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

In the Matter of	)	
	)	
Time Warner Cable Inc.	)	CSR 7707-E
	)	
Petition for Determination of Effective	)	
Competition in Communities in Ohio	)	

MEMORANDUM OPINION AND ORDER

Adopted: May 24, 2011 **Released: May 31, 2011**

By the Senior Deputy Chief, Policy Division, Media Bureau:

I. INTRODUCTION AND BACKGROUND

1. Time Warner Cable Inc. ("Time Warner" or the "Company") has filed with the Commission a petition pursuant to Sections 76.7, 76.905(b)(1-2), and 76.907 of the Commission's rules for a determination that the Company is subject to effective competition in franchise areas (the "Communities") in Ohio. Time Warner alleges that its cable system serving the communities listed on the Attachments hereto is subject to effective competition pursuant to Section 623(1)(1)(A & B) of the Communications Act of 1934, as amended ("Communications Act")[1] and the Commission's implementing rules.[2] Time Warner claims exemption from regulation of the rates for its basic cable service in the Communities listed in Attachment A hereto ("the Attachment A Communities") because of the competing service provided by two direct broadcast satellite ("DBS") providers, DIRECTV, Inc., and DISH Network. Time Warner additionally claims to be exempt from cable rate regulation in the Communities listed on Attachment B ("the Attachment B Communities") because the Company serves fewer than 30 percent of the households in those Communities. Oppositions to the petition were filed on behalf of three Attachment A Communities, the City of Montgomery, Ohio ("Montgomery"), and the Community Programming Board (the "Board"), which regulates cable service in the City of Forest Park and Springfield Township (among other places not involved in these proceedings).[3] Time Warner filed replies.[4]

2. After the close of the pleading cycle herein, Time Warner requested that it be permitted to withdraw several Communities from this proceeding.[5] We grant Time Warner's request. The withdrawn Communities are listed in Attachment C hereto. One of those Communities is Montgomery.

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[1] *See* 47 U.S.C. § 543(1)(1)(A-B).

[2] 47 C.F.R. § 76.905(b)(1-2).

[3] Opposition Comments of the City of Montgomery, Ohio ("Montgomery Opposition"); Opposition Comments of the Community Programming Board of the City of Forest Park, Ohio, and Springfield Township, Ohio ("Board Opposition"). The City and the Board moved for an 8 day extension of the deadline for filing their Oppositions, to which Time Warner consented. Although extensions of time are not routinely granted, 47 C.F.R. § 1.46(a), we find good cause for a brief extension here, namely that it enabled the City and the Board to make a more detailed contribution to these proceedings than they could have otherwise. Accordingly, we grant their motion.

[4] Time Warner filed two pleadings, each titled simply "Reply," one addressed to the Montgomery Opposition ("Reply to Montgomery") and the other addressed to the Board Opposition ("Reply to Board").

[5] Letter from Craig A. Gilley, Esq., Fleischman & Harding LLP, counsel for Time Warner, to Mr. Steve Broeckaert, Commission Media Bureau, dated Nov. 17, 2008; Letter from Mr. Gilley to Mr. Broeckaert, dated Jan. 26, 2010.

Accordingly, we do not address the substantive issues raised in the Montgomery Opposition and the Reply to Montgomery.[6]

3. In the absence of a demonstration to the contrary, cable systems are presumed not to be subject to effective competition,[7] as that term is defined by Section 623(l) of the Communications Act and Section 76.905 of the Commission's rules.[8] The cable operator bears the burden of rebutting the presumption that effective competition does not exist with evidence that effective competition is present within the relevant franchise area.[9] For the reasons set forth below, based on our findings that Time Warner is subject to effective competition in the Attachment A and B Communities, we grant the petition for the Communities listed on those Attachments. We make no findings concerning the Attachment C Communities because Time Warner has withdrawn them.

