

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

Docket No. 14-0193

**APPLICATION FOR STATE-ISSUED
AUTHORIZATION TO PROVIDE CABLE SERVICE**

Pursuant to Section 401 of the Cable and Video Competition Law of 2007 (the "Law") (220 ILCS 5/21-100, et seq.), MCC Illinois LLC ("Mediacom" or "Applicant") hereby applies for state-issued authority to use, occupy, and construct facilities in the public right-of-way for the delivery of cable service and for State issued authority to provide cable services in the Village of Milan (the "service area footprint").

In support of this Application, Mediacom submits the attached Affidavit of Bruce Gluckman, Group Vice President – Legal and Regulatory Affairs, and an officer of Mediacom ("Affidavit"). Mr. Gluckman's Affidavit contains the affirmations and information required by subsection 401(b) of the Law (220 ILCS 5/21-401(b)).

I. ELIGIBILITY

1. Applicant seeks to provide cable service, as defined in Section 201(e) of the Law (220 ILCS 5/21-201(e)), in Illinois, in the service area footprint, as defined in Section 201(j) of the Law (220 ILCS 5/21-201(j)), and as identified in this application, and seeks to obtain State-issued authority pursuant to Section 401 of the Law (220 ILCS 5/21-401).

2. For purposes of this Application, applicant is an "incumbent cable

operator,” within the meaning of Section 21-201(m) of the Law (220 ILCS 5/21-201(m)) with respect to the service area footprint, as it provides cable or video services under a franchise agreement with a local unit of government that expired on April 1, 2009, and is eligible to seek this state-issued authority pursuant to Section 301(b) of the Law (220 ILCS 5/21-301(b)).

3. Under procedures established in Section 626 of federal Communications Act of 1934, 47 U.S.C. § 546, a cable operator is authorized to continue to operate in a municipality past the expiration date of a cable franchise, 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 the statutory procedures of Section 626 with respect to the Village of Milan, and to date, the Village of Milan has not taken the next step and requested a formal franchise renewal proposal from Mediacom. Accordingly, Mediacom remains authorized by federal law to continue to provide service in the Village of Milan despite the expiration of the franchise agreement. Mediacom is here applying for a state-issued authorization pursuant to 220 ILCS 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.”

4. As shown in Section II and in the attached Affidavit, Applicant satisfies the requirements of Section 401(b) of the Law (220 ILCS 5/21-401(b)) and, therefore, is eligible to obtain a State-issued authorization consistent with the terms and scope of this Application, to be issued by the Commission within thirty (30) days of this submission. If the Commission does not notify the Applicant regarding completeness of this Application

and the attached Affidavit or issue service authorization within the time periods required under Section 401(d), the service authorization requested in this Application shall be issued by operation of law upon the expiration of the thirtieth (30th) day of this submission as provided in Section 401(d)(2) of the Law (220 ILCS 5/21-401(d)(2)).

II. COMPLIANCE WITH REQUIREMENTS OF SECTION 401(b) OF THE LAW

5. Mediacom has filed with the FCC all required forms and agrees to comply with all applicable federal and State statutes and regulations. (220 ILCS 5/21-401(b)(2)). See Affidavit ¶ 5.

6. Mediacom agrees to comply with all applicable local unit of government regulations. (220 ILCS 5/21-401(b)(3)). See Affidavit ¶ 6.

7. Mediacom will continue to offer cable service in the Village of Milan (220 ILCS 5/21-401(b)(4)), which is the area covered by the franchise agreement noted in ¶ 2 above. Mediacom is the long-standing incumbent cable operator serving the Village of Milan, and consistent with its franchise obligations, its cable system/network is fully constructed. On June 30, 2007, Mediacom's franchise with the Village of Milan required Mediacom to provide cable service to all residences within the boundaries of the Village of Milan only where technically feasible and where there are at least 35 residences within one cable mile from the trunk or distribution cable which Mediacom would extend to provide service upon request..

8. The United States Census Bureau's most recent estimate of the number of low income households, as defined in Section 201(p) of the Law (220 ILCS 5/21-201(p)), located within the service area footprint is 1065 or 46%. (220 ILCS 5/21-401(b)(4)).

