

STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL THE CAPITOL Albany, NY 12224

LETITIA JAMES Attorney General (518) 776-2000

April 28, 2020

Dexter Goei Chief Executive Officer Altice USA 1111 Stewart Avenue Bethpage, NY 11714

Dear Mr. Goei:

The Covid-19 pandemic has plunged our state and our country into an unprecedented public health and economic crisis. New Yorkers, along with others around the country, are struggling. Huge numbers of people have lost their jobs and face an uncertain economic future. In these dire circumstances, it is essential that all of us strive to minimize the financial burdens on our citizens.

As you are well aware, consumers have been willing to pay extra for cable plans because they expect to see live sports as a significant part of their programming. Live sports are also central to the marketing of many cable plans, and it is a key reason many consumers choose cable.

Unfortunately, as you also know, all live sports events have been cancelled for the foreseeable future, eliminating a key programming category that many cable viewers have dearly paid for, whether separately or as part of a bundled package. Cable providers nevertheless continue to charge and collect the same high fees, acting as if nothing has changed.

MADES LAND CON

Consumers rightly do not understand why they should have to continue to pay the higher fees that are attributable to live sports. Sports channels showing solely reruns and sports video game simulations, as is now the practice, is not what customers bargained for. It is unfair and inappropriate to require consumers to continue paying the same amount for the ghost of a service that they contracted for. In addition, it would be unfair and inappropriate to charge customers termination fees if they wish to cancel service because of economic hardship or because essential programming has been cancelled.

We understand that cable companies may contend that because certain provisions of their residential cable contracts state that the cable service has no obligation to provide any particular programming service or channel, they are in effect not guaranteeing live sports broadcasts. However, these contractual provisions did not envision the current situation. Channels may change, and particular programs or events may be changed, cancelled or deferred. Customers understand this. Here, however, an entire category of key programming is no longer available, and applying those contractual provisions to this circumstance is leading to unexpected and unfair results for consumers.

Furthermore, providing prompt relief to consumers in these circumstances is not only the right thing to do, but is also in the cable providers' self-interest. Continued intransigence heightens the vulnerability of cable providers to increased cancellations of cable service by frustrated customers who are trying to reduce unnecessary discretionary costs during the pandemic and current economic crisis. Doing the right thing now can help avoid such cancellations.

I accordingly request that you promptly prepare and provide a plan for appropriate financial relief for your cable television customers who are no longer receiving live sports programming. Such a plan should provide for appropriate refunds, discounts and reductions of charges and fees, payment deferrals, and waiver of termination fees, at least until live sports programming is resumed. The plan should be guided by the principle that customers should not be charged for content that they are not receiving.

Etitia James

Letitia James



State of New York Office of the Attorney General The Capitol Albany, NY 12224

LETITIA JAMES Attorney General (518) 776-2000

April 28, 2020

Randall Stephenson Chief Executive Officer AT&T 208 S. Akard St. Dallas, TX 75202

Dear Mr. Stephenson:

The Covid-19 pandemic has plunged our state and our country into an unprecedented public health and economic crisis. New Yorkers, along with others around the country, are struggling. Huge numbers of people have lost their jobs and face an uncertain economic future. In these dire circumstances, it is essential that all of us strive to minimize the financial burdens on our citizens.

As you are well aware, consumers have been willing to pay extra for cable plans because they expect to see live sports as a significant part of their programming. Live sports are also central to the marketing of many cable plans, and it is a key reason many consumers choose cable.

Unfortunately, as you also know, all live sports events have been cancelled for the foreseeable future, eliminating a key programming category that many cable viewers have dearly paid for, whether separately or as part of a bundled package. Cable providers nevertheless continue to charge and collect the same high fees, acting as if nothing has changed.

TRADES AND COLMER

Consumers rightly do not understand why they should have to continue to pay the higher fees that are attributable to live sports. Sports channels showing solely reruns and sports video game simulations, as is now the practice, is not what customers bargained for. It is unfair and inappropriate to require consumers to continue paying the same amount for the ghost of a service that they contracted for. In addition, it would be unfair and inappropriate to charge customers termination fees if they wish to cancel service because of economic hardship or because essential programming has been cancelled.

