

*FROM THE DESK OF CLAUDIA TENNEY*

August 4, 2020

Chairman John B. Rhodes  
Chairman for the Commission  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

CC: Ms. Diane X. Burman, PSC Commissioner;  
Mr. James S. Alesi, PSC Commissioner;  
Ms. Tracey A. Edwards, PSC Commissioner;  
Mr. John B. Howard, PSC Commissioner

Dear Governor Cuomo and Chairman Rhodes,

I am writing to express my concern to the Public Service Commission of New York regarding Charter Communications-Spectrum's service delivery and pricing practices.

Spectrum Cable, subsequent to its merger with Time Warner Cable, has been allowed to abuse its rate-setting for customers in New York state, especially in Upstate New York's Mohawk Valley and Southern Tier regions. The Public Service Commission ("PSC") has failed in its duty to consumers to ensure affordable, high-quality and reliable access to cable and internet services.

Now, Spectrum is asking the FCC to continue to receive its massive taxpayer subsidies and be relieved of its self-imposed service requirement so it can set data caps and other limits on customers. This is happening while Spectrum continues to raise rates – with the PSC's approval.

Since 2019, Spectrum has raised cable rates four separate times including increasing non-optional fees (e.g. the broadcast fee), channel package fees, and equipment rental fees. It has also raised internet service rates twice. Those six increases put an undue burden on the residents of the region. Many of these customers live on fixed-incomes, work from home, or have limited mobility. Often, they have no other means to communicate or receive information.

Due to the ongoing COVID-19 crisis and related economic and social lockdown and public health precautions, there is an urgent need for workers, businesses, schools, and nonprofits to access telecommunications technologies (e.g. cable, internet, and telephone services). Yet, Spectrum – with the approval of the PSC – is raising its rates when many customers, who have suffered business and employment income losses due to the economic crisis, can least afford it.

It is unacceptable that Upstate New York customers must bear the brunt of Spectrum's excessive and unnecessary rate increases, service outages, poor customer service, and limited coverage.

In a free enterprise system, every Spectrum customer would be entitled to compare options, shop rates, and make their own decision to remain a Spectrum customer or take their business elsewhere.

Unfortunately, this is not the case. In my region of Upstate New York, Spectrum holds a monopoly on the provision of many, if not all, of these services. Our families, businesses, schools, and nonprofits are at the mercy of Spectrum's capricious and often unfair pricing and service decisions.

The grant of Spectrum's monopoly power prevents an enterprising competitor from emerging to offer better, faster, and more affordable service. The PSC's continued interference in the marketplace have not served the public interest, only further entrenched and subsidized a rent-seeking monopoly that exploits its captive customers.

At the same time, our current federal representation in Congress has been derelict in its duty to our communities. Our broken Congress and the dysfunction in Albany have prevented the roll-out of 5G and other high-speed, affordable, and universal technologies in order to maintain the status quo.

Spectrum has led the charge to block the implementation of revolutionary technology like 5G wireless networks, with the acquiescence or cooperation of our region's federal representatives in the House and Senate. Some estimates suggest these delaying tactics have put us back as much as four-years. All the while, the Chinese and other international competitors race ahead on 5G.

Therefore, I ask you to end reject any further rate hikes by Spectrum and withhold all state payments to Charter Communications/Spectrum until it agrees to:

- 1) Provide full cost transparency of its services including a 12-month notice of any service or rate changes;
- 2) Allow regional competitors to enter the market and offer customers' choice;
- 3) End its active campaign to block game-changing technologies that would benefit consumers but disrupt Spectrum's legacy and exploitative monopoly-based business model.

Sincerely,



Claudia Tenney  
Attorney at Law  
12 Slaytonbush Lane  
Utica, NY 13501