

1 **BEFORE THE PUBLIC UTILITIES COMMISSION**
2 **OF THE STATE OF CALIFORNIA**

3 Joint Application of Charter Communications,
4 Inc., Charter Communications Holdings, LLC,
5 and Cox Enterprises, Inc. for Approval Pursuant
6 to Public Utilities Code Section 854 of the
7 Indirect Transfer of Control of Cox California
8 Telcom, LLC (U-5684-C)

Application 25-07-016

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10
11 **REBUTTAL TESTIMONY OF DAVID ANDRESKI**

12 **SENIOR VICE PRESIDENT, MARKETING ANALYTICS**

13 **CHARTER COMMUNICATIONS, INC.**

14 **ON BEHALF OF JOINT APPLICANTS**

15
16 **MARCH 4, 2026**
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1 **I. INTRODUCTION**

2 **Q: Please state your name, occupation, and business address.**

3 My name is David Andreski. I am the Senior Vice President of Marketing Analytics at
4 Charter Communications, Inc. (“Charter”). My business address is 400 Washington Boulevard,
5 Stamford, Connecticut 06902.

6 **Q: Please describe your professional qualifications.**

7 I currently hold the position of Senior Vice President of Marketing Analytics with Charter.
8 In this role, I am responsible for overseeing Charter’s pricing and offer team, field market
9 intelligence team, marketing science team, and analytics team.

10 I have worked in the telecommunications industry since 1990, first with AT&T in the U.S.,
11 then with an AT&T joint venture in Europe, and then with Priority Telecom. I joined Charter in
12 2006 as Vice President of Marketing and Sales, working on sales and marketing for the central
13 United States. From 2009 to 2011, I held the position of Vice President of Marketing Operations
14 with Time Warner Cable. I returned to Charter in 2011 as Vice President of Integrated Marketing
15 and am now Senior Vice President of Marketing Analytics. My role at Charter has expanded into
16 marketing analytics, integrating analytics into sales and marketing functions, analyzing offers and
17 pricing, developing service packages, and forecasting subscriber activity and revenue.

18 I hold a Bachelor of Science degree in Engineering with a concentration in Electrical
19 Engineering and a Bachelor of Science in Economics with a business concentration in Finance, as
20 well as a Master of Science in Telecommunications Management.

21 **Q: Can you please summarize your testimony?**

22 I am testifying to inform the California Public Utilities Commission (“Commission”)
23 regarding the fixed mass-market broadband pricing implications of the application (the “Joint
24

1 Application”) of Charter, Charter Communications Holdings, LLC, Cox Enterprises, Inc. (“CEI”),
2 and Cox California Telcom, LLC (U-5684-C) (“Cox California”) (collectively, the “Joint
3 Applicants”) for the indirect transfer of control of Cox California from CEI to Charter (the
4 “Transfer”). Below, I correct certain misunderstandings that may arise from the testimony
5 submitted by the California Emerging Technology Fund (“CETF”), The Utility Reform Network
6 (“TURN”), and the Public Advocates Office (“Cal Advocates”) (collectively “Intervenors”) and
7 demonstrate how the Transfer, together with the broader national transaction,¹ will result in
8 substantial savings for California customers. In doing so, I note that it is my understanding that the
9 Joint Application before the Commission does not implicate broadband services in California,
10 since Cox California does not offer broadband, but I provide this testimony to ensure a responsive
11 and complete record for the Commission.

12 As all seem to agree, Charter and Cox generally do not materially compete with each other
13 for fixed mass-market broadband² consumers because their networks largely do not overlap.
14 Indeed, as Dr. Keating explains in greater detail, Cal Advocates reached the same conclusion in a
15 recent report on broadband competition and pricing strategy.³ That report also presented evidence
16 affirming that Cox, which charges higher prices than Charter, puts no downward pressure on
17 Charter’s broadband prices.⁴ However, Charter and Cox *do* face immense and unprecedented
18 competition in the modern broadband marketplace from fixed wireless, satellite, and fiber
19 providers. Both today and after the Transaction, Charter has and will continue to have every
20

21 ¹ This Transfer will result from a combination of Charter and Cox Communications, Inc. (“Cox”) under
common ownership (the “Transaction”).

22 ² I will sometimes use “broadband” and similar terms to refer to fixed mass-market broadband, i.e., fixed
broadband internet access service.

23 ³ See Rebuttal Testimony of Bryan Keating on Behalf of Joint Applicants, at 3-4 (Mar. 4, 2026) (“Dr.
Keating Rebuttal Testimony”) (citing Bixia Ye, *Broadband Competition and Pricing Strategies in
California’s Urban Markets*, at 6, Public Advocates Office (Jan. 14, 2026) (“Cal Advocates Report”)).

24 ⁴ See Dr. Keating Rebuttal Testimony at 4 (citing Cal Advocates Report, Appendix B at 10).

1 incentive to offer consumers low prices and better value in a marketplace that is only growing
2 more competitive.

3 Charter continues to act on those incentives, offering additional savings for its existing and
4 potential new customers alike. For example, when Charter announced the first-of-its-kind
5 Customer Commitment, it also announced speed increases for customers on certain plans; these
6 speed increases occurred automatically and free of charge, resulting in all existing Spectrum
7 Internet and Spectrum Internet Ultra customers having their speeds automatically increased for
8 free to 400 and 600 Mbps, respectively.⁵ More recently, Charter announced a “Free Internet
9 Forever” promotion, which gives potential new customers with four mobile lines (and at least two
10 ported lines) access to Charter’s Spectrum Internet Advantage tier for free forever, as long as the
11 customer maintains these services.⁶ And just last week, Charter unveiled one of its most powerful
12 value pledges to date, guaranteeing new customers \$1,000 in savings their first year if they switch
13 their mobile service from AT&T, T-Mobile or Verizon to at least two Unlimited lines of Spectrum
14 Mobile and transfer their internet service from any provider to Spectrum Internet Advantage or a
15 higher speed tier.⁷

16 In my marketing role, I can confirm that Charter works hard to inform customers and
17 potential customers about its products and to make selecting its services easy. The Transaction
18 will allow Charter to offer its low rates to both Cox customers and other consumers within the Cox
19

20 ⁵ See Press Release, Charter Communications, *Spectrum Announces Unprecedented Customer*
21 *Commitment, Free Internet Speed Lifts, New Bundled Pricing and Unveils New Brand Platform ‘Life*
Unlimited’ (Sept. 16, 2024), [https://corporate.charter.com/newsroom/spectrum-announces-unprecedented-](https://corporate.charter.com/newsroom/spectrum-announces-unprecedented-customer-commitment)
22 [customer-commitment](https://corporate.charter.com/newsroom/spectrum-announces-unprecedented-customer-commitment).

23 ⁶ See Charter Communications, Packages, Exclusive Offer Free Internet Forever,
<https://www.spectrum.com/packages/best-deals/free-internet-forever> (last visited Mar. 4, 2026).

24 ⁷ See Press Release, Charter Communications, *Spectrum Guarantees \$1,000 Savings in the First Year for*
Customers Who Flee the Big 3 (Feb. 24, 2026), [https://corporate.charter.com/newsroom/spectrum-](https://corporate.charter.com/newsroom/spectrum-guarantees-1000-dollars-in-first-year-savings-to-flee-big-3)
[guarantees-1000-dollars-in-first-year-savings-to-flee-big-3](https://corporate.charter.com/newsroom/spectrum-guarantees-1000-dollars-in-first-year-savings-to-flee-big-3).

1 footprint and will generate efficiencies that can enable Charter to keep enhancing its offerings
2 across the combined footprint.