We understand that cable companies may contend that because certain provisions of their residential cable contracts state that the cable service has no obligation to provide any particular programming service or channel, they are in effect not guaranteeing live sports broadcasts. However, these contractual provisions did not envision the current situation. Channels may change, and particular programs or events may be changed, cancelled or deferred. Customers understand this. Here, however, an entire category of key programming is no longer available, and applying those contractual provisions to this circumstance is leading to unexpected and unfair results for consumers.

Furthermore, providing prompt relief to consumers in these circumstances is not only the right thing to do, but is also in the cable providers' self-interest. Continued intransigence heightens the vulnerability of cable providers to increased cancellations of cable service by frustrated customers who are trying to reduce unnecessary discretionary costs during the pandemic and current economic crisis. Doing the right thing now can help avoid such cancellations.

I accordingly request that you promptly prepare and provide a plan for appropriate financial relief for your cable television customers who are no longer receiving live sports programming. Such a plan should provide for appropriate refunds, discounts and reductions of charges and fees, payment deferrals, and waiver of termination fees, at least until live sports programming is resumed. The plan should be guided by the principle that customers should not be charged for content that they are not receiving.

Etitia James

Letitia James



State of New York Office of the Attorney General The Capitol Albany, NY 12224

LETITIA JAMES Attorney General (518) 776-2000

April 28, 2020

Thomas M. Rutledge Chairman and CEO Charter Communications 300 Atlantic Street 10th Floor Stanford, CT 06901

Dear Mr. Rutledge:

The Covid-19 pandemic has plunged our state and our country into an unprecedented public health and economic crisis. New Yorkers, along with others around the country, are struggling. Huge numbers of people have lost their jobs and face an uncertain economic future. In these dire circumstances, it is essential that all of us strive to minimize the financial burdens on our citizens.

As you are well aware, consumers have been willing to pay extra for cable plans because they expect to see live sports as a significant part of their programming. Live sports are also central to the marketing of many cable plans,<sup>1</sup> and it is a key reason many consumers choose cable.



https://official.spectrum100/livesports (currently advertising LIVE SPORTS . . . DON'T MISS OUT ON LIVE SPORTS COVERAGE).

Unfortunately, as you also know, all live sports events have been cancelled for the foreseeable future, eliminating a key programming category that many cable viewers have dearly paid for, whether separately or as part of a bundled package. Cable providers nevertheless continue to charge and collect the same high fees, acting as if nothing has changed.

I hereby request that you promptly and voluntarily provide relief to affected New York consumers from continued high cable television charges. It is simply inappropriate for New Yorkers to be burdened by high costs for services that the cable providers are not able to deliver, and programming that is a mere vestige of what has been expected. Reducing those burdens is not only legally and practically appropriate, it is clearly the right thing to do.

Consumers rightly do not understand why they should have to continue to pay the higher fees that are attributable to live sports. Sports channels showing solely reruns and sports video game simulations, as is now the practice, is not what customers bargained for. It is unfair and inappropriate to require consumers to continue paying the same amount for the ghost of a service that they contracted for. In addition, it would be unfair and inappropriate to charge customers termination fees if they wish to cancel service because of economic hardship or because essential programming has been cancelled.

We understand that cable companies may contend that because certain provisions of their residential cable contracts state that the cable service has no obligation to provide any particular programming service or channel, they are in effect not guaranteeing live sports broadcasts. However, these contractual provisions did not envision the current situation. Channels may change, and particular programs or events may be changed, cancelled or deferred. Customers understand this. Here, however, an entire category of key programming is no longer available, and applying those contractual provisions to this circumstance is leading to unexpected and unfair results for consumers.

Furthermore, providing prompt relief to consumers in these circumstances is not only the right thing to do, but is also in the cable providers' self-interest. Continued intransigence heightens the vulnerability of cable providers to increased cancellations of cable service by frustrated customers who are trying to reduce unnecessary discretionary costs during the pandemic and current economic crisis. Doing the right thing now can help avoid such cancellations.

