42-11) or Section 5-1095 of the Counties Code (55 ILCS 5/5-1095) on January 1, 2007?.

Information provided by Craig A. Gilley, Counsel for Mediacom, 202-939-7928.

On January 1, 2007, Mediacom provided cable video service in the City of Aledo pursuant to Section 11-42-11 of the Illinois Municipal Code (65 ILCS 5/11-42-11) on the same terms and to the same extent as specified in the expired franchise agreement. As noted in paragraph 6 of the application, Mediacom provides cable service to all residences within the boundaries of the City of Aledo, only where technically feasible and at least 15 residences within a quarter mile from the trunk or distribution cable which Mediacom would extend request service.

Illinois Commerce Commission

February 10, 2014

Page 3

JZ 1.02 Please provide an organizational chart that includes MCC Illinois LLC, Mediacom Broadband LCC, and all other entities affiliated with MCC Illinois LLC and that identifies the relationships between these entities.

Information provided by Craig A. Gilley, Counsel for Mediacom, 202-939-7928.

Attached separately as Exhibit A is an organizational chart showing MCC Illinois LLC, its parent Mediacom Broadband LLC and other affiliated entities. All of the entities are wholly owned by the ultimate parent Mediacom Communications Corporation, which is wholly owned by Rocco B. Comisso, Mediacom's Founder, Chairman and Chief Executive Officer. **This chart contains sensitive, highly confidential, non-public information.** Consistent with Sections 4-404 and 21-401 of the Public Utilities Act (220 ILCS 5/4-404; 21-401(c)(1)), Mediacom hereby requests that the Commission provide adequate protection for this information to ensure against its public release.

Illinois Commerce Commission
February 10, 2014
Page 4

JZ 1.03 Mediacom's Application for State-Issued Authorization to Provide Cable Service refers, at 2, to certain customer service standards contained in 220 ILCS 5/22-501 that Mediacom agrees to comply with. Please confirm that Mediacom will comply with all customer service standards contained in 220 ILCS 5/22-501.

Information provided by Craig A. Gilley, Counsel for Mediacom, 202-939-7928.

As stated in paragraph 16 of Bruce Gluckman's affidavit, Mediacom has and will continue to comply with the customer services standards contained in 220 ILCS 5/22-501.

Illinois Commerce Commission

February 10, 2014

Page 5

JZ 1.04 Please provide, by year and by state, for all years between and including 2009 and 2013, the number of cable and video service related consumer complaints received by Mediacom in each state, including in Illinois, in which Mediacom provides cable or video services. If consumer complaints are indicated, please provide an explanation of the types of complaints received, dispositions of complaints, and any remedial actions taken to ensure such complaints do not occur going forward.

Information provided by Craig A. Gilley, Counsel for Mediacom, 202-939-7928.

Attached to this response as Exhibit B are Mediacom's annual filings with the Illinois Commerce Commission detailing the number of customer complaints by category between 2009 and 2012. The annual filing for 2013 will be filed with the Commission in March. Mediacom each year receives complaints from fewer than 0.3% of its Illinois subscribers. Complaints are typically related to picture quality, service interruptions, billing disputes and equipment issues. Mediacom makes every effort to respond and fully resolve all customer complaints within two weeks of receipt. As it has received complaints from very few of its subscribers, and as such complaints are frequently resolved in a short time frame, there has been no need for remedial or corrective actions.

EXHIBIT B

In response to Staff Data Request JZ 1.04
Docket No. 14-0100

**State of Illinois
Illinois Commerce Commission
Cable and Video Providers
Complaint Reporting
Annual Filing (Sec. 70-501(g))**

Company Name:	Mediacom Illinois, LLC, Mediacom Southeast LLC, and MCC Illinois LLC (collectively "Mediacom")
Filing Period:	January 1, 2012-December 31, 2012
Total Subscribers:	Approximately 153,230

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Complaint Data

	Category of Complaint	Number	Percentage of Complaints	Percentage of Subscribers
Total		100	100.00%	0.061%
	Billing, charges, refunds, credits:	38	38.00%	0.023%
	Installation or termination of service:	6	6.00%	0.004%
	Quality of Service and Repair:	28	28.00%	0.017%
	Programming:	1	1.00%	0.001%
	Miscellaneous:	27	27.00%	0.016%

**State of Illinois
 Illinois Commerce Commission
 Cable and Video Providers
 Complaint Reporting
 Annual Filing (Sec. 70-501(g))**

Company Name:	Mediacom Illinois, LLC, Mediacom Southeast LLC, and MCC Illinois LLC (collectively "Mediacom")
Filing Period:	January 1, 2011-December 31, 2011
Total Subscribers:	Approximately 164,400

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Complaint Data

	Category of Complaint	Number	Percentage of Complaints	Percentage of Subscribers
Total		166	100.00%	0.101%
	Billing, charges, refunds, credits:	56	33.73%	0.034%
	Installation or termination of service:	5	3.01%	0.003%
	Quality of Service and Repair:	66	39.76%	0.040%
	Programming:	7	4.22%	0.004%
	Miscellaneous:	32	19.28%	0.019%

**State of Illinois
 Illinois Commerce Commission
 Cable and Video Providers
 Complaint Reporting
 Annual Filing (Sec. 70-501(g))**

Company Name:	Mediacom Illinois, LLC, Mediacom Southeast LLC, and MCC Illinois LLC (collectively "Mediacom")
Filing Period:	January 1, 2010-December 31, 2010
Total Subscribers:	Approximately 177,700

Complaint Data				
	Category of Complaint	Number	Percentage of Complaints	Percentage of Subscribers
Total		332	100.00%	0.187%
	Billing, charges, refunds, credits:	101	30.42%	0.057%
	Installation or termination of service:	15	4.52%	0.008%
	Quality of Service and Repair:	162	48.80%	0.091%
	Programming:	7	2.11%	0.004%
	Miscellaneous:	47	14.16%	0.026%