3 **II. CHARTER OFFERS LOW PRICES TO ATTRACT CUSTOMERS IN THE**
4 **HIGHLY COMPETITIVE MODERN BROADBAND MARKETPLACE.**

5 **Q: How does Charter generally approach consumer broadband plans and pricing?**

6 Keeping our prices low and our plans consumer-friendly is fundamental to Charter's
7 business strategy. *First*, Charter sets prices according to the philosophy that lower prices build
8 long-term revenue by encouraging customers to select multiple products from Charter, at a better
9 value than alternative providers, and then remain with Charter, which drives a longer customer
10 lifetime.⁸ *Second*, Charter also maintains simple, transparent pricing for consumers by offering
11 consistent non-promotional retail rates for its residential internet offerings across its service
12 footprint, demographics and income levels (outside of our limited-eligibility low-income
13 offerings). Charter offers many standardized promotions as well, to all potential customers that
14 are eligible for such offers. Fundamentally, we believe that when customers find value in our
15 services, they will remain customers. For this reason, Charter does not impose annual contracts
16 or early termination fees for any residential services. Customers are free to switch service
17 providers at any time.

18 **Q: How do consumers stand to benefit from the Transaction?**

19 As a threshold matter, I want to clarify that a specific benefit of this Transaction is that it
20 will result in significant savings for California consumers. Even on a standalone basis, across
21 mass-market fixed broadband services, mobile services, and video services, Charter's pricing
22

23 ⁸ Chris Winfrey, President and CEO, Charter Communications, Charter Communications and Cox
24 Communications – Investor Webcast, at 34:06 (May 16, 2025) (“Investor Call”), <https://charter-communications-investor-update-may-2025.open-exchange.net/webcast>.

1 demonstrates significant savings for Cox customers, and our bundles offer even more attractive
2 pricing. This is consistent with the determination of the Federal Communications Commission
3 (“FCC”) under Chairwoman Rosenworcel, which found that Charter generally charges the same
4 or lower prices for broadband plans compared to those Cox charges.⁹ For example, Charter’s
5 introductory price is \$30-per-month less for 1 Gbps service than Cox’s introductory offer, and its
6 introductory price is \$35-per-month less for its 500 Mbps offering compared to Cox’s introductory
7 price.¹⁰ And Charter offers its low residential retail rates consistently across its entire footprint,
8 which will include Cox’s territory post-Transaction, such that the Transaction will enable Cox
9 customers to choose our lower-priced plans. Notwithstanding the better value that Charter plans
10 will deliver to Cox customers in California (and across the combined company’s footprint),
11 Charter has committed to allow Cox customers to keep their existing plans following
12 consummation should they so choose. I summarize the savings that Cox customers stand to gain
13 as a result of the Transaction below.

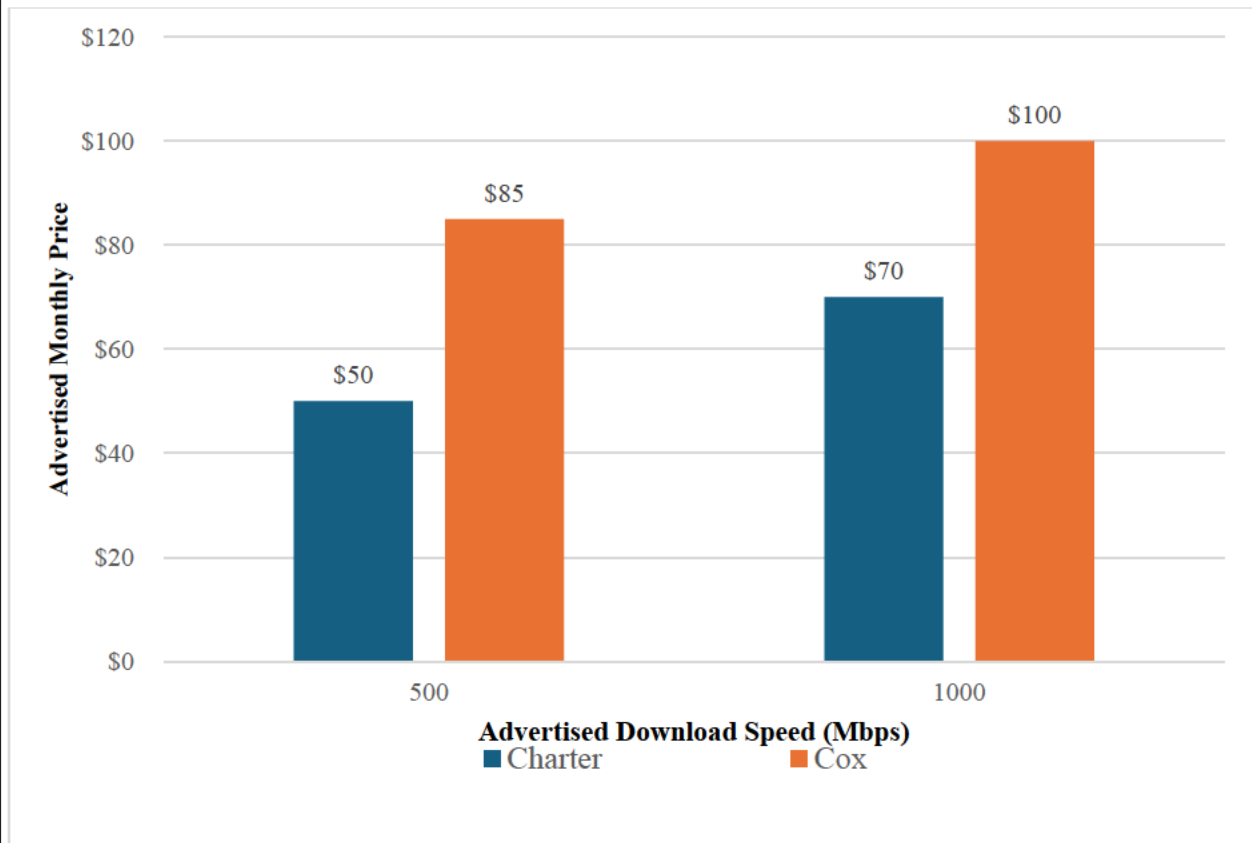
14 ***Fixed Broadband.*** As shown in Figure 1 below, Charter charges the same or lower
15 introductory promotional prices for standalone broadband plans relative to Cox. For example,
16 Charter’s introductory, promotional pricing is \$30/month less for its 1 Gbps offering, \$35/month
17 less for its 500 Mbps offering compared to Cox.¹¹

21 ⁹ *Communications Marketplace Report*, 2024 Communications Marketplace Report, 39 FCC Rcd 14116,
22 14140 ¶ 32 Fig. II.A.18 (2024).

23 ¹⁰ See Opening Testimony of Adam Falk on Behalf of Joint Applicants, at 16-17 (Jan. 30, 2026) (“Falk
24 Testimony”).

¹¹ Spectrum, Spectrum Internet®, <https://www.spectrum.com/internet> (last visited Mar. 4, 2026); Cox,
Cox High-Speed Internet Plans and Pricing, <https://www.cox.com/residential/internet.html> (last visited
Mar. 4, 2026). Comparisons are based on advertised monthly prices.

