

December 23, 2016

Marc Farrar
Vice-President, Government Affairs
Comcast Cable Communications, Inc.
9605 SW Nimbus Ave
Beaverton, OR 97008-7198

Re: Notice and Opportunity to Cure: Access Channel Assignment

Dear Marc:

The purpose of this letter is to provide notice of an asserted franchise violation and opportunity to cure to Comcast as provided under §19.2 of the applicable franchise agreements overseen by the Mt. Hood Cable Regulatory Commission (MHCRC) on behalf of the Jurisdictions.

On January 15, 2013, Comcast effected the conversion of its cable system to deliver its cable TV services in an all-digital format, triggering the carriage of two of eight Access Channels in high definition format (HD). In accordance with Section 5.3 (D) Access Channel Assignments, Comcast proposed, and MHCRC staff and Designated Access Providers accepted, to place the HD Access Channels in the 300-block of channels and assign HD channel numbers as the “300” version of the corresponding standard definition Access Channel number. Specifically, the channels would be assigned to 311, 321, 322, 323, 327, 328, 329 and 330. (See attached emails dated March 12, 2013, March 21, 2013, and April 19, 2013.)

On August 1, 2016, in accordance with Section 5.2(G)(4)(c), notice was given to Comcast that five of the remaining six Access Channels met the criteria for activating the channels in HD. On November 30, 2016, Comcast confirmed activation of the five channels in HD and provided the HD channel numbers for the newly activated channels.

The Access Channel 11 (CAN channel) was assigned to HD channel number 331, instead of channel 311. Therefore, placement of the HD CAN channel was not in accordance with the mutually agreed upon assignment of HD Access Channels to a “300” version of the corresponding standard definition channel number.

Comcast acknowledged the issue and the need to resolve it in a timely manner during a telephone call on November 29, 2016, with Rebecca Gibbons, MHCRC staff. (See attached email dated November 30, 2016.) However, to date, Comcast has failed to resolve the issue or communicate a timeline or plan for resolution.

Therefore, the purpose of this letter is to provide notice and opportunity to cure to Comcast as provided by the applicable franchise agreements. Comcast has 30 days from the date of this

notice to cure by assigning the HD CAN channel to channel number 311 or to propose a curative plan.

In addition, in light of the issue with the HD CAN channel assignment, on November 30, 2016, MHCRC staff requested Comcast to confirm that it had reserved HD channel 328 for the anticipated activation in the near future of the one remaining Access Channel in HD (Portland Public Schools channel number 28). MHCRC staff requests that Comcast provide the requested information.

As always, please let me know if you have any questions.

Sincerely,



Julie S. Omelchuck
Program Manager, MHCRC

Attachments: March 12, 2013 email from Marc Farrar
March 21, 2013 email from Marc Farrar with attachment
April 19, 2013 email from Julie Omelchuck
November 30, 2016 email from Rebecca Gibbons

cc. Ann Goldenberg, MHCRC Staff Director
Ben Walters, MHCRC Legal Council
MHCRC Members