II. DISCUSSION

A. The Competing Provider Test

4. Section 623(l)(1)(B) of the Communications Act provides that a cable operator is subject to effective competition if the franchise area is (a) served by at least two unaffiliated multi-channel video programming distributors ("MVPDs") each of which offers comparable video programming to at least 50 percent of the households in the franchise area; and (b) the number of households subscribing to programming services offered by MVPDs other than the largest MVPD exceeds 15 percent of the households in the franchise area.[10] This test is referred to as the "competing provider" test.

1. The First Part

5. The first part of this test has three parts: the franchise area must be "served by" at least two unaffiliated MVPDs who offer "comparable programming" to at least "50 percent" of the households in the franchise area.[11] It is undisputed that the Attachment A Communities are "served by" both DBS providers, and that these two MVPD providers are unaffiliated with Time Warner or with each other. A franchise area is considered "served by" an MVPD if that MVPD's service is both technically and actually available in the franchise area. DBS service is presumed to be technically available due to its nationwide satellite footprint, and presumed to be actually available if households in the franchise area are made reasonably aware of the service's availability.[12] The Commission has held that a party may use evidence of penetration rates in the franchise area (the second part of the competing provider test discussed below) coupled with the ubiquity of DBS services to show that consumers are reasonably aware

[6] In later communications with Commission staff, Time Warner clarified the Petition by withdrawing from consideration several communities about which partial information was stated in the Petition. The communities are Colerain Township, Hamersville Village, Jefferson Township (OH2450), Newtown Village, Seven Mile Village, and Woodlawn Village. E-mail from John W. Berresford, Esq., Commission counsel, to Mr. Gilley, March 30, 2011, 3:21 PM; E-Mail from Mr. Gilley to Mr. Berresford, April 1, 2011, 3:-09 PM. Subsequent communications resolved questions about the Community Unit Identification numbers of certain Communities. E-Mail from Mr. Gilley to Mr. Berresford, May 17, 2011, 1:48 PM; E-Mail from Mr. Berresford to Mr. Gilley, May 17, 2011, 2:34 PM; E-mail from Mr. Gilley to Mr. Berresford, May 17, 2011, 3:07 PM. None of these communications concerned a Community for which an Opposition to the Petition was filed.

[7] 47 C.F.R. § 76.906.

[8] *See* 47 U.S.C. § 543(l) and 47 C.F.R. § 76.905.

[9] *See* 47 C.F.R. §§ 76.906 & 907.

[10] 47 U.S.C. § 543(1)(1)(B); *see* also 47 C.F.R. § 76.905(b)(2).

[11] 47 C.F.R. § 76.905(b)(2)(i).

[12] *See* Petition at 3-5.

of the availability of DBS service.[13] We further find that Time Warner has provided sufficient citations to the DBS providers' web pages and evidence of their large and growing nationwide subscriber numbers to show that potential customers in the Attachment A Communities are reasonably aware that they may purchase the service of these MVPD providers.[14] The "comparable programming" element is met if a competing MVPD provider offers at least 12 channels of video programming, including at least one channel of nonbroadcast service programming[15] and is supported in the petition with citations to web pages showing the channel lineups for both DBS providers.[16] Also undisputed is Time Warner's assertion that both DBS providers offer service to at least "50 percent" of the households in the Attachment A Communities because of their national satellite footprint.[17] The City and the Board do not dispute that Time Warner has established all the elements of the first part of the competing provider test.[18] Accordingly, we find that the first part of the competing provider test is satisfied.

2. The Second Part

6. The second part of the competing provider test requires that the number of households subscribing to MVPDs, other than the largest MVPD, exceed 15 percent of the households in a franchise area. Petitioner asserts that it is the largest MVPD in some of the Attachment A Communities and that, in others, both it and the DBS providers have subscribership exceeding 15 percent.[19] Petitioner correctly asserts that, assuming the validity of these subscribership numbers, it is subject to effective competition in the latter Communities. If Petitioner is the largest MVPD there, then the DBS providers' subscribership exceeds 15 percent. On the other hand, if one of the DBS providers is the largest MVPD, then the combined subscribership of Petitioner and the other DBS provider exceeds 15 percent. Either way, the subscribership of the MVPDs other than the largest one exceeds 15 percent.[20]

7. The second part of the competing provider test requires the petitioning cable operator to calculate a ratio for each community, the numerator of which is the number of subscribers to MVPDs other than the largest one[21] and the denominator of which is the number of households there. Only if the ratio exceeds 15 percent has the cable operator satisfied the competing provider test.