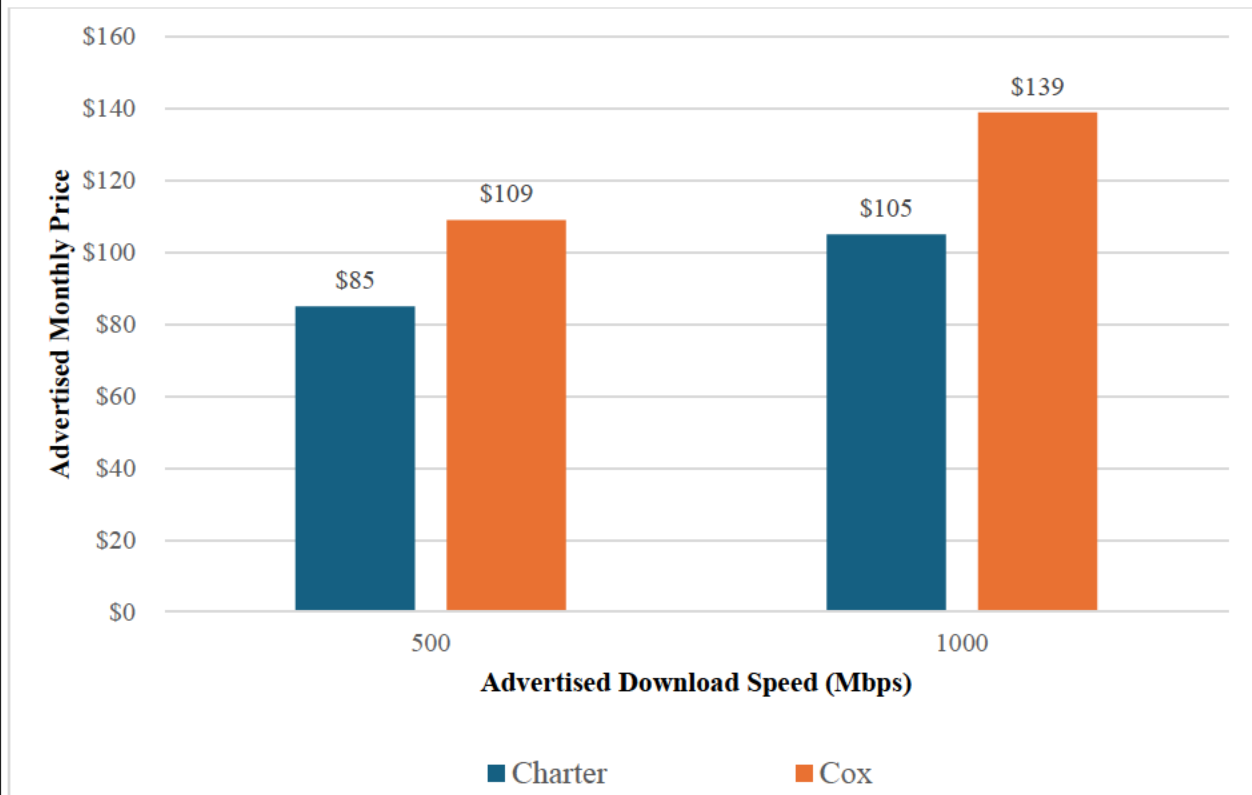
Figure 1: Comparison of Charter and Cox Advertised Internet-Only Plans Promotional Prices



Source: Opening Testimony of Bryan Keating on Behalf of Joint Applicants, at 26 (Jan. 30, 2026) (“Econic Opening Testimony”).

Charter’s non-promotional prices for its standard residential internet service offerings are also lower than Cox’s comparable offerings. As shown in Figure 2 below, Charter charges \$34/month less for its 1 Gbps plan and \$24/month less for its 500 Mbps plan compared to Cox.

Figure 2: Comparison of Charter and Cox Advertised Internet-Only Plans Non-Promotional Prices

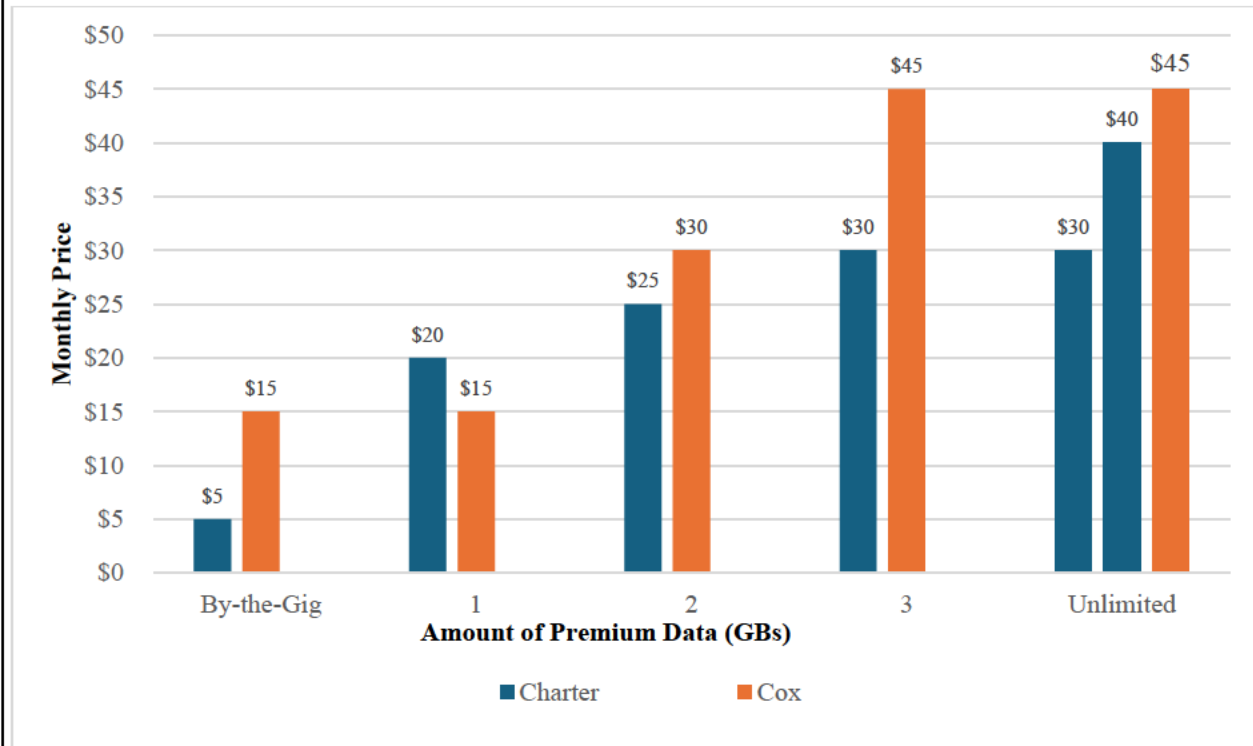


Source: Econic Opening Testimony at 27.

Mobile. As shown in Figure 3 below, Spectrum Mobile's plans are almost always less expensive than Cox's (and offer better non-price terms, such as higher premium data allowances and hotspot data). Both companies offer unlimited and pay-as-you-go plans. For unlimited plans, both of Spectrum's options offer lower prices and higher premium data allowances than Cox. Spectrum offers \$30 per line for 30 GBs of premium data or \$40 per line for 50 GBs of premium data, while Cox offers \$45 per line for only 20 GBs of data. For pay-as-you-go plans, Cox's price is lower only for the first GB (\$15 compared to Spectrum's \$20) and significantly more expensive for subsequent GBs of data (\$15 per GB for Cox compared to \$5 per GB for Spectrum). Moreover,

Spectrum's unlimited plans all include hotspot data, while Cox's plans do not, and Spectrum plans include taxes and fees in the advertised rates.¹²

Figure 3: Comparison of Charter and Cox Advertised Mobile Wireless Plans



Source: Econic Opening Testimony at 33.

Video. Video consumers also stand to benefit from the fact that Charter generally offers customers greater value at lower prices than Cox. For example, the Spectrum TV Platinum plan has an advertised price of \$160 per month for one year (\$175 per month standard rate), and includes 230+ channels and access at no additional cost to HBO Max Basic with Ads, ESPN Unlimited, Hulu, Disney+, Paramount+ Essential, Peacock Premium with Ads, FOX One, AMC+ with Ads, Tennis Channel, and ViX Premium with Ads streaming services.¹³ In contrast, the Cox Contour

¹² Econic Opening Testimony at 33.

¹³ Pricing available at Spectrum, Spectrum TV®, <https://official.spectrum.com/sem/video> (last visited Mar. 4, 2026).

Although the value that individuals place on this combination of bundled services will vary across customers, the combined retail price of these services is approximately \$140 per month. See Spectrum, Seamless Entertainment: Solving for Value & Utility (Jan. 30, 2026), <https://corporate.charter.com/spectrum-seamless-entertainment-value-chart.pdf>.

