

**RECEIVED**

JAN 28 2014

OFFICE OF THE CITY ATTORNEY

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

<b>In re Petition of</b>	<b>File No. CSR-8859-E</b>
<b>Comcast Cable Communications, LLC</b>	<b>Spokane, Washington</b>
<b>Opposition to Effective Competition Petition in Spokane, Washington</b>	

**To: The Chief, Media Bureau:**

**OPPOSITION TO PETITION FOR SPECIAL RELIEF  
BY THE CITY OF SPOKANE, WASHINGTON**

The City of Spokane, Washington (“City”), hereby respectfully submits the following comments in opposition to Comcast Cable Communications, LLC’s (“Comcast”) Petition For Special Relief (“Petition”). The Petition seeks to revoke the certification of the City to regulate Comcast’s basic cable rates under a finding that Comcast’s cable system in the City is subject to effective competition pursuant to Section 623<sup>1</sup> of the Communications Act of 1934, as amended (the “Act”). The Petition should be denied because Comcast has failed to meet its burden of affirmatively rebutting the presumption against the existence of effective competition.

**I. Background**

On November 21, 2013, Comcast submitted to the FCC a “Petition for Special Relief” requesting that the FCC revoke the City’s authority to regulate Comcast’s basic

<sup>1</sup> Codified at 47 U.S.C. § 543(1)(1)(B).

cable rates pursuant to a finding that it is subject to effective competition as defined under the Section 623 of the Act. Section 623, as amended by the Telecommunications Act of 1996, has four tests for determining whether effective competition exists. Comcast, in its Petition, asserts that it has met the second test for effective competition justifying an order exempting Comcast from further rate regulation imposed pursuant to Section 623. The second test, often referred to as the “Competing Provider Test”, finds effective competition to exist when the franchise area is:

- a. served by at least two unaffiliated multichannel video programming distributors (“MVPDs”) each of which offers comparable video programming to at least 50 percent of the households in the franchise area; and
- b. the number of households subscribing to programming services offered by multichannel video programming distributors other than the largest MVPD exceeds fifteen percent of the households in the franchise area.<sup>2</sup>

According to the Commission’s rules, “[i]n the absence of a demonstration to the contrary, cable systems are presumed not to be subject to effective competition.”<sup>3</sup> Comcast bears the burden of rebutting this presumption.<sup>4</sup> Moreover, the Commission has determined that it “will use those household and subscriber figures proffered in the pleadings that are most adverse to a finding of competition.”<sup>5</sup> Thus, where a cable operator and a local franchise authority submit conflicting evidence based on zip code

---

<sup>2</sup> Telecommunications Act, § 623(1)(1)(B), 47 U.S.C. §543(1)(1)(B); *see also* 47 C.F.R. §76.905(b)(2). Emphasis added.

<sup>3</sup> 47 C.F.R. § 76.906.

<sup>4</sup> 47 C.F.R. § 76.907 (b) (“ [t]he cable operator bears the burden of rebutting the presumption that effective competition does not exist with evidence that effective competition, as defined in § 76.905, exists in the franchise area. ”).

<sup>5</sup> *Tri-Lakes Cable, Monument, Colorado*, 12 FCC Rcd. 13170, 13179-80 (Cable Servs. Bur. 1997); *see also Falcon Community Ventures L.L.P. d/b/a Falcon Cable TV, Roseburg, Oregon*, 13 FCC Rcd. 21762, 21767 (Cable Servs. Bur. 1998).

analysis, the Media Bureau can refuse to evaluate the operator's evidence, requesting instead that the operator submit more accurate evidence.<sup>6</sup>

In its Petition, Comcast asserts that the Competing Provider Test has been met in the City with the entry of two direct broadcast satellite ("DBS") providers -- DirecTV and DISH Network. While DBS providers have been determined by the FCC to be qualified MVPDs for purposes of an effective competition analysis, their existence alone does not demonstrate the existence of effective competition. Comcast has failed to show that there is a sufficiently high level of DBS penetration within the franchise area to overcome the strong presumption against effective competition.

## **II. Comcast Fails to Satisfy the Effective Competition Test**

The Act lays out extensive mechanisms to protect cable subscribers from abusive and monopolistic pricing behavior. In this regard, the Act specifies that a cable operator must be subject to effective competition in the relevant franchise area before the rates for basic service, associated equipment and installations can be deregulated. Because of the possible adverse impact on consumers, particularly senior citizens and other individuals living on fixed-incomes, flowing from the elimination of rate regulation, there is a congressionally created presumption against the existence of effective competition. It is the burden of the petitioning cable operator to rebut this presumption and affirmatively demonstrate the presence of effective competition.

---

<sup>6</sup> Alert Cable TV of Minnesota, Inc., d/b/a Bright House, 18 FCC Red. 12848, 12849-50 (Media Bureau 2003).

Based upon the DBS providers' nationwide footprint and prior FCC determinations, the City accepts (without conceding) that the two DBS providers in the City satisfy the first prong of the Competing Provider test -- comparable programming is being made available to at least 50 percent of the households in the franchise area and these potential consumers are reasonably aware of the service availability. Comcast, however, has failed to satisfy the second prong of the Competing Provider test.

Specifically, Comcast has not met its burden of demonstrating that the number of households subscribing to multichannel video programming other than the largest MVPD exceeds 15 percent of the households in the Comcast franchise area in the City. Comcast relies upon outdated and incorrect occupied household data within the City and therefore its Petition cannot be sustained. Moreover, the zip code information which Comcast relies upon include two 5 digit zip codes that cover areas entirely outside the City limits.

**Occupied Households.** Comcast references 87,271 occupied households in the City and 7,020 vacant households. Comcast relies upon the 2010 Census Redistricting Data for this information. Comcast's data is out of date and inaccurate. Scott Chesney, the Director of Planning and Development Services for the City has reviewed the City's internal records and confirmed that as of the end of 2013 there are a total of 96,410 households in the City.<sup>7</sup> In addition, the vacancy rates in the City are now greatly improved over the 2010 data. The 2010 Census Redistricting Data was gathered during one of the worst economic recessions the State of Washington has suffered in the last 30 years. At the time the 2010 Census Redistricting Data was gathered, vacancy rates in the

City were far higher than today.<sup>8</sup> Mr. Chesney estimates that the total vacancy rate in the City at the end of 2013 is no greater than four percent (4%) which means that the total occupied households in the City limits equals approximately 92,554.<sup>9</sup> Based upon this more current occupied household information, the penetration rate for the DBS Providers in the City is 14.92 % (13,808 DBS Subscribers divided by 92,554 occupied households), below the required 15% threshold.

**Zip Code Data.** In addition, Comcast has relied upon zip code data that is inaccurate. Two of the zip codes used by Comcast (99212 and 99026) are not within the City of Spokane but rather are completely outside the City limits.<sup>10</sup> Given the dearth of information provided by SNL and SBCA and included in the Comcast Petition, the City has no ability to verify the accuracy of the data used to calculate the total number of DBS subscribers.

There is a strong congressional presumption against the finding of effective competition and Comcast should not be allowed to meet its heavy burden on the basis of outdated, inaccurate or incomplete information.

### **III. Conclusion**

The City submits that Comcast has failed to meet its burden under the Competing Provider Test. Comcast has failed to meet its burden that the DBS providers collectively serve 15 percent or more of the households in the franchise area required under 47 U.S.C.

---

<sup>7</sup> See Exhibit 1, Affidavit of Scott Chesney.

<sup>8</sup> See Exhibit 1, Affidavit of Scott Chesney.

<sup>9</sup> See Exhibit 1, Affidavit of Scott Chesney.


<sup>10</sup> See Exhibit 1, Affidavit of Scott Chesney.

§ 543(l)(1)(B) of the Cable Act. The City respectfully requests that the Media Bureau reject Comcast's Petition for Determination of Effective Competition.

Respectfully submitted,

City of Spokane, Washington

By:

  
Brian T. Grogan  
Moss & Barnett  
A Professional Association  
4800 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 877-5340

January 22, 2014

Its: Attorneys

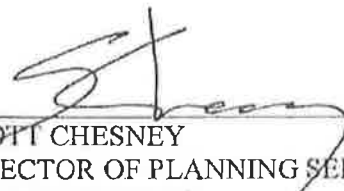
**EXHIBIT 1**  
**AFFIDAVIT OF SCOTT CHESNEY**

I, Scott Chesney, hereby state the following:

1. I am employed as the Director of Planning and Development Services of the City of Spokane, Washington and have been in that position for two (2) years.
2. I am familiar with the data from the U.S. Census Bureau and the Effective Competition Tracking Report referenced in this Opposition to Petition for Special Relief by the City of Spokane, Washington.
3. As Planning Director with the City of Spokane I have personal knowledge regarding the jurisdictional limits of the City of Spokane.
4. The Comcast Petition requesting "Effective Competition" relies on information from zip codes that are not within the City of Spokane. Zip code 99212 and 99026 are completely outside the City.
5. It is not possible to determine, based on the limited information provided with Comcast's Petition, whether the data supplied by SNL, and thereafter utilized by SBCA, includes addresses outside of the City.
6. The zip code information provided for the blended zip code areas (99217, 99223 and 99208) fails to demonstrate how the residences within adjacent jurisdictions are distinguished.
7. Since January 1, 2010 the City of Spokane has constructed 1,047 new apartments and 1,072 new single family residences for a total of 2,119 new households in the City. This brings the total households in the City to 96,410.
8. Based upon information available in the Fall 2013 Spokane-Kootenai Real Estate Research Report the vacancy rates for apartments and single family residences in the City of Spokane are substantially lower than the vacancy rates applicable at the time of the 2010 Census Redistricting Data. Based upon the information available to me, I estimate the vacancy rate for all households in the City of Spokane to be approximately four percent (4%).  
<http://www.spokanerealtor.com/RealEstateReport/Fall2013/Fall2013RealEstateReport.pdf>

Dated: January 22, 2014

By:

  
SCOTT CHESNEY  
DIRECTOR OF PLANNING SERVICES  
CITY OF SPOKANE

**CERTIFICATE OF SERVICE**

I, Terri L. Hammer, a paralegal at Moss & Barnett, do hereby certify on this 22nd day of January, 2014 that a true and correct copy of the foregoing "Opposition to Petition for Special Relief" has been sent via U.S. Mail, postage prepaid, to the following:

William Lake, Chief  
Media Bureau  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, S.W.  
Washington DC 20554

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, S.W.  
Washington DC 20554

Ms. Terri L. Pfister  
City Clerk  
City of Spokane, Washington  
808 West Spokane Falls Boulevard  
Spokane, WA 99201-3303

Tim Szambelan  
Assistant City Attorney  
City of Spokane, Washington  
808 West Spokane Falls Boulevard  
Spokane, WA 99201-3303

Mr. Richard Cook  
Clerk-Treasurer  
City of Airway Heights  
S. 1208 Lundstrom  
Airway Heights, WA 99001

Ms. Ann Marie Gale  
City Treasurer  
City of Liberty Lake  
22710 E. Country Vista Drive  
Liberty Lake, WA 99019

Hon. Daniel Mork  
Mayor, City of Millwood  
9103 E. Frederick Avenue  
Spokane, WA 99206

Hon. Tom Towey  
Mayor, City of Spokane Valley  
11707 E. Sprague, Suite 106  
Spokane Valley, WA 99206

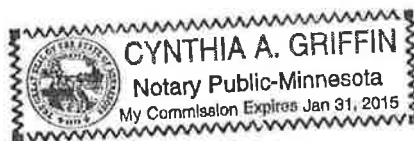
Wesley R. Heppler  
Davis Wright Tremaine LLP  
1919 Pennsylvania Avenue, NW, Suite  
800  
Washington DC 20006  
*Counsel for Comcast Cable  
Communications, LLC*

Frederick W. Giroux  
Davis Wright Tremaine LLP  
1919 Pennsylvania Avenue, NW, Suite 800  
Washington DC 20006  
*Counsel for Comcast Cable  
Communications, LLC*

  
Terri L. Hammer

SWORN TO BEFORE ME this  
22nd day of January, 2014.

