

**STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

**JOINT APPLICATION OF CHARTER)
COMMUNICATIONS, INC., COX ENTERPRISES,)
INC., AND COX COMMUNICATIONS, INC. TO)
TRANSFER CONTROL OF COXCOM, LLC’S SERVICE) **Docket No. D-25-18**
AREA 1-8 CERTIFICATES OF AUTHORITY TO)
OPERATE AND FOR COXCOM, LLC TO PARTICIPATE)
IN FINANCING ARRANGEMENTS)**

JOINT APPLICANTS’ MOTION FOR PROTECTIVE TREATMENT

Pursuant to R.I. Gen. Laws Section 38-2-2(4) and the Rhode Island Division of Public Utilities and Carriers (the “Division”) Rules 810-RICR-00-00-1.3(D) and 1.21(C) and (E) the Joint Applicants¹ hereby request that the Division grant this Motion to protect from disclosure certain confidential information submitted in response to the Division’s First Set of Data Requests, DIV 1-7, 1-8, and 1-9.

The records and information that are the subject of this Motion that require protective treatment from disclosure are a confidential description of certain aspects of Charter’s financing arrangements related to debt guarantees by subsidiaries in support of the Transaction² (the “Financing Description”) and 242 pages of internal and third-party reports and analyses regarding the Transaction (the “Confidential Records”). The Joint Applicants also respectfully request that, pending entry of that finding, the Division preliminarily grant the Joint Applicants’ request for confidential treatment pursuant to Division Rule 810-RICR-00-00-1.3(D)(2). Accordingly, for the reasons discussed further below, the Joint Applicants request exemption and protective treatment of the Financing Description and Confidential Records, provided in response to the Division’s data

¹ The “Joint Applicants” are Charter Communications, Inc. (“Charter”), Cox Enterprises, Inc. (“CEI”), Cox Communications, Inc. (“Cox”), and CoxCom, LLC (“CoxCom”).

² The “Transaction” refers to the transfer of “substantial control” of Cox’s subsidiary CoxCom to Charter as described in the Joint Application filed with the Division on August 12, 2025, in Docket No. D-25-18.

requests in this proceeding, in accordance with R.I. Gen. Laws Section 38-2-2(4)(B), Division Rules 810-RICR-00-00-1.3(D) and 1.21(C) and (E).

I. LEGAL STANDARD

For matters before the Division, a claim for protective treatment of information is governed by the policy underlying the Access to Public Records Act (“APRA”), R.I. Gen. Laws Section 38-2-1 *et seq.* See Division Rule 810-RICR-00-00-1.3(D)(1). Under APRA, any record received or maintained by a state or local governmental agency in connection with the transaction of official business is considered public unless such record falls into one of the exemptions specifically identified by APRA. See R.I. Gen. Laws §§ 38-2-3(a) and 38-2-2(4). Therefore, if a record provided to the Division falls within one of the designated APRA exemptions, the Division is authorized to deem such record confidential and withhold it from public disclosure.

II. BASIS FOR CONFIDENTIALITY

The Financing Description and Confidential Records are exempt from disclosure pursuant to R.I. Gen. Laws Section 38-2-2(4)(B) as “[t]rade secrets and commercial or financial information obtained from a person, firm, or corporation that is of a privileged or confidential nature.” The Financing Description contains information regarding Charter’s financing arrangements for the Transaction that is of a confidential nature and is not publicly available. The Confidential Records are proprietary analyses of the Transaction by Fitch, Moody’s, and S&P Global and confidential and proprietary internal and third-party analyses prepared for the Charter Board of Directors and the Cox Board of Directors. Accordingly, the Financing Description and Confidential Records may be withheld from public disclosure pursuant to R.I. Gen. Laws Section 38-2-2(4)(B) because they are financial and commercial information obtained from a corporation that is confidential.

The Financing Description and Confidential Records are exempt from disclosure because the Joint Applicants are obligated to provide them to the Division and the material consists of

financing information that is not publicly available, proprietary analyses owned by third parties, and analyses confidential to the Charter Board of Directors and the Cox Board of Directors. The Joint Applicants would customarily not release this confidential financing and deliberative information to the public. Furthermore, in some cases, the Joint Applicants are contractually limited from sharing proprietary analyses prepared by third parties. Moreover, the disclosure of the Financing Description and Confidential Records will also likely cause substantial harm to the competitive position of Charter and/or Cox. *See Providence Journal Co. v. Convention Ctr. Auth.*, 774 A.2d 40 (R.I. 2001). The Joint Applicants' submission of the Financing Description and Confidential Records to the Division is therefore intended to comply with three specific Division discovery requests to assist the Division in its analysis of this Joint Application. Accordingly, the Joint Applicants are obliged to provide the Confidential Records to fulfill their regulatory responsibilities and to assist the Division.

For the foregoing reasons, the Joint Applicants respectfully request that the Division grant this Motion for Protective Treatment.

September 10, 2025

Respectfully submitted,
/s/ Alan M. Shoer

Alan M. Shoer, Esq. (#3249)
Alexander D. Meyer, Esq. (#10601)
Adler Pollock & Sheehan P.C.
100 Westminister Street, 16th floor
Providence, RI 02903
Tel: (401) 274-7200
Email: ashoer@apslaw.com
Email: ameyer@apslaw.com

Counsel for Joint Applicants

Curt Stamp
Cox Communications, Inc.
6205-B Peachtree Dunwoody Road
Atlanta, GA 30328
Tel: (770) 845-1192
Email: curt.stamp@coxinc.com

Matthew A. Brill
Elizabeth R. Park
Michael H. Herman
Latham & Watkins LLP
555 Eleventh Street, NW, Suite 1000
Washington, DC 20001
Tel: (202) 637-2200
Email: matthew.brill@lw.com
Email: elizabeth.park@lw.com
Email: michael.herman@lw.com

Counsel for CEI and Cox

Adam Falk
Daniel Gonzalez
Charter Communications, Inc.
601 Massachusetts Avenue, NW
Suite 400 West
Washington, DC 20001
Tel: (202) 621-1910 (Adam Falk)
Tel: (202) 805-4986 (Dan Gonzalez)
Email: adam.falk@charter.com
Email: dan.gonzalez@charter.com

Michael Chowaniec
Charter Communications, Inc.
400 Washington Blvd.
Stamford, CT 06902
Tel: (203) 561-3492
Email: michael.chowaniec@charter.com

Luke C. Platzer
Madeleine V. Findley
Samuel L. Feder
Jenner & Block LLP
1099 New York Avenue, NW, Suite 900
Washington, DC 20001
Tel: (202) 639-6000
Email: lplatzer@jenner.com
Email: mfindley@jenner.com
Email: sfeder@jenner.com

Counsel for Charter

CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2025, I delivered a true copy of the foregoing Motion via electronic mail to the Division and the parties on the service list.

/s/ Alan M. Shoer

Alan M. Shoer, Esq.