1 TV Ultimate plan has an advertised price of \$184 per month for a package with a similar number
2 of channels.¹⁴ Although the value that individuals place on the inclusion of streaming services
3 will vary across customers, the combined retail price of these services included in Charter's
4 Spectrum TV packages is up to \$140 per month, whereas the combined retail price of the services
5 included in Cox's Contour TV packages is up to \$75 per month.

6 ***Bundles.*** Consumers also stand to gain from *even more favorable* pricing if they select
7 Charter's bundled service offerings. For example, Charter offers a 1 Gbps home internet plus two
8 unlimited lines of mobile wireless service for \$100 per month for the first two years, that increases
9 to \$145 per month by year five, constituting a significant discount off of the standard retail rate for
10 these products.¹⁵ Accordingly, the Transaction would also result in a Cox customer having access
11 to *significantly less* expensive alternatives than they did prior to the Transaction.¹⁶ Similarly,
12 Charter's prices are also lower when broadband service is combined with a Spectrum TV plan.
13 For example, the Spectrum Internet Premier 500 Mbps plan pricing decreases from \$50 per month
14 for standalone to \$30 per month for two years when bundling with Spectrum TV Select Signature
15 at \$115 per month for a total of \$145 per month.¹⁷ Cox's introductory, promotional pricing for its
16 Go Even Faster 500 Mbps plan is at \$85 per month (the same price as a standalone) when bundling
17 with Contour TV Preferred at \$140 per month (also the same price as a standalone), for a total of
18 \$225 per month.¹⁸

21 ¹⁴ Additional information available at Cox, Cox Streaming and Traditional TV Plans,
22 <https://www.cox.com/residential/tv.html> (last visited Mar. 4, 2026).

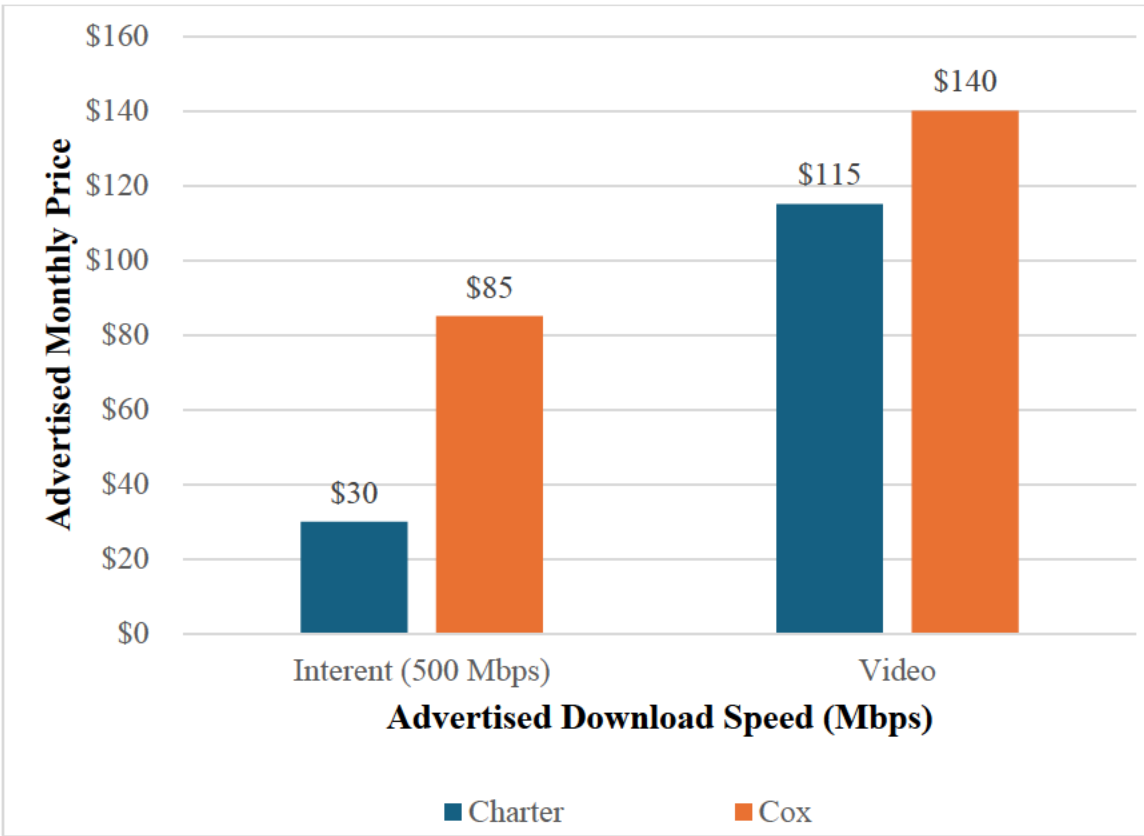
23 ¹⁵ Econic Opening Testimony at 27.

24 ¹⁶ A comparable plan from Cox (1 Gbps home Internet plus two unlimited mobile wireless lines) would
cost \$180 per month. *Id.* at 28.

¹⁷ *Id.* at 36.

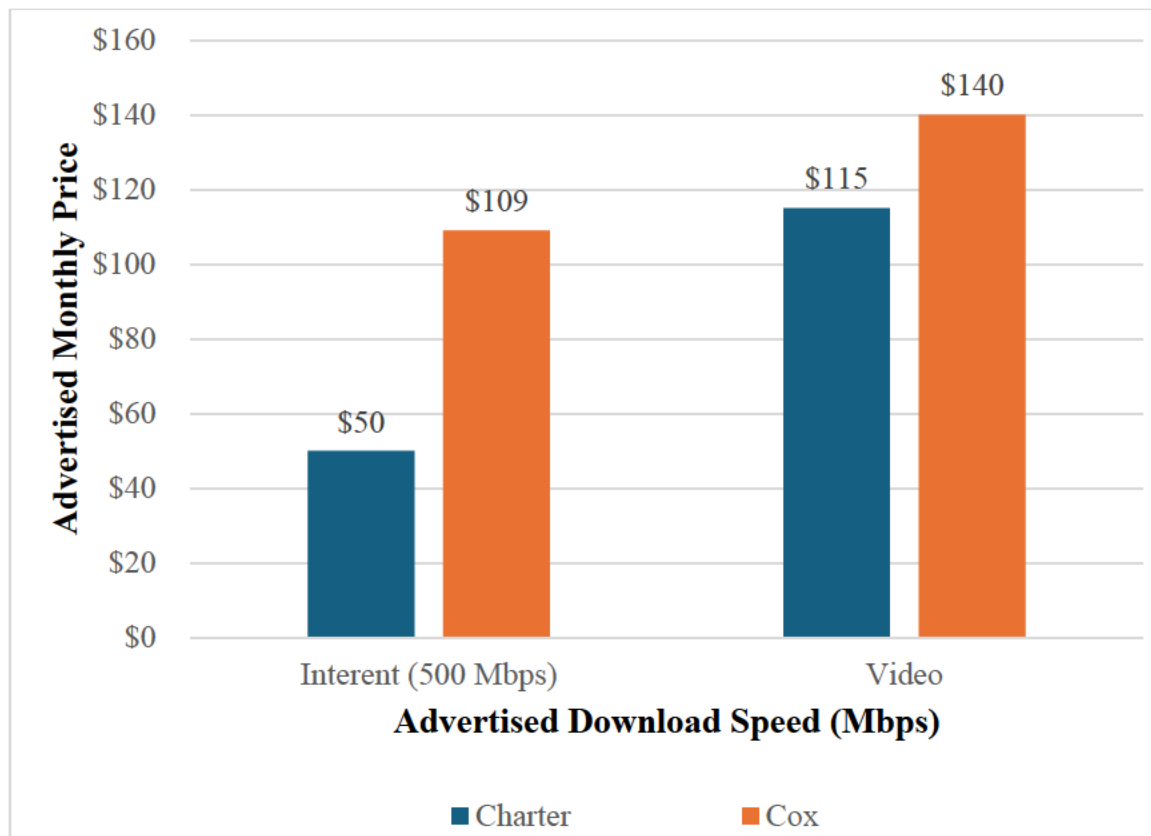
¹⁸ Econic Opening Testimony at 36-37.