I accordingly request that you promptly prepare and provide a plan for appropriate financial relief for your cable television customers who are no longer receiving live sports programming. Such a plan should provide for appropriate refunds, discounts and reductions of charges and fees, payment deferrals, and waiver of termination fees, at least until live sports programming is resumed. The plan should be guided by the principle that customers should not be charged for content that they are not receiving.

At a time when large numbers of your customers have lost their jobs and every penny counts as they struggle through this health and economic crisis, it would be grossly unfair for cable providers to fail to reduce the burden of payments that now make little sense. I seek your cooperation in this endeavor. Our office is willing to work with you on the terms for and implementation of action to ensure that both your company and the affected consumers are treated fairly. Your proposed plan, as well as any questions or comments, should be directed to Steven Glassman, Special Counsel in Economic Justice in my office, at <u>steven.glassman@ag.ny.gov</u>

We look forward to working together to help all New Yorkers through these difficult and challenging times.

etitia James

Letitia James



STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL THE CAPITOL Albany, NY 12224

LETITIA JAMES Attorney General (518) 776-2000

April 28, 2020

David N. Watson President & CEO Comcast Cable 1701 JFK Blvd. Philadelphia, PA 19103

Dear Mr. Watson:

The Covid-19 pandemic has plunged our state and our country into an unprecedented public health and economic crisis. New Yorkers, along with others around the country, are struggling. Huge numbers of people have lost their jobs and face an uncertain economic future. In these dire circumstances, it is essential that all of us strive to minimize the financial burdens on our citizens.

As you are well aware, consumers have been willing to pay extra for cable plans because they expect to see live sports as a significant part of their programming. Live sports are also central to the marketing of many cable plans, and it is a key reason many consumers choose cable.

Unfortunately, as you also know, all live sports events have been cancelled for the foreseeable future, eliminating a key programming category that many cable viewers have dearly paid for, whether separately or as part of a bundled package. Cable providers nevertheless continue to charge and collect the same high fees, acting as if nothing has changed.

TRADES AND COLORER

Consumers rightly do not understand why they should have to continue to pay the higher fees that are attributable to live sports. Sports channels showing solely reruns and sports video game simulations, as is now the practice, is not what customers bargained for. It is unfair and inappropriate to require consumers to continue paying the same amount for the ghost of a service that they contracted for. In addition, it would be unfair and inappropriate to charge customers termination fees if they wish to cancel service because of economic hardship or because essential programming has been cancelled.

We understand that cable companies may contend that because certain provisions of their residential cable contracts state that the cable service has no obligation to provide any particular programming service or channel, they are in effect not guaranteeing live sports broadcasts. However, these contractual provisions did not envision the current situation. Channels may change, and particular programs or events may be changed, cancelled or deferred. Customers understand this. Here, however, an entire category of key programming is no longer available, and applying those contractual provisions to this circumstance is leading to unexpected and unfair results for consumers.

Furthermore, providing prompt relief to consumers in these circumstances is not only the right thing to do, but is also in the cable providers' self-interest. Continued intransigence heightens the vulnerability of cable providers to increased cancellations of cable service by frustrated customers who are trying to reduce unnecessary discretionary costs during the pandemic and current economic crisis. Doing the right thing now can help avoid such cancellations.

I accordingly request that you promptly prepare and provide a plan for appropriate financial relief for your cable television customers who are no longer receiving live sports programming. Such a plan should provide for appropriate refunds, discounts and reductions of charges and fees, payment deferrals, and waiver of termination fees, at least until live sports programming is resumed. The plan should be guided by the principle that customers should not be charged for content that they are not receiving.

etitia James

Letitia James



State of New York Office of the Attorney General The Capitol Albany, NY 12224

LETITIA JAMES Attorney General (518) 776-2000

April 28, 2020

W. Erik Carlson President and CEO Dish Network 9601 South Meridian Blvd Englewood, CO 80112

Dear Mr. Carlson:

The Covid-19 pandemic has plunged our state and our country into an unprecedented public health and economic crisis. New Yorkers, along with others around the country, are struggling. Huge numbers of people have lost their jobs and face an uncertain economic future. In these dire circumstances, it is essential that all of us strive to minimize the financial burdens on our citizens.

