BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFOR

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Joint Application of Charter Communications, Inc., Charter Communications Holdings, LLC, and Cox Enterprises, Inc. for Approval Pursuant to Public Utilities Code Section 854 of the Indirect Transfer of Control of Cox California Telcom, LLC (U-5684-C)	Application 25-07-016 (Filed July 30, 2025)

OPENING BRIEF OF MEDIA ALLIANCE TO JOINT APPLICANTS APPLICATION

/S/ Tracy Rosenberg
Executive Director
Media Alliance
2830 20th Street
San Francisco CA 94110

May 22, 2026
San Francisco, California

OPENING BRIEF OF MEDIA ALLIANCE TO JOINT APPLICANTS APPLICATION

Since 1976, Media Alliance has been organized to represent the mutual interests of communication professionals across the public interest sector, including both working and citizen journalists and nonprofit practitioners of storytelling, communications and advocacy. Our members across California share a keen dedication to the free flow of information and the ability to practice their craft without inordinate barriers and obstacles. The use of communications infrastructure, including voice and digital platforms is a crucial element of such work, which simply cannot be performed without reliable, ubiquitous and affordable tools and infrastructure. Mergers of telecommunications and cable carriers which has greatly enhanced concentration has had, and continues to have, sustained negative impacts on our constituents. In particular, we seek in this proceeding to speak clearly on behalf of workers, volunteers, users and audiences of public benefit channels in alignment with our mission to support community-based media work.

OVERVIEW

The merger of Charter and Cox as discussed at length throughout the proceeding to date is to be assessed by the state regulator on the basis mandated in Public Utilities Code 854, which requires a finding that the merger, after balancing all anticipated impacts, is in the public interest. The Commission may include voluntary settlement agreements between the parties under such consideration. The Commission may also impose involuntary conditions that tip the balance of impacts in the direction of a satisfactory finding of public interest. In addition, the Commission is charged by its Environmental and Social Justice (ESG) Action plan to embed equity, affordability and diversity criteria into all of the body's actions. We would also add that compliance with existing federal and state law and requirements is a relevant metric for consideration and that the Applicant's compliance track record also factors in to the considered balance of equities.

It is our position, and we intend to fully demonstrate in this brief, that the Applicant's track record with regard to public benefit channels in their combined service area has not been compliant and moreover that lack of compliance has significant and serious impacts to equity, affordability and diversity that require mitigation.

LEGAL BACKGROUND AND AUTHORITIES

We will start with the obvious and probably unnecessary disclaimer that we are not attorneys. We will make every effort to cite and explain our references as clearly as possible, but will not be able to do full legal referencing. We apologize in advance for any inconvenience to the Commission and other parties, but we can only participate in this proceeding as what we are: lay advocates for the interests of community media practitioners and audiences.

Public Benefit Channels, which we will henceforth refer to in this brief as PBC's are casually known as "PEG station", but that is somewhat anachronistic language as the channels have largely, although not completely, transitioned into community media centers that serve their regions through a variety of services across several mediums including but not at all restricted to cable television, including Internet distribution, education and workforce skills development, civic engagement, affordable media equipment rental, story-telling and messaging services, and local news. All of these services are largely dependent on the funding base established in federal and state law.

The Cable Communications Act of 1984, authored by Senator Barry Goldwater and signed into law by President Ronald Reagan provides the legal basis for the provision of PBC's and their funding via the establishment of cable franchises.[1] Both joint applicants remain regulated cable franchises, among their other business activities, to this day. [2]

As described in the Journal of Electronic Broadcasting and Media in a 1987 article titled *Perceived Impact of the Cable Policy Act of 1984:*

The new law attempted to strike a delicate balance between the FCC, local governments, and marketplace competition, where in the past, each of these entities had vied for dominance. The Cable Act was to be the solution to the ongoing problem of who, or what, should exercise the most power over local cable operations [3]

In return for establishing cable franchise standards and procedures and protecting against arbitrary non-renewal of franchises, the act specified that cable operators were expected to be receptive to their local communities' needs and interests.

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[1] https://uscode.house.gov/view.xhtml?path=/prelim@title47/chapter5/A&edition=prelim
[2] https://www.cpuc.ca.gov/regulatory-services/licensing/video-franchising/video-franchises-issued-by-the-cpuc
[3] https://www.tandfonline.com/doi/abs/10.1080/08838158709386657

Cable communications providers were expected to provide the general public with the widest possible diversity of information sources and services. The Act declared that state and local authorities should allow, but not mandate, that this type of information be distributed via non-commercial public, educational, and government access (PEG) cable TV channels.

Some years later, the California State Legislature weighed in on the cable franchising process by adopting the law colloquially known as DIVCA (Digital Infrastructure and Video Competition Act). DIVCA sought to streamline and centralizing the issuing of cable franchises with the California Public Utilities Commission, partially in response to increasing competition for video services from satellite services. DIVCA remains in effect today, with relatively few amendments to it's core provisions until SB 28 was adopted by the Legislature in 2021. [4] The implementation of SB 28 by the Commission is currently the subject of proceeding. R.23-04-006.[5]

Among the many provisions of DIVCA, legislative finding (f) identifies one of the goals of the legislation as:

(F) Continue access to and maintenance of the public, education, and government (PEG) channels.[6]

Section 5870 instructs how this finding is to be operationalized and charges franchise holders with some requirements including:

a) providing channel capacity for public, educational and governmental channels

b) the channels shall be provided solely for this use

c) the channel numbers should not be numerically separated from other channels and the channel numbers shall not be changed without the agreement of the local governing entity

d) the local entity may submit or provide PEG programming in a manner or form that is standard in the industry for transmission.

e) All video service providers and the incumbent cable operator shall be subject to the same requirements for recurring payments for the support of PEG channel facilities and institutional networks.