**State of Illinois
 Illinois Commerce Commission
 Cable and Video Providers
 Complaint Reporting
 Annual Filing (Sec. 70-501(g))**

Company Name:	Mediacom Illinois, LLC, Mediacom Southeast LLC, MCC Illinois LLC and MCC Iowa LLC (collectively "Mediacom")
Filing Period:	January 1, 2009-December 31, 2009
Total Subscribers	180,645

Complaint Data						
Category of Complaint	Number	Percentage				
Total	466	0.26%				
Billing, charges, refunds, credits:	101	0.06%				
Installation or termination of service:	14	0.01%				
Quality of Service:	301	0.17%				
Programming:	22	0.01%				
Miscellaneous:	28	0.01%				

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February 12, 2014

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Re: Docket No. 14-0100
MCC Illinois, LLC: Application for State-Issued Authorization to Provide Cable
Service.

Dear Ms. Turner & Mr. Zolnierek:

Enclosed please find responses to Staff Data Requests JZ 2.01 through JZ 2.02 by MCC Illinois, LLC (“Mediacom”) regarding the above-referenced docket. Please note the separately attached Exhibit A, which contain sensitive, highly confidential, non-public information and for which we request confidential treatment.

Very truly yours,

// *Craig Gilley* //

Craig A. Gilley
Counsel for Mediacom

Enclosures

Illinois Commerce Commission

February 12, 2014

Page 2

JZ 2.01 Mediacom’s Application for State-Issued Authorization to Provide Cable Service states, at 2, that Mediacom “provides cable or video services under a franchise agreement with a local unit of government that expired in 2006.” Does Mediacom currently provide cable or video services in the City of Aledo? If yes, please specify under what authority Mediacom currently provides cable or video services in the city of Aledo?

Information provided by Craig A. Gilley, Counsel for Mediacom, 202-939-7928.

Mediacom currently provides cable service in City of Aledo pursuant to the terms of an expired franchise agreement with the City. Section 626 of federal Communications Act of 1934, 47 U.S.C. § 546, establishes formal renewal procedures when a cable operator has a municipal franchise facing expiration. Upon a cable operator’s invocation of these procedures, a cable operator is authorized to continue to operate in the municipality under the terms of the cable franchise past the expiration date, up until such point as the municipality requests a formal renewal franchise proposal from the operator, conducts a formal administrative hearing to evaluate a cable operator’s proposal for a new franchise, and either rejects or accepts the cable operator’s proposal. Mediacom properly invoked these procedures and thus its federal rights to continue to operator prior to the expiration date of the Aledo franchise in 2006. To date, the City of Aledo has not requested a formal franchise renewal proposal from Mediacom. Accordingly, Mediacom is authorized by federal law to continue to provide service in Aledo under the terms of the franchise agreement despite the expiration of the franchise in 2006.

Illinois Commerce Commission
February 12, 2014
Page 3

JZ 2.02 Did Mediacom provide notice to the City of Aledo, pursuant to 220 5/21-301(c)(1), at least 180 days prior to filing its application for a State-issued authorization in this instant proceeding? If yes, please provide the date on which such notice was provided and a copy of the notice. If no, please explain why no notice was provided.

Information provided by Craig A. Gilley, Counsel for Mediacom, 202-939-7928.

Mediacom did not provide notice pursuant to 220 ILCS 5/21-301(c)(1), which applies only to cable operators that “elect to terminate their agreement with the local franchising authority.” The law specifically contemplates that an incumbent cable operator has the option of either providing 180 day notice to terminate an existing agreement or waiting until its franchise expires and then applying as otherwise permitted by 220 ILCS 5/21-301. 220 ILCS 5/21-301(c)(1) states that an incumbent cable operator “may elect to terminate its agreement with the local franchising authority... by providing written notice to the Commission and the affected local franchising authority... at least 180 days prior to its filing an application for a State-issued authorization.” But as noted above in response to question 2.01, Mediacom’s franchise has expired, and so it is eligible to apply under 220 5/21-301(b), which states that “[u]pon expiration of its current franchise agreement, an incumbent cable operator may obtain State authorization from the Commission pursuant to this Article.”

CONFIDENTIAL

Docket 14-0100

Attachment B- Mediacom's Organizational Chart

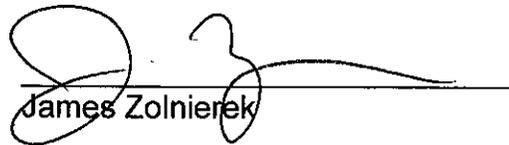
STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Mediacom Illinois LLC :
: Docket No. 14-0100
Application for State-Issued Authorization :
To Provide Cable Service Pursuant to :
Section 401 of the Cable and Video :
Competition Law of 2007 :

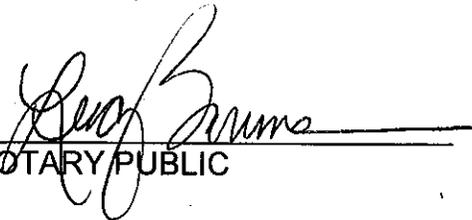
VERIFICATION OF JAMES ZOLNIEREK

State of Illinois)
County of Sangamon)

I, James Zolnierrek, Director of the Policy Division of the Illinois Commerce Commission, being first duly sworn upon oath, state that I am familiar with the facts and matters set forth in the forgoing Verified Statement, and that the same are true and correct to the best of my knowledge, information, and belief.


James Zolnierrek

Subscribed and sworn to before me
this 20th day of February, 2014.


NOTARY PUBLIC

