

## SECOND REQUEST FOR INFORMATION AND DATA TO CHARTER COMMUNICATIONS INC.

We incorporate herein by reference the instructions and definitions contained in the initial Information and Data Request dated August 21, 2014 as clarified by subsequent discussions with Commission staff. All responses shall comply with the Second Amended Modified Joint Protective Order released on November 12, 2014, in MB Docket No. 14-57 and the *Order* entered on November 21, 2014, in CBS Corporation, et al. v. Federal Communications Commission and United States of America, No. 14-1242 (D.C. Cir.).

56. For each zip code identified in response to Specification 2(e) of the Information and Data Request issued to the Company on August 21, 2014, and for the Company as a whole, separately for primary residential subscribers, bulk residential subscribers and commercial subscribers, and as of the end of each month from January, 2011, through June, 2014, state and produce in CSV or Excel format:

- a. the number of subscribers to Standalone Services and Bundled Services that discontinued their subscriptions to all of the Company's Cable Services during the month, identifying the following possible reasons for disconnection: voluntary, mover, non-payment, and other, and provide a description of the types of disconnections included in each category;
- b. the number of the Company's subscribers that discontinued their subscriptions to the Company's MVPD Service during the month but subscribed to one or more of the Company's other Cable Services as of the end of the month;
- c. the number of the Company's subscribers that discontinued their subscriptions to the Company's Internet Access Service during the month but subscribed to one or more of the Company's other Cable Services as of the end of the month;
- d. the number of the Company's subscribers that discontinued their subscriptions to the Company's Telephone Services during the month but subscribed to one or more of the Company's other Cable Services as of the end of the month;
- e. the number of the Company's subscribers that began a subscription to the Company's MVPD Service during the month and subscribed to at least one of the Company's other Cable Services at the end of the previous month;
- f. the number of the Company's subscribers that began a subscription to the Company's Internet Access Service during the month and subscribed to at least one of the Company's other Cable Services at the end of the previous month;
- g. the number of the Company's subscribers that began a subscription to the Company's Telephone Services during the month and subscribed to at least one of the Company's other Cable Services at the end of the previous month;
- h. the number of subscribers to the Company's Internet Access service that switched to a Service Plan offering a higher download speed during the month (excluding automatic upgrades provided by the Company at no additional cost to the subscriber);

- i. the number of subscribers to the Company's Internet Access service whose download speed was increased during the month as a result of an automatic upgrade by the Company provided at no additional cost to the subscriber;
- j. the number of subscribers to the Company's Internet Access service whose download speed was increased during the month as a result of a request by the subscriber;
- k. the number of subscribers to the Company's Internet Access Service that switched to a Service Plan offering a lower download speed during the month;
- l. the number of subscribers to the Company's MVPD Service that switched to a Service Plan with more channels during the month;
- m. the number of subscribers to the Company's MVPD Service that switched to a Service Plan with fewer channels during the month;
- n. the number of subscribers to the Company's Telephone Services that switched to a Service Plan with more features during the month; and
- o. the number of subscribers to the Company's Telephone Service that switched to a Service Plan with fewer features during the month.

57. As of December 31, 2014, and for each DMA, state and produce in CSV or Excel format:

- a. the number of subscribers to the Company's MVPD service;
- b. the number of the Company's subscribers who will become subscribers of Comcast's, Spinco's, and Charter's MVPD service, stated as if the proposed TWC transaction and the proposed divestiture transactions had been consummated as of December 31, 2014;
- c. the number of TV households, citing the source of this information and explaining how this number was calculated;
- d. the number of Hispanic TV households, citing the source of this information and explaining how this number was calculated;
- e. the number of Hispanic households that subscribe to MVPD service, citing the source of this information and explaining how this number was calculated;
- f. the number of Hispanic households that subscribe to the Company's MVPD service; and
- g. the number of the Company's Hispanic households who will become subscribers of Comcast's, Charter's and SpinCo's MVPD service, stated as if the proposed TWC transaction and the proposed divestiture transactions had been consummated as of December 31, 2014.

In the event that as a result of the proposed divestiture transactions, the assets, Hispanic households and the Hispanic subscribers in a single DMA will be divided between Comcast, Charter and SpinCo, for subparts (b) and (g), allocate the subscribers and Hispanic households to

the receiving applicant, and provide an explanation of the methodology used to make the allocation.

58. For each channel of Video Programming that the Company obtained from another Person, for each month from January, 2009 to the present, state: the title, date and bates number of the agreement containing the provisions describing the licensing fees, and the date that the licensing fee provisions became effective.

59. To the extent that additional analysis has been conducted, new information has become available or additional documents that are responsive to Specification 54 of the August 24, 2014 Letter from William T. Lake, have been created by or provided to the Company since April 30, 2014, provide revised responses based on this recently conducted analysis, and produce all responsive documents created since April 30, 2014. If the new analysis, information or documents has modified the conclusions of the applicant's experts who submitted declarations addressing the efficiencies and public interest benefits of the Proposed Transaction and the Proposed Divestiture Transaction, provide revised economic analyses to support any and all revisions to the claimed efficiencies as articulated in their Public Interest Statement, Opposition and Reply.

60. Submit all documents analyzing CBS All Access service, DISH's Sling TV service, HBO's video streaming service announced on or about October 15, 2014, and Sony Entertainment Network's forthcoming OVD service.

61. a. Submit one copy of the Company's 477 data filing for June 2014 and December 2014.

b. Submit one copy of the Company's June 2014 and December 2014 State Broadband Initiative data.