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[4] https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB28
[5] https://apps.cpuc.ca.gov/apex/f?p=401:57::::::
[6] https://law.justia.com/codes/california/2009/puc/5800-5970.html

f) A local entity may, by ordinance, establish a fee to support PEG channel facilities. If no such fee exists, the local entity may establish the fee at any time.

And finally, the Commission itself adopted (the current version was adopted in 2022) an ESG action plan that specifically instructed the Commission that principles for equitable service to defined vulnerable communities should be scoped into all proceedings, with no exceptions for merger approval proceedings.[7]

That action plan defines vulnerable communities as:

• *Disadvantaged Communities, defined as census tracts that score in the top 25% of CalEnviroScreen 3.0, along with those that score within the highest 5% of CalEnviroScreen 3.0's Pollution Burden but do not receive an overall CalEnviroScreen score;*

• *All Tribal lands;*

• *Low-income households (Household incomes below 80 percent of the area median income) and Low-income census tracts (Census tracts where aggregated household incomes are less than 80 percent of area or state median income).*

<u>DISCUSSION</u>

Before turning to the three mitigation prongs that will be discussed in this brief, which are 1) Restitution 2) Access and 3) Transmission, we wanted to begin with some foundational principles underlying the relief requested

No discussion (as the Joint Applicants will heartily agree) of video franchising can leave out the issue of competition. It is absolutely true that cable companies once had a monopoly on enhanced video broadcast and now they do not. While it is probably unrealistic to expect a permanent monopoly on the delivery of any business service, the legacy cable industry was probably surprised by the strength of the cut the cord movement[8] and the extent that streaming alternatives were able to penetrate the visual services market so quickly. But it is important here to note how we got here.

Streaming services took off so explosively because they were a market-based solution to consumer frustration that had simmered for decades. For decades, cable customers groused about bundled cable

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[7] https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/news-and-outreach/documents/news-office/key-issues/esj/esj-action-plan-v2jw.pdf

[8]https://www.ooma.com/blog/cutting-the-cord-statistics-united-states/

packages and their desire, amid constantly rising cable bills, to be able to select the channels they actually wanted and were willing to pay for and not bear the costs for hundreds of channels they literally never watched and had no interest in viewing. But cable companies largely refused to un-bundle their channel offerings and explore more a-la-carte options.[9] So when those options started to come onto the market with channel streams, many consumers jumped, and they have not stopped jumping. Not all, but a lot for companies that had experienced de facto monopoly status for decades.

In general, we reject the line of argument that increased competition, due largely to poor business decisions on the part of the incumbents, necessitates or requires less government regulation. It is the role of the government to address unmet needs not provided for in the free market. It is not the role of government to prop up poor business decisions with a regulatory get out of jail free card. The consequences of not meeting customer's needs are inevitably going to be more competition in the marketplace and likely a reduction in incumbent profit margins. That is cause and effect. Its manifestation in the free market does not magically remove all government intervention, nor should it.

In this particular case, it matters a great deal which customers have enthusiastically cut the cord and moved to streaming platforms – and which have not. An a-la-carte visual services menu composed of multiple streaming packages requires a few things. Firstly, it requires a robust broadband connection and devices throughout the household that are available for streaming activity. As we all know, not all Californians have, and not all Californians can afford, that robust broadband connection. And if children have to do homework or unemployed family members are job-hunting, what resources are available may not have device or bandwidth capacity to simultaneously stream a city council meeting, local news broadcast or entertainment item. In short, the family computer may not be available to anyone else when there is homework to be done, or the Internet connection may start to buffer or fail if multiple family members try to engage in high bandwidth activities simultaneously. That happens in my household occasionally - even with a high-speed fiber broadband connection.

Secondly, streaming systems require a certain amount of tech savvy that is not equally distributed through the population. Elderly people and limited English fluency populations may not be easily able to negotiate all the different packages, and lower-income populations may not have the resources to replicate cable packages with 4-5 different streaming packages without breaking the bank. So legacy

[9] https://www.uclalawreview.org/cracking-the-cable-conundrum-government-regulation-of-a-la-carte-models-in-the-cable-industry-2/

cable customers remain, often for reasons of comfort and familiarity, and sometimes for financial reasons. There is a significant overlap between defined ESG populations and populations that have not yet decamped for streaming channel packages. The Commission's ESG principles include high quality communication services for all, not just typical customer profiles and special emphasis on ensuring the needs of vulnerable communities are met. Moreover, legacy cable customers still pay for public benefit channels and customers should always get what they pay for. Which to be clear, is "the widest possible diversity of information sources and services" delivered via channels reserved for the public interest.

The larger media landscape within which cable and video are situated is suffering from multiple, somewhat interlinked, crises. One of them is the collapse of the overall financial structure supporting the infrastructure for news delivery due to the movement of advertisers to the Internet. While this has had broad-ranging impacts across the news infrastructure, scholars have concluded that one of the hardest hit sectors has been local news and information. [10] While the news infrastructure has been partially replaced by the ubiquity of Internet "content", much of which purports to provide news and information, the tangible result has been what is called the misinformation/disinformation crisis. The growing inability to distinguish credible information from monetized content and propaganda, as well as the growing amount of AI slop, has made what was once the promise of the Internet to provide all the information in the world at the other end of a click not quite as great as we once thought. There is lots of information and lots of it is useless. Moreover, both when ingesting and when producing news and information, it has become increasingly impossible to stand out in the stew and to find the content or the audience that one seeks.