8. For each Attachment A Community, Time Warner estimated the numerator of the statutory ratio by, first, obtaining a list from the Media Business Corp ("MBC") of all the five-digit zip codes all or part of which lie in the Attachment A Community.[22] MBC also obtained for Time Warner (from the U.S. Postal Service) the number of households in each such zip code.[23] In the typical

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[13] *Mediacom Illinois LLC,* 21 FCC Rcd 1175, 1176, ¶ 3 (2006).

[14] 47 C.F.R. § 76.905(e)(2).

[15] *See* 47 C.F.R. § 76.905(g). *See also* Petition at 5.

[16] *See* Petition at 4 n.12, 6-7.

[17] *See id.* at 2-3.

[18] City Opposition at 2; Board Opposition at 3.

[19] Petition at 7-8.

[20] *See Charter Commun*., 21 FCC Rcd 1208, 1210, ¶ 5 (2006).

[21] In the interests of simplicity, our discussion will assume that the MVPDs other than the largest one in each Community are the DBS providers, although in some cases those may be one DBS provider and Petitioner. In the three Communities whose franchise authorities oppose the petition, there is no doubt that the MVPDs other than the largest one are the DBS providers. *See* Petition at 7.

[22] Petition at 8 n.25.

[23] *Id. at* 8, n.25 & Exh. E, col. B.

Attachment A Community, part of each zip code was inside the Community and part was outside of it. To account for this fact, Time Warner needed to allocate the DBS subscribers in the zip codes between those who were in the Community and those who were outside it. To this end, Time Warner added all the households in the zip codes and divided their sum by the number of households in the Community[24] (which it obtained from the U.S. Census[25]). The resulting quotient was Time Warner's allocation percentage for the Community. Next, from the Satellite Broadcasting and Communications Association ("SBCA"), Time Warner obtained the number of subscribers to DBS service in each zip code.[26] Time Warner then multiplied that number by its allocation percentage and the resulting product was Time Warner's estimate of the number of DBS subscribers in the Attachment A Community.

9. The Board objects to how Time Warner reached its allocation percentage. The Board finds a flaw in Time Warner adding all the households in all the zip codes any part of which is in the Community – specifically, treating all zip codes alike regardless of their size and how much or little of each is in the Community in question. The Board argues that if a small part of a very populous zip code were in a Community, and if DBS subscribership were atypically high there, then Time Warner's allocation formula would over-estimate DBS subscribership there.[27] The Board's argument is theoretically valid, but it has not shown that it actually applies to Forest Park or Springfield. The Board points to one zip code (45246), small parts of which are in Forest Park and Springfield and contain few or no residences.[28] Even if that zip code (and all its DBS subscribers) were excluded from Time Warner's calculations, however, Forest Park and Springfield would still have DBS subscribership in excess of 15 percent, satisfying the second part of the competing provider test.[29]

10. The Board argues that we should require Time Warner to use another allocation formula, which includes in the statutory numerator all DBS subscribers in zip codes whose geographic centers are inside the franchise area in question;[30] or that we should require the Company to use relatively precise "Zip+4" nine-digit zip codes, which avoid the need for an allocation percentage.[31] We decline to do so, as we have several times declined to require nine-digit-based data.[32] No good purpose would be served by prohibiting a cable operator from using one allocation formula and requiring another method in the absence of any indication that that would alter the outcome in the proceeding at hand.

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[24] *Id.* at Exh. B & Exh. E, col. C.

