

**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’ REPLY TO ADVOCACY SECTION RECOMMENDATION
AND OCEAN STATE MEDIA GROUP’S POSITION STATEMENT**

Charter Communications, Inc. (“Charter”), Cox Enterprises, Inc. (“CEI”), and Cox Communications, Inc. (“Cox”), collectively the “Joint Applicants,” appreciate the positive recommendation (the “Recommendation”) from the Advocacy Section of the Rhode Island Division of Public Utilities and Carriers (the “Division”) and the position statement (“Position Statement”) of Ocean State Media Group f/k/a Rhode Island PBS Foundation (“RIPBS”). On October 30, 2025, the Advocacy Section filed a Recommendation that the Division “approve the Applicants’ request to transfer control of CoxCom’s Service Area 1-8 Certificates” and “approve the Applicants’ request for CoxCom to participate in financing arrangements.”¹ On October 31, 2025, RIPBS filed the Position Statement supporting the Joint Application and asking the Division to “impose a condition aimed at facilitating the modernization [of public, educational, or governmental (“PEG”)] access funding in the future.”² Joint Applicants recognize and appreciate the support of the Advocacy Section and RIPBS in this matter and submit this Reply to address the proposed condition raised by RIPBS.³

¹ Recommendation at 7.

² Position Statement at 2.

³ Joint Applicants reserve their right to further briefing on additional issues in this proceeding.

I. INTRODUCTION

On August 12, 2025, the Joint Applicants filed their Joint Application with the Division requesting approval of the proposed transaction described in the Joint Application (the “Transaction”) and consent to a pledge of CoxCom, LLC’s (“CoxCom”) Rhode Island cable assets for financing purposes that will result in CoxCom becoming a subsidiary of Charter pursuant to the same Transaction. On October 30 and 31, 2025, the Advocacy Section and RIPBS filed their respective Recommendation and Position Statement. RIPBS supports approval of the Transaction but asks the Division to condition its approval “on the Applicants’ agreement to meet and discuss solutions for modernizing PEG access funding.”⁴ The Joint Applicants readily agree to a collaborative dialogue with RIPBS, in full satisfaction of the request made by RIPBS; however, the Joint Applicants respectfully submit that RIPBS’s request raises a question of general applicability affecting the entire industry, which is neither unique nor limited to CoxCom. Moreover, PEG access funding implicates both state policy⁵ and federal law,⁶ and is better addressed in a forum where those larger policy and legal considerations can be taken into account. Therefore, Joint Applicants believe that any additional consideration of the “implement[ation of] solutions that will ensure the long-term viability of PEG access studios in Rhode Island”⁷ must instead be addressed in a proceeding separate from this Joint Application, such as the Division’s existing Docket No. D-22-11, where PEG access fees are the primary issue and other CATV operators are participants.

⁴ Position Statement at 5.

⁵ See *infra* note 8.

⁶ See, e.g., *In the Matter of Implementation of Section 621(a)(1) of the Cable Commc’ns Pol’y Act of 1984 As Amended by the Cable Television Consumer Prot. & Competition Act of 1992*, 34 FCC Rcd 6844 (2019).

⁷ Position Statement at 6.

II. ARGUMENT

The Joint Applicants are ready and willing to agree to satisfy the request to participate in a collaborative dialogue with RIPBS and further submit that the Division need not condition its approval of the Joint Application on such a commitment because the issue that RIPBS raises is already under consideration in a different ongoing Division proceeding.⁸ On June 7, 2022, RIPBS filed a Petition with the Division requesting an adjustment for PEG Access Fees. Cox and the other major CATV operator in Rhode Island each filed public comments in the proceeding. That proceeding is the best venue to address RIPBS’s request for a discussion because that proceeding identified “declining PEG Access Fee revenues” as an ongoing issue and involves “other similarly situated CATV operators.”⁹

As more customers purchase video services from competitors not subject to PEG obligations—such as online streaming services and virtual multichannel video programming distributors—the reduction in cable television subscribers, and the commensurate decline in revenue generated subject to PEG fees assessed to such subscribers, is an issue impacting the entire industry. It is not unique to CoxCom or to Charter, or to CoxCom’s Rhode Island operations. While the Joint Applicants remain willing to meet with RIPBS to continue to discuss PEG access fees, this immediate proceeding, is not an appropriate vehicle to consider—nor could it resolve—those industry-wide issues. RIPBS appears to recognize that in its request by seeking agreement from CoxCom and Charter to meet and discuss solutions, rather than attempting to impose them directly as part of the Transaction.

⁸ Additionally, RIPBS’s suggestion that the Division could, if it wanted, set a separate rate to recover fees from broadband service providers to further support RIPBS runs afoul of Rhode Island’s broadband deregulation law. *See* RIGL 39-28-1 *et seq.*

⁹ *In re Rhode Island PBS Foundation Reconciliation Filing to Adjust Public, Education, & Government Access Fees*, Docket No. D-22-11, Order No. 25422 at 5 (July 2, 2025) (“The Advocacy Section and RI PBS are actively discussing potential solutions to both reduce expenses and find additional revenue streams and intend to continue those discussions after the resolution of this matter.”).

This proceeding is focused on (1) Charter's fitness, technical qualifications, and financial ability to be a Rhode Island CATV operator; (2) Charter's willingness to conform with the Division's Orders, Rules, and Regulations; (3) the public interest; and (4) the pledge of CoxCom's Rhode Island cable assets.¹⁰ As the Advocacy Section specified in its Recommendation, the Joint Applicants committed to adhering to Division PEG regulations and existing Cox agreements with RIPBS,¹¹ concluding that, as a result, the "Advocacy Section is satisfied that these representations indicate the transaction will not be harmful to the operation of PEG programming services."¹² Therefore, to the extent that PEG is relevant to this proceeding, it has already been adequately addressed, and any broader consideration of PEG fees can only be adequately addressed in a PEG-focused proceeding such as Docket No. D-22-11.

RIPBS also requests that the meeting involve "other similarly situated CATV operators," further confirming the fact that PEG funding is an issue that impacts participants beyond the Joint Applicants and would be more appropriately addressed in a venue where all CATV operators could participate in the discussion, such as in Docket No. D-22-11.

III. CONCLUSION

The Joint Applicants appreciate the support of the Advocacy Section and RIPBS for their Joint Application. Charter and Cox are willing to engage in a collaborative dialogue with RIPBS surrounding PEG access fees, but such a commitment should not be a condition of the Division's approval because declining PEG access fees are better addressed in a proceeding dedicated to the issue where all relevant Rhode Island CATV operators are present. The Joint Applicants look

¹⁰ See Recommendation at 2-7.

¹¹ Recommendation at 6 (citing Joint Applicants' Response AS 1-4 (b, c, and d), Pages 9-10; Joint Applicants' Response to RIPBS 1-1, Page 1).

¹² Recommendation at 6.

forward to building on Cox's strong history in Rhode Island and ask the Division to approve the Joint Application expeditiously and without conditions.

November 14, 2025

Respectfully submitted,

/s/ Alan M. Shoer

Alan M. Shoer, Esq. (#3249)
Alexander D. Meyer, Esq. (#10601)
Adler Pollock & Sheehan P.C.
100 Westminster 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

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

Counsel for CEI and Cox

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 November 14, 2025, I delivered a true copy of the foregoing Motion via electronic mail to the parties on the attached service list.

/s/ Alan M. Shoer

Alan M. Shoer, Esq.