Public benefit channels (PMC's) fill a unique niche in this ecosystem that, where they are healthy and thriving, reduces the harms and repairs some of the damage from the crises in media. They do provide local news and civic information, and do so as a trusted and known messenger. [11] But they also provide a broad assortment of interactive support services that work to counteract destructive media trends and let community members address local problems locally. By providing training and equipment at low to no cost community members can learn to use the media instead of the media just using them. Broadcasting to the rest of their community in a targeted slot of mass media allows for the filling of news holes and news deserts best identified by the people who suffer in them. Interactivity builds real

[10] https://muckrack.com/resources/research/local-journalist-index
[11] https://davismedia.org/content/davis-media-access-releases-%E2%80%98yolo-county-news-information-ecosystem-report%E2%80%99

civic engagement and voter enthusiasm, especially in hyper-local races like school boards that get little to no attention otherwise. Discussions about public affairs are valuable additions to simple Internet streams of long boring meetings available on the computer. Local producers don't need to fight monetized bot armies for their audience because they are on TV, not just on Youtube. Community organizations and small businesses can promote themselves economically with feature content, not just quick Tik-Toks they have to pay to "boost" or otherwise outwit the big tech algorithms. This kind of interactivity (called two-way communication rather than just one-way communication in media activist parlance) has much enhanced engagement and attention value, and builds critical media skills that are much-needed in the job market as well as just navigating through 21st century America. All of these things help to reduce impacts of spiraling media crises and as mentioned earlier directly target segments of the community heavily aligned with ESG target populations. In other words public benefit channels, if they continue to exist, are part of the solution. It's a thing one would rarely get to say, but Barry Goldwater was right then (about this one thing), and he is right now.

MITIGATION 1 - RESTITUTION

If public benefit channels continue to exist is an open question because their existence has always been resented by the cable networks that host and fund them. Despite the claims of philanthrophic largesse, huge public benefits and voluntary contributions to a host of community organizations that the Commission hears from regularly during merger reviews, the one specific community set of community benefits required by law often gets short shrift. As we will demonstrate, the Applicants like other cable companies, have fallen short on their obligations to financially support public benefit channels and restitution is due in order to repair harms. Appropriate restitution of denied public benefits would be a contributing factor to a determination that the benefits of the proposed merger outweigh the harms of continuing industry concentration. On the other hand, lack of restitution would clearly signal that public benefits would continue to be denied and ongoing harms that have prevented a vital and healthy PBC network throughout the Applicants signal area will continue indefinitely.

The Joint Applicants have assessed monthly bills in the hundreds of dollars (totaling thousands of dollars every year) to their public benefit channel operators, both independent and municipal for basic transmission services. Payment of these bills has been required for the channel to operate. The practical effect of these unwarranted charges is for the Joint Applicants to reimburse themselves a significant portion of the support fees they are required to pay, and to deny the operators the support they are entitled to under law. We have received and hereby submit in this proceeding in appendix a and appendix b copies of monthly invoices assessed to KOCT-TV in Oceanside, California (from Cox) and the City of Temecula (from Charter).

KOCT-TV is a nonprofit operator providing government TV services to the city of Oceanside, CA channel 19 and public arts, culture and news on channel 18.[12] The nonprofit was founded in 1984 and has served the North County region of San Diego for the last 42 years.[13] KOCT-TV receives a monthly bill from Joint Applicant Cox Communications for "Ethernet Networking Services" for $425 plus fees for a total of $429.68 monthly or $5,156 annually that is rebated back from the 1% franchise fee that is paid to support KOCT operations. Cox cable subscribers are paying twice: initially in the fees on their cable bill, and again through the use of public taxpayer funds from the City of Oceanside that must be used to back fill the costs of Cox's invoices. This maneuver fails to serve the public interest. Cable subscribers are paying the fees, all Oceanside residents whether they subscribe to cable or not are paying the invoices and the nonprofit operator is using financial resources that could and should be used for services to the community including mobile live-streams of community events and production services for local businesses and community organizations.

Temecula TV is a government channel operated by the City of Temecula on Channel 3 with Joint Applicant Charter. As a government operated and focused station, Temecula TV broadcasts civic information and public affairs including city council, county commission and school board meetings, public service and informational programming and some public affairs discussion.[14] The City of Temecula receives a monthly bill from Charter for $518.49 a month or $6,221/year. The charges are $365 for "channel management" and a $145 pass-through charge of "fees", the majority of which ($133/$145) are described as federal universal service fund fees. Federal universal service fund fees pay for four federal programs: the High Cost Program, Lifeline, E-Rate, and Rural Health Care. USF funds are generally already passed through to *cable* customers, and by charging the City for them, Charter is passing those costs on to all residents of Temecula including those who are not their customers, and likely double-dipping by drawing on municipal taxpayer funds. Additionally, it is rather remarkable to defund a mandated public interest benefit in order to pay for other public benefits. It is

[12] https://koct.org/
[13] https://koct.org/koct-history
[14] https://temeculaca.gov/tv

not the responsibility of the City of Temecula to pay for federal lifeline or E-rate programs from its civic information channel that is supposed to be funded by its franchise holder.

We also have a report from the city of Long Beach that their operator PADNET-TV on Spectrum channel 32 is also being billed hundreds of dollars a month from Charter. We expect that invoicing of public benefit channels is a widespread practice throughout the Applicants signal area and that it essentially amounts to the Joint Applicants reimbursing themselves for the DIVCA fees intended to support the public benefit channels.

The public benefit channel located in Pasadena, California also provided a Charter "price sheet" for public benefit channels that they were given by a company representative. We cannot say if this sheet is in effect and whether it is local or intended to apply throughout the Charter/Spectrum service area, but we include it here as Appendix C.

In short, it is beyond dispute that public benefit channels have not received the support they are entitled to by the Joint Applicants. When these costs are passed on to local governments, all California residents bear the hit to the General Fund, whether they choose to subscribe to cable or not. This is a detriment to the public interest and it must not continue. While the amounts may not be vast, there are 280 Charter and Cox communities spread through Southern and Central California and the practices appear to be widespread and to have gone on for some time. This harm to the public requires restitution and repair.

