



Maureen O. Helmer
Partner

July 6, 2018

VIA ELECTRONIC MAIL

Ms. Debra LaBelle
Director, Office of Telecommunications
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

**Joint Petition of Charter Communications, Inc. and Time Warner Cable Inc. for Approval of a Transfer of Control of Subsidiaries and Franchises; for Approval of a Pro Forma Reorganization; and for Approval of Certain Financing Arrangements.
Case: 15-M-0388**

RE: Charter's Video Subscriber Numbers for January through April 2018

Dear Ms. LaBelle,

Further to our letter of May 11, 2018 and pursuant to your verbal request, please find the state-wide video subscriber numbers for Charter Communications, Inc. ("Charter") for the period of January through April 2018. These numbers include subscribers from both Legacy Time Warner and Legacy Charter. Charter continues to believe that this information is unnecessary for the Department's enforcement responsibilities insofar as it believes that the terms the Company agreed to in the Merger Order did not require subscriber numbers for a rate calculation. The Merger Order¹ requires a comparison of a video complaint 'rate'. The only video complaint 'rate' that existed in 2014, and the only 'rate' capable of being accurately calculated by the Department, was the rate of Legacy Time Warner video complaints per year. Charter did not agree to be bound by the 'rate' calculation that is used for more heavily regulated utilities, which involves a 'rolling average' and granular subscriber data.

If the Department uses a 'rate' similar to what it uses for more heavily regulated utilities for its own internal purposes, Charter assumes this data will be kept confidential on the Department's website. No such 'rate' data is available on the Commission website with respect to similarly situated video providers. Charter does not know whether this 'rate' data is unavailable due to the fact that these providers do not provide subscriber data or because the

¹ Case 15-M-0388, Joint Petition of Charter Communications Time Warner Cable for Approval of a Transfer Control of Subsidiaries and Franchises, Pro Forma Reorganization, and Certain Financing Arrangements, Order Granting Joint Petition Subject to Conditions (Issued and Effective January 8, 2016) (the "Merger Order").

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Department has decided to keep it confidential. However, for purposes of a level playing field, the Department should not provide this data on its website.

Charter provides this data to Staff as a courtesy and neither this nor the subscriber data contained in the May 11, 2018 letter to you should be construed as a waiver of any of its rights to object to any calculation of a 'rate' that is not in keeping with the terms of the Merger Order.

NY State Combined Legacy Charter and Legacy Time Warner Cable Video Subscribers		
Year	Months	Video Subscribers ²
2018	January	██████████
2018	February	██████████
2018	March	██████████
2018	April	██████████

Very truly yours,

/s/ Maureen O. Helmer

Maureen O. Helmer
 Counsel for Charter Communications, Inc.

² These numbers include both residential and commercial video subscribers.