  
NOTARY PUBLIC  
2444827v3





RECEIVED  
NOV 25 2013

CITY CLERK'S OFFICE  
SPOKANE, WA

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
)  
Comcast Cable Communications, LLC, )  
on behalf of its subsidiaries and affiliates )  
)  
For Determination of Effective Competition in: )  
5 Washington Franchise Areas )

CSR No. \_\_\_\_\_

To: Office of the Secretary  
Attn: Chief, Media Bureau

**PETITION FOR SPECIAL RELIEF**

Comcast Cable Communications, LLC, on behalf of its subsidiaries and affiliates ("Comcast"), pursuant to Sections 76.7 and 76.907 of the Commission's rules,<sup>1</sup> requests that the Commission find that Comcast faces "effective competition" in 5 Washington franchise areas (the "Franchise Areas").<sup>2</sup>

The Communications Act of 1934, as amended (the "Act"), and the Commission's rules provide that cable television rates may be regulated only in the absence of effective competition.<sup>3</sup> Cable operators are entitled to demonstrate that effective competition exists on a franchise-by-franchise basis.<sup>4</sup> When a cable operator demonstrates that effective competition exists within a franchise area, cable rates in the affected area are no longer subject to regulation.<sup>5</sup>

<sup>1</sup> 47 C.F.R. §§ 76.7 and 76.907.

<sup>2</sup> The Franchise Areas include Airway Heights (WA0350), Liberty Lake (WA0836), Millwood (WA0296), Spokane (WA0231), and Spokane Valley (WA0844).

<sup>3</sup> 47 U.S.C. § 543(a)(2); 47 C.F.R. § 76.905(a).

<sup>4</sup> 47 C.F.R. § 76.907.

<sup>5</sup> See *Implementation of Sections of the Cable Television Consumer Protection and Competition Act of 1992, Rate Regulation*, 8 FCC Rcd. 5631, 5664-5665 (1993) ("Rate Order").

Under the “competing provider” test set forth in Section 623(1)(1)(B) of the Act and Section 76.905(b)(2) of the Commission’s rules (the “Competing Provider Test”), a cable system will be deemed subject to effective competition if:

- (i) the franchise area is served by at least two unaffiliated multichannel video programming distributors (“MVPDs”), each of which offers comparable programming to at least 50 percent of the households in the franchise area; and
- (ii) the number of households subscribing to multichannel video programming other than the largest MVPD exceeds 15 percent of the households in the franchise area.<sup>6</sup>

As demonstrated below, the Competing Provider Test is satisfied in each of the five Franchise Areas – Airway Heights, Liberty Lake, Millwood, Spokane, and Spokane Valley -- because two unaffiliated MVPDs serve over 50 percent of the Franchise Areas’ households with comparable programming and the reported penetration rate for DBS providers exceeds the 15 percent threshold in the Franchise Areas.

**THE COMPETING PROVIDER TEST IS SATISFIED IN FIVE FRANCHISE AREAS**

The two prongs of the Competing Provider Test are straightforward and objective. Both prongs of this test clearly are satisfied in the Airway Heights, Liberty Lake, Millwood, Spokane, and Spokane Valley Franchise Areas.

**1. Multiple Unaffiliated MVPDs Offer Comparable Programming to Over 50 Percent of the Households in the Franchise Areas.**

The first prong of the Competing Provider Test requires that a franchise area must be served by “at least two unaffiliated multichannel video programming distributors....”<sup>7</sup> This requirement is satisfied, because the two major direct broadcast satellite providers (DirecTV, Inc.

<sup>6</sup> 47 U.S.C. § 543(1)(1)(B)(i) and (ii); 47 C.F.R. § 76.905(b)(2)(i) and (ii).

<sup>7</sup> 47 U.S.C. § 543(1)(1)(B)(i); 47 C.F.R. § 76.905(b)(2)(i). Section 602 of the Communications Act of 1934, as amended, defines “multichannel video programming distributors” to include cable operators, as well as DBS and MMDS providers. See 47 U.S.C. § 522(13).

and Dish Network, Corp.) (“DBS Providers”) are unaffiliated with Comcast and “offer” comparable programming to more than 50 percent of the households in the Franchise Areas.

MVPD service is deemed “offered” when it is both technically and actually available.<sup>8</sup> DBS service is presumed to be “technically available” throughout the country due to its nationwide satellite footprint.<sup>9</sup> As such, Comcast’s Franchise Areas are entirely within the satellite footprint of DirecTV and Dish Network.

DBS service is presumed to be “actually available” if households in a franchise area are “reasonably aware” that the service is available.<sup>10</sup> The Commission has stated that “a party may use evidence of penetration rates in the franchise area (the second prong of the competing provider test ...) coupled with the ubiquity of DBS services to show that consumers are reasonably aware of the availability of DBS service.”<sup>11</sup> DirecTV and Dish Network are among

---

<sup>8</sup> *Rate Order* ¶ 29.

<sup>9</sup> See *MediaOne of Georgia, Inc; Petition for Revocation of the Certification of Gwinnett County, Georgia*, 12 FCC Rcd. 19406, ¶ 5 n.16 (1997) (citing *Rate Order*, at 5660-5661).

<sup>10</sup> See *Rate Order* ¶ 32 (citations omitted). See also *Charter Communications, LLC d/b/a Charter Communications Petition for Determination of Effective Competition in Fourteen North Carolina Communities, et al.*, 19 FCC Rcd. 7003, ¶ 4 (2004).

<sup>11</sup> *Comcast Cable Communications, LLC Petition for Determination of Effective Competition in Various Michigan Communities*, 23 FCC Rcd. 9595, ¶ 5 (2008) (“*Comcast – Various Michigan Communities*”) (citing *Mediacom Illinois LLC et al., Eleven Petitions for Determination of Effective Competition in Twenty-Two Local Franchise Areas in Illinois and Michigan*, 21 FCC Rcd. 1175 (2006)). Thus, the Commission has not required the production of advertising to demonstrate that households in the franchise area are “reasonably aware” of the availability of DBS service. See *Bright House Networks, LLC Petition for Determination of Effective Competition (Lake Alfred and Dundee FL)*, 22 FCC Rcd. 4390, ¶ 6 (2007) (“*Bright House Networks – Florida*”) (“Over more than ten years, we have made hundreds of findings that households in particular franchise areas are reasonably aware that they may purchase DBS services based on localized evidence. These accumulated showings amount to substantial evidence that households in all franchise areas are reasonably aware that they may purchase DBS services. In at least one earlier reported decision, we found households in a franchise area to be reasonably aware that they may purchase DBS service solely based on evidence of DBS’s nationwide growth and local subscriptions, without reference to advertising or other promotion.”).

the largest MVPDs in the nation.<sup>12</sup> With approximately 34 million DBS subscribers nationwide,<sup>13</sup> (comprising approximately 34 percent of all MVPD subscribers),<sup>14</sup> extensive DBS advertising, and the substantial DBS penetration figures in each of the Franchise Areas, it is clear that consumers throughout the Franchise Areas are “reasonably” aware of the availability of Comcast’s DBS competitors.<sup>15</sup>

The Competing Provider Test also requires that the programming offered by these competing providers must be “comparable” to the programming offered by the petitioning cable operator.<sup>16</sup> The Commission’s rules expressly define comparable programming as “at least 12 channels of video programming, including at least one channel of nonbroadcast service programming.”<sup>17</sup> The Commission has repeatedly recognized that the DBS Providers offer comparable programming to Comcast and other cable operators under the Commission’s

---

<sup>12</sup> See *Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming (Fourteenth Order)*, 27 FCC Rcd. 8610, ¶ 31 (2012) (“14<sup>th</sup> Report”).

<sup>13</sup> See Press Release, DirecTV, *DirecTV Announces Fourth Quarter and Full Year 2012 Results* (Feb. 14, 2013) (reporting that, as of December 31, 2012, DirecTV (US) had 20.084 million subscribers), available at <http://investor.directv.com/releasedetail.cfm?ReleaseID=740312>; Press Release, DISH Network, *DISH Reports Year End 2012 Financial Results* (Feb. 20, 2013) (reporting that, as of December 31, 2012, Dish Network had approximately 14.056 million subscribers), available at <http://dish.client.shareholder.com/releasedetail.cfm?ReleaseID=741643>.

<sup>14</sup> See 14<sup>th</sup> Report ¶ 31. See also Georg Szalai, *U.S. Pay-TV Industry Sub Growth Hits Low in 2012*, *The Hollywood Reporter*, March 11, 2013 (citing SNL Kagan report of 100.4 million video subscribers by the end of 2012), available at <http://www.hollywoodreporter.com/news/us-pay-tv-industry-growth-427390>.

<sup>15</sup> See, e.g., *Comcast - Various Michigan Communities* ¶ 5; *Bright House Networks - Florida* ¶ 6.

<sup>16</sup> See 47 U.S.C. § 543(1)(1)(B)(i); 47 C.F.R. § 76.905(b)(2)(i).

<sup>17</sup> 47 C.F.R. § 76.905(g).

Competing Provider Test.<sup>18</sup> Each of the DBS Providers offer well over 100 video channels, most of which are non-broadcast services.<sup>19</sup> And, as shown in the attached channel line-up, Comcast's programming service offerings in the Franchise Areas are substantially similar to the DBS Providers' programming services.<sup>20</sup>

Based on the above facts, the first prong of the Competing Provider Test is satisfied in each of the five Franchise Areas.<sup>21</sup>

**2. The Competing Providers Serve Greater Than 15 Percent of the Households In the Franchise Areas.**

The second prong of the Competing Provider Test requires that the subscriber base of competing MVPD exceeds 15 percent of franchise area households.

Because DBS Providers track their subscribers according to the ZIP codes where each subscriber resides (rather than by political jurisdiction), Comcast relied on a two-step approach to determine the number of DBS subscribers within each Franchise Area. To determine the relevant ZIP+4 codes for the Franchise Areas, Comcast first contacted SNL Kagan ("SNL," formerly known as "Media Business Corp.").<sup>22</sup> SNL has developed a process to accurately

---

<sup>18</sup> See, e.g., *Comcast Cablevision of Maryland, Inc., Petitions for Determination of Effective Competition (Charles County, MD)*, 19 FCC Rcd. 7130, ¶ 4 (2004) ("We find that the programming of DBS providers satisfies the Commission's program comparability criterion because DBS providers offer more than 12 channels of video programming, including more than one non-broadcast channel.").

<sup>19</sup> See Channel Line-ups of DirecTV and Dish Network, attached hereto as Exhibit 1.

<sup>20</sup> See Comcast Channel Line-up, attached hereto as Exhibit 2.

<sup>21</sup> All of the legal positions taken above regarding the first prong of the Competing Provider Test were recently confirmed by the Commission in *Comcast Cable Communications, LLC, Petition for Determination of Effective Competition in Nine Minnesota Franchise Areas*, FCC Rcd. 5499, ¶ 6 (2013), and *Comcast Cable Communications, LLC, Petition for Determination of Effective Competition in Six Blaine, Minnesota Franchise Areas*, 28 FCC Rcd. 5508, ¶ 7 (2013).

<sup>22</sup> In certain instances, the *entire* 5-digit ZIP code is located within a particular franchise area. In these situations, Comcast used that standard 5-digit ZIP code, rather than the more detailed ZIP+4 analysis, as the additional detail would not provide any greater accuracy.

identify the ZIP+4 codes that correspond with the political boundaries of a particular community. This process utilizes enhanced mapping software that correlates ZIP+4 codes with political boundaries. With this software, SNL was able to identify the ZIP+4 codes that lie within each of the Franchise Areas.<sup>23</sup> The Commission has previously accepted ZIP+4 codes as “reasonable and sufficiently reliable for purposes of determining the presence of effective competition,”<sup>24</sup> and stated its preference for this approach.<sup>25</sup>

Comcast next provided all of the ZIP+4 codes identified for the Franchise Areas to the Satellite Broadcasting and Communication Association (“SBCA”). SBCA is the national trade association representing the two major DBS Providers, and it has assumed the responsibility for compiling subscribership data and responding to data requests from cable operators and franchising authorities engaged in effective competition proceedings. The DBS subscriber numbers reported in the attached Effective Competition Tracking Reports (“ECTRs”) from SBCA reflect the total DBS subscribers within the individual ZIP+4 codes associated with the respective Franchise Areas.<sup>26</sup>

To determine whether the DBS subscribership exceeds the 15 percent threshold in the Franchise Areas, Comcast compared the DBS Providers’ subscribership to the most recent U.S.

---

<sup>23</sup> See Letter from SNL (explaining ZIP+4 methodology), attached hereto as Exhibit 3.