Figure 4: Comparison of Charter and Cox Advertised Bundle Promotional Pricing for Internet + Video



Even after stepping up to non-promotional pricing after five years, this bundled offering is currently available to Charter customers at a persistent rate of \$165. In contrast, Cox does not typically offer lower prices when bundling. After reaching a non-promotional rate, a Cox customer would be paying \$249 per month.

Figure 5: Comparison of Charter and Cox Advertised Bundle Non-Promotional Pricing for Internet + Video



Q: Why is it in Charter’s business interest to offer low prices?

Charter faces unprecedented intermodal competition in the broadband marketplace, and there is every reason to expect the level of competition to continue increasing. As a result, Charter must do everything it can to attract and keep customers. For the purposes of this response, I will focus on growing fixed wireless access (“FWA”), satellite, and fiber competition in particular.

FWA. FWA service at speeds of at least 100/20 Mbps is currently available to 68.9% of all broadband-serviceable location units in California.¹⁹ FWA availability has expanded from

¹⁹ FCC, National Broadband Map (“FCC Broadband Map”), <https://broadbandmap.fcc.gov> (last visited Mar. 4, 2026).

1 55.3% of households (at any speed) at the end of 2019 to more than 86.5% of broadband-
2 serviceable locations in California.²⁰ At the end of 2024, FWA with speeds of at least 100/20
3 Mbps was available at approximately 48.4% of Cox's and 51.9% of Charter's mass-market
4 footprint in California.²¹ And over less than five years, the total subscribers to fixed wireless
5 access products from AT&T, T-Mobile, Verizon, and UScellular grew from 166,000 to
6 12,652,000.²²

7 FWA availability is likely to materially grow in the future, given significant recent FWA
8 footprint expansion by T-Mobile, AT&T, and Verizon.²³ As my colleague Mr. Falk discusses in
9 his rebuttal testimony, Charter has lost over 900,000 residential internet subscribers in the past two
10 years, and this coincides with a rapid rise in FWA subscribership.²⁴

11 *Satellite.* According to FCC data, at the end of 2024, satellite broadband with speeds of at
12 least 100/20 Mbps was available at more than 99.999% of Cox's and 99.997% of Charter's mass-
13 market footprints in California.²⁵ Starlink was not even captured in the FCC's 2020
14 *Communications Marketplace Report*.

17 ²⁰ FCC, Form 477 Broadband Deployment Data, December 2019 (Version 1) (Apr. 9, 2021),
<https://www.fcc.gov/form-477-broadband-deployment-data-december-2019-version-1>; FCC, Staff Block
18 Estimates, 2019 Data Files (Apr. 12, 2024), <https://www.fcc.gov/staff-block-estimates>.

18 ²¹ FCC, 2024 BDC Availability Data, <https://broadbandmap.fcc.gov/data-download/nationwide-data> (last
19 visited Mar. 4, 2026).

19 ²² See *Cox Enterprises, Inc. and Charter Communications, Inc. Joint Application for Consent to Transfer
Control of Domestic and International Section 214 Authorizations*, FCC, WC Docket No. 25-233,
20 Exhibit 1 Public Interest Statement, at 29 (July 14, 2025).

21 ²³ See, e.g., News Release, Verizon, *Verizon accelerates fixed wireless broadband expansion with
acquisition of Starry* (Oct. 8, 2025), [https://www.verizon.com/about/news/verizon-acquisition-
starry?msockid=1faaea497c026be11717fd587de36a77](https://www.verizon.com/about/news/verizon-acquisition-starry?msockid=1faaea497c026be11717fd587de36a77); *Applications of T-Mobile US, Inc. and United
States Cellular Corporation*, Memorandum Opinion and Order, FCC, DA 25-605, ¶ 107 (WTB/OIA rel.
22 July 11, 2025); News Release, AT&T, *AT&T to Acquire Spectrum Licenses from EchoStar* (Aug. 26, 2025),
<https://about.att.com/story/2025/echostar.html>.

23 ²⁴ Rebuttal Testimony of Adam Falk on Behalf of Joint Applicants, at 8 (Mar. 4, 2026) ("Falk Rebuttal
Testimony").

24 ²⁵ FCC Broadband Map.

1 Today, Starlink reports making 100/20 Mbps satellite-based broadband service available
2 to 99.7% of broadband-serviceable location units throughout the U.S., and nearly doubled both its
3 median download and upload speeds between fall 2022 and early 2025.²⁶ Consumers are taking
4 advantage of this service, with Starlink increasing its U.S. subscribership from 1.4 million in
5 August 2024 to more than two million in July 2025—an increase of nearly 50% in less than a
6 year.²⁷ Amazon Leo, meanwhile, began allowing potential enterprise customers to test its satellite-
7 based service in November 2025, delivering downlink speeds of up to 1 Gbps; Amazon plans to
8 deploy service more widely in 2026, with consumer antenna equipment capable of providing
9 downlink speeds of up to 400 Mbps.²⁸ As many as 70,000 LEO satellites are expected to be
10 launched over the next five years, and the global satellite market is forecast to become seven times
11 bigger by 2035.²⁹

12 *Fiber.* While fiber is far from the only source of competition that Charter faces, as some
13 Intervenors suggest, it is an important—and growing—one. More than 60% of U.S. households
14 are now serviceable by fiber, with roughly 8.1 million unique home passings added in 2025.³⁰ And
15 this trend is expected to continue. For example, UBS Investment Bank forecasts record levels of
16 fiber deployment that would make fiber service available to about 80% of U.S. households by
17

18 ²⁶ See FCC Broadband Map; see also Starlink, Starlink Specifications,
19 <https://starlink.com/legal/documents/DOC-1470-99699-90> (last visited Mar. 4, 2026); SpaceX Letter; Sue
20 Marek, *Starlink's U.S. Performance is on the Rise, Making it a Viable Broadband Option in Some States*,
Ookla (June 10, 2025), <https://www.ookla.com/articles/starlink-us-performance-2025>.

21 ²⁷ Michael Kan, *SpaceX: Starlink Is Serving Over 2 Million Active Customers In the US*, PC Magazine (July
15, 2025), <https://www.pcmag.com/news/spacex-starlink-has-crossed-2-million-active-customers-in-us>.

22 ²⁸ Thomas Kohnstamm, *Everything you need to know about Amazon Leo, Amazon's satellite broadband
network*, Amazon (Nov. 13, 2025), [https://www.aboutamazon.com/news/innovation-at-amazon/what-is-](https://www.aboutamazon.com/news/innovation-at-amazon/what-is-amazon-project-kuiper)
[amazon-project-kuiper](https://www.aboutamazon.com/news/innovation-at-amazon/what-is-amazon-project-kuiper).

23 ²⁹ Goldman Sachs, *The global satellite market is forecast to become seven times bigger* (Mar. 5, 2025),
[https://www.goldmansachs.com/insights/articles/the-global-satellite-market-is-forecast-to-become-seven-](https://www.goldmansachs.com/insights/articles/the-global-satellite-market-is-forecast-to-become-seven-times-bigger)
[times-bigger](https://www.goldmansachs.com/insights/articles/the-global-satellite-market-is-forecast-to-become-seven-times-bigger).

