Docket no. 13-431

Bob
alisa
connie
Kevin
Vincent
JC
Kitty
Donna

Mediacom

Bruce Gluckman
Deputy General Counsel

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October 14, 2013

CERTIFIED MAIL

Mr. Bob Howatt
Executive Director
Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, DE 19904

Dear Mr. Howatt:

Our records indicate that Mediacom's cable franchise with the Delaware Public Service Commission to serve the unincorporated areas of Sussex County, DE is scheduled to expire on June 10, 2016. Mediacom wishes to continue to provide service for an additional renewal term and is, by this letter, informing you of our intention to seek renewal of the franchise.

Title VI of the Communications Act of 1934, as amended ("Communications Act"), establishes formal cable franchise renewal procedures to be invoked 30-36 months prior to expiration. Accordingly, as provided for by Section 626(a) of the Communications Act, we hereby request the City to commence a renewal proceeding set forth in Section 626 subsections (b) through (g). A copy of Section 626 of the Communications Act is attached for your use.

The Communications Act also allows for reaching a mutually beneficial agreement for franchise renewal through informal negotiation if both parties wish to undertake these discussions. Mediacom is ready at any time to discuss the terms of renewal with you on an informal basis. Mediacom believes such negotiations would be successful and cost-effective, avoiding the more involved formal procedures. Of course, if we agree to a temporary delay of the formal procedures in order to explore informal negotiations, both parties will retain their rights to proceed with formal renewal proceedings at any time upon written notice to the other party.

Mediacom looks forward to working with you on this renewal. If you have any questions, you may contact Jenna Comizio Guarino, Senior Staff Attorney, at (845) 419-6372 or jcomizio@mediacomcc.com

Sincerely,

Bruce Gluckman

cc: Jenna Comizio Guarino

COMMUNICATIONS ACT OF 1934, AS AMENDED, Title VI Cable Communications

Sec. 626. Renewal

(a)(1) A franchising authority may, on its own initiative during the 6-month period which begins with the 36th month before the franchise expiration, commence a proceeding which affords the public in the franchise area appropriate notice and participation for the purpose of (A) identifying the future cable-related community needs and interests, and (B) reviewing the performance of the cable operator under the franchise during the then current franchise term. If the cable operator submits, during such 6-month period, a written renewal notice requesting the commencement of such a proceeding, the franchising authority shall commence such a proceeding not later than 6 months after the date such notice is submitted.

(2) The cable operator may not invoke the renewal procedures set forth in subsections (b) through (g) unless—

(A) such a proceeding is requested by the cable operator by timely submission of such notice; or

(B) such a proceeding is commenced by the franchising authority on its own initiative.

(b)(1) Upon completion of a proceeding under subsection (a), a cable operator seeking renewal of a franchise may, on its own initiative or at the request of a franchising authority, submit a proposal for renewal.

(2) Subject to Section 624, any such proposal shall contain such material as the franchising authority may require, including proposals for an upgrade of the cable system

(3) The franchising authority may establish a date by which such proposal shall be submitted.

(c)(1) Upon submittal by a cable operator of a proposal to the franchising authority for the renewal of a franchise, pursuant to subsection (b) the franchising authority shall provide prompt public notice of such proposal and, during the 4-month period which begins on the date of the submission of the cable operator's proposal pursuant to subsection (b), renew the franchise or, issue a preliminary assessment that the franchise should not be renewed and, at the request of the operator or on its own initiative, commence an administrative proceeding, after providing prompt public notice of such proceeding, in accordance with paragraph (2) to consider whether –

(A) the cable operator has substantially complied with the material terms of the existing franchise and with applicable law.

(B) the quality of the operator's service, including signal quality, response to consumer complaints, and billing practices, but without regard to the mix or quality of cable services or other services provided over the system, has been reasonable in light of community needs; the operator has the financial, legal, and technical ability to provide the services, facilities and

(C) equipment as set forth in the operator's proposal; and

(D) the operator's proposal is reasonable to meet the future cable-related community needs and

(E) interests, taking into account the cost of meeting such needs and interests.

(2) In any proceeding under paragraph (1), the cable operator shall be afforded adequate notice and the cable operator and the franchise authority, or its designee, shall be afforded fair opportunity for full participation, including the right to introduce evidence (including evidence related to issues raised in the proceeding under subsection (a)), to require the production of evidence, and to question witnesses. A transcript shall be made of any such proceeding.

(3) At the completion of a proceeding under this subsection, the franchising authority shall issue a written decision granting or denying the proposal for renewal based upon the record of such proceeding, and transmit a copy of such decision to the cable operator. Such decision shall state the reasons therefore.

(d) Any denial of a proposal for renewal that has been submitted in compliance with subsection (b) shall be based on one or more adverse findings made with respect to the factors described in subparagraphs (A) through (D) of subsection (c)(1), pursuant to the record of the proceeding under subsection (c). A franchising authority may not base a denial of renewal on a failure to substantially comply with the material terms of the franchise under subsection (c)(1)(A) or on events considered under subsection (c)(1)(B) in any case in which a violation of the franchise or the events considered under subsection (c)(1)(B) occur after the effective date of this title unless the franchising authority has provided the operator with notice and the opportunity to cure, or in any case in which it is documented that the franchising authority has waived its right to object, or the cable operator gives written notice of a failure or inability to cure and the franchising authority fails to object within a reasonable time after receipt of such notice.

(e)(1) Any cable operator whose proposal for renewal has been denied by a final decision of a franchising authority made pursuant to this section, or has been adversely affected by a failure of the franchising authority to act in accordance with the procedural requirements of this section, may appeal such final decision or failure pursuant to the provisions of Section 635.

(2) The Court shall grant appropriate relief if the court finds that –

(A) any action of the franchising authority, other than harmless error, is not in compliance with the procedural requirements of this section; or

(F) in the event of a final decision of the franchising authority denying the renewal proposal, the operator has demonstrated that the adverse finding of the franchise authority with respect to each of the factors described in subparagraphs (A) through (D) of subsection (c)(1) on which the denial is based is not supported by a preponderance of the evidence, based on the record of the proceeding conducted under subsection (c).

(f)Any decision of a franchising authority on a proposal for renewal shall not be considered final unless all administrative review by the State has occurred or the opportunity therefore has lapsed.

(g)For purposes of this section, the term "franchise expiration" means the date of the expiration of the term of the franchise, as provided under the franchise, as it was in effect on the date of the enactment of this title.

(h)Notwithstanding the provisions of subsections (a) through (g) of this section, a cable operator may submit a proposal for the renewal of a franchise pursuant to this subsection at any time, and a franchising authority may, after affording the public adequate notice and opportunity for comment, grant or deny such proposal at any time (including after proceedings pursuant to this section have commenced). The provisions of subsection (a) through (g) of this section shall not apply to a decision to grant or deny a proposal under this subsection. The denial of a renewal pursuant to this subsection shall not affect action on a renewal proposal that is submitted in accordance with subsections (a) through (g).

(i) Notwithstanding the provisions of subsection (a) through (h), any lawful action to revoke a cable operator's franchise for cause shall not be negated by the subsequent initiation of renewal proceedings by the cable operator under this section.