



DAVID Y. IGE  
GOVERNOR  
SHAN S. TSUTSUI  
LT. GOVERNOR

STATE OF HAWAII  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
335 MERCHANT STREET, ROOM 310  
P.O. Box 541  
HONOLULU, HAWAII 96809  
Phone Number: 586-2850  
Fax Number: 586-2856  
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN  
DIRECTOR  
JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

VIA EMAIL & U.S. MAIL

January 22, 2018

Laurence "Buz" Schott  
Senior Director, Government Affairs, West Region  
Charter Communications  
10450 Pacific Center CT  
San Diego, CA 92121

Dear Mr. Schott:

Re: Digital Transition – PEG Channels Placement

As set forth in Decision and Order ("D&O") No. 366, issued by the Department of Commerce and Consumer Affairs ("DCCA") on December 17, 2015, Oceanic Time Warner Cable ("OTWC"), also known as Spectrum, shall undergo an all-digital network transition throughout all of its cable franchise areas in the State of Hawaii by November 10, 2018. As part of this digital transition OTWC is required to provide, among other things, at least thirty (30) days notice of the transition to affected areas and up to two (2) digital transport adapters ("DTAs") or "basic boxes" upon request depending on the level of service. According to OTWC, the digital transition on Oahu will begin on February 6, 2018, and be completed around the first week of June with the transition of the neighbor islands to follow shortly thereafter.

In a letter dated January 3, 2018, and received by DCCA on January 5, 2018, OTWC notified DCCA that in conjunction with the digital transition, OTWC intends to change the channel placement of the Public, Educational, and Governmental ("PEG") Access Channels managed by 'Olelo Community Media ("Olelo") from channels 48, 49, 50, 52, 53, 54 and 55 to new locations at digital channels 181, 182, 183, 184, 185, 186 and 187. While we fully understand that channel placement is within the discretion of the cable provider, DCCA is concerned about the potential impacts of the change in

placement of the 'Olelo PEG Access Channels and requests an explanation from OTWC for the reason of the movement. Additionally, can you also provide a response to the possibility of leaving the channel placements where they are today and if that is not possible, why not?

DCCA also requests clarification from OTWC on the availability of the new locations of the 'Olelo PEG Access Channels to all subscribers and questions the sufficiency of the notice of the digital transition sent to customers. As required by D&O No. 346 issued on January 14, 2010, and acknowledged by OTWC in its January 3<sup>rd</sup> letter, after the digital transition, all of the PEG Access Channels must be available on the basic service tier. However, in the OTWC notice being sent to customers regarding the digital transition and referenced in a letter from 'Olelo to OTWC dated January 12, 2018, it is noted that those who utilize DTAs will only be able to receive channels 2 through 99 which would not include the newly located PEG Access Channels.

OTWC shall submit its response to these issues to DCCA no later than January 29, 2018. The response should: (1) address the reasoning for the movement of the PEG Access Channels and whether it is possible to retain their current placements; (2) clarify the channels available through DTAs and whether PEG Access Channels would be included; (3) provide confirmation that all subscribers will have access to the PEG Access Channels once the digital transition is completed; and (4) if the letter sent to OTWC's customers contain inaccurate information regarding channel availability, explain whether the letter constitutes sufficient notice of the transition and what remedies will be taken to correct any defect to the notice.

If you have any questions on the above, please do not hesitate to contact Ji Sook "Lisa" Kim, Cable Television Administrator, at (808) 586-2620. Thank you for your assistance and cooperation in this matter.

Sincerely,



CATHERINE P. AWAKUNI COLÓN  
Director

c: Gregg Fujimoto, OTWC  
Kiman Wong, OTWC  
Carlito P. Caliboso, Esq.; Jodi Shin Yamamoto, Esq.  
Sanford Inouye, 'Olelo Community Media