We request that a restitution pool be made available by the Joint Applicants to reimburse public benefit channel operators, both nonprofit and municipal, for improper charges against franchise fees and channel support fees assessed in the 280 Charter and Cox municipalities to achieve financial repair and restitution for mandated public benefits, If the Commission sees fit, the restitution fund could be administered by the trade association for the public benefit channels – the Alliance for Community Media. The ACM, which is a completely separate organization from Media Alliance (in full disclosure, executive director Tracy Rosenberg serves as a board director (one of ten) on western regional board of the organization) and organized as a 501(c)3 association.[15] The ACM has been active in commission proceeding R,23-04-006 on DIVCA implementation.

[15] https://www.allcommunitymedia.org/ACM/ACM/Home.aspx

MITIGATION 2 - ACCESS

The remaining mitigations being requested do not contain financial provisions and constitute injunctive relief for public interest harms going forward in a post-merger environment. All businesses, and both nonprofit public benefit channels and government channels operate as businesses, require predictability in order to successfully deliver needed services. If, for example, your audience can no longer find you at the familiar location with no notice and preparation, your operation cannot succeed at delivering on its mission. Yet this is exactly what happens with depressing regularity, to public benefit channels under the Joint Applicants purview. This happens in two ways.

The first is colloquially known as “channel-slamming” and is a forced involuntary move to a completely different channel, which is often administered quite suddenly and without adequate notice. Charter/Spectrum has a poor track record with channel-slamming, having slammed most of the public benefit channels in the states of Missouri and Wisconsin to 900-number channels, and those in the states of Georgia, North Carolina and South Carolina into the 190-number channels. We note that DIVCA specifically forbids channel slamming in California without the agreement of the presiding municipality, so the relief being requested is simply a requirement that the Joint Applicants follow the law. While that may seem unnecessary, a recent channel slam by franchisee Comcast to numerous public benefit channels in Northern California makes it clear that franchise holders do not necessarily feel bound by the state’s requirements and are willing to gamble that local governments will not spend taxpayer monies to enforce. Given that track record mentioned above, and the need for merger applicants to demonstrate that allowing them to reap the financial benefits of a merger will be to the benefit of the public and not to the public’s detriment, the following of legal requirements for the operation of public benefit services should be incumbent on merger applicants before the Commission.

The second damaging access limitation is channel guide displacement. A channel on a cable system that is not listed in the channel guide is not a viable channel if it can only be found by accident. Yet public benefit channels often suffer from being hidden or unavailable on cable channel guide applications or listings, treated as second class citizens on the cable system as it were. This is inappropriate for services that a) cable customers are in fact paying for and b) public benefits that are being provided to residents as an enhancement to commercial services. Again, in order for the merger’s benefits to outweigh its detriments to the public interest, noncommercial public benefit channels should receive equilateral treatment to commercial channels in all guide and navigation services provided by the Joint Applicants going forward post-merger.

These relief requirements are merely insuring that public benefits are delivered in a non-discriminatory manner that allows Californians to receive and utilize the public interest benefits they are entitled to under state and federal law.

MITIGATION 3 - TRANSMISSION

The final request for mitigation of harms is for the termination of down-conversions or compression of video prior to broadcast. Many municipalities have invested (what remains of) their public benefit channel support funds as well as other public monies into video production equipment for their non commercial public benefit channels. This newer equipment, bought with public funds, issues video files in high definition, the current industry standard. The Joint Applicants, like other franchise holders, often degrade this video content on public benefit channels by compressing it into standard definition prior to broadcast. This down-converting has predictable and negative effects including letterboxing (a black frame around the video images), blurriness, loss of color vividity, illegibility of presentational material or informal captioning, and basically make well-produced video material appear to the broadcast audience as poorly produced and extremely difficult to watch. When it comes to government meetings and educational presentations, degraded signals can render the broadcasts unable to convey clearly the information intended to be presented. For example, a municipal budget as explained on a chart or Powerpoint presentation is often unreadable in a down-converted broadcast.

This is happening because DIVCA, the governing legislation, was written in 2006 when standard definition broadcast was the industry standard. The law fairly states that content should be submitted in industry standard formats, but less fairly does not account for the changes in industry standards over a twenty year period. It is patently unreasonable for investments of public and cable subscriber monies to be wasted by degraded broadcasts. The provision of the channels as community resources is harmed if those channels are not broadcast in accordance with current industry standards, not circa 2006 broadcast practices in 2026. The Joint Applicants, as the price list in Appendix C demonstrates, want to profit by charging usorious fees not to destructively down-convert public non-commercial content and broadcast it in the transmission standard in which it was conveyed to them, but that is simply another way to take back the support fees that they pay and leave public benefit channels without financial support to deliver on their mission. No one would expect a franchise holder to improve or enhance video prior to broadcast, and similarly no one should expect or sanction a franchise holder to damage or degrade video prior to broadcast. If relief is not provided, public benefit channels become second-class ghettoized channels trapped in decades-old technology that are less and less watchable, municipal investments of taxpayer monies in quality video production equipment are wasted and cable subscribers will be paying fees for the support of unusable non-commercial channels. This is a waste of resources, both financial and bandwidth, and assuredly not in the public interest. We ask for a simple requirement that non-commercial video content be broadcast as submitted,

SUMMARY OF NEEDED MITIGATIONS

In short, public benefit channels are the only public interest benefit that video franchisees like the Joint Applicants are absolutely required to provide. In order for the planned merger to deliver benefits to state residents, these benefits need to be delivered in a manner that allows them to execute on their missions and provide important services to Californians, on their cable channels, on a variety of digital platforms, in their facilities and in the field. If cable franchisees, including the Joint Applicants, continue to try to invoice, channel-slam, hide and down-convert public benefit channels out of existence, subscribers do not get services they pay for and residents lack services they should have that serve to relieve some of the harms of larger media crises. The merger is an opportunity for the Joint Applicants to get a fresh start, renounce some poor practices of the past, and ensure that the allocation of non-commercial channels for community use is not a futile endeavor, but a meaningful contribution to healthy neighborhoods.

