

ILLINOIS COMMERCE
COMMISSION

2014 APR 15 A 11: 28

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OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

CHIEF CLERK'S OFFICE

ORIGINAL

April 11, 2014

Illinois Commerce Commission
Chief Clerk Elizabeth Rolando
527 East Capitol Avenue
Springfield, Illinois 62701

5th Modification

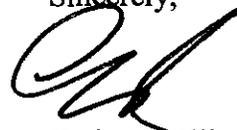
**Re: Docket 14-0009 Mediacom Illinois LLC
Notice of Modification of Cable Service Area (Neoga City, Illinois)**

Dear Ms. Rolando:

Please find attached an original and one copy of a Notice of Modification of Cable Service Area filed by Mediacom Illinois LLC ("Mediacom") pursuant to Section 401(g) of the Cable and Video Competition Law of 2007 (220 ILCS 5/21-100, et seq.) modifying the cable service area footprint described in Mediacom's Application for State-Issued Authorization to Provide Cable Service in Docket 14-0009 to include the City of Neoga. Also included is an additional copy of this letter, which we ask that you please date-stamp and return. Mediacom has, concurrent with the filing of this notice, delivered a copy of this notice and associated application to the Mayor of the City of Neoga.

Should there be any questions regarding this notice, please contact the undersigned.

Sincerely,



Craig A. Gilley
Counsel for Mediacom

cc: Bruce Gluckman, Esq.

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Mediacom Illinois LLC)	
)	
Application for State-Issued Authorization to Provide Cable Service Pursuant to Section 401 of the Cable and Video Competition Law of 2007)	Docket No. <u>14-0009</u>
)	

NOTICE OF MODIFICATION OF CABLE SERVICE AREA

1. Pursuant to Section 401(g) of the Cable and Video Competition Law of 2007, as amended (the “Law”) (220 ILCS 5/21-401(g)), Mediacom Illinois LLC (“Mediacom” or “Applicant”) hereby notifies the Illinois Commerce Commission (the “Commission”) of a modification of the cable service area footprint described in Mediacom’s Application for State-Issued Authorization to Provide Cable Service (“Application”) in the above-captioned docket that was granted on January 23, 2014.

2. In the Application, Mediacom described the service area footprint as the City of Carbondale. (Application p.1). With this Notice, Mediacom is modifying that service area footprint to include **the City of Neoga** (the “Modified Service Area Footprint”). Attached as Exhibit 1 is a list of the local units of government that comprise the Modified Service Area Footprint, accounting for all modifications subsequent to January 23, 2014, including the City of Neoga.

3. Concurrent with the filing of this Notice, Mediacom has served the City of Neoga with a copy of this Notice and the Application.

4. Mediacom 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 City of Neoga, as it provides

cable or video services under a franchise agreement with the City of Neoga that expired on February 28, 2006, and is eligible to seek this state-issued authority pursuant to Section 301(b) of the Law (220 ILCS 5/21-301(b)).

5. 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 City of Neoga, and to date, the City of Neoga 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 City of Neoga 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."

6. As shown below and in the attached Affidavit, Applicant satisfies the requirements of Section 401(b)(4) of the Law (220 ILCS 5/21-401(b)(4)) and, therefore, is eligible to obtain a State-issued authorization for the Modified Service Area Footprint.

7. Mediacom will continue to offer cable service in the City of Neoga, which is the area covered by the franchise agreement noted in ¶ 4 above, "at the same levels required by the local franchising authorities for the local unit of government on June 30, 2007." (220 ILCS 5/21-401(b)(4)). Mediacom is the long-standing incumbent cable operator serving the City of

Neoga, and consistent with its franchise obligations, its cable system/network is fully constructed. On June 30, 2007, Mediacom's franchise with the City of Neoga required Mediacom to provide cable service to all residences within the boundaries of the City of Neoga to subscribers within 250 feet of a Mediacom trunk or distribution cable.

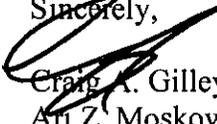
8. Biographical information for key personnel responsible for managing Mediacom's local cable service operations and network in the City of Neoga is attached as Exhibit 2.

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 City of Neoga is 329 or 49%. (220 ILCS 5/21-401(b)(4)). The total number of low income households in the Modified Service Area Footprint indicated in Exhibit 1 is 95,857 or 31%.

10. With respect to the Modified Service Area Footprint, Mediacom will begin to operate pursuant to the State-Issued Authorization granted it on January 23, 2014 effective the date of this Notice.

11. Under Section 401(g) of the Law, the Commission "is not required or authorized to act" upon this Notice. (220 ILCS 5/21-401(g)).

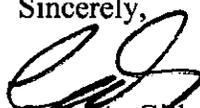
Sincerely,


Craig A. Gilley
Att 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 this Notice and associated Application has concurrently been delivered by first class mail to the City of Neoga.

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 Illinois LLC)	
)	
Application for State-Issued Authorization to Provide)	Docket No. <u>14-0009</u>
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:

1. I am currently Group Vice President – Legal and Regulatory Affairs, and an officer of Mediacom 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 Notice of Modification of Cable Service Area (the “Notice”) to provide cable services filed pursuant to

Section 401(g) of the Cable and Video Competition Law of 2007 (the "Law"). (220 ILCS 5/21-401(g)).

3. This Affidavit and supporting Exhibits provide the affirmations and information required by Section 401(b)(4) 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 and 2. I am competent to testify to them and I have authority to make this Affidavit on behalf of and to bind Mediacom.

5. On January 23, 2014, Mediacom's Application for State-Issued Authorization ("Application") to Provide Cable Service was granted, with respect to the Service Area Footprint identified as the City of Carbondale.