1 year-end 2028.³¹ In California, more than one in every three household units had fiber broadband
2 service available at the end of 2024.³² And the Cal Advocates Report found that 92% of California
3 locations have gigabit service, counting only the top four providers and excluding Frontier.³³

4 **Q: Do you agree with Mr. Falcon that only the “gigabit service tier serves as both**
5 **an anchor point for prices and the pressure point for competitive forces”?**³⁴

6 No. Charter experiences competitive pressure at all service tiers.

7 Moreover, the Cal Advocates Report on which Mr. Falcon relies is flawed in several
8 respects. It examines only the prices offered by AT&T, Charter, Comcast, and Cox. It does not
9 analyze the price offerings of FWA providers such as T-Mobile and Verizon or of Starlink, simply
10 assuming without any justification that they must be relegated to a second-class status that has no
11 effect on pricing at all. It reaches conclusions only about broadband prices based on 1 Gbps and
12 500 Mbps services, meaning it does not even purport to reach a conclusion regarding vast swaths
13 of the marketplace, based apparently on the assumption that providers only set lower promotional
14 prices for gigabit fixed broadband service where they face competition from one or more gigabit
15 fixed broadband providers.³⁵ I also believe that the report is inaccurate when it asserts in Table 2
16 that Charter had a \$40 offering for standalone 1 Gbps service. Even if one were to accept the
17 report’s faulty premise, as my colleague Mr. Falk and Dr. Keating explain, the report actually
18 *contradicts* Mr. Falcon’s assertion: it finds that 1 Gbps prices decrease as the number of sub-gigabit
19
20

21 ³³ Cal Advocates Report at 17-18.

22 ³⁴ Direct Testimony of Ernesto Falcon Summary of the Public Advocates Office Merger Recommendations,
23 Public Advocates Office of the California Public Utilities Commission, at 4-5 (Feb. 11, 2026) (“Falcon
Testimony”) (citing Cal Advocates Report).

24 ³⁵ Cal Advocates Report at 15 (stating that “[l]ocations with more gigabit providers tend to have lower
promotional prices for 1 Gbps and 500 Mbps service”).

1 providers increases and that 500 Mbps prices decrease as the number of 1 Gbps providers
2 increases.³⁶

3 Further, Cal Advocates' Report does not appear to accurately categorize providers'
4 promotional or non-promotional pricing (and even if it did do so, this would present a limited and
5 incomplete picture, as an assessment of the relative "affordability" of any offering would
6 necessarily require looking at the effective price paid over time, both during and after the
7 promotion). This deficiency is apparent in Mr. Falcon's erroneous proposal to set a price cap on
8 Charter's gigabit fixed broadband service. As Dr. Keating explains in additional detail, this
9 proposal would likely harm California consumers, because the proposed rate is based on the Public
10 Advocates' calculation of a simple average of the *lowest promotional rate* observed across three
11 tiers of broadband service and four providers (AT&T, Comcast, Charter, and Cox).³⁷ Accordingly,
12 the flawed comparisons within that report do not support any sort of broad conclusion about market
13 pricing. Even if they did, as Dr. Keating also notes, attempting to impose broader policy goals as
14 a condition on a transaction is likely to distort competition, creating marketplace asymmetries by
15 subjecting one provider to price regulation while leaving other competitors unregulated.³⁸

16 **III. THE PROPOSED TRANSFER ADVANCES ACCESS TO HIGH QUALITY**
17 **AND AFFORDABLE PLANS FOR LOW-INCOME CUSTOMERS.**

18 A. *All Consumers Will Benefit from Charter's Low Prices.*

19 **Q: Do you agree with Mr. Falcon that "Charter does not offer a single low-income**
20 ***broadband product*"?**³⁹

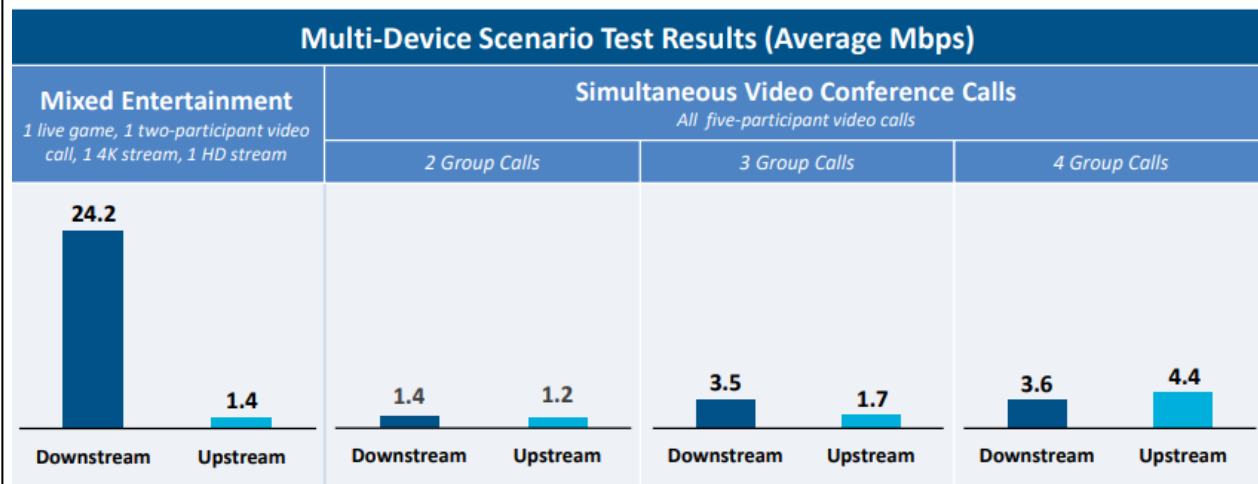
22 ³⁶ Dr. Keating Rebuttal Testimony at 12-13; Falk Rebuttal Testimony at 7.

23 ³⁷ Dr. Keating Rebuttal Testimony at 20-21.

24 ³⁸ Dr. Keating Rebuttal Testimony at 21.

³⁹ Falcon Testimony at 5 (emphasis in original).

No. He posits that only service of at least 100 Mbps download and 20 Mbps upload is “broadband.” It is my understanding that Mr. Falcon and Ms. Louie, who also claim that Spectrum Internet Assist “does not offer broadband,”⁴⁰ base their understanding of “broadband” on the FCC revision to its definition of “advanced telecommunications capability” in 2024.⁴¹ However, I believe the same FCC decision that made that revision explained that “‘advanced telecommunications capability’ is a statutory term with a definition that is more limited than the term ‘broadband.’”⁴² In any event, both our SIA and Internet Advantage services provide consumers with the ability to take full advantage of the online education, health, entertainment, financial, and other services available in the modern economy. For example, according to Netflix the minimum recommended bandwidth for streaming full high-definition (1080p) video content is 5 Mbps, while the minimum recommended bandwidth for streaming ultra high-definition (4K) content is 15 Mbps.⁴³ Zoom, the video conferencing platform, likewise recommends speeds of approximately 4 Mbps download and upload for video calling.⁴⁴



Source: Cartesian, *United States Broadband Household Bandwidth Demand Study* (July 2021), https://www.cartesian.com/wp-content/uploads/2021/07/Cartesian_NCTA-US-Broadband-Household-Bandwidth-Demand-Study-July-2021.pdf.

In any event, setting matters of semantics aside, I explain below how Charter’s service offerings provide robust solutions, and affordable rates, to its subscribers.

1 **Q: Mr. Bartulo asserts that the Joint Applicants have no strategy to ensure low-income**
2 **customers will have access to broadband.⁴⁵ Can you please describe the affordable options**
3 **that Charter will provide low-income customers?**

4 *First*, as Mr. Bartulo acknowledges, existing Cox customers, including those enrolled in
5 Cox’s low-income plans, will have the option to remain on their existing plans. In other words,
6 Cox customers stand to *gain* access to Charter’s service offerings, not lose the ones they have
7 already selected. This is consistent with Charter’s overall strategy of offering better-value
8 packages and pricing options that encourage customers to voluntarily choose a new Spectrum plan
9 rather than forcing a change from a plan they currently enjoy.

10 *Second*, qualifying Cox customers will gain access to Charter’s full range of customer-
11 friendly market-rate offerings, including: (i) SIA, with maximum speeds at 50 Mbps download
12 and 10 Mbps upload, priced at \$25 per month; (ii) discounted SIA, with maximum speeds at 50
13 Mbps download and 10 Mbps upload, priced at \$15 per month; and (iii) Spectrum Internet
14 Advantage, with maximum speeds at 100 Mbps download and 20 Mbps upload, priced at \$30 per
15 month for the first year and \$50 per month thereafter.

