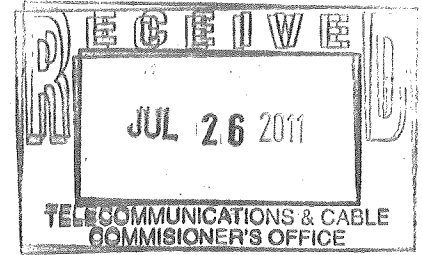


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**William August, Esq.**

July 25, 2011

Catrice Williams  
Secretary  
Department of Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118

Re: Town of Weymouth Mayor Susan Kay Petition for Rulemaking to Require Reasonable Notice of Cable Bill Payment Due Date

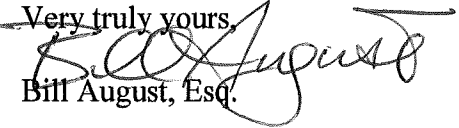
Dear Secretary Williams:

Enclosed please find one original and one copy of Weymouth Mayor Susan Kay's Petition for Rulemaking to Require Reasonable Notice of Cable Bill Payment Due Date. This Petition for Rulemaking is submitted pursuant to 207 Code of Massachusetts Regulations (CMR) Section 2.01, which provides that "any interested person may at any time petition the [Department] to adopt, amend, or repeal any regulation contained within 207 CMR..."

Cable customers have long protested the financial difficulties and stress caused by receipt of cable bills stating a short time period between time of billing and bill payment due date. Mayor Kay's enclosed Petition for Rulemaking sets forth a detailed and informed discussion of the problem and outlines reasonable amendments to 207 CMR 10.05 that would easily and reasonably improve the current situation and help Massachusetts consumers.

Thank you for your attention to this matter. As always, please do not hesitate to contact me should you require any additional information or for further discussion of these issues.

Very truly yours,

  
Bill August, Esq.

cc: Geoffrey Why, Director, Department of Telecommunications and Cable  
Mayor Susan M. Kay  
George E. Lane, Esquire, Town Counsel  
Comcast Cable Communications

Commonwealth of Massachusetts

Before the

Department of Telecommunications & Cable

Petition for Rulemaking )  
In the Matter of Requiring )  
Reasonable Notice of Cable Bill )  
Payment Due Date )

Petition of City of Weymouth Mayor Susan Kay  
for Rulemaking to Require Reasonable Notice  
of Cable Bill Payment Due Date

**Introduction and Background**

This Petition for Rulemaking (the Petition) is submitted pursuant to 207 Code of Massachusetts Regulations (CMR) Section 2.01, which provides that "any interested person may at any time petition the [Department] to adopt, amend, or repeal any regulation contained within 207 CMR . . . ." Pursuant to Mass. General Laws c. 166A, s. 1, the Mayor of the Town of Weymouth is the cable television license Issuing Authority for the City of Weymouth. In her capacity as Issuing Authority and on behalf of the Town of Weymouth, Weymouth Mayor Susan Kay (Mayor Kay) submits this Petition for Rulemaking to ameliorate consumer problems resulting from the Weymouth cable provider's use of an unreasonably short, fourteen (14) day billing "due date" notice in its cable bills. The Department of Telecommunications and Cable (Department) has long balanced consumer and industry interests by adopting billing and termination regulations to establish reasonable billing practice rules, as set forth in 207 CMR 10.00 et seq. It is therefore within the Department's jurisdiction and traditional functions to address billing cycle proposals through the formal rulemaking process provided for under the Standard Administrative Procedure Act, M.G.L. c. 30A and 207 CMR 2.01 in order to remedy the short cable due date notice as applied to cable subscribers in the Town of Weymouth and throughout the Commonwealth. Accordingly, the Town of Weymouth hereby petitions the Department to reasonably lengthen the minimum billing due date notice in customer bills and permitted under the regulations of the Department by amending 207 CMR 10.05(1) as discussed further below.

**The Department's Billing and Termination Regulations Should be Amended to Provide for not less than a 21 day cable "due date" period.**

Comcast Cable Communications, Inc. (Comcast), the cable provider serving the Town of Weymouth, Massachusetts issues customer bills that give customers a maximum of only 14 days from the billing date until payment is due. For example, a sample Comcast cable bill (*attached*) shows a February 20, 2011 billing date, and the bill states

that payment is due by March 6, 2011, being only 14 days after the billing date. Weymouth urges that Comcast's loyal and longstanding customer base deserves better than a short, 14-day due date notice, and Weymouth hereby requests minor Department amendments to require more standard and considerate billing due date terms, including a minimum 21-day due date period stated on the actual bill. The Town believes that such a due date extension rulemaking would be mutually beneficial for the public and Comcast by yielding customers precious time for payment of bills in these tough economic times and by enabling Comcast to ameliorate a longstanding consumer concern (short due date notices) and project a more consumer-friendly billing system. In addition, the brevity of the 14-day payment due date cycle generally does not even allow customers a full 14 days due to time lag between billing date mailings and customer receipt of the bill. The Town recognizes that the foregoing "14-day" due date complies with the Department's current regulation, 207 CMR Section 10.05(1), and therefore urges amendment of the rule to rectify the foregoing concerns. The Town urges that both the 5-day due date rule in the Department's regulations,<sup>1</sup> and Comcast's 14-day due date cycle have fallen behind the times, and are not consistent with more extended due date periods afforded to customers by other companies, as explained below.