We ask the Commission to ensure that:

1. Restitution will be made for charges to nonprofit and municipal operators of public benefit channels

2. Public benefit channels will receive equilateral treatment in cable channel guides and navigation systems.

3. The Joint Applications will comply with DIVCA prohibitions against channel-slamming

4. Video content submitted by public will not be down-converted and degraded prior to broadcast.

These four conditions will ensure that required public benefits are delivered in an appropriate manner that serves the residents of California and benefits the public interest.

RESPONSES TO ALJ QUESTIONS AND THE STANDARD OF REVIEW

Section 854(b)(1): Does the proposed transaction provide short-term and long-term economic benefits to ratepayers?

It is not clear to us that the proposed transaction would provide short-term and long-term economic benefits to ratepayers. As we will discuss on June 1, the proposed settlements with Public Advocates and CETF attempt to ensure that some economic benefits will accrue to low-income Californians, but these are limited in scope and likely do not counter-balance detrimental impacts to ratepayers from further telecommunications concentration which has reliably raised prices and limited benefits for ratepayers in the past. The conditions proposed earlier in this document would mitigate some expected harms and increase the public benefits of the planned merger.

Section 854(b)(3): Does the proposed transaction adversely affect competition?

In general, increased concentration of ownership always adversely affects competition. We see no reason for this particular merger to be the one exception to that rule. The Joint Applicants have heavily leaned on geographic separation to support their allegations that this merger will have zero impact on competition, but we generally believe that telecommunications practices throughout a region have an impact on affordability and competitive pressures. If for example, one of the Joint Applicants is offering a high-speed broadband connection for $69/mo, but across the county line a few dozen miles away, the other Joint Applicant is offering a similar connection for $49mo, the proximity produces implicit downward competitive pressures. Due to ongoing telecommunications mergers, we have less and less of that downwards price pressure across the state. Here, two closely located competitors can no longer provide that competitive downward price pressure to each other. We don't see that as a benefit to Southern Californians, who have already lost Time-Warner as a competitive player when they were absorbed by Charter just a few short years ago.

Does the proposed transaction satisfy the requirements of Pub. Util. Code Section 854(c)?

It seems clear that the Joint Applicants have gross California revenues in excess of $500 million dollars,

Does the proposed transaction maintain or improve the financial condition of the resulting public utility doing business in the state?

Our expectation is that it does, although we would not say that the Joint Applicants have made a particularly strong case to date in demonstrating the specific ways that the merger would improve the financial prospects for both companies. That lack of clarity causes us some concern that the primary financial benefit of the merger would be the loss of downward competitive pressure outlined above, which assuredly would improve the financial condition of the resulting public utility, but may do at the expense of ratepayers. Targeted relief and subsidies proposed in settlement will mitigate those impacts somewhat, but only for specific ratepayers in some aspects. Our proposed conditions would prevent an improvement to the financial condition of the merged companies by the continuation of practices that boost profits at the expense of mandated community benefit programs.

Does the proposed transaction maintain or improve the quality of service to public utility ratepayers in the state?

We are not aware of any information submitted in this proceeding that makes a clear case for significant improvements to the quality of service apart from Cox customers benefiting from services that Charter believes they offer that are superior. Be that as it may, that is not a significant improvement to the quality of service currently received by Charter customers.

When Considering Affordability Issues, the Commission Must Consider Whether the Cost of Communications Services Imposes an Unreasonable Burden on Consumers.

Other parties in the proceeding have and likely will present detailed analysis on affordability throughout the Joint Applicants service area. We will simply comment here that it is an unreasonable burden on consumers to have to absorb charges for what are supposed to be public benefits and, egregiously, to have universal service fund costs that they have already paid as fees on their individual voice service bills passed through to their local government for payment (again) via public taxpayer monies. That is patently unreasonable and should not be tolerated.

Does the proposed transaction maintain or improve the quality of management of the resulting public utility doing business in the state?

We have no particular opinion on this matter, but will mention that workplace diversity is one barometer of management quality, and we hope the Commission will keep that in mind when reviewing the transaction. The abandonment of inclusion and equity commitments under political pressure is not usually an indicator for high quality management reflective of the merits of the residents of this state.

Is the proposed transaction fair and reasonable to affected public utility employees, including both union and nonunion employees?

We have not seen a settlement or other commitment to the minimization of job losses as a result of "merger efficiencies".

Is the proposed transaction fair and reasonable to the majority of all affected public utility shareholders?

We have no opinion on this question.

Is the proposed transaction beneficial on an overall basis to state and local economies and the communities in the area served by the resulting public utility?

Not without further conditions than those the Joint Applicants have already committed to, including but not limited to, the ones we have suggested in this document.

Would the proposed transaction preserve the jurisdiction of the Commission and the capacity of the Commission to effectively regulate and audit public utility operations in the state?

While there is nothing in the transaction per se that challenges the jurisdiction and the capacity of the Commission, we do have concerns about the Joint Applicants continuing efforts to limit the jurisdiction and authority of the Commission in their submitted documents.

Does the proposed transaction provide mitigation measures to prevent significant adverse consequences that may result.

The transaction does not yet have any Commission-generated mitigation measures. We believe some are needed, including but not limited to, the ones we have suggested in this document. We believe other parties will also make some suggestions about needed mitigations. The proposed settlements with Cal Advocates and CETF are a start, but do not encompass everything that in our opinion is needed.