16 *Third*, Cox customers will also gain access to Spectrum Mobile, with plans currently
17 starting at \$20 per month, and unlimited data options currently starting at \$30 per month—or less
18

19 ⁴⁰ Direct Testimony of Elizabeth Louie on Low-Income Broadband Affordability, Public Advocates
Office of the California Public Utilities Commission, at 3 (Feb. 11, 2026).

20 ⁴¹ *Id.*

21 ⁴² *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a*
Reasonable and Timely Fashion, 2024 Section 706 Report, 39 FCC Rcd 3247, 3248 n.1.

22 ⁴³ Netflix, Recommended Internet Speeds, <https://help.netflix.com/en/node/306> (last visited Mar. 4,
2026).

23 ⁴⁴ Zoom, Zoom System Requirements: Windows, macOS, Linux, [https://support.zoom.com/hc/en/-](https://support.zoom.com/hc/en/-article?id=zm_kb&syparm_article=KB0060748)
[article?id=zm_kb&syparm_article=KB0060748](https://support.zoom.com/hc/en/-article?id=zm_kb&syparm_article=KB0060748) (last visited Mar. 4, 2026).

24 ⁴⁵ Direct Testimony of Christopher Bartulo on Impacts of ESJ Communities, Testimony, Public
Advocates Office of the California Public Utilities Commission, at 11 (Feb. 11, 2026) (“Bartulo
Testimony”).

1 than half the cost a typical household would pay for similar service from a nationwide mobile
2 network operator. As my colleague Mr. Falk explained, in his initial testimony, Spectrum
3 Mobile's plans are almost always cheaper than Cox's, and offer better non-price terms, such as
4 higher premium data allowances and hotspot data.⁴⁶ This includes for both unlimited plans, where
5 Spectrum Mobile offers lower prices and higher premium data allowances, as well as pay-as-you-
6 go plans, where Cox's plans are significantly more expensive for each subsequent GB of data. For
7 example, Charter offers customers a bundled home internet and mobile wireless plan that provides
8 1 Gbps home internet plus two unlimited lines of mobile wireless for \$100 per month for the first
9 two years, that increases to \$145 per month by year five. A comparable plan from Cox (1 Gbps
10 home internet plus two unlimited mobile wireless lines) would cost approximately \$180 per month.
11 Accordingly, a Cox customer could save between \$35 to \$80 per month, or between \$420 and
12 \$960 per year if they choose to switch to Charter's plan post-Transaction.⁴⁷

13 *Finally*, as I discuss below, Charter is now a participant in California's new LifeLine Home
14 Broadband Pilot Program (the "Broadband Pilot Program") and offers low-income consumers
15 substantial discounts through both the California and federal Lifeline programs. Charter has
16 consistently been an early participant in federal and state subsidy programs, resulting in further
17 discounts for qualifying households, which, post-Transfer, will expand to include households in
18 Cox's service territory.

19 B. *Charter is a Proud Participant in Federal and State Low-Income Support*
20 *Programs.*

21 **Q: Please explain how Charter's participation in federal and state low-income support**

22 ⁴⁶ Falk Testimony at 21-22.

23 ⁴⁷ See Response of Charter Communications, Inc. and Charter Communications Holdings, LLC to Data
24 Request No. 1 to Joint Applicants from the California Emerging Technology Fund, Application 25-07-
016, at 8 (Feb. 5, 2026).

1 **programs further improves connectivity access for low-income households, including**
2 **whether existing customers who experience a change in economic circumstances must**
3 **suspend Internet service for 30 days⁴⁸ or are eligible to enroll and begin receiving applicable**
4 **credits immediately?**

5 Charter has long been committed to keeping Californians connected, and it has consistently
6 been an early participant in federal and state subsidy programs.⁴⁹ As Mr. Falk noted in his opening
7 testimony, Charter was a day-one participant in both the FCC’s Emergency Broadband Benefit
8 program and the Affordable Connectivity Program (ACP”). Charter was also the largest ACP
9 participant.

10 Most recently, Charter began participating in the new California Broadband Pilot Program,
11 under which we now offer qualifying customers a credit of up to \$20 per month on Spectrum
12 internet service or up to \$30 off a customer’s total monthly bill when Spectrum internet is paired
13 with either Spectrum home phone or mobile service. Charter is currently approved by the
14 Commission to offer the Broadband Pilot Program discount on all of the following internet plans:
15 Internet Advantage, Internet Premier, Internet Gig, and Internet 2 Gig. If an existing household
16 participating in the Broadband Pilot Program moves or changes address, they will also be eligible
17 for a one-time \$39 discount on service installation. Further, qualifying customers may also “stack”
18 the Broadband Pilot Program discount with discounts available under the federal Lifeline program
19 within the relevant areas of Charter’s California service territory.

20 As just a few examples:⁵⁰

21
22 ⁴⁸ Intervenor Testimony of Sunne Wright McPeak, President and CEO, California Emerging Technology Fund, at 9-10 (Feb. 11, 2026).

23 ⁴⁹ Falk Testimony at 27-29.

24 ⁵⁰ Please see Charter’s approved Pilot Election Advice Letters for Charter Fiberlink CA-CCO, LLC, Time Warner Cable Information Services (California), LLC, and Bright House Networks Information Services

- 1 • **Standalone Internet Advantage:** Existing households who receive the Broadband
2 Pilot Program discount can obtain standalone Internet Advantage for as low as \$10
3 per month if they are still within the promotional period on their internet plans, or
4 \$30 per month if they have already stepped up to a non-promotional price.
- 5 • **Bundled Internet Advantage:** If a household is within the promotional period in
6 a bundle with Internet Advantage and two qualifying Spectrum Mobile lines—the
7 first of which will also be discounted under the Broadband Pilot Program—its
8 internet service could be fully covered by the Broadband Pilot Program.
- 9 • **Bundled Internet Premier:** Similarly, where an existing household has Internet
10 Premier with a qualifying Spectrum Mobile bundle, Internet Premier would cost
11 only \$10, and customers would also receive an additional discount on the first
12 mobile line.

13 Separately, while still pending, Charter is also currently seeking approval to participate
14 using still-popular legacy plans, including its legacy low-income plan, to ensure that customers
15 can participate—regardless of whether they have chosen one of Charter’s current offerings or
16 remain on their existing plan. These legacy offerings, if and when approved, will further expand
17 the eligible pool of Charter customers for Broadband Pilot Program discounts, evidencing
18 Charter’s commitment to ensuring customers who are happy with their current plans need not take
19 action to ensure they too have access to these new discounts.

20 C. *SIA Provides Affordable Connectivity to Californians in Need.*

21 **Q: How does SIA compare to Cox’s ConnectAssist and Connect2Compete?**

22
23 _____
24 (California), LLC for full details. See California Public Utilities Commission, *Telecommunications Advice
Letter Search*, [https://apps.cpuc.ca.gov/apex/f?p=505:1:::1:P1_BRANCH,P1_TITLE:T,-
Telecommunication](https://apps.cpuc.ca.gov/apex/f?p=505:1:::1:P1_BRANCH,P1_TITLE:T,-Telecommunication) (last visited Mar. 4, 2026).

1 In my view, it is plainly the case that Charter offers eligible consumers a better deal. For
2 example, SIA subscribers can receive a year of free unlimited mobile service, while Cox’s low-
3 income plans do not include any mobile service. That feature alone makes Charter’s plan a far
4 better value for qualifying low-income customers. Beyond this distinct benefit of Charter’s
5 offerings, SIA (like all Charter plans) does not currently impose any data limitations at all. In
6 addition, the upload speed for SIA is twice as fast as the 5 Mbps minimum advertised for Cox’s
7 low-income plans.⁵¹ Charter also currently includes its Security Suite with SIA, while Cox does
8 not advertise any comparable feature for its programs. Importantly, as I mentioned previously,
9 eligible Cox customers who subscribe to ConnectAssist and Connect2Compete can keep their
10 plans following consummation of the Transfer if they prefer their existing plans.

