



## MT. HOOD CABLE REGULATORY COMMISSION

1120 SW Fifth Ave. #1305 • Portland, OR 97204

Phone: (503) 823-5385 • Fax (503) 823-5370

Email: [www.mhcr.org](http://www.mhcr.org)

Serving Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale and Wood Village

**FOR IMMEDIATE RELEASE**

**February 5, 2008**

**Contact: David C. Olson, MHCRC Director (503) 823-5290  
Norm Thomas, MHCRC Board Chair (503) 667-4320**

### **MHCRC VOTES TO FINE COMCAST \$43,899 FOR FAILURE TO NOTIFY CUSTOMERS OF OCTOBER '07 SERVICE CHANGES MHCRC Preference is that Penalty Amount be Credited on Affected Subscriber Bills**

In connection with failing to adequately notify subscribers of the loss of several cable channels which moved to more expensive digital tiers in October 2007, and as part of an ongoing effort to hold Comcast accountable for its services to more than 150,000 subscribers who live in Multnomah County, the Mt. Hood Cable Regulatory Commission (“MHCRC”) last night unanimously voted to assess Comcast \$43,899 for violating the 30-day customer service notice requirement of franchise agreements overseen by the MHCRC on behalf of Multnomah County and the Cities of Portland, Gresham, Troutdale, Fairview, and Wood Village (“Jurisdictions”).

In October 2007 Comcast implemented programming and channel changes that moved five channels, including popular channels such as MSNBC, Oxygen and Hallmark, from its analog (Limited & Expanded Basic) service tiers to a more expensive digital tier requiring additional equipment in order to access the channels. The changes in effect amounted to a rate increase for 43,899 Comcast analog subscribers who were required to pay at least \$1 more per month to upgrade to a Comcast digital tier in order to retain the same level of programming services. Under MHCRC Jurisdiction ordinances, Comcast is required to provide notice to subscribers 30-days in advance of the programming changes, and failed to do so in an acceptable manner, with written notice to subscribers arriving as much as 10-20 days later than required. The MHCRC’s subscriber notice rule is designed to assure that subscribers receive sufficient advance notice of such significant channel changes in order to make informed decisions about service choices.

The MHCRC’s formal public hearing last evening considered testimony and evidence presented by staff, Comcast and the public regarding Comcast’s notice to subscribers of the October 30 channel changes. After several hours of deliberation, the MHCRC unanimously voted to accept staff-recommended findings

that Comcast violated its franchises by providing insufficient subscriber notice in connection with Comcast's October 30 channel changes. The \$43,899 penalty, representing the number of affected subscribers and the additional amount each subscriber would otherwise have been required to pay to retain the previous level of service for one month had adequate notice been provided, will be assessed either as a billing credit to affected subscribers (the MHCRC's preference) if Comcast can identify such subscribers and provide the credit in a timely manner, or else a direct fine (penalty) payable to the MHCRC on behalf of the MHCRC Jurisdictions and injured subscribers. The unanimous MHCRC vote last evening at the hearing site in Gresham sets the stage for the necessary final order assessing the penalty to be drafted for final MHCRC action at the MHCRC's scheduled meeting on February 25, 2008.

"We take cable consumer protection very seriously here in Multnomah County," said MHCRC Chair Norman Thomas. "Our residents expect and deserve good quality cable television service from our franchisees, including adequate notice of significant service changes such as those Comcast implemented in October 2007. We will continue to hold the cable companies accountable for being responsive to customer needs and following the rules."

###