9. The location of Mediacom's principal place of business within the State is 3900 26th Avenue, Moline, IL 61265. The telephone number for Mediacom's

principal place of business is (888) 847-6228. Bruce Gluckman, Group Vice President – Legal and Regulatory Affairs, and an officer of Mediacom, is responsible for communications concerning this Application and the services to be offered pursuant to this Application. Applicant’s legal name is **MCC Illinois LLC** and it will do business under the name “Mediacom.” (220 ILCS 5/21-401(b)(5)). See Affidavit ¶¶ 10-12. Biographical information for key personnel responsible for managing Mediacom’s local cable service operations and network are included in Exhibit 1.

10. As indicated by the attached Certificate of Service, Mediacom has concurrent with the filing of this Application, delivered a copy of the Application to the local unit of government included in the service area footprint. See Affidavit ¶ 13.

11. As noted in ¶ 2 above, Mediacom already offers cable service in the service area footprint and will continue to do so without interruption upon receipt of a state-issued authorization. (220 ILCS 5/21-401(b)(7)). See Affidavit ¶ 14. Pursuant to Section 801(a) of the Law (220 ILCS 5/21-801(a)), Mediacom, concurrently with this filing, is giving notice to the local unit of government included in the service area footprint that Mediacom will offer service within the boundaries of that local unit of government under a state-issued authorization.

12. Mediacom possesses and has access to the financial, managerial, technical and legal qualifications necessary to construct and operate the proposed system for providing cable service, and to promptly repair any damages to the public right-of-way caused by Applicant, and to pay for removal of its facilities. (220 ILCS 5/21-401(b)(8)). See Affidavit ¶ 15. Exhibit 2 is provided as evidence of Mediacom’s managerial, financial, and technical qualifications in the form of parent company, Mediacom Broadband LLC’s most recent Form 10-K filed with the Securities and

Exchange Commission. **MCC Illinois LLC** is a wholly-owned subsidiary of Mediacom Broadband LLC and does not produce its own financial statements. In the Mediacom Broadband LLC 10-K, a current balance sheet, current income statement, and a current cash flow statement can be found summarized beginning on page 48, with more detailed information beginning on page 75. Mediacom Broadband LLC's current credit ratings are as follows:

Corporate credit rating:	B+/Positive – S&P;	B1/Stable – Moody's
Unsecured credit rating:	B-/Positive – S&P;	B3/Stable – Moody's
Secured credit rating:	BB-/Positive – S&P;	Ba1/Stable – Moody's

13. Mediacom is the nation's eighth largest cable company based on the number of customers who purchase one or more video services, also known as video customers. Mediacom is among the leading cable operators focused on serving the smaller cities in the United States, with a significant customer concentration in the Midwestern and Southeastern regions. As of December 31, 2012, Mediacom's cable systems passed an estimated 2.79 million homes, primarily in the states of Iowa, Illinois, Georgia, Minnesota and Missouri, and served approximately 1,000,000 video customers, 915,000 high-speed data ("HSD") customers and 356,000 phone customers. Consistent with Mediacom's franchise obligations as the incumbent cable operator serving the Village of Milan, its system is already fully constructed and additional major construction activities in the service area are not anticipated. Nonetheless, Mediacom would finance any construction, repair or removal of its system/facilities serving the Village of Milan from existing lines of credit and cash flows resulting from ongoing operations, the soundness of which are attested to by the financials supplied with this application.

14. Attached to this response as Exhibit 3 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 less 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.

15. Mediacom will adhere to all customer service standards required by 220 ILCS 5/21-401(b) and FCC rules (47 C.F.R. 76.309). See Affidavit ¶ 16 and Exhibits 4 and 5, which include a statement of Mediacom's customer service standard policies. Among the customer service standards listed in Exhibits 4 and 5 to which Mediacom agrees to comply, are the following provisions of 220 ILCS 5/22-501:

(a) To the extent consistent with federal law, Mediacom shall offer the lowest-cost basic cable or video service as a stand-alone service to residential customers at reasonable rates. Mediacom shall not require the subscription to any service other than the lowest-cost basic service or to any telecommunications or information service, as a condition of access to cable or video service, including programming offered on a per channel or per program basis. Mediacom shall not discriminate between subscribers to the lowest-cost basic service, subscribers to other cable services or video services, and other subscribers with regard to the rates charged for cable or video programming offered on a per channel or per program basis.

(b) To the extent consistent with federal law, Mediacom shall ensure that

charges for changes in the subscriber's selection of services or equipment shall be based on the cost of such change and shall not exceed nominal amounts when the system's configuration permits changes in service tier selection to be effected solely by coded entry on a computer terminal or by other similar simple method.