<sup>24</sup> *Cable One, Inc. Petition for Determination of Effective Competition in Pocatello, Idaho*, 18 FCC Rcd. 12792, ¶ 8 (2003) (quoting *Falcon Cable Systems II, a California Limited Partnership, d/b/a Charter Communications Petition for Determination of Effective Competition in Twelve Oregon Cities*, 17 FCC Rcd. 4648 (2002)).

<sup>25</sup> See Public Notice, “Commission Announces New Standards for Showings of Effective Competition For Cable Service,” 23 FCC Rcd. 12067 (2008); Public Notice, “Commission Clarifies Standards for Evidence of Competing Provider Effective Competition for Cable Service,” 24 FCC Rcd. 8198 (2009).

<sup>26</sup> See Exhibit 4 (providing total ZIP+4-based DBS subscribership for the Franchise Areas, as well as all ZIP+4 data relied on in the Petition).

Census “occupied household unit” figures for each community.<sup>27</sup> This comparison yields the penetration rates for DBS Providers in each of the Franchise Areas:

<u>Franchise Area</u>	<u>DBS Providers’ Penetration</u>
Airway Heights	22.88%
Liberty Lake	31.80%
Millwood	18.91%
Spokane	15.82%
Spokane Valley	20.30%

As detailed in Exhibit 6, the subscriber penetration rates for the DBS Providers in each of the Franchise Areas exceeds the 15 percent threshold required under Section 623(1)(1)(B) of the Act. Accordingly, Comcast meets the second prong of the Competing Provider Test in each of the Franchise Areas.<sup>28</sup>

---

<sup>27</sup> See Exhibit 5.

<sup>28</sup> Comcast has confirmed that it is the largest MVPD in the Airway Heights, Liberty Lake, Millwood, Spokane, and Spokane Valley Franchise Areas. See Declaration of Warren Fitting attached hereto.



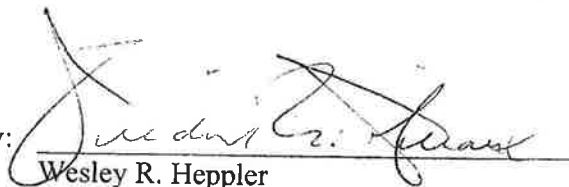
**CONCLUSION**

Comcast's cable systems are subject to effective competition in five Franchise Areas under the Competing Provider Test. Based on the evidence presented herein, Comcast respectfully requests that the Media Bureau issue an order acknowledging the presence of effective competition in each of the five Washington Franchise Areas as of the filing date of this Petition.<sup>29</sup>

Respectfully submitted,

**Comcast Cable Communications, LLC  
on behalf of its subsidiaries and affiliates**

By:



Wesley R. Hepler  
Steven J. Horvitz  
Frederick W. Giroux  
DAVIS WRIGHT TREMAINE LLP  
1919 Pennsylvania Avenue, N.W. Suite 800  
Washington, D.C. 20006  
(202) 973-4200

Richard A. Chapkis  
Deputy General Counsel  
COMCAST CORPORATION  
One Comcast Center  
Philadelphia, PA 19103-2838  
(215) 286-5237

November 21, 2013

Its Attorneys

---

<sup>29</sup> See, e.g., *Time Warner Entertainment-Advance/Newhouse Partnership*, 26 FCC Rcd. 3829, ¶ 28 (2011) (“Consistent with our longstanding practice, the order herein is effective as of the date the petition herein was filed.”) (footnote omitted). See also *Charter Communications Entertainment I LLC*, 26 FCC Rcd. 5975, ¶ 28 (2011).



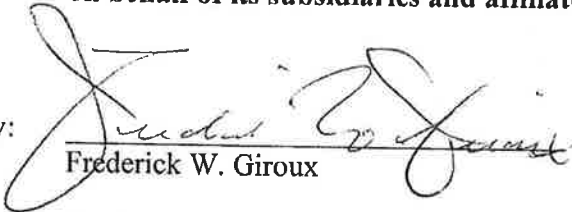
**CERTIFICATION PURSUANT TO 47 C.F.R. § 76.6(a)(4)**

The below-signed signatory has read the foregoing Petition for Special Relief, and to the best of my knowledge, information and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification or reversal of existing law; and is not interposed for any improper purpose.

Respectfully submitted,

**Comcast Cable Communications, LLC  
on behalf of its subsidiaries and affiliates**

By:

  
Frederick W. Giroux

**Davis Wright Tremaine LLP**  
1919 Pennsylvania Avenue, N.W., Suite 800  
Washington, DC 20006  
(202) 973-4200

November 21, 2013

Its Attorney

### DECLARATION OF WARREN FITTING

I, Warren Fitting, declare, under penalty of perjury that:

1. I am the Executive Director, Regulatory Affairs for Comcast Cable Communications, LLC ("Comcast").
2. I have read the foregoing Petition for Special Relief ("Petition") and am familiar with the contents thereof and the matters referred to therein.
3. I have reviewed Comcast's respective cable subscriber numbers for the Franchise Areas at issue in this Petition, as well as the DBS subscriber numbers provided by SBCA for the individual Franchise Areas as described in the Petition. Comcast is the largest multichannel video program provider in the Airway Heights, Liberty Lake, Millwood, Spokane, and Spokane Valley Franchise Areas.
4. The facts contained within the Petition are true and correct to the best of my knowledge, information and belief.

November 8, 2013  
Date

Warren A. Fitting  
Warren Fitting

**EXHIBIT 1**

# DIRECTV Channel Lineups

## ENTERTAINMENT PACKAGE

Over 140 channels, including local channels available in over 99% of U.S. households\*  
 (HD locals available in over 98%): ABC | CBS | FOX | NBC | PBS | CW | MyTV  
 (available in select markets).

REGULAR PRICE **\$54.99** mo.

ABC	113 265	CNBC World	357	ESPN2	113 206	Hope Channel <sup>1</sup>	246	NRB Network	378	truTV	113 246
ABC Family	113 311	CNN	113 282	ESPN 3D	113 186	Inspiration Network	364	ONCE TV Mexico <sup>2</sup>	447	Turner Classic Movies (TCM)	113 256
American Movie Classics (AMC)	113 254	Comedy Central	113 249	EWLN	113 227	Investigation Discovery	370	Pursuit Channel	404	TV Guide Channel	273
Animal Planet	113 282	Country Music Television (CMT)	113 227	Food Network	113 231	ION Television (East)	113 305	OVC	275/317	TV One	113 354
AUDIENCE	113 239/101	C-SPAN	350	FOX News Channel	113 242	ION Television (West)	304	RealChannel	230	Urban East	113 407
AXS TV (HD only)	113 340	C-SPAN2	351	FX	113 248	Jewelry Television	22/213	RFD-TV	345	USA Network	113 242
BabyFirst TV	293	Daystar	369	Galavision	404	Jewish Life TV <sup>3</sup>	366	ShopNBC	73/216	V-me <sup>4</sup>	440
BBC America	113 264	DIRECTV Customer Information	1	Gen Shopping Network	228	Lifetime	113 251	SOP/Net	262	Velocity (HD only)	113 281
Black Entertainment Television (BET)	113 329	DIRECTV Sports Mix	205/600	GOOD TV	365	Lifetime Movie Network	113 253	Spide TV	113 241	VH1	113 335
Bloomberg TV	353	Discovery Channel	113 278	Gospel Music Channel	338	Link TV	375	Spy	113 244	WE: Women's Entertainment	268
Brow	113 237	Disney Channel (East)	113 290	GSN	233	MSNBC	113 256	TBS	113 247	The Weather Channel	113 352
BRU TV	374	Disney Channel (West)	291	Hallmark Channel	113 312	MTV	113 331	TCT Network	377	The Word Network	373
Cartoon Network (East)	113 276	Disney Jr.	113 289	Headline News (HLN)	113 284	MTV2	333	Teen Nick	303	World Harvest TV (WHV)	367
Cartoon Network (West)	297	Disney XD	113 292	History Channel	113 297	National Geographic Channel	113 276	The Learning Channel (TLC)	113 280	SonicTap Music Channels <sup>5</sup> - 55	
Christian Television Network (CTN)	376	E! Entertainment Television	113 236	HLN TV <sup>3</sup>	449	Nick Jr.	301	TNT	113 245		
The Church Channel (TCC)	371	Entace <sup>6</sup>	448	Home & Garden Television (HGTV)	113 226	Nickelodeon/Nick at Nite (East)	113 229	Travel Channel	113 277		
CNBC	113 355	ESPN	113 286	Home Shopping Network (HSN)	242	Nickelodeon/Nick at Nite (West)	300	Trinity Broadcasting Network (TBN)	372		

## CHOICE™ PACKAGE

Over 150 channels, including local channels available in over 99% of U.S. households\*  
 (HD locals available in over 98%): ABC | CBS | FOX | NBC | PBS | CW | MyTV (available in select markets). Includes all channels in ENTERTAINMENT, plus the channels shown in BOLD.

2013 INCLUDED  
 SUNDAY TICKET

REGULAR PRICE **\$64.99** mo.

Regional Sports Fee may apply.

ABC	113 265	Comedy Central	113 249	ESPN	113 206	Investigation Discovery	113 285	ONCE TV Mexico <sup>2</sup>	447	Turner Classic Movies (TCM)	113 256
ABC Family	113 311	Cooking Channel	113 232	EWLN	113 227	ION Television (East)	113 305	Oprah Winfrey Network	113 279	TV Guide Channel	273
American Movie Classics (AMC)	113 254	Country Music Television (CMT)	113 227	Food Network	113 231	ION Television (West)	304	Pursuit Channel	404	TV One	113 354
Animal Planet	113 282	C-SPAN	350	FOX News Channel	113 242	ION Television (East)	72/213	OVC	275/317	TV One	113 354
AUDIENCE	113 239/101	C-SPAN2	351	Fuse	339	Jewish Life TV <sup>3</sup>	366	RealChannel	230	TWC SportsNet	113 489
AXS TV (HD only)	113 340	Current TV	353	FX	113 248	Lifetime	113 251	RFD-TV	345	TWC SportsNet	113 489
BabyFirst TV	293	Daystar	369	Galavision	404	Lifetime Movie Network	113 253	Science	113 284	Urban East	113 407
BBC America	113 264	DIRECTV Customer Information	1	Gen Shopping Network	228	Link TV	375	ShopNBC	73/216	USA Network	113 242
Big Ten Network	113 416	DIRECTV Sports Mix	205/600	GOOD TV	365	MLB Network	113 273	SOP/Net	262	V-me <sup>4</sup>	440
Black Entertainment Television (BET)	113 329	Discovery Channel	113 278	Gospel Music Channel	338	MSNBC	113 256	SPEED	113 331	Velocity (HD only)	113 281
Bloomberg TV	353	Disney Channel (East)	113 290	GSN	233	MTV	113 331	Spide TV	113 241	VH1	113 335
Brow	113 237	Disney Channel (West)	291	Hallmark Channel	113 312	MTV2	333	Spy	113 244	WE: Women's Entertainment	268
BRU TV	374	Disney Jr.	113 289	Headline News (HLN)	113 284	NASA TV <sup>3</sup>	346	TBS	113 247	The Weather Channel	113 352
Cartoon Network (East)	113 276	Disney XD	113 292	History Channel	113 297	National Geographic Channel	113 276	TCT Network	377	The Word Network	373
Cartoon Network (West)	297	E! Entertainment Television	113 236	HLN TV <sup>3</sup>	449	NFL Network	113 270	Teen Nick	303	World Harvest TV (WHV)	367
Christian Television Network (CTN)	376	Entace <sup>6</sup>	448	Home & Garden Television (HGTV)	113 226	Nick Jr.	301	The Learning Channel (TLC)	113 280	SonicTap Music Channels <sup>5</sup> - 55	
The Church Channel (TCC)	371	ESPN	113 286	Home Shopping Network (HSN)	242	Nickelodeon/Nick at Nite (East)	113 229	TNT	113 245		
CNBC	113 355	ESPN2	113 206	Hope Channel <sup>1</sup>	246	Nickelodeon/Nick at Nite (West)	300	Travel Channel	113 277		
CNBC World	357	ESPN 3D	113 186	Independent Film Channel (IFC)	113 559	Nicktoons Network	302	Trinity Broadcasting Network (TBN)	372		
CNN	113 202	ESPN2	113 206	Inspiration Network	364	NRB Network	378	truTV	113 246		

## XTRA PACKAGE

Over 205 channels, including local channels available in over 99% of U.S. households\*  
 (HD locals available in over 98%): ABC | CBS | FOX | NBC | PBS | CW | MyTV (available in select markets). Includes all channels in CHOICE™ plus the channels shown in BOLD.