[25] *Id. at* 8 n.25 & Exh. C.

[26] *Id.* at 8 n.25 & Exh. D.

[27] Board Opposition at 4-6.

[28] *Id*. at 5-6.

[29] Time Warner's calculations show DBS subscribership in Springfield at 18.47% (2583.83/13988 = 18.47%), but only 8.8% of the associated zip codes' DBS subscribers living in zip code 45246. If all DBS subscribers in zip code 45246 were excluded from the numerator (reducing it by 8.8%), the statutory ratio would be 2382.29/13988, or 17.03%. In Forest Park, the same kind of calculations (omitting zip code 45246's 1411 DBS subscribers and counting only zip code 45240's 2891 DBS subscribers, applying the 43% allocation to the later number, producing only 1243.13 DBS subscribers in Forest Park) lower DBS subscribership from 24.41% to 16.56% (1832.17/7505 = 24.41%; 1243.13/7505 = 16.56%). Both "corrected" estimates are above the statutory minimum. *See generally* Petition at Exhs. D & E.

[30] The Board invokes *Falcon Cable Systems Co. II,* 17 FCC Rcd 4648, 4650-51, ¶ 7 (2002).

[31] Board Opposition at 6-7.

[32] *Time Warner Cable Inc*., 25 FCC Rcd 5457, 5462, ¶ 16 (2010) ("*Time Warner*"); *Subsidiaries of Cablevision Systems Corp*., 23 FCC Rcd 14141, 14151, ¶ 34 (2008) ("*Subsidiaries of Cablevision*"); *CoxCom, Inc,* 22 FCC Rcd 4041, 4049 ¶ 26 (2007).

11. The Board also objects that five-digit zip codes can contain areas of greatly varying population densities and economic attractiveness to cable operators, that DBS will have more subscribers in areas where there is no cable service, and that we should require Time Warner to explain how these factors, to the extent that they exist at all in Forest Part or Springfield, do not over-estimate DBS subscribership there. Again, we decline to do so.[33] The Board's objections are vague[34] and, despite its indubitable familiarity with the territory in question, it has failed to produce any specific evidence that topographic or similar factors render Time Warner's numbers inaccurate in actual fact. We have repeatedly refused to deny cable operators' otherwise valid showings of effective competition based on such unsubstantiated objections by franchise authorities,[35] and we do so again here.

12. Time Warner's numbers of households in each of the Attachment A Communities – the denominator of its statutory ratios – were taken from the 2000 U.S. Census.[36] The numerator and denominator yielded Time Warner's asserted DBS subscribership in each Attachment A Community, which in each case exceeded 15 percent. If these numbers are accepted by us, then Time Warner has satisfied the competing provider test for the Attachment A Communities.

13. The Board objects that the 2000 Census is a stale source of household numbers for Forest Park and Springfield and proffers instead more recent, higher estimates from local government authorities.[37] We reject this objection and the Board's estimates. We have long accepted housing numbers from the U.S. Census despite their being years old.[38] We have stated that we will accept more recent household numbers that are as reliable as Census data,[39] but the Board's proffered numbers are flawed. They estimate the number of "housing units" in Forest Park and Springfield,[40] although Section 623(1)(1)(B) calls for "households,"[41] which are only *occupied* housing units.[42] The Board's numbers are also based in part on recently granted construction permits.[43] These may not have ripened into completed, occupied housing units and, therefore, are not a reliable measure of households.[44] In addition, if we used

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[33] Board Opposition at 7-9.

[34] *Id.* at 8 ("the five digit zip codes all sit within diverse terrains, including, populated housing areas and vast open areas with no roads"); *see also* Reply to Board at 5.

