

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

Petition of Time Warner Cable)	
For Renewal of FCC Form 1240 and)	Docket No. D.T.C. 08-14
Form 1205 for the Great Barrington, North)	
Adams and Pittsfield Systems)	

**RESPONSES TO RECORD REQUESTS MADE
AT PUBLIC AND EVIDENTIARY HEARING
ON JANUARY 28, 2010**

Q. How many channels in each of the different systems that are on the BST tier are also carried in digital format and require additional equipment to be received by those who don't subscribe to a digital service?

Response: John Mucha

Here is a listing of channels carried in each system on the basic service tier and that are carried in digital format:

North Adams System

WNYA-DT (also carried in analog format)
WRGB-DT (also carried in analog format)
WRGB-DT2
WGBY-DT (also carried in analog format)
WGBY-DT2
WGBY-DT3
WGBY-DT4
WXXA-DT (also carried in analog format)
WTEN-DT (also carried in analog format)
WMHT-DT (also carried in analog format)
WNYT-DT (also carried in analog format)
WCWN-DT (also carried in analog format)
Home Shopping Network HD (also carried in analog format)
QVC HD (also carried in analog format)

Pittsfield System

WRNN
WNYA-DT (also carried in analog format)
WRGB-DT (also carried in analog format)
WRGB-DT2
WGBY-DT (also carried in analog format)
WGBY-DT2
WGBY-DT3
WGBY-DT4
WXXA-DT (also carried in analog format)
WTEN-DT (also carried in analog format)
WMHT-DT (also carried in analog format)
WNYT-DT (also carried in analog format)
WCWN-DT (also carried in analog format)
Home Shopping Network HD (also carried in analog format)
QVC HD (also carried in analog format)

Great Barrington System

WNYA-DT (also carried in analog format)

WRGB-DT (also carried in analog format)
WRGB-DT2
WGBY-DT (also carried in analog format)
WGBY-DT2
WGBY-DT3
WGBY-DT4
WXXA-DT (also carried in analog format)
WTEN-DT (also carried in analog format)
WMHT-DT (also carried in analog format)
WNYT-DT (also carried in analog format)
WCWN-DT (also carried in analog format)
Home Shopping Network HD
QVC HD (also carried in analog format)

Time Warner Cable
D.T.C. 08-14 Public and Evidentiary Hearing Record Request #2

Q. Does Time Warner Cable plan on moving any basic only channels to a digital-only format over the course of the next year?

Response: John Mucha

Time Warner Cable currently does not have plans to move any basic-only channel currently carried in analog format to a digital-only format.

Time Warner Cable

D.T.C. 08-14 Public and Evidentiary Hearing Record Request #3

Q. Subscribers who plugged their cable directly into their analog television sets prior to this digital convergence, now those same subscribers who are just trying to maintain what was available from Time Warner, the same level of service, not to go to a digital tier, not to get digital packages, rather to have the same level of service they had prior to the migration of channels, is there a different piece of equipment or is there a different pricing of equipment for those subscribers rather than subscriber who obviously choose to get additional services?

Response: John Mucha

Time Warner Cable subscribers do not currently need any additional equipment to view services that were carried in analog-only format in June 2009, the date of the Federally mandated digital transition.

Time Warner Cable
D.T.C. 08-14 Public and Evidentiary Hearing Record Request #4

Q. Since 2007, have there been any migration of channels from the basic tier, off of the basic tier:

- a. Channels moved off of BST
- b. BST channels moved from analog to digital format that would now require a converter box.

Response: John Mucha

- a. CSPAN was migrated from the basic tier to the CPST tier in February 2007 in the Great Barrington system. In March 2008, Home Shopping Network was migrated from basic tier to CPST tier and CSPAN was reinstated on the basic tier in the Great Barrington system.
- b. Time Warner Cable subscribers do not currently need any additional equipment to view services that were carried in analog-only format in June 2007.

Time Warner Cable
D.T.C. 08-14 Public and Evidentiary Hearing Record Request #6

Q. In response to information request #4, Time Warner Cable indicated that in the Great Barrington system the increase in programming costs, particularly to the Prevue Guide, was due to a different allocation method used in the current filing versus the 2007 filing. Could you please elaborate on the methodology adjustments?

Response: Gerry-Lynn Bresler

The current filing used the actual Prevue Guide subscriber cost. The prior filing assumed a discount for the cost. The preparers of that document are no longer employees of the company.

Time Warner Cable
D.T.C. 08-14 Public and Evidentiary Hearing Record Request #7

Q. Please explain the change in methodology for calculating the programming cost for the Prevue Guide in the Great Barrington system?

Response: Gerry-Lynn Bresler

Please refer to the response to record request number 6.