As you are well aware, consumers have been willing to pay extra for cable plans because they expect to see live sports as a significant part of their programming. Live sports are also central to the marketing of many cable plans, and it is a key reason many consumers choose cable.

Unfortunately, as you also know, all live sports events have been cancelled for the foreseeable future, eliminating a key programming category that many cable viewers have dearly paid for, whether separately or as part of a bundled package. Cable providers nevertheless continue to charge and collect the same high fees, acting as if nothing has changed.

Consumers rightly do not understand why they should have to continue to pay the higher fees that are attributable to live sports. Sports channels showing solely reruns and sports video game simulations, as is now the practice, is not what customers bargained for. It is unfair and inappropriate to require consumers to continue paying the same amount for the ghost of a service that they contracted for. In addition, it would be unfair and inappropriate to charge customers termination fees if they wish to cancel service because of economic hardship or because essential programming has been cancelled.

We understand that cable companies may contend that because certain provisions of their residential cable contracts state that the cable service has no obligation to provide any particular programming service or channel, they are in effect not guaranteeing live sports broadcasts. However, these contractual provisions did not envision the current situation. Channels may change, and particular programs or events may be changed, cancelled or deferred. Customers understand this. Here, however, an entire category of key programming is no longer available, and applying those contractual provisions to this circumstance is leading to unexpected and unfair results for consumers.

Furthermore, providing prompt relief to consumers in these circumstances is not only the right thing to do, but is also in the cable providers' self-interest. Continued intransigence heightens the vulnerability of cable providers to increased cancellations of cable service by frustrated customers who are trying to reduce unnecessary discretionary costs during the pandemic and current economic crisis. Doing the right thing now can help avoid such cancellations.

I accordingly request that you promptly prepare and provide a plan for appropriate financial relief for your cable television customers who are no longer receiving live sports programming. Such a plan should provide for appropriate refunds, discounts and reductions of charges and fees, payment deferrals, and waiver of termination fees, at least until live sports programming is resumed. The plan should be guided by the principle that customers should not be charged for content that they are not receiving.

etitia James

Letitia James



LETITIA JAMES ATTORNEY GENERAL (518) 776-2000

April 28, 2020

James Holanda Chief Executive Officer RCN Corporation 650 College Road East Suite 3100 Princeton, NJ 08540

Dear Mr. Holanda:

The Covid-19 pandemic has plunged our state and our country into an unprecedented public health and economic crisis. New Yorkers, along with others around the country, are struggling. Huge numbers of people have lost their jobs and face an uncertain economic future. In these dire circumstances, it is essential that all of us strive to minimize the financial burdens on our citizens.

As you are well aware, consumers have been willing to pay extra for cable plans because they expect to see live sports as a significant part of their programming. Live sports are also central to the marketing of many cable plans, and it is a key reason many consumers choose cable. Unfortunately, as you also know, all live sports events have been cancelled for the foreseeable future, eliminating a key programming category that many cable viewers have dearly paid for, whether separately or as part of a bundled package. Cable providers nevertheless continue to charge and collect the same high fees, acting as if nothing has changed.

I hereby request that you promptly and voluntarily provide relief to affected New York consumers from continued high cable television charges. It is simply inappropriate for New Yorkers to be burdened by high costs for services that the cable providers are not able to deliver, and programming that is a mere vestige of what has been expected. Reducing those burdens is not only legally and practically appropriate, it is clearly the right thing to do.

Consumers rightly do not understand why they should have to continue to pay the higher fees that are attributable to live sports. Sports channels showing solely reruns and sports video game simulations, as is now the practice, is not what customers bargained for. It is unfair and inappropriate to require consumers to continue paying the same amount for the ghost of a service that they contracted for. In addition, it would be unfair and inappropriate to charge customers termination fees if they wish to cancel service because of economic hardship or because essential programming has been cancelled.

We understand that cable companies may contend that because certain provisions of their residential cable contracts state that the cable service has no obligation to provide any particular programming service or channel, they are in effect not guaranteeing live sports broadcasts. However, these contractual provisions did not envision the current situation. Channels may change, and particular programs or events may be changed, cancelled or deferred. Customers understand this. Here, however, an entire category of key programming is no longer available, and applying those contractual provisions to this circumstance is leading to unexpected and unfair results for consumers.

