

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of
Cablevision Systems Corp.

) File Numbers EB-09-SE-012,
) EB-09-SE-013, EB-09-SE-014,
) EB-09-SE-015, EB-09-SE-016
) NAL/Acct. Nos. 200932100034,
) 200932100035, 200932100036,
) 200932100037, 200932100038
) FRN 0009725276
)

In the Matter of
Charter Communications, Inc.

) File Numbers EB-09-SE-007, EB-09-SE-017
) NAL/Acct. Nos. 200932100029,
) 200932100039
) FRN 0017179383
)

In the Matter of
Comcast Corporation

) File Numbers EB-09-SE-003,
) EB-09-SE-004, EB-09-SE-009
) NAL/Acct. Nos. 200932100025,
) 200932100026, 200932100031
) FRN 0015401581
)

In the Matter of
Cox Communications, Inc.

) File Numbers EB-09-SE-010, EB-09-SE-011
) NAL/Acct. Nos. 200932100032,
) 200932100033
) FRN 0016034050
)

In the Matter of
Harron Communications, LP

) File Number EB-09-SE-008
) NAL/Acct. No. 200932100030
) FRN 0016642761
)

In the Matter of
Time Warner Cable, Inc.

) File Numbers EB-09-SE-005, EB-09-SE-006
) NAL/Acct. Nos. 200932100027,
) 200932100028
) FRN 0016618670
)

ORDER

Adopted: May 4, 2011

Released: May 4, 2011

By the Chief, Enforcement Bureau:

1. In this Order, which follows upon a Notice of Apparent Liability for Forfeiture and Order (“NAL”) issued in each of the above captioned cases on January 19, 2009,¹ we determine that no

¹ *Comcast Corporation*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1049 (Enf. Bur. 2009); *Comcast Corporation*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1054 (Enf. Bur. 2009); *Time Warner Cable, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1059 (Enf. Bur. 2009); *Time Warner Cable, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1064 (Enf. Bur. 2009); *Charter Communications, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1069 (Enf. Bur. 2009); *Harron Communications, LP*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd

forfeiture penalties should be imposed in these cases.

2. In each *NAL*, we found a cable operator apparently liable for violating section 76.1603(b) of the Commission's rules,² because complaints submitted to the Commission indicated that the operator had not provided adequate notice of changes in rates, programming services, or channel positions to its subscribers. Consistent with section 503(b)(4) of the Communications Act of 1934, as amended,³ each of these companies was granted an opportunity to show, in writing, why no such forfeiture should be imposed.

3. In response to the *NAL*, each cable operator sufficiently demonstrated that it had provided the advanced notice required under our rules.⁴ Therefore, we find that no forfeiture penalty should be imposed.

4. **ACCORDINGLY, IT IS ORDERED** that, pursuant to section 503(b) of the Communications Act of 1934, as amended, and sections 0.111, 0.311, and 1.80(f)(4) of the Commission's rules, the proposed forfeitures issued in the above captioned proceedings **WILL NOT BE IMPOSED**.⁵

5. **IT IS FURTHER ORDERED** that a copy of this Order shall be sent by First Class Mail and Certified Mail Return Receipt Requested to each counsel of record in the above captioned proceedings.

FEDERAL COMMUNICATIONS COMMISSION

P. Michele Ellison
Chief, Enforcement Bureau

1074 (Enf. Bur. 2009); *Comcast Corporation*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1079 (Enf. Bur. 2009); *Cox Communications, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1084 (Enf. Bur. 2009); *Cox Communications, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1089 (Enf. Bur. 2009); *Cablevision Systems Corp.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1094 (Enf. Bur. 2009); *Cablevision Systems Corp.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1099 (Enf. Bur. 2009); *Cablevision Systems Corp.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1104 (Enf. Bur. 2009); *Cablevision Systems Corp.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1109 (Enf. Bur. 2009); *Cablevision Systems Corp.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1114 (Enf. Bur. 2009); *Charter Communications, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 1119 (Enf. Bur. 2009).

² 47 C.F.R. § 76.1603(b).

³ 47 U.S.C. § 503(b)(4).

⁴ Comcast Responses to Notice of Apparent Liability and Request for Cancellation of Proposed Forfeiture (filed March 20, 2009) (EB-08-SE-003, EB-08-SE-004, EB-08-SE-009); Time Warner Cable, Inc. Responses to Notices of Apparent Liability and Request for Cancellation of Proposed Forfeitures (filed March 20, 2009) (EB-08-SE-005, EB-08-SE-006); Charter Responses to Notice of Apparent Liability (filed March 20, 2009) (EB-09-SE-007, EB-09-SE-017); Harron Communications, L.P. Response to Notice of Apparent Liability (filed March 20, 2009) (EB-09-SE-008); Cox Statements in Response to Notice of Apparent Liability and Request for Cancellation of Proposed Forfeiture (filed March 20, 2009) (EB-09-SE-010, EB-08-SE-011 (newspaper notice pertaining to CSPAN2 made available to the public 30 days prior to migration)); Cablevision Systems Corp. Response to Notice of Apparent Liability (filed March 20, 2009) (EB-09-SE-012, EB-09-SE-013, EB-09-SE-014, EB-09-SE-015, EB-09-SE-016).

⁵ The customer refund portions of the *NAL/Order* in each of the above captioned cases were previously set aside. See *Comcast Corporation, et al.*, Order, 24 FCC Rcd 1559 (2009).