

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

COMCAST OF ILLINOIS III, INC. D/B/A CHICAGO CABLE TV-IV)
)
Application for State-Issued Authorization to) **14-0532**
Provide Cable Service Pursuant to Section 401)
Of the Cable and Video Competition Law of 2007)

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 August 29, 2014, Comcast of Illinois III, Inc. d/b/a CHICAGO CABLE TV-IV (“Comcast”) 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, within the City of Chicago in an area commonly referred to as Chicago Area 4.

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 Comcast, 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 Comcast, contain the assurances required by the Law.

I note, in making my recommendation, that Comcast continues to operate under a local franchise agreement that it asserts “expired” in March of 2014. Comcast does not indicate that it provided notice to the City of Chicago 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 the City of Chicago may raise the issue of whether Comcast complied with Section

21-301(c)(1) with the Commission (by intervening and requesting rehearing or reopening based on new facts), or the Attorney General, who is responsible for enforcing the Law pursuant to Section 21-1301 of the Law, may take action.

RECOMMENDATION

I recommend that Comcast'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.

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Comcast of Illinois, Inc. d/b/a
CHICAGO CABLE TV-IV

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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Docket No. 14-0532

VERIFICATION OF JAMES ZOLNIEREK

State of Illinois)
)
County of Sangamon)

I, James Zolnierек, 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 Zolnierек

Subscribed and sworn to before me
this 2nd day of September, 2014.


NOTARY PUBLIC