Furthermore, providing prompt relief to consumers in these circumstances is not only the right thing to do, but is also in the cable providers' self-interest. Continued intransigence heightens the vulnerability of cable providers to increased cancellations of cable service by frustrated customers who are trying to reduce unnecessary discretionary costs during the pandemic and current economic crisis. Doing the right thing now can help avoid such cancellations.

I accordingly request that you promptly prepare and provide a plan for appropriate financial relief for your cable television customers who are no longer receiving live sports programming. Such a plan should provide for appropriate refunds, discounts and reductions of charges and fees, payment deferrals, and waiver of termination fees, at least until live sports programming is resumed. The plan should be guided by the principle that customers should not be charged for content that they are not receiving.

At a time when large numbers of your customers have lost their jobs and every penny counts as they struggle through this health and economic crisis, it would be grossly unfair for cable providers to fail to reduce the burden of payments that now make little sense. I seek your cooperation in this endeavor. Our office is willing to work with you on the terms for and implementation of action to ensure that both your company and the affected consumers are treated fairly. Your proposed plan, as well as any questions or comments, should be directed to Steven Glassman, Special Counsel in Economic Justice in my office, at <a href="mailto:steven.glassman@ag.ny.gov">steven.glassman@ag.ny.gov</a>

We look forward to working together to help all New Yorkers through these difficult and challenging times.

SetutiA James

Letitia James



STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL THE CAPITOL Albany, NY 12224

LETITIA JAMES Attorney General (518) 776-2000

April 28, 2020

Hans Vestberg Chairman and Chief Executive Officer Verizon Fios One Verizon Way Basking Ridge, NJ 07920

Dear Mr. Vestberg:

The Covid-19 pandemic has plunged our state and our country into an unprecedented public health and economic crisis. New Yorkers, along with others around the country, are struggling. Huge numbers of people have lost their jobs and face an uncertain economic future. In these dire circumstances, it is essential that all of us strive to minimize the financial burdens on our citizens.

As you are well aware, consumers have been willing to pay extra for cable plans because they expect to see live sports as a significant part of their programming. Live sports are also central to the marketing of many cable plans, and it is a key reason many consumers choose cable.

Unfortunately, as you also know, all live sports events have been cancelled for the foreseeable future, eliminating a key programming category that many cable viewers have dearly paid for, whether separately or as part of a bundled package. Cable providers nevertheless continue to charge and collect the same high fees, acting as if nothing has changed.

Consumers rightly do not understand why they should have to continue to pay the higher fees that are attributable to live sports. Sports channels showing solely reruns and sports video game simulations, as is now the practice, is not what customers bargained for. It is unfair and inappropriate to require consumers to continue paying the same amount for the ghost of a service that they contracted for. In addition, it would be unfair and inappropriate to charge customers termination fees if they wish to cancel service because of economic hardship or because essential programming has been cancelled.

We understand that cable companies may contend that because certain provisions of their residential cable contracts state that the cable service has no obligation to provide any particular programming service or channel, they are in effect not guaranteeing live sports broadcasts. However, these contractual provisions did not envision the current situation. Channels may change, and particular programs or events may be changed, cancelled or deferred. Customers understand this. Here, however, an entire category of key programming is no longer available, and applying those contractual provisions to this circumstance is leading to unexpected and unfair results for consumers.

Furthermore, providing prompt relief to consumers in these circumstances is not only the right thing to do, but is also in the cable providers' self-interest. Continued intransigence heightens the vulnerability of cable providers to increased cancellations of cable service by frustrated customers who are trying to reduce unnecessary discretionary costs during the pandemic and current economic crisis. Doing the right thing now can help avoid such cancellations.

I accordingly request that you promptly prepare and provide a plan for appropriate financial relief for your cable television customers who are no longer receiving live sports programming. Such a plan should provide for appropriate refunds, discounts and reductions of charges and fees, payment deferrals, and waiver of termination fees, at least until live sports programming is resumed. The plan should be guided by the principle that customers should not be charged for content that they are not receiving.

etitia James

Letitia James