Thank you for the opportunity to participate in this proceeding and submit this brief for your consideration.

Respectfully submitted on May 22, 2026 in San Francisco, California

/S/ Tracy Rosenberg
Executive Director
Media Alliance
2830 20th Street
San Francisco CA 94110

APPENDIX A

COX BUSINESS®

(NOT FOR PAYMENTS)
DEPARTMENT # 102288
PO BOX 1259
OAKS, PA 19456
6400 0340 DY RP 01 11022025 YYNNNNNN 01 976966

KOCT-PEG
MASTER ACCOUNT
3038 INDUSTRY ST STE 101
OCEANSIDE CA 92054-4871

November 01, 2025

Contact Us: www.coxbusiness.com/chat
coxbusiness.com

Account Number	**001 3410 141125401**
Cox PIN	7022
Service Address	STE 101 3038 INDUSTRY ST OCEANSIDE, CA 92054-4871

Account Summary as of Nov 1, 2025

Previous Balance	$429.68
Payment Received - Oct 22	$-429.68
Remaining Previous Balance	$0.00
New Charges: Nov 1, 2025 - Nov 30, 2025	
Networking Services	$425.00
Taxes, Fees and Surcharges	$4.68
New Charges	$429.68
Total Due By Nov 22, 2025	**$429.68**

Thank you for being a Cox Business Paperless Customer!

COX BUSINESS®

Thank you for GOING GREEN by receiving a **Paperless Bill** and for using **EasyPay** from Cox!

November 01, 2025 bill for KOCT-PEG

Account Number	**001 3410 141125401**
Service at	STE 101 3038 INDUSTRY ST OCEANSIDE, CA 92054-4871

****Auto Payment On Your Due Date - Do Not Send Payment****

Total Due By Nov 22, 2025 **$429.68**

COX BUSINESS
PO BOX 53214
PHOENIX, AZ 85072-3214

034100015411411254014800429б8

Acct # 141125401 KOCT-PEG
STE 101
3038 INDUSTRY ST
OCEANSIDE, CA 92054-4871

Monthly Services Nov 1 - Nov 30

Networking Services

Ethernet Services	
Circuit Occurrence: 001	
Circuit Not Available	
Circuit Description: Not Available	
Metro E-10Mb UNI Intrastate	$425.00
Circuit Occurrence: 002	
Circuit Not Available	
Circuit Description: Not Available	
EVC Standard Intrastate	0.00
Total Ethernet Services	**$425.00**
Total Networking Services	**$425.00**
Total Monthly Services	**$425.00**

Taxes, Fees and Surcharges

Networking Services Taxes, Fees and Surcharges	
Fees and Surcharges	
State Regulatory Fee	$4.68
Total Fees and Surcharges	**$4.68**
Total Networking Services Taxes, Fees and Surcharges	**$4.68**
Total Taxes, Fees and Surcharges	**$4.68**
Total for Service Account	**$429.68**

Acct # 069451904 KOCT
1175 N CUYAMACA ST
EL CAJON, CA 92020-1805

Monthly Services Nov 1 - Nov 30

Monthly Services cont.

Networking Services

Ethernet Services	
Circuit Occurrence: 001	
Circuit Not Available	
Circuit Description: Not Available	
Metro E-10Mb UNI Intrastate	$0.00
Circuit Occurrence: 002	
Circuit Not Available	
Circuit Description: Not Available	
EVC Standard Intrastate	0.00
Total Ethernet Services	**$0.00**
Total Networking Services	**$0.00**
Total Monthly Services	**$0.00**
Total for Service Account	**$0.00**
Total New Charges	**$429.68**

News from Cox

Keep it simple with paperless billing and EasyPay. With paperless billing, you'll receive an email notification each month when your bill is available to view online. EasyPay allows you to automatically pay your bill each month using a bank account, credit card or debit card. Sign up for both in MyAccount.

Customer Information

Questions? Call us. We're happy to help.
619-269-2000

Billing, Payment Policies and Fees:
Cox Business bills all customers in advance for monthly recurring charges and in arrears for non-recurring charges such as On Demand/pay-per-view and long distance. Payment in full is due to Cox by the "Due By" date indicated on your statement. If payment is not received by this date, your bill will become past due and may be subject to additional fees, such as late payment charges, electronic reactivation fees, or returned payment fees. Payment of your Cox bill confirms your subscription to services and the possession of Cox owned equipment

Payment Options
Online: Visit www.coxbusiness.com to register for 24-hour online access or make payments to your account.
Mail: Detach this coupon and send it with your check or money order. Please include your account number on your check. Make your checks payable to Cox Communications. Allow 7 days for processing.
In Person: Visit www.coxbusiness.com for a list of Cox Authorized Payment Centers.

Customer Information cont.

listed on your bill.

When you provide a paper, electronic check or electronic fund transfer (EFT) as payment, you authorize Cox to process your payment as a traditional check transaction or to make a one-time EFT from your account. An EFT may debit your account as soon as the same day you make your payment. Payments returned unpaid for any reason will incur a returned payment fee of up to $25.00, or the maximum allowed by state law. By using a credit card, debit card, paper check or an electronic check to make a payment, you agree that, if your payment is returned unpaid, you expressly authorize a one-time electronic fund transfer from your account for the amount of the payment plus any returned payment fees. If payment is not received by the "Due By" date indicated on your statement, a late payment charge may be assessed on your account.

Your Privacy Rights as a Cox customer: At Cox, we take your privacy seriously. For more information, please visit www.cox.com/privacy.

Billing Dispute and Resolution: If you have any questions or disagree with any portion of your bill, please contact us at the phone number on this statement no later than 60 days from the due date indicated.