2013 INCLUDED  
 SUNDAY TICKET

REGULAR PRICE **\$70.99** mo.

Regional Sports Fee may apply.

ABC	113 265	Cooking Channel	113 232	EWLN	113 227	The Hub	274	Nick Jr.	301	The Learning Channel (TLC)	113 280
ABC Family	113 311	Country Music Television (CMT)	113 227	Food Network	113 231	Independent Film Channel (IFC)	113 559	Nickelodeon/Nick at Nite (East)	113 229	TNT	113 245
American Movie Classics (AMC)	113 254	C-SPAN	350	FOX Business Network	113 359	Inspiration Network	364	Nickelodeon/Nick at Nite (West)	300	Travel Channel	113 277
Animal Planet	113 282	C-SPAN2	351	FOX Movie Channel	258	Investigation Discovery	113 285	Nicktoons Network	302	Trinity Broadcasting Network (TBN)	372
AUDIENCE	113 239/101	Current TV	353	FOX News Channel	113 242	ION Television (East)	113 305	NRB Network	378	truTV	113 246
AXS TV (HD only)	113 340	Daystar	369	FOX Soccer Channel	113 619	ION Television (West)	304	ONCE TV Mexico <sup>2</sup>	447	Turner Classic Movies (TCM)	113 256
BabyFirst TV	293	Destination America	113 296	FUEL TV	113 618	Jewelry Television	22/213	Ovation	274	TV Guide Channel	273
BBC America	113 264	DIRECTV Customer Information	1	Fuse	339	Jewish Life TV <sup>3</sup>	366	Oprah Winfrey Network	113 279	TV Land	113 354
Big Ten Network	113 416	DIRECTV Sports Mix	205/600	FX	113 248	Lifetime	113 251	Oxygen	25	TV One	328
Black Entertainment Television (BET)	113 329	Discovery Channel	113 278	Galavision	404	Lifetime Movie Network	113 253	Pursuit Channel	404	TVO	662
Bloomberg TV	353	Discovery Fit & Health	261	Gen Shopping Network	228	Link TV	375	OVC	275/317	TWC SportsNet	113 458
Brow	113 237	Disney Channel (East)	113 290	GOOD TV	365	Logo	375	RealChannel	230	TWC SportsNet	113 489
BRU TV	374	Disney Channel (West)	291	Golf Channel	113 219	Military Channel	272	RFD-TV	345	Urban East	113 407
Cartoon Network (East)	113 276	Disney Jr.	113 289	Gospel Music Channel	338	MLB Network	113 273	Science	113 284	USA Network	113 242
Cartoon Network (West)	297	Disney XD	113 292	Great American Country (GAC)	326	MSNBC	113 256	ShopNBC	73/216	V-me <sup>4</sup>	440
CBS Sports Network	113 613	The Documentary Channel	247	H2	113 771	MTV	113 331	SOP/Net	262	Velocity (HD only)	113 281
Centric	196	E! Entertainment Television	113 236	Hallmark Channel	113 312	MTV2	333	SPEED	113 331	VH1	113 335
Christian Television Network (CTN)	376	Entace <sup>6</sup>	448	Headline News (HLN)	113 284	NASA TV <sup>3</sup>	346	Spy	113 244	VH1 Classic	317
The Church Channel (TCC)	371	ESPN	113 286	History Channel	113 297	Nat Geo WILD	113 276	Sportsman Channel	605	WE: Women's Entertainment	268
CNBC	113 355	ESPN2	113 206	HLN TV <sup>3</sup>	449	National Geographic Channel	113 276	Spy	113 244	The Weather Channel	113 352
CNBC World	357	ESPN 3D	113 186	Home & Garden Television (HGTV)	113 226	NBA TV	113 276	TBS	113 247	WGN America	113 307
CNN	113 202	ESPNNEWS	113 207	Home Shopping Network (HSN)	242	NBC Sports Network	113 229	TCT Network	377	World Harvest TV (WHV)	367
Comedy Central	113 249	ESPN2	113 206	Hope Channel <sup>1</sup>	246	NFL Network	113 270	Teen Nick	303	SonicTap Music Channels <sup>5</sup> - 77	

Add DIRECTV™ HD EXTRA PACK for just \$4.99/mo. (HD equipment required) \*In certain markets, a \$3/mo. Regional Sports Fee will be assessed with CHOICE Package or above.  
 \*\*To access DIRECTV HD programming, HD equipment required. Number of HD channels varies by package selection.

# DIRECTV Channel Lineups

## ULTIMATE PACKAGE

Over 225 top channels, including local channels available in over 99% of U.S. households\* (HD locals available in over 98%); ABC | CBS | FOX | NBC | PBS | CW & MyTV (available in select markets). Includes all channels in XTRA, plus the channels shown in BOLD.

**2013 INCLUDED**  
SUNDAY TICKET

REGULAR PRICE **\$77.99** mo.  
Regional Sports Fee may apply!

ABC	245	Looking Channel	232	ESPN	268	Home Shopping Network (HSN)	249	AFL Network	212	Teen Nick	303
ABC Family	311	Country Music Television (CMT)	337	ESPN2	259	Nice Channel <sup>1</sup>	389	NHL Network	216	Tennis Channel	219
American Movie Classics (AMC)	254	C-SPAN	359	ESPN3G <sup>2</sup>	106	The Hub	294	Nick Jr.	301	The Learning Channel (TLC)	280
Animal Planet	282	C-SPAN2	351	ESPNNEWS	257	Independent Film Channel (IFC)	559	Nickelodeon/Nick at Nite (East)	299	TNT	245
AUDIENCE	239/101	Current TV	268	ESPNHD	228	Inspiration Network	344	Nickelodeon/Nick at Nite (West)	300	Travel Channel	277
A&S TV (HD only)	343	Doplar	349	EWTV	370	Investigation Discovery	285	Nicktoons Network	302	TruTV	268
BabyFirst TV <sup>3</sup>	293	Destination America	286	FOX Business Network	231	ION Television (East)	395	NBC Network	305	Turner Broadcasting Network (TBN)	372
BBC America	224	DIRECTV Customer Information	1	FOX Soccer Channel	359	ION Television (West)	359	ONCE TV Mexico <sup>4</sup>	304	Turner Classic Movies (TCM)	255
Big Ten Network	410	DIRECTV Sports Mix	205/001	FOX News Channel	258	Jewelry Television	258	Univision	274	TV Guide Channel	273
Biography Channel	266	Discovery Channel	278	FOX News Channel	278	Jewish Life TV <sup>5</sup>	365	Uprah Winfrey Network	229	TV Land	304
Black Entertainment Television (BET)	329	Discovery Fit & Health	281	FOX Soccer Channel	281	Lifetime	251	Oxygen	75	TV One	318
Bloomberg TV	353	Disney Channel (East)	290	FUEL TV	290	Lifetime Movie Network	253	Pursuit Channel	404	TVG	632
Boomerang	298	Disney Channel (West)	291	Fuse	291	Logo	248	Link TV	375	UVC	458
Brow	227	Disney Jr.	287	FX	287	Logo	272	Red3Channel	272	TWC SportsNet	491
BTV TV	374	Disney XD	292	Galavision	292	Military Channel	404	RFD-TV	287	Univision Deportes	465
Cartoon Network (East)	296	DW Network	233	Gen Shopping Network	228	MLB Network	228	Science	213	Univision East	402
Cartoon Network (West)	297	The Documentary Channel	267	GOD TV <sup>6</sup>	365	The Movie Channel (East)	554	ShopNBC	554	Univision Deportes	465
CBS Sports Network	413	E! Entertainment Television	236	Golf Channel	210	The Movie Channel (West)	555	SOAPnet	262	V-me <sup>7</sup>	448
Celebrity	330	Encore Action	541	Gospel Music Channel	338	MSNBC	356	SPED	356	Velocity (HD only)	281
Chiller	257	Encore Drama	540	Great American Country (GAC)	374	MTV	331	Spike TV	331	VH1	335
Christian Television Network (CTN)	374	Encore East	535	GSN	293	MTV2	333	Sportsman Channel	405	VH1 Classic	337
The Church Channel (TCC)	371	Encore Family	542	H2	271	mon <sup>2</sup>	410	Sprout	216	WE Women's Entertainment	260
Clois	308	Encore Love	537	Hallmark Channel	312	NASA TV	346	Style	276	The Weather Channel	382
CNBC	355	Encore Suspense	539	Headline News (H-N)	204	Nat Geo WILD	283	Sundance	276	WGN America	387
CNBC World	357	Encore West	538	History Channel	269	National Geographic Channel	276	Sony	276	The Word Network	373
CNN	288	Encore Westerns	549	HITN TV <sup>8</sup>	449	RFA TV	216	TBS	216	World Harvest TV (WHI)	367
Comedy Central	249	Enlace <sup>9</sup>	448	Home & Garden television (HGTV)	229	NBC Sports Network	220	ICT Network	377	SonicTap Music Channels <sup>10</sup> - 88	

## PREMIER™ PACKAGE

Over 285 top channels, including local channels available in over 99% of U.S. households\* (HD locals available in over 98%); ABC | CBS | FOX | NBC | PBS | CW & MyTV (available in select markets); with over 31 premium movie channels and over 35 specialty sports networks. Includes all channels in ULTIMATE, plus the channels shown in BOLD.

**2013 INCLUDED**  
SUNDAY TICKET

REGULAR PRICE **\$124.99** mo.  
Regional Sports Fee may apply!