[35] *See, e.g., Charter Commun.*, 25 FCC Rcd 2289, 2292, ¶ 6 (2010); *Cablevision Systems East Hampton Corp*., 24 FCC Rcd 10846, 10847, ¶ 6 (2009); *Cablevision Systems Westchester Corp.*, 24 FCC Rcd 872, 876, ¶ 15 (2009); *Comcast Cable Commun., LLC*, 22 FCC Rcd 694, 697-98, ¶ 9 (2007); *Adelphia Cable Commun*., 20 FCC Rcd 20536, 20538, ¶¶ 5-7 (2005), *application for review pending; Adelphia Cable Commun*., 20 FCC Rcd 4979, 4980-81, ¶ 4 (2005); *Cablevision of Paterson,* 17 FCC Rcd 17239, 17242, ¶ 6, n.22 (2002).

[36] *Id.* at 8 n.25 & Exh. C.

[37] Board Opposition at 9-10 & attached Affidavits of Christopher Gilbert, Assistant Township Administrator of Springfield ("Gilbert Affidavit"), and Chris Anderson, Community Development Director of Forest Park ("Anderson Affidavit").

[38] *See, e.g.*, *Subsidiaries of Cablevision*, 23 FCC Rcd at 14144-45, ¶¶ 9-14 & cases cited therein.

[39] *See, e.g.*, *Time Warner*, 25 FCC Rcd at 5463, ¶ 21 & cases cited therein.

[40] Gilbert Affidavit at ¶¶ 3-4; Anderson Affidavit at ¶¶ 3-4.

[41] 47 U.S.C. § 543(l)(1)(B)(ii).

[42] *See, e.g., Marcus Cable Assocs*, 25 FCC Rcd 4369, 4370, ¶ 4, n.9 (2010) ("For effective competition purposes, the Commission utilizes the United States Census Bureau's definition of 'households' which is 'occupied housing units.' Under this definition, 'households' is a subset of 'housing units,' the latter being comprised of both occupied and unoccupied year round residences").

[43] Gilbert Affidavit at ¶ 5; Anderson Affidavit at ¶ 4.

the higher numbers proposed by the Board, DBS subscription would still be above the statutory minimum in both Forest Park[45] and Springfield.[46] This would be so even if we used the lower numerators discussed in paragraph 10 above.[47]

14. Finally, the Board objects generally that Commission decisions about effective competition lack adequate "mathematical or tautological analysis" and suggests that we require petitioning cable operators to survey each household in each franchise area or otherwise increase the "specificity or statistical accuracy" of cable operator's evidence.[48] We reject the Board's suggestions. Our standards for showing DBS subscribership in a franchise area are reasonable and afford parties such as the Board full opportunity TO attack cable operators' evidence and to submit their own. No evidence or argument that the Board has produced in this proceeding has shed any significant doubt on our conclusion that DBS subscribership in Forest Park or Springfield exceeds the statutory minimum to satisfy the second part of the competing provider test. Based on the foregoing, we conclude that Time Warner has submitted sufficient evidence demonstrating that both parts of the competing provider test are satisfied and Time Warner is subject to effective competition in the Attachment A Communities.

B. The Low Penetration Test

15. Section 623(l)(1)(A) of the Communications Act provides that a cable operator is subject to effective competition if it serves fewer than 30 percent of the households in the franchise area. This test is referred to as the "low penetration" test.[49] Time Warner alleges that it is subject to effective competition under the low penetration effective competition test in the Attachment B Communities because it serves less that 30 percent of the households in them. Based upon the subscriber penetration level calculated by Time Warner, as reflected in Attachment B, we find that Time Warner has demonstrated that the percentage of households subscribing to its cable service is less than 30 percent of the households in the Attachment B Communities. Therefore, the low penetration test is also satisfied as to the Attachment B Communities.

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[44] *Adelphia Cable Commun*., 22 FCC Rcd 4458, 4462-63, ¶ 14 (2007) ("The estimates based on occupancy permits do not approximate the 2000 Census data because permits do not guarantee that households are actually occupied. We will rely on the Census 2000 data.") (footnote omitted); *CoxCom, Inc*., 22 FCC Rcd 4453, 4538, ¶ 13 (2007) ("Because our competing provider effective competition test measures households, we reject estimates based on building permits, certificates of occupancy and the like because they may reflect housing units that are unoccupied."); *Marcus Cable Assocs, LLC*, 18 FCC Rcd 9649, 9652 ¶ 7 (2003) ("With respect to residences recently granted certificates of occupancy, we do not believe that local inspections and permits indicating that a building is ready for occupancy demonstrate[] that the building is in fact occupied full time such that it would qualify as a household under the Census definition").