62. Separately for every DMA for where the Company provides MVPD service, for each month from January, 2009, to the present, state:

a. separately for the Company's paid VOD service and PPV service, (i) the number of subscribers that used the service at least once; (ii) the total revenues from subscribers; and (iii) the total number of hours viewed;

b. for free VOD service, (i) the number of subscribers that used the service at least once; and (ii) the total number of hours viewed; and

c. for the Company's over-the-top video services (e.g. "TV everywhere), (i) the percentage of the Company's MVPD subscribers that view video programming via the service, and (ii) the total number of hours viewed.

63. a. For each agreement through which the Company acquires Video Programming currently in effect between the Company and CBS Corporation, The Walt Disney Company, Discovery Communications, Inc., Viacom, Inc., 21<sup>st</sup> Century Fox, Inc., Univision Communications Inc., Time Warner Inc., NBC Universal, Inc., Scripps Interactive Networks, Inc., A&E Television Networks, LLC, AMC Networks Inc., BBC Worldwide Americas Inc., Crown Media Holdings, Inc., Hubbard Broadcasting Inc., and the Tennis Channel, Inc., identify,

by Bates number and contract term section number, paragraph, or other identifying information, and describe the effect of (i) all alternative distribution method clauses, windowing clauses or “Most Favored Nation” clauses that, if the clause became effective, would grant the Company rights to distribute the Video Programming over the internet or on a Video-On- Demand basis, or (ii) all alternative distribution method clauses, windowing clauses or unconditional “Most Favored Nation” clauses that, if the clause became effective, would require the Company to be treated in a different or more favorable manner than a similarly situated MVPD or OVD with respect to economic or non-economic terms. Provide this information in a Microsoft Office chart or spreadsheet form that allows comparison of terms among the named entities.

b. Identify and describe each instance where a Person expressed concerns to the Company relating to its inability to offer or difficulty reaching an agreement to license its Video Programming to a third party as a result of the terms identified in response to subpart (a) of this Specification, including but not limited to claims that the provisions identified in subpart (a) would result in different or less favorable economic or non-economic terms between the Person and the Company, and provide all documents relating to these concerns.

64. Describe the Company’s current and future Plans to enter term contracts with subscribers or impose early termination fees in connection with Cable Services, whether sold as Bundled Services or Standalone Services, including:

a. a description of all contract and early termination fee test or pilot programs conducted by the Company;

b. a description of the results and findings of these test or pilot programs, including any increase in contract adoption by customers in test or pilot program areas versus those not in such areas;

c. a description of any future term contract or early termination fee test or pilot programs; and

d. a description of any planned Company-wide initiatives to use contracts or early termination fees.

65. Describe and produce all documents relating to a) any practices and initiatives in which the Company contacted its Internet Access Service subscribers relating to the subscriber’s volume of usage of the Company’s Internet Access Service, b) any actions taken as a result of the subscriber’s excessive consumption of the Company’s Internet Access Service, and c) how the practice described in subpart a) impacted the subscriber’s usage of the Company’s Internet Access Service. In your description, indicate the threshold or amount of bandwidth usage or consumption that triggers this contact.

66. Produce one copy of all current reports and any other current third party report, such as Squad’s SpotCosts, containing cable spot advertising rates by DMA, regularly used by the Company.

67. Provide the Company’s data as requested in Attachment A, which seeks daily data relating to the Company’s VOD and PPV services.

68. Update all of the fields contained in the “Interconnection Connection” table, submitted in response to the August 21, 2014 Information and Data Request, to include data up to December 31st, 2014. Additionally, add a field and provide, for each month for the period beginning January, 2009, and ending December, 2014, a measure of the 95th percentile of utilization that either was or would be used for the purposes of billing and explain how this 95th percentile measurement is calculated.

69. For each zip code identified in response to Specification 2(e) of the Information and Data Request issued to the Company on August 21, 2014, and for the Company as a whole, for residential Internet Access Service subscribers, for each month from January, 2012, through December, 2014, state and produce in CSV or Excel format:

- a. the number of residential Internet Access Service subscribers;
- b. the average data usage per Internet Access Service subscriber in gigabytes;
- c. the following percentiles of data usage per Internet Access Service subscriber in gigabytes: 10th, 25th, 50th, 75th, 90th, 95th and 99th.

70. a. Provide a complete description of all services that were included in the Company’s response to the “Average Recurring Service Plan Revenue” field in the “Service Plan” table, submitted in response to the August 21, 2014 Information and Data Request.

b. Provide an amendment to the Company’s previous “Service Plan” table response so that this table includes the data requested by the following three additional categories:

(i) further disaggregation of each ARSPR field into amounts billed for each such service identified in the ARSPR description provided in response to this Specification;

(ii) the number of subscribers on each Service Plan that subscribe to each such service using the same subscriber tenure categories; and

(iii) for each Service Plan, in each month and zip code, a field that calculates the average promotional discount credit from the Service Plan’s rate card price for subscribers in each tenure category. The data table response to this Specification need only include the date, zip\_code, plan\_name and the data requested by the additional requested fields.

71. For each zip code identified in response to Specification 2(e) of the Information and Data Request issued to the Company on August 21, 2014, from January 1, 2013, to December 31, 2014, provide the amount subscribers received as non-recurring incentives, including but not limited to gift cards, rebates or installation discounts, to either renew a subscription to the Company’s Cables Services or first subscribe to the Company’s Cable Services.