ABC	265	Comcast SportsNet Chicago	665	FLIX	657	History Channel	269	Nickelodeon/Nick at Nite (East)	299	STARZ In Black	530
ABC Family	311	Comcast SportsNet Mid-Atlantic	647	Food Network	231	HITN TV <sup>8</sup>	449	Nickelodeon/Nick at Nite (West)	300	STARZ Kids & Family (HD only)	525
AllMovie Sports & Entertainment	630	Comcast SportsNet New England	630	FOX Business Network	359	Home & Garden television (HGTV)	229	Nicktoons Network	302	Syfy	225
American Movie Classics (AMC)	254	Comedy Central	249	FOX Deportes <sup>1</sup>	425/624	Home Shopping Network (HSN)	240	NBC Network	305	SUN Sports	653
Animal Planet	282	Cooking Channel	232	FOX Movie Channel	327	Hope Channel <sup>1</sup>	258	ONCE TV Mexico <sup>4</sup>	304	Sundance	276
AUDIENCE	239/101	Country Music Television (CMT)	337	FOX News Channel	258	The Hub	294	Orion	274	Travel Channel	277
A&S TV (HD only)	343	C-SPAN	359	FOX Soccer Channel	359	Independent Film Channel (IFC)	559	Outdoor Channel	404	TBS	247
BabyFirst TV <sup>3</sup>	293	C-SPAN2	351	FS Arizona	686	Inspiration Network	344	Oprah Winfrey Network	229	TLC Network	303
BBC America	224	Current TV	268	FS Cincinnati	681	Investigation Discovery	285	Oxygen	251	Tenn Nick	377
beIN SPORT	671	Doplar	349	FS Detroit	683	ION Television (East)	395	Prime Ticket	213	Tennis Channel	219
Big Ten Network	410	Destination America	286	FS Florida	284	ION Television (West)	359	Pursuit Channel	304	The Learning Channel (TLC)	280
Biography Channel	266	DIRECTV Customer Information	1	FS Midwest	671	Jewelry Television	258	Red3Channel	272	Travel Channel	277
Black Entertainment Television (BET)	329	DIRECTV Sports Mix	205/001	FS North	678	Jewish Life TV <sup>5</sup>	365	RFD-TV	287	Turner Broadcasting Network (TBN)	372
Bloomberg TV	353	Discovery Channel	278	FS Ohio	688	Lifetime	251	RFD-TV	287	Univision	491
Boomerang	298	Discovery Fit & Health	281	FS San Diego (Check Listing)	684	Lifetime Movie Network	253	ROOT SPORTS (Northwest)	410	TruTV	268
Brow	227	Disney Channel (East)	290	FS South	684	Logo	248	ROOT SPORTS (Pittsburgh)	410	Turner Classic Movies (TCM)	255
BTV TV	374	Disney Channel (West)	291	FS Southwest	674	Logo	272	ROOT SPORTS (Rocky Mountain)	410	TV Guide Channel	273
Cartoon Network (East)	296	Disney Jr.	287	FS West	672	HD-Atlantic Sports Network (MASN)	446	Science	213	TV One	318
Cartoon Network (West)	297	Disney XD	292	FUEL TV	292	Military Channel	287	ShopNBC	554	TVG	632
CBS Sports Network	413	DW Network	233	Fuse	291	MLB Network	228	SHOWTIME (East/West)	545/546	TWC Deportes	458
Celebrity	330	The Documentary Channel	267	FX	287	The Movie Channel (East)	554	SHOWTIME 2	547	TWC Deportes	458
Chiller	257	E! Entertainment Television	236	Galavision	292	The Movie Channel (HD only)	554	SHOWTIME Beyond (HD only) <sup>1</sup>	550	TWC SportsNet	691
Christian Television Network (CTN)	374	Encore Action	541	Gen Shopping Network	228	The Movie Channel XTRA (HD only)	554	SHOWTIME Extreme	549	Universal Sports	425
The Church Channel (TCC)	371	Encore Drama	540	GOD TV <sup>6</sup>	365	MSG (Madison Square Garden)	654	SHOWTIME Next (HD only) <sup>2</sup>	551	Univision Deportes	465
Cinemax (East)	515	Encore East	535	Golf Channel	210	MSB Plus	635	SHOWTIME Showcase	548	Univision East	402
Cinemax (West)	516	Encore Family	542	Gospel Music Channel	338	MSNBC	356	SHOWTIME Women (HD only) <sup>3</sup>	552	USA Network	242
Cinemax: @MAX (HD only) <sup>4</sup>	523	Encore Love	537	Great American Country (GAC)	374	MTV	331	SOAPnet	262	V-me <sup>7</sup>	448
Cinemax: 5StarMAX East (HD only) <sup>5</sup>	529	Encore Suspense	539	GSN	293	MTV2	333	SPED	356	Velocity (HD only)	281
Cinemax: ActionMAX East (HD only) <sup>6</sup>	519	Encore West	538	H2	271	mon <sup>2</sup>	410	Spike TV	331	VH1	335
Cinemax: MoreMAX (HD only) <sup>7</sup>	517	Encore Westerns	549	Hallmark Channel	312	NASA TV	346	Sportsman Channel	405	VH1 Classic	337
Cinemax: ThrillerMAX (HD only) <sup>8</sup>	521	Enlace <sup>9</sup>	448	HBO (East/West)	411/324	Nat Geo WILD	283	SportsNet New York	439	WE Women's Entertainment	260
Cinemax: WMAX East (HD only) <sup>9</sup>	521	ESPN	205	HBO Comedy (HD only) <sup>10</sup>	413	National Geographic Channel	274	SportsSouth	447	The Weather Channel	382
Clois	308	ESPN Classic	614	HBO Family (East/HD/West)	607/608	NBA TV	214	SportsTime Ohio	447	WGN America	387
CNBC	355	ESPN2	209	HBO Latime <sup>11</sup> (HD only)	611	NBC Sports Network	220	Sprout	276	The Word Network	373
CNBC World	357	ESPN3D <sup>12</sup>	104	HBO Signature	612	New England Sports Network (NESN)	545	STARZ (East/West)	528	World Harvest TV (WHI)	367
CNN	288	ESPNNEWS	209	HBO Zone (HD only) <sup>13</sup>	617	NHL Network	212	STARZ Cinema (HD only) <sup>14</sup>	531	YES Network <sup>15</sup>	631
Comcast SportsNet Bay Area	456	ESPNHD	209	HBO Zone (HD only) <sup>13</sup>	617	NHL Network	212	STARZ Comedy (HD only) <sup>16</sup>	531	SonicTap Music Channels <sup>10</sup> - 84	
Comcast SportsNet California	458	EWTV	370	Headline News (H-N)	204	Nick Jr.	301	STARZ Edge	529		

Add DIRECTV™ HD EXTRA PACK for just \$4.99/mo. (HD equipment required) \*In certain markets, a \$3/mo. Regional Sports Fee will be assessed with CHOICE Package or above. \*\*To access DIRECTV HD programming, HD equipment required. Number of HD channels varies by package selection.

ALL PROGRAMMING AND PRICING SUBJECT TO CHANGE AT ANY TIME. Lineup effective as of 4/1/13. Get updates at [directv.com/channels](http://directv.com/channels). 1 Eligibility for local channels based on service address. Visit [directv.com/locals](http://directv.com/locals) and [directv.com](http://directv.com) to see what is available in your area. To find out if HD locals are available in your area, visit [directv.com/hdlocals](http://directv.com/hdlocals). 2 Requires HD equipment. 3 Requires a DIRECTV Multi-Satellite System. 4 DIRECTV 3D content requires HD equipment including a compatible 3D-HDTV and 3D glasses. For more information, visit [directv.com/3D](http://directv.com/3D). 5 YES Network available as a local regional sports network package in CT, NY and in parts of NJ and PA as determined by ZIP code. Portions of YES Network programming available in SPORTS PACK premium package in the remainder of DIRECTV service areas. 6 Blackout restrictions and other conditions apply to all sports programming. Actual number of games varies by market due to blackout rules and other conditions. Programming, pricing, terms and conditions subject to change at any time. Pricing residential. Taxes not included.

## Get Your Local Channels From DIRECTV

More than 99% of the nation's TV households can enjoy local channels from DIRECTV today, including stations like ABC, CBS, FOX and the CW. There are even more markets coming soon! For select markets, DIRECTV even offers local channels in high-definition.\*



No matter what package you choose to order, local channels are available in any of the packages. Just use the ZIP code/local channel finder, and we'll help you pinpoint the metropolitan area that broadcasts your local channels.

Local channels available in: Spokane WA ([Lookup another](#))

Network	Affiliate	Local Channel	IRD Channel	Broadcast Format
ABC	KXLY	4		Digital
ABC	KXLY	4		HD
CBS	KLEW	3		Digital
CBS	KREM	2		HD
CBS	KREM	2		Digital
CW	KSKN	22		Digital
CW	KSKN	22		HD
FOX	KAYU	28		Digital
FOX	KAYU	28		HD
ION	ION	34		Digital
NBC	KHQ	6		Digital
NBC	KHQ	6		HD
PBS	KWSU	10		Digital
PBS	KSPS	7		HD
PBS	KCDT	26		HD
PBS	KCDT	26		Digital
PBS	KWSU	10		HD
PBS	KSPS	7		Digital

THERE'S SOMETHING FOR EVERYONE

America's Top 120

A&E	A&E	118
ALIVE	ALIVE	219
ANGEL	Angel Live	202
ANGL2	Angel Two	256
AXS	AXS TV	191
BTV	Business Television	9602
BUY1	Buy	321
TOON	Cartoon Network (E) <sup>HD</sup>	176
TOON2	Cartoon Network (W)	177
CCTVE	CCTV-E	84
CCNEWS	CNN-News	256
CHROH	Church Channel	258
CMT	CMT	100
CNBC	CNBC	208
CMN	CMN	280
COMEDY	Comedy Central	107
CS2N2	C-SPAN2	211
UNSTR	Daystar	252
DISE	Discovery Channel	182
DISE2	Discovery Channel (E) <sup>HD</sup>	172
DISE3	Discovery Channel (W)	173
DOC	Documentary Channel	197
EL	E! Entertainment Television	194
ESPN	ESPN	140
ESPN2	ESPN2	144
ESPN3	ESPN3	142
ESPN4	ESPN4	141
FOOD	Food Network	110
FOOD2	Food Network Channel	111
FX	FX <sup>HD</sup>	136
GEMS	Game & Jewelry TV	209
HGTV	HGTV	112
HIST	History	120
HNN	HLN	202
HNR	Home & Garden TV	40
HSN	HSN	34
HSN2	HSN2	225
ICTV	In Country Television	230
ION	ION (E)	215
ION2	ION (W)	217
JTV	Jewelry Television	227
LIFE	Lifetime	108
MALL	Yell	220
MTV	MTV	159
MTV2	MTV2	151
NICK	Nick/Nick at Nite (E) <sup>HD</sup>	170
NICK2	Nick/Nick at Nite (W)	171
PRAYR	Prayer	355
QVC	QVC	137
REELZ	ReelzChannel	259
SALE	Sale	225
SHOP	shop	224
SHNBC	ShopNBC	227
SEN	Sci-Fi Broadcasting Network	357
SPICE	Spice TV	168
STYF	Style	122
TBS	TBS <sup>HD</sup>	139
TLC	TLC	183
TNT	TNT <sup>HD</sup>	138
TRV	Travel Channel	136
TVGAM	TV Game Network	425
TVSN	TV Guide Network	115
TVLND	TV Land	106
USA	USA <sup>HD</sup>	105
VH1	VH1	192
TWC	Weather Channel	216
SportsXt Music Channels		
Hopper		98
All other receivers	5002-6099	
DishD Music Channels		
Hopper		98
All other receivers	950-991	

America's Top 200

Includes all of America's Top 120 and the channels listed below.

APL	Austral Planet	184
BBCA	BBC America	135
BET	BET	124
BBS2	BET 2nd Network	139
BRAVO	Bravo	129
CBSN	CBS Sports Network	158
CHRTN	Current TV	215
DISXD	Disney XD <sup>HD</sup>	216
FOX8	Fox Business Network	191
G4	G4	273
GSN	Galavision	401
GOLF	Golf Channel	115
GSN	GSN	185
HLMRK	Hallmark Channel	179
HUB	Hub	182
IMV	Investigation Discovery	109
LMB	Lifetime Movie Network	152
MLB	MLB Network	209
minic	minic	126
NBSG	National Geographic Channel	158
NBA TV	NBA TV	154
NFL	NFL Network	157
NHLN	NHL Network	159
NRK	NRK	157
NUVO	NUVO	201
OWN	OWN	189
OWN2	OWN: Oprah Winfrey Network	127
OWN3	OWN	231
RFTV	RFD-TV	157
SCN	Science	253
SOAP	SOAPnet	150
SOAP2	SOAP	115
STYLE	Style	181
TACK	Tack	275
TRAF	TrueFutura (E)	212
FRAN	TrueFutura (W)	204
TRUTV	TruTV	132
TCM	Turner Classic Movies	270
UNYSN	Univision (E)	928
UNYSW	Univision (W)	929
UDEF	Univision Deportes Network	359

General Channels\*

BABY	BabyFirstTV	9400
BLOCK	Blockbuster Stereo Channel	102
BYTV	BYUTV	9403
CTN	Christian Television Network	257
ARTS	Classic Arts Showcase	9406
CSPAN	C-SPAN	210
DISH	DISH 101	287
EARTH	DISH Earth	287
HOME	DISH HOME (not available on Hopper)	300
ENLC	E! News	9411
ENL2	Entertainment World Television <sup>HD</sup>	261
PREVW	Free Preview Guide	103

Local Networks 2-70

**CBSS** **NBC** **FOX**

Regional Sports Networks\*

Hopper	412
All other receivers	409-437

*HD* - Channels are broadcast in HD and HD unless noted as *HD Only*.  
*HD Only* - Channels broadcast in HD, you need an HD TV, a Dish HD receiver, and a Dish HD pay-per-view package.  
**BOLD** - Channels in bold are part of our best receiver channel set - SportsXt and available for purchase on request. Available on select HD receivers.

America's Top 250

Includes all of America's Top 200 and the channels listed below.