[45] 1,832.17/7,798 = 23.49%, *see* Petition at Exh. 3; Board Opposition, Anderson Affidavit at ¶ 3.

[46] 2,583.83/15,003 = 17.22%, *see* Petition at Exh. 3; Board Opposition, Gilbert Affidavit at ¶ 3.

[47] For Forest Park, 2,382.29/7,798 = 15.94%; for Springfield, 2,382.29/15,003 = 15.88%.

[48] Board Opposition at 10-11.

[49] 47 U.S.C. § 543(l)(1)(A).

III. ORDERING CLAUSES

16. Accordingly, **IT IS ORDERED** that the petition for a determination of effective competition filed in the captioned proceeding by Time Warner Cable Inc. **IS GRANTED** as to the Communities listed in Attachments A and B hereto.

17. **IT IS FURTHER ORDERED** that the certification to regulate basic cable service rates granted to or on behalf of the Communities set forth on Attachments A and B **IS REVOKED**.

18. This action is taken pursuant to delegated authority pursuant to Section 0.283 of the Commission's rules.[50]

FEDERAL COMMUNICATIONS COMMISSION

Steven A. Broeckaert
Senior Deputy Chief, Policy Division, Media Bureau

[50] 47 C.F.R. § 0.283.

ATTACHMENT A

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COMMUNITIES SERVED BY TIME WARNER CABLE INC.

Communities	CUIDs	CPR*	2000 Census Households	Estimated DBS Subscribers
Adams Township	OH2233	33.62	692	232.64
Amberley Village	OH0725	15.17	1338	202.94
Anderson Township	OH0764	17.44	15629	2726.31
Blue Ash City	OH0708	15.32	4990	764.44
Carlisle Village	OH0837	18.16	1849	335.7
Cheviot City	OH0738	16.86	4064	684.99
Columbia Township	OH0705	15.62	2655	414.69
Crosby Township	OH1050	31.61	1025	323.96
Elmwood Place Village	OH0709	16.89	9224	179.18
Evendale Village	OH0790	16.02	1062	170.17
Fairfield City (Butler County)	OH0250	22.32	16960	3785.35
Forest Park City	OH0713	24.41	7505	1832.17
Franklin City	OH0252	18.16	4553	826.64
Franklin Township	OH2447	49.74	426	211.9
Glendale Village	OH0732	21.44	942	201.97
Golf Manor Village	OH0645	17.31	1751	303.12
Goshen Township	OH1104	19.94	4849	966.67
Green (Hamilton County)	OH0766	20.76	21318	4426.31
Hamer Township	OH2454	35.35	241	85.19
Hamilton City	OH0251	23.12	24188	5591.95
Hanover Township	OH0835	19.42	2809	545.43
City of Indian Hill	OH0718	16.47	2066	340.31
Jackson Township	OH1347	28.61	900	257.48
Lebanon City	OH0865	18.19	5887	1071.01
Loveland City	OH0727 OH0728 OH0729	19.78	4497	889.59
Madeira City	OH0704	15.56	3383	526.40
Madison Township	OH0530	24.56	3141	771.44
Marshall Township	OH2456	35.17	401	141.04
Martinsville Village	OH1495	42.58	160	68.13
Miami Township	OH0795	18.48	12894	2383.36
Middletown City	OH0249 OH2720	18.70	21469	4013.72
Milford City	OH0796 OH0797	16.55	13282	487.36
Mount Healthy City	OH0703	19.99	3222	644.03
New Market Township	OH2457	35.17	694	244.10

