

**Communications
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AFL-CIO, DISTRICT 1

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January 30, 2026

Hon. Michelle L. Phillips
Secretary to the Commission
New York State Public Service Commission
Agency Building 3
Albany, NY 12223-1350

Re: Request for NYS Public Service Commission Review and Determination of Compliance Regarding Optimum (Altice) Transaction with MasTec North America, Inc.

Dear Secretary Phillips:

On behalf of the members of the Communications Workers of America District 1, I write urge the New York State Public Service Commission (PSC) to conduct a thorough review and issue a formal determination regarding whether Optimum (Altice USA, Inc.) has complied with New York State law and PSC regulations in connection with its decision to transfer the fulfillment side of its business to MasTec North America, Inc.

Optimum has characterized this transaction as an “entrepreneurial decision” involving the sale of its field operations, including all Field Service Technicians and Quality Control Technicians, with an anticipated transition date of February 1, 2026, subject to change. Based on information provided to workers and the public, this transaction appears to involve the transfer of facilities and operational control that constitute a significant portion of Optimum’s cable system operations in New York State.

As you know, New York Public Service Law § 222 is explicit in requiring prior PSC approval for:

- Any transfer, renewal, or amendment of a cable franchise; and
- Any transfer of control of a franchise or of facilities constituting a significant part of a cable system.

The statute further makes clear that such approval is required **in addition to** any municipal approvals that may be required under local franchise agreements or applicable law. A merger, consolidation, or transaction that effectively transfers franchise rights or operational control may not be implemented unless and until the PSC has reviewed and approved the transaction.

In addition, many local cable franchise agreements across New York State require the franchisee to obtain prior written consent from the affected municipality before any assignment, transfer, or sale of the franchise or transfer of control of the cable system. These agreements reflect the municipality's authority over the use of public rights-of-way and permit local governments to evaluate the qualifications, technical capacity, and financial responsibility of any proposed successor entity.

Given the scope of this transaction and its potential impacts on workers, service quality, regulatory accountability, and the public interest, we respectfully request that the PSC:

1. **Assess whether Optimum was required to seek PSC approval** under Public Service Law § 222 prior to effectuating or announcing this transaction;
2. **Determine whether Optimum complied with all applicable PSC notification and approval requirements**, including whether any filings were made with the Commission;
3. **Clarify whether public notice and an opportunity for public comment were required and, if so, whether those requirements were met**;
4. **Evaluate whether municipal approvals were required under local franchise agreements and whether such approvals were obtained**; and
5. **Provide a clear, written response outlining the PSC's findings and conclusions regarding compliance with New York State law and regulatory oversight obligations.**

The PSC plays a critical role in ensuring that regulated utilities and cable providers do not evade statutory review by recharacterizing transactions in a manner that avoids regulatory scrutiny. Affected municipalities, workers, and the public deserve clarity and assurance that the Commission's oversight responsibilities have been fully and properly exercised in this matter.

I appreciate your prompt attention to this request and look forward to your response.

Respectfully,



Dennis G. Trainor
Vice President

Communications Workers of America, District 1