Comcast's 14-day window for customers to pay their bill appears shorter than the payment window of other major video service providers in the Commonwealth of Massachusetts. The Town examined a recent RCN cable bill and found that RCN allows customers 25 days from billing date until "due date." In addition, according to Verizon customer service representatives contacted by telephone, Verizon affords customers 30 days from billing date to due date.<sup>2</sup> The same type of leeway is allowed by the Boston Water and Sewage Commission, which allows 30 days after billing date for payment to be "due,"<sup>3</sup> and National Grid, which allows 23 days for payment to be due.<sup>4</sup> The foregoing timeframes appear more reasonable and beneficial to the general public, especially when taking into account the time that bills spend in the mail and in light of the economic challenges facing the public (challenges that are in part aggravated by Comcast's regular rate increases which are usually greater than the rate of inflation). With so many residents of Massachusetts suffering economic challenges as a result of the recession and the high cost of living, this is a most opportune occasion for revisiting the practice of sending customer bills that require payment a mere 14 days from billing. In years past the Commonwealth pioneered efforts to establish fair billing cycles for consumers (207 CMR 10.00 et seq.). The Department should continue these commendable efforts by acting on The Town of Weymouth's Petition and adopting a more relaxed and customer-friendly billing schedule, working with Comcast and other providers to establish a reasonable period for transition to such a framework.

The Town recognizes that the Department's regulations do provide that a bill will

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<sup>1</sup> The Department's regulation provides that "[t]he due date shall not be less than five business days following the mailing date of the bill." 207 CMR Section 10.05(1). The Comcast 14-day due date notice counts all calendar days toward the 14-day period, not just business days.

<sup>2</sup> This data was corroborated with calls to multiple different customer service representatives.

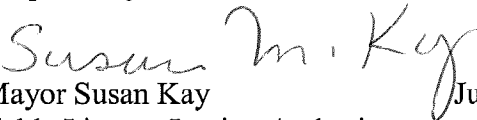
<sup>3</sup> According to a Boston Water and Sewage Commission customer service representative.

<sup>4</sup> See Sample bill on National Grid's website, available at [http://www.nationalgridus.com/rigas/home/rates/3\\_about\\_bill.asp](http://www.nationalgridus.com/rigas/home/rates/3_about_bill.asp).

not be deemed delinquent without an additional grace period, nor subject to late charges without additional notice, but these regulatory grace periods (207 CMR 10.05(2)-(3)) are in the fine print of the Code of Massachusetts Regulations and are unknown to regular cable customers as they are not plainly disclosed in customer bills. Weymouth thus proposes amending the Department's rules to require cable bills to provide for not less than 21 days before payment is deemed "due," and requiring plain and conspicuous disclosure (on each bill) of the longer delinquency period allowed under state regulations. Extending the billing statement due dates would be the consumer-friendly approach, and Weymouth urges that such an amendment would be beneficial to Comcast's customer interface as well, bringing Comcast more in line with the billing cycles of other companies. The fairness of such payment flexibility is heightened by the budget difficulties experienced by cable customers who have been through decades of significant cable rate increases, and who therefore have an ever-increasing need for budgeting options such as slightly extended payment due dates.

Wherefore the Town of Weymouth, by Mayor Susan Kay, in her capacity as cable television license Issuing Authority pursuant to M.G.L. c. 166A, s.1, respectfully petitions the Department of Telecommunications and Cable to amend 207 CMR 10.05(1) to extend the time for payment of cable bills from five business days to not less than twenty-one (21) days from the mailing of customer bills.

Respectfully submitted

  
Mayor Susan Kay  
Cable License Issuing Authority  
Town of Weymouth

July 15, 2011

Attachments

cc: George Lane, Jr., Esq.  
Bill August, Esq, Special Cable Counsel  
Comcast Cable Communications



Account Number  
 Billing Date 02/20/11  
 Total Amount Due \$98.86  
 Payment Due By 03/06/11  
 Page 1 of 2

Contact us: @ [www.comcast.com](http://www.comcast.com) 1-800-XFINITY (1-800-934-6489)

**Monthly Statement Summary**

Previous Balance	98.86
Payment - 02/09/11 - Thank You	-98.86
New Charges - see below	98.86
<b>Total Amount Due</b>	<b>\$98.86</b>
Payment Due By	03/06/11

**News from Comcast**

The FTC and the FCC established a National Do Not Call Registry to prevent unwanted telephone solicitations. You may add your number to the Registry or have it removed by calling toll-free from your telephone number to 888-382-1222 or via the Internet at <http://www.donotcall.gov>.

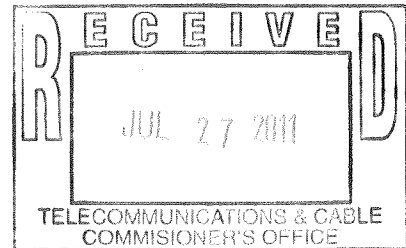
**IMPORTANT INFO:** On 3/30/11, Movieplex ch 200 & Investigation Discovery ch 252 will move from Digital Preferred to Digital Starter. Current subscribers to MultiLatino Ultra or one of the following pkgs which are not avail for new subscription: Digital Bronze, Silver, Gold or Platinum, will no longer receive Movieplex and/or Investigation Discovery as of 3/30.

Please ask us about our convenient and easy automated payment methods.

**New Charges Summary**

<input type="checkbox"/> XFINITY TV	93.64
Taxes, Surcharges & Fees	5.22
<b>Total New Charges</b>	<b>\$98.86</b>

**Thank you for being a valued Comcast customer!**



Detach and enclose this coupon with your payment. Please write your account number on your check or money order. Do not send cash.



BOX 6505 CHELMSFORD MA 01824-0000  
 8773 1000 NO RP 20 02212011 YNNNNY 01 026078

Account Number	
Payment Due By	03/06/11
Total Amount Due	\$98.86
Amount Enclosed	\$

Make checks payable to Comcast

COMCAST  
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 NEWARK NJ 07101-1577