BIO	Bio	119
BTV	Bloomberg Television	203
BOOM	Boomerang <sup>HD</sup>	175
CHIEF	Chief	199
CLIO	Clio	198
COOK	Cooking Channel	113
AMER1	Destination America	194
DNY	Encore (E)	191
ENCOR	Encore (W) <sup>HD</sup>	191
ENACTN	Encore Action	343
ENCRW	Encore Drama	345
ENCFM	Encore Family	347
ELORF	Encore Live	344
ENLSP	Encore Suspense	344
ENWSTN	Encore Westerns	342
EPKDR	EPix DRIVE-IN <sup>HD</sup>	292
FOXMO	Fox Movie Channel	406
FSC	Fox Soccer Channel	308
FUEL	FUEL TV	189
GMC	GMC	185
GAC	Greatest American Country (GAC)	165
H2	H2	121
HMC	Hallmark Movie Channel	187
MIL	Military Channel	195
MPLEX	MovieFlix	227
mun2	mun2	838
NATG	Nat Geo WILD	150
NBCSP	NBC Sports Network	159
NICKN	Nicktoons Network	178
ODDOR	Outdoor Channel	325
RURAL	Rural TV	232
SPMAN	Sportsman Channel	395
TENNIS	Tennis Channel	400
TMC-W	The Movie Channel (W) <sup>HD</sup>	329
VERA	Vera	218
WH1C	WH1 Classic	183
DISH Music Channels		
Hopper		98
All other receivers	923-946	

FSV	Free Speech TV	9416
KBS	KBS World	9394
KTV	Kids & Teens Television (KTV)	264
LINK	Link TV	3410
NASA	NASA	212
ONPPV	Pay-Per-View Guide	500
PRTRN	Parade	9405
TBN	TBN	260
IMPACT	The Impact Network	9397
SABN	Three Angels Broadcasting Network	9393
WME	W-ME	2414

Pay-Per-View

MOVIE	DISH Cinema	3
MOVIE	DISH Cinema	500-558
SPORT	Sports & Events	454-472

1. Channel availability based on one or more of the following geographical criteria, time zone, program day package, and set-top.  
 \*Available with Multi-Sport Pack or a minimum of America's Top 120 Plus package.

Smart Pack

ALIVE	America Live	219
ANGEL	Angel One	202
ANGL2	Angel Two	256
NFL	Animal Planet	184
BIO	Bio	119
BTV	Bloomberg Television	203
BOOM	Boomerang <sup>HD</sup>	175
BUY1	Buy	321
CBSN	CBS Sports Network	158
CCTVE	CCTV-E	84
CCNEW	CNN-News	256
COOK	Cooking Channel	113
CSPAN2	C-SPAN2	211
DISE	Discovery	259
DNY	DNY	111
DOC	Documentary Channel	197
FOOD	Food Network	110
FOOD2	Food Network Channel	205
GEMJ	Game and Jewelry	229
GAC	Greatest American Country (GAC)	165
HLMRK	Hallmark Channel	185
HMC	Hallmark Movie Channel	187
HLN	HLN	202
HSN	HSN	84
HSN2	HSN2	225
HUB	Hub	199
ICTV	In Country Television	230
JTV	Jewelry Television	227
MALL	Mail	220
NICK	Nick/Nick at Nite (E)	170
NICK2	Nick/Nick at Nite (W)	171
NICKN	Nicktoons Network	178
ODDOR	Outdoor Channel	325
ORF	ORF	397
GMC	GMC	185
RFTV	RFD-TV	231
SEN	Sci-Fi	357
SHOP	shop	224
SHNBC	ShopNBC	228
TVLND	TV Land	106
TWC	Weather Channel	216



For the most up-to-date Channel Lineup Card, please visit [dish.com/channelcard](http://dish.com/channelcard).



# dish CHANNELS AND PACKAGES

## Premium Movie Packages

HBO	Channel	Price
HBO-E	HBO (E) sdp	300
HBOZE	HBO2 (E) sdp	301
HBOZG	HBO Signature sdp	302
HBO-W	HBO (W) sdp	303
HBO2W	HBO2 (W) sdp	304
HBOFW	HBO Family sdp	305
HBOCY	HBO Comedy sdp	307
HBOZ	HBO Zone	308
HBOZ	HBO Latino	309

SHOWTIME	Channel	Price
MAX-E	Cinemax (E) sdp	310
MAX-W	Cinemax (W) sdp	311
MOMAX	MomMAX sdp	312
ACMAX	ActionMAX sdp	313
S-MAX	5StarMAX sdp	314

STARZ	Channel	Price
ENCOR	Encore (E) sdp	340
STARZ	Starz (E) sdp	350
STRZW	Starz (W) sdp	351
EDGE	Starz Edge sdp	352
SCINE	Starz Cinema sdp	353
STZC	Starz Comedy sdp	354
SLCK	Starz inBlack sdp	355
SK&FM	Starz Kids & Family sdp	356

Mini-Packs	Channel	Price
EPX1	EPX 1 sdp	380
EPX2	EPX 2 sdp	381
EPX3	EPX 3 sdp	382
EPXDR	EPX DRIVE-IN sdp	382

MOVIE	Channel	Price
ENCRW	Encore (W) sdp	341
EACR	Encore Action	343
EDRAM	Encore Drama	345
ENFAM	Encore Family	347
ELOVE	Encore Love	349
ESUSP	Encore Suspense	344
EWSTN	Encore Westerns	342
MPLEX	MoviePlex	377

## Mini-Packs

**Blockbuster @Home**  
100,000 movies, shows and games by mail, thousands of titles streamed to your TV with an HD DVR connected to broadband internet, 25,000 titles available on dishonline.com.

Channel	Channel	Price
CTIC	Centric	371
CI	Crime & Investigation	368
ESUSP	Encore Suspense	344
EPX1	EPX sdp	390
EPX2	EPX2 sdp	381
EPX3	EPX3 sdp	382
HMC	Hallmark Movie Channel	187
HDMC	Hallmark Movies	383
INDIE	IndiePlex	376
BOGO	BOGO	373
MAVTV	MAVTV American Real	351
MGIM	MGIM	385
MPLEX	MoviePlex	377
PLDIA	PlayDIA	385
FIXL	FixL	388
REPRO	ReproPlex	378
SMC	Sony Movie Channel	388
SCINE	Starz Cinema	353
UNIHD	Universal HD	355
VECTV	VeloCity	384
WFN	World Fishing Network	394

Channel	Channel	Price
BAZY	Baby TV sdp	324
GNIC	gnic	185
GSN	GSN	115
HLMRK	Hallmark Channel	185
HMC	Hallmark Movie Channel	187
HUB	Hub	179
OWN	OWN: Oprah Winfrey Network	139
FDL	Fox sdp	388
RFD-TV	RFD-TV	231
RURAL	Rural TV	232

Channel	Channel	Price
MAVTV	MAVTV American Real HD	351
OTDCH	Outdoor Channel	386
SPMAN	Sportsman Channel	395
WFN	World Fishing Network	394

Channel	Channel	Price
ESPO	ESPN Classic	143
FSC	Fox Soccer Channel	406
FUEL	FUEL TV	398
MLB	MLB Network	132
MLBSZ	MLB Network Strike Zone	153
NFL	NFL Network	154
NFLRZ	NFL RedZone	155
NBA	NBA TV	255
NHL	NHL Network	157
OSI	Olympic Sports	402

Plus over 25 Regional Sports Networks

# A WHOLE NEW ANIMAL IN WHOLE-HOME ENTERTAINMENT



## Enjoy a great deal more with DISH

**Get Connected**  
Connect your DISH VP-1000 DVR or Hopper receiver to your broadband internet service and get instant access to thousands of On Demand movies and TV shows.  
Visit [mydish.com/getconnected](http://mydish.com/getconnected)

## DISH perks

There are a lot of benefits to being a DISH customer. You get things like month-long free previews, sweepstakes for trips, HD TVs and more, exclusive free shows, new channels, and tons of online content. And it's all included with your DISH service.

Get all the extras for nothing extra. Visit [dishperks.com](http://dishperks.com)

## Need some help?

- [mydish.com/support](http://mydish.com/support)
- [facebook.com/dish](https://www.facebook.com/dish)
- [twitter.com/dish](https://twitter.com/dish)
- DISH 101 - Support Channel (Ch. 101)



© 2012 DISH Network LLC. All rights reserved. DISH, DISH Network and related channels are service marks of DISH Network LLC. All other marks are the property of their respective owners. Service marks and related marks are registered trademarks of DISH Network LLC. All other marks are the property of their respective owners. All other marks are the property of their respective owners.



**EXHIBIT 2**

**International Selections**

- 241 TFC (Filipino)
- 245 TV JAPAN (Japanese)
- 246 Zee TV (South Asian)
- 247 Willow Plus (South Asian)
- 255 Russian TV (Russian)
- 806 RTM TV Russian
- 807 Channel One (Russian)
- 808 Zee TV (South Asian)
- 809 SET Asia (Sony)
- 810 STAR India Plus (South Asian)
- 811 STAR India News
- 812 STAR India Gold
- 813 Life OK
- 814 TFC (Filipino)
- 815 GMA Pinoy TV (Filipino)
- 816 TV JAPAN (Japanese)
- 817 Willow Plus (South Asian)
- 818 GMA Life

**Pay-Per-View**

- 420-425 ESPN Game Plan/ Full Court
- 440 IN Demand Team HD
- 441-450 NBA League Pass/ MLS Direct Kick
- 456 IN Demand Game HD
- 456 IN Demand Game 2 HD
- 457-470 NHL Center Ice/ MLB Extra Innings
- 801-803 IN Demand PPV Events
- 804 IN Demand PPV Events HD

**MyTV Choice**

- 35 Food Network
- 38 TLC
- 43 Animal Planet
- 49 truTV
- 51 Lifetime
- 52 A&E
- 53 FX
- 56 TBS
- 56 BET
- 60 Comedy Central
- 64 E!
- 67 AMC
- 99 TVGN
- 150 C-SPAN3
- 163 TV Land
- 232 BYUtv
- 233 EWTN
- 481 Centric
- 486 The Word
- 651 E! HD
- 653 Lifetime HD
- 664 TBS HD
- 665 FX HD
- 687 Animal Planet HD

**668 Discovery Channel HD**

- 669 TLC HD
- 670 A&E HD
- 675 Food Network HD
- 683 HSN HD
- 689 BET HD
- 692 QVC HD
- 697 AMC HD
- 702 Hallmark Channel HD
- 704 Comedy Central HD
- 705 truTV HD
- 708 The Weather Channel HD
- 717 TVGN HD

**MyTV Choice Plus**

- 11 ESPN
- 31 NBC Sports Network
- 32 Root Sports Northwest
- 33 Golf Channel
- 34 ESPN2
- 42 Cartoon Network
- 162 BBC America
- 179 CSN Northwest
- 274 Military Channel
- 400 ESPN
- 402 ESPNNews
- 412 CBS Sports Network
- 817 CSN Northwest HD
- 621 ESPN HD
- 622 ESPNNews HD
- 623 ESPN HD
- 624 ESPN2 HD
- 625 Golf Channel HD
- 626 NBC Sports Network HD
- 627 Root Sports Northwest HD
- 633 CBS Sports Network HD
- 647 BBC America HD
- 680 Cartoon Network HD

- Entertainment & Lifestyle
- 54 TNT
- 58 USA Network
- 59 Syfy
- 61 CMT
- 62 VH1
- 63 MTV
- 65 Bravo
- 71 Oxygen
- 125 Al Jazeera America
- 135 MTV 2
- 136 G4
- 139 LOGO
- 181 CNN
- 183 EquiLife
- 202 Ovation
- 220 OWN
- 275 bio.
- 471 CMT Pure Country
- 472 MTV Hits
- 473 VH1 Classic
- 474 VH1 Soul
- 475 MTV Jams
- 476 Fuse

**482 gmc**

- 483 TV One
- 484 GAC
- 502 We tv
- 606 b3s
- 640 We tv HD
- 650 Equire HD
- 652 Bravo HD
- 658 Spike HD
- 660 Universal HD
- 662 TNT HD
- 663 Velocity HD
- 672 USA Network HD
- 676 Syfy HD
- 682 Oxygen HD
- 684 GMC HD
- 685 Palladio
- 686 CMT HD
- 687 VH1 HD
- 688 MTV HD
- 690 Fuse HD
- 693 G4 HD
- 694 b3s HD
- 715 Ovation HD
- 718 GSN HD
- 780 b3s

- Kids
- 339 ABC Family
- 40 Nickelodeon
- 41 Disney Channel
- 42 Cartoon Network
- 118 Sprout
- 120 Nick Jr.
- 121 The Hub
- 122 Disney XD
- 123 Disney Junior
- 126 Nicktoons
- 127 Nick 2
- 215 TeenNick
- 677 Disney Channel HD
- 678 ABC Family HD
- 679 Nickelodeon HD
- 680 Cartoon Network HD
- 681 Disney XD HD
- 720 Sprout HD
- 721 The Hub HD
- News & Information
- 36 Travel Channel
- 37 History
- 44 CNN
- 45 HLN
- 46 CNBC
- 47 MSNBC
- 48 Fox News Channel
- 50 Bloomberg TV
- 68 HGTV