(c) To the extent consistent with federal law, Mediacom shall have a rate structure for the provision of cable or video service that is uniform throughout the area within the boundaries of the local government unit. This subsection is not intended to prohibit bulk discounts to multiple dwelling units or to prohibit reasonable discounts to senior citizens or other economically disadvantaged group.

(d) To the extent consistent with federal law, Mediacom shall not charge a subscriber for any service or equipment that the subscriber has not affirmatively requested by name. For purposes of this subsection, a subscriber's failure to refuse Mediacom's proposal to provide service or equipment shall not be deemed to be an affirmative request for such service or equipment.

WHEREFORE, Mediacom respectfully requests that a State-issued authorization be issued, pursuant to and consistent with Sections 401(d) through (h) of the Law that authorizes Mediacom to use, occupy, and construct facilities in the public rights-of-way for the delivery of cable service, and to provide cable service, in the service area footprint, and that such State-issued authorization include all of the following:

(1) A grant of authority to provide cable service in the service area footprint as requested in this Application, subject to the laws of this State and the ordinances, rules and regulations of the local government unit.

(2) A grant of authority to use, occupy, and construct facilities in the public rights-of-way for the delivery of cable service in the service area footprint, subject to

the laws of this State and the ordinances, rules and regulations of the local government unit.

(3) A statement that the grant of authority is subject to lawful operation of the cable service by the Applicant, its affiliated entities or its successors-in-interest.

Sincerely,



Craig A. Gilley
Ari Z. Moskowitz
Counsel for Mediacom
Edwards Wildman Palmer LLP
1255 23rd Street, NW
Eighth Floor
Washington, DC 20037
(202) 939-7900

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the public version of the Application has concurrently been delivered by first class mail to the local unit of government identified within the Application as the service area footprint.

Sincerely,



Craig A. Gilley
Ari Z. Moskowitz
Counsel for Mediacom
Edwards Wildman Palmer LLP
1255 23rd Street, NW
Eighth Floor
Washington, DC 20037
(202) 939-7900

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Mediacom)
)
Application for State-Issued Authorization to Provide) **Docket No.** _____
Cable Service Pursuant to Section 401 of the Cable)
and Cable Competition Law of 2007)

AFFIDAVIT OF BRUCE GLUCKMAN

I, Bruce Gluckman, being placed under affirmation, solemnly, sincerely,
and truly declare and affirm the following:

I. INTRODUCTION

1. I am currently Group Vice President – Legal and Regulatory Affairs, and an officer of **MCC Illinois LLC** (“Applicant” or “Mediacom”). As Group Vice President I oversee Mediacom’s regulatory, government and external affairs in Illinois. Mediacom is the nation’s eighth largest cable company based on the number of customers who purchase one or more video services, also known as video customers. Mediacom is among the leading cable operators focused on serving the smaller cities in the United States, with a significant customer concentration in the Midwestern and Southeastern regions. As of December 31, 2012, Mediacom’s cable systems passed an estimated 2.79 million homes, primarily in the states of Iowa, Illinois, Georgia, Minnesota and Missouri, and served approximately 1,000,000 video customers, 915,000 high-speed data (“HSD”) customers and 356,000 phone customers.

2. The purpose of my Affidavit is to provide support for Mediacom's Application for State-issued authorization to provide cable services pursuant to Section 401 of the Cable and Video Competition Law of 2007 (the "Law") (220 ILCS 5/21-401)(the "Application"). For purposes of its Application, Mediacom is an "incumbent cable operator," within the meaning of Section 201(m) of the Law (220 ILCS 5/21-201(m)) and is eligible to seek State-issued authorization pursuant to 301(b) of the Law (220 ILCS 5/21-301(b)).

3. This Affidavit and supporting Exhibits 1 through 5 provide the affirmations and information required by Section 401(b) of the Law (220 ILCS 5/21-401(b)).

4. I have knowledge of the facts stated in this Affidavit and accompanying supporting Exhibits 1 through 5. I am competent to testify to them and I have authority to make this Affidavit on behalf of and to bind Mediacom.