6400 0340 DY RP 01 11022025 YYNNNNNN 01 976966

COX BUSINESS

Power's out. **Wifi's still on.**

When the power goes out, your Internet doesn't have to. Stay online and maintain operations during outages and service interruptions with Cox Business Net Assurance.

Uninterrupted service

Keep your business running with up to 4 hours of back-up battery power during outages.*

Simple setup

Net Assurance is installed by our experts and automatically provides backup Internet when required.

Proactive updates

Stay ahead with notifications about the status of the primary and backup networks.

Call **877-982-5903**
or **scan** to sign up today.

www.cox.com/netassurance

*Service available in failover situations only. LTE Router, Uninterruptible Power Supply (UPS) and modem provided by Cox; remains property of Cox and must be returned to Cox upon termination of service to avoid additional charges. Speeds vary and are not guaranteed, and connection speed may be affected when using LTE. Max backup download speed is 10 Mbps. Not all services (including but not limited to Self-Install, Dedicated Internet, Multiple Static IP or CIDR Blocks, 3rd Party Internet (out of footprint), CBSS, Managed Wifi, and Voice Manager) are subject to backup. Only equipment connected to the UPS with Surge Protection has access to backup power. Backup speeds may not support video products, including video surveillance and TV service. Duration of backup battery runtime depends on multiple factors, including equipment, configuration, battery age, and temperature. All services and plans subject to Cox Business General Terms (including mandatory arbitration provisions), Cox Business Acceptable Use Policy (including Cox's right to terminate service for abuse of network), and other policies: cox.com/policies. Customer must have Cox Business Internet or Cox Fiber Internet. Other restrictions and limitations apply.

SAAPF02D

APPENDIX B

Spectrum BUSINESS

CITY OF TEMECULA - MAIN
CHANNEL 3 HD
41000 MAIN ST
TEMECULA, CA 92590

Invoice Number:	240681401040125
Account Number:	240681401
Invoice Date:	04/01/25
Due Date:	AUTOPAY
Security Code:	225920

Summary

Account activity from 04/01/2025 through 04/30/2025 details on following pages

Previous Statement Balance	$518.49
Payments	$-518.49
03/17/2025	$-518.49
Previous Statement Balance Subtotal	**$0.00**
Adjustments	$0.00
Prorated Charges	$0.00
Recurring Charges	$365.00
One Time Charges	$0.00
Taxes, Fees & Surcharges	$145.45
Current Charges Subtotal	$510.45
BALANCE DUE	**$510.45**

HOW TO CONTACT US
For Sales, Support, or Billing questions, please contact us at:
1-888-812-2591

PAYMENT OPTIONS
Checks:
Charter Communications
Box 223085
Pittsburgh PA 15251-2085

ACH/Wire Transfers:
Bank Name: Mellon Bank
ABA Number: 043000261
Account Name: Charter Communications
Account Number: 0001215564
Email remit information to:
DL-CASHMGMT-FL@CHARTER.COM

Credit Cards:
http://enterprise.spectrum.com/billpay

This account has been set up as AutoPay, please do not submit a payment.

Thank you for choosing Spectrum Business for enterprise. We value you as our customer and appreciate your prompt payment.

Note: Payments made after 03/22/2025 may not be reflected in the Payments section of this statement. They will appear on the following month's statement.

Please detach and enclose this coupon with your payment.

Spectrum BUSINESS
1900 BLUE CREST LN
SAN ANTONIO, TX 78247
6810 0225 NO RP 01 04012025 NNNNNNNN 01 073211 0170

ACCOUNT NUMBER 240681401

DUE DATE	AUTOPAY
PREVIOUS BALANCE SUBTOTAL	$0.00
CURRENT CHARGES SUBTOTAL	$510.45
BALANCE DUE	**$510.45**
AMOUNT PAID	$ ____________

CITY OF TEMECULA - MAIN
CHANNEL 3 HD
41000 MAIN ST
TEMECULA CA 92590-2764

CHARTER COMMUNICATIONS
BOX 223085
PITTSBURGH, PA 15251-2085

050400010012406814016300000051045

Invoice Number:	240681401040125
Account Number:	240681401
Invoice Date:	04/01/25
Due Date:	AUTOPAY
Security Code:	225920

CITY OF TEMECULA - MAIN

Contact Us at
1-888-812-2591

6810 0225 NO RP 01 04012025 NNNNNNNN 01 073211 0170

Charge Details

Previous Statement Balance	$518.49
Payments	$-518.49
03/17/2025	$-518.49
Previous Statement Balance Subtotal	**$0.00**
Adjustments	$0.00
Prorated Charges	$0.00
Recurring Charges	$365.00
EVPL 20Mbps	$365.00
Circuit ID: 90.L1XX.003401..CHTR	
Management Channel	$0.00
One Time Charges	$0.00
Taxes, Fees & Surcharges	$145.45
Federal Universal Service Fund	$133.59
FCC Regulatory Fee - Telecom	$11.86
Current Charges Subtotal	**$510.45**
BALANCE DUE	**$510.45**

Billing Information

Spectrum Enterprise is now Spectrum Business

Effective with this billing statement, you will notice changes including an updated Spectrum Business logo as well as references to Spectrum Business. These changes will not impact the billing or level of support you currently receive. Should you have any additional questions, please reach out to Customer Care at 888-812-2591.

Late Fee: You may be assessed a late fee for any amounts which are not paid when due. The late fee shall be the lesser of one and one-half percent (1.5%) per month or the highest rate chargeable by law.

Taxes and Fees: Effective April 1, 2025 the Federal Universal Service Fund increased to 36.6%.

APPENDIX C

RATE CARD

Public, Educational and Governmental (PEG) Access Channel Transport

Our PEG transport service enables public, educational and governmental organizations to broadcast local programming or content that informs or educates local constituents. Delivered over a dedicated and private Ethernet connection, our PEG Channel transport service provides an efficient and effective communication avenue to deliver your programming to us for transmission to our subscribers in your community. PEG channel transport is available with standard definition (SD) or high definition (HD) options.