**101 WeatherScan Local**

- 130 Fox Business Network
- 159 Nat Geo WLD
- 201 Destination America
- 203 DIY
- 204 Cooking Channel
- 222 Discovery Fit & Health
- 271 Investigation Discovery
- 272 Science
- 273 National Geographic Channel
- 276 H2
- 646 Bloomberg TV HD
- 648 HLN HD
- 654 Travel Channel HD
- 655 Fox News Channel HD
- 656 Fox Business Network HD
- 657 CNN HD
- 658 CNBC HD
- 661 MSNBC HD
- 666 Nat Geo Wild HD
- 671 History HD
- 672 National Geographic Channel HD
- 674 HGTV HD
- 696 Destination America HD
- 698 Science HD
- 712 H2 HD
- 713 Investigation Discovery HD
- 716 Cooking Channel HD
- Movies
- 149 MoviePlex
- 186 FEARnet
- 500 Hallmark Movie Channel
- 501 TCM
- 503 IFC
- 504 LMN
- 505 Sundance Channel
- 513 IndiePlex
- 514 RetroPlex
- 516 Encore Family
- 817 Encore HD
- 518 Encore
- 519 Encore Love
- 521 Encore Suspense
- 523 Encore Westerns
- 527 Encore Drama
- 529 Encore Action
- 566 Filix
- 698 LMN HD
- 699 IFC HD
- 701 TCM HD
- 703 Hallmark Movie Channel HD
- 708 IndiePlex HD
- 709 RetroPlex HD

**101 WeatherScan Local**

- 726 Univision HD
- 727 Galavisión HD
- 728 Galavisión
- 729 UniMas
- 730 History en Español
- 731 Discovery en Español
- 732 Univision
- 733 Canal 52MX
- 735 mun2
- 737 Medicinal Network
- 739 TeleHit
- 740 Bandamax
- 741 De Pelicula
- 742 De Pelicula Clasico
- 743 Ritmocon Latino
- 744 CBTV Michoacan
- 745 Multimedios TV
- 746 WAPA America
- 747 TVE Internacional
- 748 nunoTV
- 750 Discovery Familia
- 751 TV Colombia
- 752 TV Chile
- 753 TV Venezuela
- 754 TV Dominica
- 755 Caracol
- 756 Cine Latino
- 757 Cine Mexicano
- 758 Gran Cine
- 759 Vendo Movies
- 760 CNN en Español
- 761 SURTV
- 762 Sur Peru
- 763 TeleFormula
- 764 Tellefe
- 765 Ecuavision
- 766 Uralima
- 769 Once TV Mexico
- 770 HTN
- 771 Centro Americana
- 772 EWTN on Español
- 773 La Familia Network
- 774 TBN Encanto
- 776 Pasionis
- 777 MTV Musica
- 778 Video Rois
- 780 b3s
- 781 ESPN Deportes
- 782 FOX Deportes
- 783 LAG
- 785 beIN Sport en Español
- 786 BabyFirst Americas en Español
- 789 Vine Kids
- 791 Telemundo ALT
- 792 Univision ALT
- 793 Teletubia ALT

**MultLatino Packages**

**MultLatino**

Available a la carte with subscription to Limited Basic

- 726 Univision HD
- 727 Galavisión HD
- 728 Galavisión
- 729 UniMas
- 730 History en Español
- 731 Discovery en Español
- 732 Univision
- 733 Canal 52MX
- 735 mun2
- 737 Medicinal Network
- 739 TeleHit
- 740 Bandamax
- 741 De Pelicula
- 742 De Pelicula Clasico
- 743 Ritmocon Latino
- 744 CBTV Michoacan
- 745 Multimedios TV
- 746 WAPA America
- 747 TVE Internacional
- 748 nunoTV
- 750 Discovery Familia
- 751 TV Colombia
- 752 TV Chile
- 753 TV Venezuela
- 754 TV Dominica
- 755 Caracol
- 756 Cine Latino
- 757 Cine Mexicano
- 758 Gran Cine
- 759 Vendo Movies
- 760 CNN en Español
- 761 SURTV
- 762 Sur Peru
- 763 TeleFormula
- 764 Tellefe
- 765 Ecuavision
- 766 Uralima
- 769 Once TV Mexico
- 770 HTN
- 771 Centro Americana
- 772 EWTN on Español
- 773 La Familia Network
- 774 TBN Encanto
- 776 Pasionis
- 777 MTV Musica
- 778 Video Rois
- 780 b3s
- 781 ESPN Deportes
- 782 FOX Deportes
- 783 LAG
- 785 beIN Sport en Español
- 786 BabyFirst Americas en Español
- 789 Vine Kids
- 791 Telemundo ALT
- 792 Univision ALT
- 793 Teletubia ALT

**MultLatino Plus**

Includes Limited Basic and MultLatino

**MultLatino Extra**

Includes Limited Basic, Digital Economy and MultLatino

**MultLatino Max**

Includes Limited Basic, Digital Economy, MultLatino and the following channels:


- 11 ESPN
- 31 NBC Sports Network
- 32 Root Sports Northwest
- 33 Golf Channel
- 34 ESPN2
- 36 TLC
- 40 Nickelodeon
- 54 TNT
- 55 TBS
- 57 Spike
- 59 Syfy
- 62 VH1
- 63 MTV
- 65 Bravo
- 118 Sprout
- 162 BBC America
- 504 LMN
- 173/623 ESPN HD
- 174/624 ESPN2 HD
- 625 Golf Channel HD
- 626 NBC Sports Network HD
- 627 Root Sports Northwest HD
- 632 Bravo HD
- 647 BBC America HD
- 669 Spike HD
- 662 THT HD
- 664 TBS HD
- 687 VH1 HD
- 688 MTV HD
- 686 LMN HD
- 720 Sprout HD

**MultLatino Ultra**


Includes Limited Basic, Digital Economy, Digital Preferred and additional channels on MultLatino Max

A minimum subscription to Limited Basic is required to receive other services or other levels of video programming. HD programming is only available to customers with an HD TV set (not provided by Comcast) and a digital converter with HD TV capabilities. A subscription to certain services may be required to receive certain HD programming. A monthly HD Technology fee is also required to receive HD programming. 3D programming is only available to customers with a minimum subscription to the Digital Choice package, a 3D HD TV set (not provided by Comcast) and a digital converter with 3D HD capabilities. A monthly 3D Technology fee and a monthly HD Technology fee are required to receive 3D programming. Channel listings and required service levels are subject to change. Please contact 1-800-XFINITY with questions.






**XFINITY® TV Channel Line up**



Effective October 2013  
Inland Northwest



# XFINITY TV

Channels in bold are HD

## Limited Basic

- 2 KREM (CBS)
- 3 KAYU (FOX)
- 4 KXLY (ABC)
- 5 CITY CABLE 5/TW
- 6 KHQ (NBC)
- 7 KSPS (PBS)
- 8 ION Television
- 9 Discovery Channel
- 10 HSN
- 12 Inspiration
- 13 OVC
- 14 Community-Minded TV
- 15 Educational Access
- 16 Educational Access
- 17 Educational Access
- 18 Educational Access
- 19 Educational Access
- 20 The Weather Channel
- 21 WGN America
- 22 KSKN (CW)
- 23 NWCN
- 25 TVW
- 26 KCDT (PBS)
- 27 C-SPAN
- 28 C-SPAN2
- 29 Jewelry TV
- 30 Telemundo
- 31 Hallmark Channel
- 78 TBN
- 79 Licensed Access
- 80 ACCTV
- 81 Licensed Access
- 95 Government Access
- 96 Jewelry TV
- 102 KREM HD (CBS)
- 103 KAYU HD (FOX)
- 104 KXLY HD (ABC)
- 105 XGPX HD (ION)
- 106 KHQ HD (NBC)
- 107 KSPS HD (PBS)
- 110 KCDT HD (PBS)
- 111 KCKN HD (CW)
- 301 KREM Live Well Network
- 304 KXLY (MeTV)
- 306 KHQ SWR (NBC)
- 310 KAYU ThisTV Spokane
- 313 KSPS World (PBS)
- 314 KSPS Create
- 317 KCDT Plus Idaho PTV
- 318 KCDT Learn
- 319 KCDT World (PBS)
- 320 KSKN Weather
- 599 XFINITY Latino

- 618 WGN America HD
- 645 C-SPAN HD
- 734 Telemundo

## Family Tier

Includes Limited Basic

- 35 Food Network
- 40 Nickelodeon
- 41 Disney Channel
- 45 HLN
- 58 HGTV
- 118 Sprout
- 121 The Hub
- 122 Disney XD
- 203 DIY
- 215 TeenNick
- 272 Science
- 273 National Geographic Channel
- 648 HLN HD
- 673 National Geographic Channel HD
- 674 HGTV HD
- 675 Food Network HD
- 677 Disney Channel HD
- 678 Nickelodeon HD
- 681 Disney XD HD
- 696 Science HD
- 720 Sprout HD
- 721 The Hub HD

## Digital Economy

Includes Limited Basic

- 35 Food Network
- 37 History
- 41 Disney Channel
- 42 Cartoon Network
- 43 Animal Planet
- 44 CNN
- 48 Fox News Channel
- 49 truTV
- 51 Lifetime
- 52 A&E
- 56 BET
- 58 USA Network
- 60 Comedy Central
- 64 E!
- 67 AMC
- 99 TVGN
- 226 H2
- 655 Fox News Channel HD
- 657 CNN HD

- 667 Animal Planet HD
- 668 Discovery Channel HD
- 670 A&E HD
- 671 History HD
- 675 Food Network HD
- 677 Disney Channel HD
- 680 Cartoon Network HD
- 689 BET HD
- 697 AMC HD
- 702 Hallmark Channel HD
- 704 Comedy Central HD
- 720 Sprout HD
- 717 TVGN HD
- 770 E! HD
- 901-946 Music Choice

## Digital Starter

Includes Limited Basic

- 1 XFINITY On Demand
- 11 ESPN
- 30 FS1
- 31 NBC Sports Network
- 32 Root Sports Northwest
- 33 Golf Channel
- 34 ESPN2
- 36 Travel Channel
- 38 TLC
- 39 ABC Family
- 40 Nickelodeon
- 45 HLN
- 46 CNBC
- 47 MSNBC
- 50 Bloomberg TV
- 53 FX
- 54 TNT
- 55 TBS
- 57 Syfy
- 59 Syfy
- 61 CMT
- 62 VH1
- 63 MTV
- 64 E!
- 66 Fox Movie Channel
- 68 HGTV
- 99 TVGN
- 118 Sprout
- 136 G4
- 149 MoviePlex
- 150 C-SPAN3
- 162 BBC America
- 165 FEARnet
- 173 ESPN HD
- 174 ESPN2 HD
- 183 Esquire
- 271 Investigation Discovery
- 275 blo.