II. COMPLIANCE WITH REQUIREMENTS OF SECTION 401(b) OF THE LAW

A. SECTION 401(b)(1)

5. Mediacom has timely filed with the Federal Communications Commission ("FCC") all forms required by that agency in advance of offering cable service within the service area footprint (220 ILCS 5/21-401(b)(1)), including applicable registration statement and frequency notification.

B. SECTION 401(b)(2)

6. Mediacom agrees to comply with all applicable federal and state statutes and regulations. (220 ILCS 5/21-401(b)(2)).

C. SECTION 401(b)(3)

7. Mediacom agrees to comply with all applicable local unit of

government regulations. (220 ILCS 5/21-401(b)(3)).

D. SECTION 401(b)(4)

8. The local unit of government describing where cable service will be offered by Mediacom during the term of this requested State-issued authorization is the Village of Milan (the “service area footprint”).

9. The United States Census Bureau’s most recent estimate of the number of low income households, as defined in Section 201(p) of the Law (220 ILCS 5/21-201(p)), located within the Village of Milan is 1065 or 46%. (220 ILCS 5/21-401(b)(4)).

E. SECTION 401(b)(5)

10. The location of Mediacom’s principal place of business within the State of Illinois is 3900 26th Avenue, Moline, IL 61265. The telephone number for Mediacom’s principal place of business is (888) 847-6228. (220 ILCS 5/21-401(b)(5)).

11. Mediacom’s principal executive officer responsible for communications concerning this Application and the services to be offered pursuant to this Application is Bruce Gluckman, Group Vice President – Legal and Regulatory Affairs. (220 ILCS 5/21-401(b)(5)). Biographical information for key personnel responsible for managing Mediacom’s local cable service operations and network are included in Exhibit 1 to the application.

12. Applicant’s legal name is **MCC Illinois LLC**. Applicant will not use an assumed name and will provide cable services in Illinois as Mediacom. (220 ILCS 5/21-401(b)(5)).

F. SECTION 401(b)(6)

13. As indicated by the attached Certificate of Service, Mediacom has, concurrent with the filing of this application, delivered a copy of this Application to the local unit of government in the service area footprint. (220 ILCS 5/21-401(b)(6)).

G. SECTION 401(b)(7)

14. Mediacom currently offers cable service in the service area footprint and will continue to do so without interruption upon receipt of a state-issued authorization. (220 ILCS 5/21-401(b)(7)). Pursuant to Section 801(a) of the Law (220 ILCS 5/21-801(a)), Mediacom, concurrently with this filing has provided notice to the local unit of government included in the service area footprint before Mediacom offer service within the boundaries of that local unit of government under a state-issued authorization.

H. SECTION 401(b)

15. Mediacom possesses and has access to the financial, managerial, legal and technical qualifications necessary to construct and operate the proposed system for providing cable service, and to promptly repair any damages to the public right-of-way caused by Applicant, and to pay for removal of its facilities. (220 ILCS 5/21-401(b)). At the time Mediacom seeks to use the public rights-of-way to construct, operate, repair or remove its facilities in the right-of-way under the jurisdiction of either the State of Illinois and/or a local unit of government, Mediacom will post a bond, produce a certificate of insurance or a certificate of self-insurance, or otherwise demonstrate to the requesting entity Mediacom's financial responsibility to use such public right-of-way, if so required by the State of Illinois or the local unit of government. As further evidence of Mediacom's management and technical qualifications, attached as Exhibit 2 is parent company Mediacom Broadband LLC's

recent Form 10-K filed with the Securities and Exchange Commission.

I. SECTION 401(b)

16. Mediacom will adhere to the standards related to customer service, as required by 220 ILCS 5/22-501 and FCC rules (47 C.F.R. 76.309), as are attached hereto as Exhibits ⁴ ~~2~~ and ⁵ ~~3~~. (220 ILCS 5/21-401(b).

III. AFFIRMATION

I solemnly, sincerely, and truly declare and affirm that all of the foregoing statements and representations made in this Affidavit and accompanying Exhibits 1 through ~~4~~⁵ are true and correct



Bruce Gluckman
Group Vice President – Legal and Regulatory Affairs

Subscribed and sworn to before me
this ~~21st~~ day of ~~February~~, 2014

NOTARY PUBLIC: Jenna M. Guarino

My Commission Expires:
State of NY, County of orange

Jenna M. Guarino
Notary Public in State of New York
Qualified in Orange County
Reg. No. 02GU6237733
My Commission Expires: 3/28/2015