Communities	CUIDs	CPR*	2000 Census Households	Estimated DBS Subscribers
New Miami Village	OH0531	23.80	877	208.74
New Vienna Village	OH1313	42.88	497	213.09
Newtonsville Village	OH1315	25.84	175	45.23
North College Hill	OH0792	18.12	4191	759.51
Penn Township	OH2458	36.94	381	140.76
Pierce Township	OH2765	23.25	4656	1082.66
Reading City	OH0743	15.05	4885	735.24
Sharonville City	OH0711 OH2722	17.38	6211	1079.39
Silverton City	OH0716	15.22	2534	385.74
Springfield Township	OH0793	18.47	13988	2583.83
St. Bernard City	OH0724	15.45	2069	319.74
St. Clair Township	OH0633	23.71	2677	634.75
Stonelick Township	OH1153	21.46	2135	458.14
Symmes Township	OH0715	17.81	5197	925.40
Union Township (Clermont County)	OH0799	21.29	16906	3599.85
Union Township (Highland County)	OH2459	28.96	586	169.70
Wayne Township	OH0836	25.82	1729	446.37
West Chester Township	OH0798	19.38	19588	3796.57

*CPR = Percent DBS penetration rate.

ATTACHMENT B

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COMMUNITIES SERVED BY TIME WARNER CABLE INC.

Communities	CUIDs	Franchise Area Households	Cable Subscribers	Penetration Percentage
Clark Township	OH2738	663	77	11.61
Delhi Township	OH2739	10357	15	0.14
Dodson Township	OH2453	929	73	7.86
Fairfield Township (Highland County)	OH2451	1204	95	7.89
Green Township (Brown County)	OH2436	1213	14	1.45
Green Township (Clinton County)	OH2735	963	31	2.56
Hamilton Township	OH0945	3524	399	11.32
Harrison Township	OH0816	4572	571	12.49
Liberty Township (Butler County)	OH2594	7062	786	11.13
Liberty Township (Highland County)	OH2455	3997	400	10.01
Liberty Township (Adams County)	OH2717	635	56	8.82
Madison Township	OH2452	2675	96	3.59
Marion Township	OH2721	2075	108	5.20
Meigs Township	OH2448	1415	65	4.59
Perry Township (Brown County)	OH1638	1704	89	5.22
Perry Township (Fayette County)	OH2740	354	25	7.06
Salem Township	OH2737	242	32	13.22
Tiffin Township	OH2449	2066	232	11.23
Turtlecreek Township	OH1297	3279	366	11.16
Union Township (Warren County)	OH2736	1756	147	8.37
Washington Township	OH2206	675	58	8.59
Wayne Township	OH1186	1480	175	9.80
Winchester Township	OH2741	745	3	0.40

ATTACHMENT C

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COMMUNITIES SERVED BY TIME WARNER CABLE INC.

Communities	CUIDs
Blanchester Village	OH0313
Cherry Fork Village	OH2466
Deerfield Township	OH0869
Fairfield Township	OH0634
Fayetteville Village	OH1493
Franklin Township	OH0379
Hamilton Township	OH0945
Harrison City	OH0720
Highland Village	OH1312
Hillsboro City	OH0182
Leesburg Village	OH0638
Lynchburg Village	OH0637
Mason City	OH0726
Miami Township	OH0840
Midland Village	OH1494
Milville Village	OH0834
Monroe City	OH0838
Montgomery City	OH0706
Peebles Village	OH0229
St. Martin Village	OH1531
Seaman Village	OH1068
South Lebanon Village	OH0903[51]
Springdale City	OH0731
Sycamore Township	OH0710
Terrace Park Village	OH0723
Trenton City	OH0615
West Union Village	OH0214
Wilmington City	OH0328
Winchester Village	OH1069

[51] Time Warner's Letter of Nov. 17, 2008, *supra* note 5, listed a second CUID number for South Lebanon, OH1640, although this was not mentioned in the Petition.