



# NASSAU COUNTY SHERIFF'S CORRECTION OFFICERS BENEVOLENT ASSOCIATION

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2017 AUG -4 PM 3:21  
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Frederick J. Annibale, Jr.

Defense Counsel

Hon. Kathleen H. Burgess  
Secretary to the Commission  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350

Dear Secretary Burgess:

I, Brian P. Sullivan President of the Nassau Sheriff's Correction Officers Benevolent Association, write out of concern for the recently proposed settlement agreement between the New York State Department of Public Service, New York State Public Service Commission and Charter Communications, Inc. on June 19, 2017. Specifically, NYS expressed concern over Charter's inability to meet its franchise requirements for extension of its network to unserved and/or underserved housing units and business. While this is undoubtedly a very valid concern, I feel this is only the tip of the iceberg. As the Public Service Department and Commission should be aware the New York State Attorney General filed a lawsuit against Charter Communications, Inc. and Spectrum Management Holding Company, LLC (f/k/a Time Warner Cable, Inc.) in January of this year. The essence of the NYSAG's Complaint (NYS Supreme Court, NY County Index # 4503 18/2017) is that Charter engaged in intentional fraudulent and deceptive practices against the public in violation of Executive Law § 63(12) and General Business Law Article 22-A, §§ 345



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and 350. Once again, misleading the public, and in many instances knowingly with the intention of profiting from fraud and deception.

For their part, the New York City Council Subcommittee on Zoning and Franchises and the Committee on Technology conducted their own hearing into Spectrum's compliance with the franchise agreement with NYC. During this hearing many issues were raised that gave concern to the ability of Spectrum to fulfill its obligations under the franchise agreement with NYC. Most recent and alarming bad behavior by Charter is the ongoing strike entering its 4th month with 1,700 technicians represented by International Brotherhood of Electrical Workers, Local # 3 wherein Charter is seeking to gut retirement and health benefits for its employees, suppress employee promotions and discipline over company provided faulty equipment with employee repeat service calls. In addition, there were questions about the service being provided to Charter customers. Many of the issues appear to mirror the same concerns raised in the NYSAG's suit against Charter. Specifically, customers being provided with antiquated equipment and receiving sub-standard service.

Given the recent issues found by your Commission, the NYSAG's office and the concerns raised before the Council, I believe it may be in the Commission's best interest to at least consult with Attorney General Schneiderman or include, in part, the



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settlement with Charter into the ultimate outcome of the Attorney General's litigation. The people of New York should have confidence that the government works in its best interests and coordinates with all sectors of government when dealing with issues and/or vendors that directly impact the public at large who both live and work in New York State

Brian P. Sullivan  
President COBA