Features

- Video encoding with video delivery over dedicated and private Ethernet connectivity.
- High definition or standard definition video options.
- End-to-end support for video transport from your location to local Spectrum Cable subscribers.

Pricing tables (excludes applicable taxes*)

PEG transport rates**	MTM	1-year	2-year	3-year	4-year	5-year	7-year
10 MB Ethernet UNI[1] for SD Video MRC[2]	$405	$390	$360	$325	$310	$295	$295
20 MB Ethernet UNI for HD Video MRC	$470	$450	$415	$375	$355	$340	$340
10 MB/20 MB Ethernet UNI (SD or HD) NRC[3]	$250	$250	$250	$250	$250	$250	$250

- PEG transport rates require two Ethernet UNIs. One UNI connects Subscriber Network Premises (Z-loc) and one connects Spectrum Enterprise Network (A-loc).

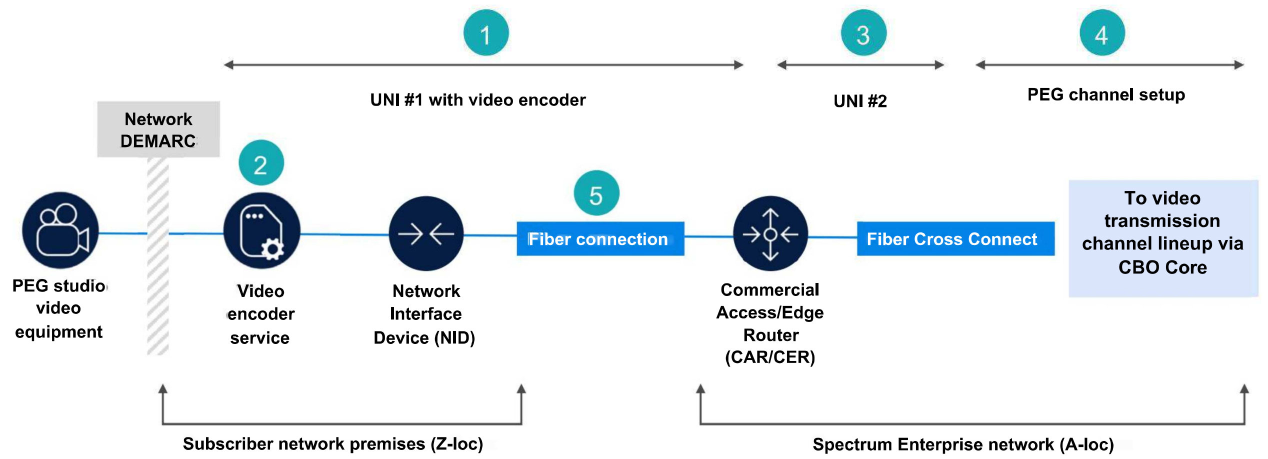
PEG channel one-time setup charge	
SD-Serial Digital Interface NRC	$925
HD-Serial Digital Interface NRC	$4,850

- PEG channel setup charge includes network provisioning, encoding, aggregation, monitoring and channel insertion into the programming guide.

Video encoder service rates	MTM	1-year	2-year	3-year	4-year	5-year	7-year
MRC	$1,622	$135	$70	$45	$35	$25	$20
NRC	$85	$85	$85	$85	$85	$85	$85

- Service supports analog CVBS[4] video signal natively or SDI video signal, service is capable of both standard definition and high definition video streams.
- Video encoder service charges not required if subscriber has Spectrum Enterprise Video Encoder Service currently in place.

PEG Channel Pricing Example (3-year term) for SD-Serial Digital Interface PEG Channel over 10 MB Ethernet UNI:



		MRC	NRC
0	**UNI #1, 10 MB EVPL:**	**$325**	**$250**
O	**Video encoder service:**	**$45**	**$85**
O	**UNI #2, 10 MB EVPL:**	**$325**	**$250**
O	**PEG channel setup:**	**$0**	**$925**
	TOTAL CHARGES:	**$695**	**$1,510**

Acronym key

'UNI: User Network Interface connection is the logical demarcation point between Subscriber Network Premises (Subscriber) and Spectrum Enterprise network location (Service Provider), Ethernet UNIs are defined in Metro Ethernet Forum Technical Specification (MIEF 13).

[2]**MRC:** Monthly Recurring Charge.

[3]**NRC:** Non-recurring Charge.

[4]**CVBS:** Composite Video Broadcast Signal.

* Pricing may vary. Restrictions may apply. Subject to change without notice.
* * Additional fiber construction charges may apply.

Learn more

enterprise.spectrum.com

About Spectrum Enterprise

Spectrum Enterprise, a part of Charter Communications, Inc., is a national provider of scalable, fiber technology solutions serving America's largest businesses and communications service providers. The broad Spectrum Enterprise portfolio includes networking and managed services solutions: Internet access, Ethernet access and networks, Voice and TV solutions. Spectrum Enterprise's industry-leading team of experts works closely with clients to achieve greater business success by providing solutions designed to meet their evolving needs. More information about Spectrum Enterprise can be found at enterprise.spectrum.com.

Spectrum ENTERPRISE

Spectrum
ENTERPRISE

Format	Total	MTM	1-year	2-year	3-year	4-year	5-year	7-year
SD	MRC	$2432	$915	$790	$695	$655	$615	$610
	NRC	$1510	$1510	$1510	$1510	$1510	$1510	$1510
HD	MRC	$2562	$1035	$900	$795	$745	$705	$700
	NRC	$5435	$5435	$5435	$5435	$5435	$5435	$5435