6. With the Notice, Mediacom is now modifying the Service Area Footprint to include the City of Neoga. Exhibit 1 to the Notice identifies the local units of government that comprise the Modified Service Area Footprint accounting for all modifications subsequent to January 23, 2014, including the City of Neoga.

7. Exhibit 2 lists biographical information for key personnel responsible for managing Mediacom's local cable service operations and network in the City of Neoga.

8. For purposes of this Notice, Mediacom is an "incumbent cable operator," within the meaning of Section 201(m) of the Law (220 ILCS 5/21-201(m)) with respect to the City of Neoga and is eligible to seek State-issued authorization pursuant to 301(b) of the Law (220 ILCS 5/21-301(b)). Consistent with its franchise obligations as the long-standing incumbent cable operator serving the City of Neoga, Mediacom's cable system/network is fully constructed and Mediacom will continue to offer cable service in the City of Neoga, "at the same levels required by the local franchising authorities for the local unit of government on June 30, 2007." (220 ILCS

5/21-401(b)(4)). On June 30, 2007, Mediacom's franchise with the City of Neoga required Mediacom to provide cable service to all residences within the boundaries of the City of Neoga to subscribers within 250 feet of a Mediacom trunk or distribution cable.

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 City of Neoga is 329 or 49%. (220 ILCS 5/21-401(b)(4)). The total number of low income households in the Modified Service Area is 95,857 or 31%.

10. With respect to the Modified Service Area Footprint, Mediacom will begin to operate pursuant to the State-Issued Authorization granted it on January 23, 2014 effective the date of the Notice.

11. Concurrently with the filing of the Notice, Mediacom has served the City of Neoga with a copy of the Notice and Application.

I solemnly, sincerely, and truly declare and affirm that all of the foregoing statements and representations made in this Affidavit and accompanying Exhibit are true and correct.



Bruce Gluckman
Group Vice President – Legal and Regulatory Affairs

Subscribed and sworn to before me
this 1^{0th} day of April, 2014

NOTARY PUBLIC: Jenna M. Guarino

My Commission Expires: 03/28/2015
State of New York, 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

EXHIBIT 1

Modified Service Area Footprint

Local Unit of Government	Low Income Households	Level of service required by the local franchising authority on June 30, 2007
Carbondale City	6173 or 65%	The boundaries of the City of Carbondale where the density of homes exceeded 5 homes within a quarter mile from the trunk or distribution cable which Mediacom would extend.
Effingham City	2234 or 41%	The boundaries of the City of Effingham where the density of homes exceeded 4 homes within a quarter mile from the trunk or distribution cable which Mediacom would extend.
Gays Village	28 or 26%	<i>NO PREEXISTING FRANCHISE.</i>
Pontiac City	1690 or 39%	The boundaries of the City of Pontiac only where both no other operator provides cable service and the density of homes exceeded 4 homes within a quarter mile from the trunk or distribution cable which Mediacom would extend.
Neoga City	329 or 49%	The boundaries of the City of Neoga to subscribers within 250 feet of a Mediacom trunk or distribution cable.
Standard Village	29 or 30%	The boundaries of the Village of Standard only where the density of homes is at least 40 homes per cable mile from the last terminating amplifier or fiber node.
Farmer City	272 or 38%	The boundaries of the City of Farmer City where there are at least thirty residential homes per strand mile.
McHenry County	21804 or 20%	The unincorporated areas of McHenry County with a density of at least twenty-five homes within per linear mile from the existing distribution network and to any resident within 150 feet of a distribution cable upon request.
Peoria County	26659 or 35%	The unincorporated areas of Peoria County where economical and feasible.
Madison County	36086 or 34%	The unincorporated areas of Madison County where there are at least forty-five homes per cable mile.
Hinckley Village	178 or 20%	The boundaries of the Village of Hinckley where there are at least forty-five homes per cable mile.

Local Unit of Government	Low Income Households	Level of service required by the local franchising authority on June 30, 2007
Towanda Village	62 or 26%	The boundaries of the Village of Towanda where there are at least twenty five homes per mile.
Oquawka Village	313 or 53%	The boundaries of the Village of Oquawka where there are at least forty-five homes per cable mile.
Total	95,857 or 31%	

EXHIBIT 2

Key Personnel

The following Mediacom management personnel are responsible for Mediacom's operations and network serving the City of Neoga:

Todd Curtis

Regional Vice President

26 years of experience in the cable industry with growing responsibilities from installation technician, service technician, chief technician, systems manager, construction project manager, technical operations manager, area operations manager, senior director of field operations, and regional vice president.

Todd Acker

Director, Area Operations

37 years of experience in the cable industry, including Engineering/Technical and Operations positions at the system and corporate level. Current position - Mediacom Director of Area Operations for Mid-Illinois for past nine years.

Jerry Ferguson

Technical Operations Manager

Started in the cable industry in 1988 as a subcontractor, moved to Illinois and took a position as an installer tech for Specchio Cable in Rantoul, IL and then to Jones Intercable as an installer tech in 1992. 1994 Started my own business CTC contracting doing design and as-built mapping for existing cable companies in the area. Worked for Park TV in 1995 as their chief engineer and then later went to work for Longview communications in 2003 as the Technical Operations Manager in Indianapolis, IN. Later switched to Mediacom as the Technical Operations Supervisor for Rantoul in 2005 and then promoted to Technical Operations Manager for South-Central Illinois in 2006 to current.

Jim Huckaba

Technical Operations Supervisor

Technical Operations Supervisor of the Effingham, IL. system. Oversees the installation and service of residential and commercial video, internet, and phone services. Experience includes 21 years in the business, and seven years as the Effingham Technical Operations Supervisor. Past positions include; Installer, Service Tech, System Tech, and Technical Supervisor.