Time Warner Cable
D.T.C. 08-14 Public and Evidentiary Hearing Record Request #8

Q. In original record request #5, Time Warner Cable had a copyright change in Great Barrington. Why did this not apply to the other communities? Additionally, please provide copies of the copyright filings that were made, the first one where the Great Barrington system was incorporated with the other Time Warner Cable properties and the one prior to that where it was a stand-alone filing.

Response: Gerry-Lynn Bresler

In 2007, copyright filings for the Great Barrington system and the North Adams system (both previously owned by Adelphia) were filed separately, as had been done prior to the July 31, 2006 acquisition by Time Warner Cable. The company has been in the gradual process of consolidating its copyright filings and, as such, these two systems were included in a combined copyright filing in 2008. Prior to 2008, Great Barrington was at the base rate fee while North Adams was at the minimum fee. Once consolidated, copyright fees for the combined filing were at the minimum fee, effectively reducing the fee for Great Barrington from the base fee to the minimum fee.

2007 & 2008 copyright filings are enclosed for Pittsfield and Great Barrington/North Adams (separate in 2007 and combined in 2008).

Time Warner Cable
D.T.C. 08-14 Public and Evidentiary Hearing Record Request #9

Q. Around 2000, there was a 1235 filing for the Pittsfield system for a \$0.54 increase. Has Time Warner recaptured this increase and do they plan on removing it in 2010? Additionally, Great Barrington had a \$3.87 increase, not sure of year. Has Time Warner Cable recaptured this expense?

Response: Gerry-Lynn Bresler

A form 1235 for the Pittsfield system was filed with the FCC and approved by the Massachusetts Department of Telecommunications and Energy via a rate order issued August 1, 2001. As mentioned in the record request, this form allowed Time Warner Cable to increase the MPR for Pittsfield, Richmond, and Dalton by \$.54. Instructions for the form 1235 allow a recovery period equal to *"the weighted average of the useful lives for the plant placed in service from this upgrade."* In this case, the 1235 form indicated headend costs of \$42,045 (useful life of 11 years) and transmission facilities expense of \$4,280,436 (useful life of 16 years). The weighted average of this expense equals approximately 15.95 years. Therefore, Time Warner has not yet fully recaptured this increase and does not plan to remove it in 2010.

A form 1235 for the Great Barrington system was filed with the FCC and approved by the Massachusetts Department of Telecommunications and Energy via a rate order issued to Adelpia Communications Corporation on April 27, 2006. This form allowed Adelpia to increase the MPR for the Great Barrington system by \$3.87. The form indicates distribution facility expense of \$9,620,264 with a useful life of 12 years. Therefore, Time Warner has not yet fully recaptured this increase.

Time Warner Cable
D.T.C. 08-14 Public and Evidentiary Hearing Record Request #10

Q. In 2007 there were three divisions whose costs were not included on the FCC form for 100 percent methodology. Please indicate the following: Why was the capital for these included at a hundred percent while only a percentage of the operating costs were included as such?

Response: Gerry-Lynn Bresler

For the 2007 Form 1205, most divisions chose to identify the capital costs and operating expenses that related to installation and maintenance from their financial statements and use 100% of that expense on the form. On the same form, three divisions chose to identify total costs and operating expenses for the division and apply a percentage estimated to represent installation and maintenance. Both methodologies are deemed acceptable per the 1205 instructions published by the FCC.

Time Warner Cable

D.T.C. 08-14 Public and Evidentiary Hearing Record Request #11

Q. In the 1205, why did two divisions change their methodology to be a hundred percent and why the third fell off the corporate filings?

Response: Gerry-Lynn Bresler

San Antonio was taken off the filing as it was granted effective competition and no longer required to file. The other two divisions changed their methodology as a matter of preference as both methodologies are allowable as set forth by the instructions published by the FCC.

Time Warner Cable
D.T.C. 08-14 Public and Evidentiary Hearing Record Request #12

Q. Could you please explain the increase in converters between the current and previous form 1205 is approximately 450,000. Given the inclusions of those two very large systems, can you explain why that converter increase is not larger?

Response: Gerry-Lynn Bresler

The division labeled "NYC" noted on the 1205 form represents only the Hudson Valley portion of the NYC division and does not include the far larger portion of the division located in New York City proper. The Los Angeles division was not included in the 1205 form. Having said that, the year-over-year increase in converters (approximately 450,000) represents general growth of the business across most divisions represented in the national 1205.

Time Warner Cable
D.T.C. 08-14 Public and Evidentiary Hearing Record Request #13

Q. In the regulated communities, are any of the licenses past expiration in Massachusetts at this point?

Response: John Mucha

The following licenses for regulated communities in Massachusetts have expired:
City of Pittsfield, Town of Dalton, Town of Richmond.