- 276 H2
- 430 PAC 12 Network (Regional)
- 482 gmc
- 500 Hallmark Movie Channel
- 504 LMN
- 620 FS1 HD
- 623 ESPN HD
- 624 ESPN2 HD
- 625 Golf Channel HD
- 626 NBC Sports Network HD
- 627 Root Sports Northwest HD
- 628 PAC 12 Network HD (Regional)
- 646 Bloomberg TV HD
- 647 BBC America HD
- 648 HLN HD
- 650 Esquire HD
- 651 E! HD
- 652 Bravo HD
- 653 Lifetime HD
- 654 Travel Channel HD
- 658 Fox News Channel HD
- 657 CNN HD
- 659 CNBC HD
- 659 Spide HD
- 660 Universal HD
- 661 MSNBC HD
- 662 TNT HD
- 663 Velocity HD
- 664 TBS HD
- 665 FX HD
- 667 Animal Planet HD
- 668 Discovery Channel HD
- 669 Nickelodeon HD
- 670 USA Network HD
- 674 HGTV HD
- 676 Syfy HD
- 677 Disney Channel HD
- 678 ABC Family HD
- 679 Nickelodeon HD
- 680 Cartoon Network HD
- 682 Oxygen HD
- 683 HSN HD
- 684 GAC HD
- 686 Pallasia
- 688 GMT HD
- 687 VH1 HD
- 689 MTV HD
- 689 BET HD
- 692 OVC HD
- 693 G4 HD
- 694 blo. HD
- 697 AMC HD
- 698 LMN HD
- 702 Hallmark Channel HD
- 703 Hallmark Movie Channel HD
- 704 Comedy Central HD
- 705 truTV HD

- 706 The Weather Channel HD
- 712 H2 HD
- 713 Investigation Discovery HD
- 717 TVGN HD
- 697 XFINITY 3D
- 901-946 Music Choice

## Digital Preferred

Includes Digital Starter

- 101 WeatherScan Local
- 120 Nick Jr.
- 121 The Hub
- 122 Disney XD
- 123 Disney Junior
- 124 BabyFirst America
- 125 Al Jazeera America
- 126 Nicktoons
- 127 Nick 2
- 130 Fox Business Network
- 131 BBC World News
- 135 MTV 2
- 139 LOGO
- 159 Nat Geo WILD
- 161 GSN
- 163 TV Land
- 179 CSN Northwest
- 180 NFL Network
- 201 Destination America
- 202 Ovation
- 203 DIY
- 204 Cooking Channel
- 205 RLTV
- 206 WGP
- 215 TeenNick
- 220 OWN
- 222 Discovery Fit & Health
- 222 Science
- 232 h3ggn
- 232 VH1
- 233 EWTN
- 270 Smithsonian Channel
- 272 Science
- 273 National Geographic Channel
- 274 Military Channel
- 400 ESPN HD
- 401 FX
- 402 ESPN HD
- 406 Outdoor Channel
- 407 MLB Network
- 409 TV Games
- 412 CBS Sports Network
- 416 NBA TV
- 417 NFL Network
- 418 NFL Network HD
- 419 NHL Network
- 427 Sportsman Channel
- 419 NHL Network
- 428 Outside TV
- 431 PAC 12 Network (National)
- 436 ESPN Golf Line/ Buzzer Beater
- 491 FX
- 701 TCM HD
- 707 AXS TV HD
- 708 IndiePlex HD
- 709 RetroPlex HD
- 714 Smithsonian Channel HD
- 715 Ovation HD
- 716 Cooking Channel HD
- 718 GSN HD
- 721 The Hub HD
- 726 Univision HD
- 727 Galavisión HD
- 728 Galavisión
- 729 UniMas
- 732 Univision

- 474 VH1 Soul
- 475 MTV Jams
- 476 Fuse
- 480 Aspira
- 481 Centric
- 483 TV One
- 484 GAC
- 486 The Word
- 501 TCM
- 502 We tv
- 503 IFC
- 505 Sundance Channel
- 513 IndiePlex
- 514 RetroPlex
- 516 Encore Family
- 517 Encore HD
- 518 Encore
- 519 Encore Love
- 521 Encore Suspense
- 523 Encore Westerns
- 527 Encore Drama
- 529 Encore Action
- 586 Fix
- 603 mun2
- 606 t3s
- 617 CSN Northwest HD
- 618 FX HD
- 621 ESPN HD
- 622 ESPN HD
- 620 MLB Network HD
- 630 NBA TV HD
- 631 NHL Network HD
- 633 CBS Sports Network HD
- 636 Outdoor Channel HD
- 649 We tv HD
- 656 Fox Business Network HD
- 666 Nat Geo Wild HD
- 673 National Geographic Channel HD
- 681 Disney XD HD
- 690 Fuse HD
- 691 TV One HD
- 695 Destination America HD
- 696 Science HD
- 699 IFC HD
- 700 MGM HD
- 701 TCM HD
- 707 AXS TV HD
- 708 IndiePlex HD
- 709 RetroPlex HD
- 714 Smithsonian Channel HD
- 715 Ovation HD
- 716 Cooking Channel HD
- 718 GSN HD
- 721 The Hub HD
- 726 Univision HD
- 727 Galavisión HD
- 728 Galavisión
- 729 UniMas
- 732 Univision

- 735 mun2
- 749 nuyTV
- 770 HITN
- 780 t3s
- 818 TK24 (Korean)
- 820 Myx TV

## Digital Preferred Plus

Includes Digital Preferred, HBO and Starz

## Digital Premier

Includes Digital Preferred Plus, Sports Entertainment Package, Cinemax and Showtime

## Sports Entertainment Package

- 180 NFL Network
- 606 t3s
- 402 ESPN HD
- 403 ESPN Classic
- 404 Big Ten Network
- 405 Outdoor Channel
- 407 MLB Network
- 409 TV Games
- 410 NFL RedZone
- 411 Tennis Channel
- 412 CBS Sports Network
- 413 Fox College Sports Atlantic
- 414 Fox College Sports Central
- 415 Fox College Sports Pacific
- 416 NBA TV
- 417 NFL Network
- 418 NFL Network HD
- 419 NHL Network
- 427 Sportsman Channel
- 428 Outside TV
- 431 PAC 12 Network (National)
- 436 ESPN Golf Line/ Buzzer Beater
- 618 FX HD
- 622 ESPN HD
- 629 MLB Network HD
- 630 NBA TV HD
- 631 NHL Network HD
- 632 Big Ten Network HD
- 633 CBS Sports Network HD
- 634 Tennis Channel HD
- 635 Outdoor Channel HD
- 636 Sportsman Channel HD
- 637 NFL RedZone
- 785 beIN Sport en Español

## Premium Services

- Starz
- 532 Starz HD
- 534 Starz
- 535 Starz Edge East
- 536 Starz Edge West
- 537 Starz in Black
- 538 Starz Cinema
- 539 Starz Family
- 540 Starz Comedy
- HBO
- 543 HBO2 HD
- 544 HBO Signature HD
- 549 HBO Latino HD
- 549 HBO HD
- 550 HBO East
- 551 HBO West
- 552 HBO2 East
- 553 HBO2 West
- 554 HBO Signature East
- 555 HBO Signature West
- 557 HBO Family
- 558 HBO Latino
- 559 HBO Comedy
- 560 HBO Zone
- Cinemax
- 561 Cinemax West
- 562 Cinemax East
- 563 Cinemax HD
- 565 MoreMAX
- 566 Action Max
- 567 Thriller Max
- Showtime
- 574 Showtime HD
- 576 Showtime
- 577 SHO 2 East
- 578 SHO 2 West
- 580 Showtime Showcase
- 582 Showtime Extreme
- 584 Showtime Family
- 586 Fix
- The Movie Channel
- 588 The Movie Channel HD
- 591 The Movie Channel
- 593 The Movie Channel Xtra
- Adult
- 994 Playboy TV

**EXHIBIT 3**



August 14, 2012  
Davis Wright Tremaine LLP  
1919 Pennsylvania Avenue, N.W.  
Suite 800  
Washington, DC 20006

To Whom It May Concern:

SNL Kagan utilizes a multi-step process to accurately identify cable client franchise areas and associated ZIP and ZIP+4 Codes. (A ZIP+4 Code includes the five digits of the United States Postal Service ZIP Code, a hyphen, and four more digits that determine a more precise location than the ZIP Code.)

This methodology was developed to address the potential shortcomings in utilizing 5-digit ZIP Code data for "Effective Competition" petitions. The basic methodology has been in place for several years and has been used successfully in many Effective Competition cases at the FCC.

Because ZIP Codes and municipal boundaries are created and managed by different government authorities, the boundaries of ZIP Codes and municipal boundaries often overlap. ZIP Codes frequently span between and beyond municipal boundaries. ZIP+4 Codes, however, usually reside in one and only one municipality. SNL Kagan uses Place, Minor Civil Division (MCD), and County boundaries from Dynamap® a division of Pitney Bowes Business Insight, to determine municipal boundaries. SNL Kagan uses the Dynamap® ZIP+4 Centroids database, which contains ZIP+4 centroid correspondence for virtually all deliverable ZIP+4s, to identify ZIP+4 Codes within municipal boundaries, among the over 60 million ZIP+4s in all 50 states, DC, and Puerto Rico, based on current data from the USPS and the U.S. Bureau of the Census, and the Tele Atlas master street database.

SNL Kagan then utilizes its ZIP+4 Code mapping to enable our clients to obtain proper "Direct-to-Home" (DTH) subscriber counts for their respective franchise areas by tracking DTH subscribers at the ZIP+4 Code level. (Where SNL Kagan determines that a ZIP Code falls entirely within a franchise area, however, it is unnecessary to identify DTH subscribers at the ZIP+4 Code level for that 5-digit ZIP Code. In these instances, SNL Kagan identifies such 5-digit ZIP Codes and, accordingly, DTH subscribers are identified by the 5-digit ZIP code only.)

Only ZIP+4 Codes that meet specific criteria are included in this report. The following criteria must be met:

- The centroid of the ZIP+4 Code is within the franchise area; and
- The USPS ZIP+4 Record Type (from Dynamap® ZIP+4 Centroids) is either H- high rise or S – street.

Our methodology has been used by many multiple system operators (MSOs) as part of their Effective Competition relief efforts, and we believe this methodology produces the most accurate and detailed view of ZIP+4 data as it relates to cable franchise areas.



Pinna Gallant  
Senior Product Manager  
SNL Kagan

Financial Institutions | Real Estate | Energy | Media & Communications

One SNL Plaza, PO Box 2124, Charlottesville, VA 22902 | +1.434.977.1600 | +1.434.977.4466 fax

Ahmedabad | Arlington | Boston | Boulder | Islamabad | Jersey City | London | Monterey | New York | Richmond | SNL.com

**EXHIBIT 4**

**SBCA ECTR Summary Pages**

**ZIP+4 Data provided on CD included with the exhibit.**

**A hard copy of the ZIP+4 data is available upon request.**

## ECTR – Effective Competition Tracking Report



Provided by  
Satellite Broadcasting and Communications Association

---

Pursuant to Section 76.907(c) of the FCC Rules, and your effective competition tracking request dated March 14, 2013 please find the following Direct-to-Home (DTH) satellite subscriber numbers per zip code (and/or zip+4 where necessary). The provision and use of this Effective Competition Tracking Report is governed by and subject to the terms and conditions of the Agreement for Provision and Use of Confidential Data, between your company and SBCA.

Report Date: May 3, 2013

ZIP Codes	DTH Count
Requested total for Millwood, WA	142

Data is current through 3/31/2013

Report Prepared by:  
Martin Esteves  
Manager, Membership and Data Management  
202-349-3630  
mesteves@sbca.org

Methodology: Direct-To-Home (DTH) subscriber data reflects aggregated DIRECTV and DISH Network residential subscriber totals. The following data collection procedures are applied by Members in the normal course of business: a) single accounts with multiple receivers are only counted once; b) commercial and test accounts are not included; c) each occupied unit served in a multiple dwelling unit building has been counted as a separate residential subscriber; d) zip codes are taken from service locations (not billing addresses, where different); e) inactive accounts are routinely removed; f) invalid (undeliverable) addresses have been corrected where known; g) courtesy or complimentary accounts are included; and h) zip code information for Members' subscribers is periodically updated to reflect changes to zip codes by the United States Postal Service.

1  
2 **THE FOLLOWING IS A LIST OF ALLOWABLE COSTS:**

3

Filing Fee	\$300.00
Service Fees	\$230.00
Recording	\$65.00
Mailings	\$101.32
Title Fee	\$413.91
Publication of summons	\$2,640.93
Sheriff's Fees and Costs	Amount to be determined at time of sale
<b>TOTAL</b>	<b>\$3,751.16</b>

4  
5  
6  
7  
8  
9  
10  
11  
12  
13


14  
15 I, TIFFANY ARCHER declare that:

16 I am one of the attorneys for the plaintiff in the above-entitled cause, and that the above and  
17 foregoing statement of costs and disbursements, exclusive of the statutory attorney's fee, is true and  
18 correct and that the said amounts have been or will be actually disbursed in this action. This amount  
19 is exclusive of sheriff's fees and costs for sale, which amount is unknown at this time.  
20

21 I declare under penalty of perjury under the laws of the State of Washington that the  
22 foregoing is true and correct.

23 DATED this 21 day of October, 2013.

24  
25  
26  
27  
28

  
[ ] Rhonna Kollenkark, WSB #35526  
[ ] Craig Peterson, WSB #15935  
 Tiffany Archer, WSB #42449  
Robinson Tait, P.S.  
Attorneys for Plaintiff