11 **Q: Does Charter intend to continue to offer SIA post-Transfer?**

12 Yes. I am proud to say that Charter’s track record speaks for itself. As Mr. Falk mentioned
13 in his opening testimony, Charter launched SIA in 2016 as a low-cost internet service program
14 available to qualifying low-income households and continues to offer SIA today. In 2024, Charter
15 boosted the speeds for SIA from 30 Mbps download and 4 Mbps upload to 50 Mbps download and
16 10 Mbps upload. As a result of this increase, SIA now features speeds 50 Mbps download and 10
17 Mbps upload speeds for only \$25 per month, and a still-further discount to \$15 per month to
18 eligible households completing enrollment—representing a significant price *decrease* for those
19 that qualify, along with a speed *increase*, relative to the prior 30 Mbps download and 4 Mbps
20 upload offering.

21 Nevertheless, to address the baseless doubts expressed by certain intervenors, I can confirm
22 that Charter has no plans to discontinue SIA. I agree with Mr. Falcon that “the value proposition

23 ⁵¹ Cox, Speeds and Data Plans Information for Internet Service (Feb. 24, 2026),
24 <https://www.cox.com/aboutus/policies/speeds-and-data-plans.html>.

1 to broadband providers to increase adoption is real,”⁵² and SIA is an important part of Charter’s
2 approach to increasing adoption.

3 **Q: Mr. Bartulo argues that discounted SIA should not be considered as an available low-**
4 **income plan that would be generally available to Cox customers because Charter’s website**
5 **“does not provide any of the eligibility requirements necessary to obtain this plan” and**
6 **because, in his view, there are a “negligible” number of subscribers.⁵³ Why should the**
7 **Commission consider the availability of discounted SIA as a meaningful affordable option**
8 **for low-income customers?**

9 Charter promotes discounted SIA on the SIA website, and it welcomes qualified
10 subscribers. Thus, the service is generally available to eligible consumers who wish to select it;
11 the number of subscribers and the accuracy of Mr. Bartulo’s characterization of that number are
12 irrelevant. As Mr. Bartulo’s own exhibits show, Charter’s website makes clear in multiple places
13 that “[c]ustomers may be eligible to get discounted Spectrum Internet Assist for \$15/mo” and “[a]n
14 additional discount may reduce your cost to \$15.”⁵⁴ Mr. Bartulo is also incorrect that Charter’s
15 website does not provide the eligibility requirements necessary to obtain SIA for \$15 per month.
16 Those requirements are plainly disclosed on Charter’s website.⁵⁵

21
22 ⁵² Falcon Testimony at 6.

23 ⁵³ Bartulo Testimony at 12-13.

24 ⁵⁴ *Id.* at Attachment B.

⁵⁵ Spectrum, Spectrum Internet Assist, https://www.spectrum.net/support/forms/spectrum_internet_assist
(last visited Mar. 4, 2026) (noting that customers residing outside of New York may qualify for
discounted SIA by uploading proof of eligibility in one of three programs).

1 **Q: How will the Transaction help Charter offer low broadband prices within the**
2 **combined Charter/Cox footprint?**

3 Charter's pricing reflects its ability to leverage its existing economies of scale to achieve
4 efficiencies and its willingness to pass the savings along to the benefit of consumers.⁵⁶ As Dr.
5 Keating explained in his opening testimony, the Transaction will create substantial efficiencies,⁵⁷
6 enhancing Charter's ability to offer higher-quality mass-market fixed broadband services at lower
7 prices across its footprint.⁵⁸ Mr. Falcon asserts that "[n]othing in this merger motivates or creates
8 an incentive for Charter to reduce its overall prices,"⁵⁹ but that misses the point. The Transaction
9 enhances Charter's ability to act on the incentives it already has to offer lower prices and increases
10 the geographic scope over which those low prices will be available. In this way, the Transaction
11 will also result in the broader benefit of positioning the combined company to offer more
12 competitive services in a crowded and dynamic marketplace.

13 **IV. CHARTER MAKES IT EASY FOR CONSUMERS TO FIND, UNDERSTAND,**
14 **AND SELECT ITS SERVICE OPTIONS.**

15 **Q: Does Charter make pricing and other information on its services readily available to**
16 **current and potential customers?**

17 Yes. Charter's retail rates for broadband service are highly transparent. We offer
18 consistent non-promotional retail rates for our residential internet offerings across our service
19 footprint, and we display introductory rates prominently on our website on the main landing page
20

21
22 ⁵⁶ Investor Call at 34:31 (explaining that low prices create a positive cycle in which "you end up having
more penetration across all of your passings, which means that every customer on the increment costs you
less to service than the one prior").

23 ⁵⁷ Econic Opening Testimony at 19-39.

24 ⁵⁸ *Id.* at 23-30.

⁵⁹ Falcon Testimony at 5.

1 for Charter’s broadband offerings.⁶⁰ Further, we make information about promotions readily
2 available on our website and in advertising and other promotional materials. After all, promotions
3 would not be effective if consumers did not know about them.

4 Mr. Brevitz argues that the Commission should require Charter to publicly disclose
5 machine-readable, address-level pricing data for promotional offers.⁶¹ Mr. Brevitz bases his
6 suggestions on a Cal Advocates report, which itself includes only a sentence on this issue,
7 suggesting that requiring *all* broadband providers to publish machine-readable, address-level
8 pricing data would “improve transparency, strengthen competition analysis, and better protect
9 consumers by improving their access” to providers’ pricing information (though I would note that
10 the remainder of Mr. Brevitz’s testimony appears to ignore the conclusion in the Cal Advocates
11 Report that “providers do not systematically adjust promotional pricing based on income
12 levels”).⁶²

13 This condition is fundamentally unnecessary based on Charter’s transparent pricing
14 practices described above *and* because Charter already spends significant funding through
15 advertising and media channels to market its internet plans in California to ensure consumers are
16 well informed of the products and packages that Charter offers.⁶³ But this proceeding is not about
17 *all* broadband providers. And there is nothing about the Transaction that suggests that it would
18 change anything about pricing transparency for any customers. To the contrary, Cox customers
19 will benefit from Charter’s easy-to-understand low prices. As Dr. Keating explains in his rebuttal
20

21 ⁶⁰ Spectrum Internet note 11.

22 ⁶¹ Intervenor Testimony of David Brevitz, C.F.A. on Behalf of the Utility Reform Network, at 47 (Feb. 11, 2026); *see* Cal Advocates Report at 5, 16.

23 ⁶² Cal Advocates Report at 4.

24 ⁶³ *See, e.g.*, Supplemental Response of Charter Communications, Inc. and Charter Communications Holdings, LLC to Data Request No. 1 to Joint Applicants from the California Emerging Technology Fund, Question No. 13 (Feb. 5, 2026) .

1 testimony, attempting to achieve broader policy goals by imposing conditions on a transaction is
2 likely to distort competition.⁶⁴

3 **Q: Is Mr. Hernandez correct that Charter prevents a multifamily household from**
4 **obtaining more than one low-income plan per family?**⁶⁵

5 His blanket statement is not correct. Like the California LifeLine and federal Lifeline
6 programs,⁶⁶ Charter maintains an enrollment limit of one per household for its Spectrum Internet
7 Assist plans. To implement this approach, Charter considers each postal address a separate
8 household. Charter has developed a method to accommodate multi-family households, where
9 possible, within its framework. Specifically, multi-family homes with separate addresses for each
10 unit may enroll in one plan per address.

11 **Q: Mr. Selwyn states that because Charter intends to offer Cox customers a choice**
12 **between their existing plans and Charter plans rather than forcing them onto Charter plans,**
13 **Charter is failing to implement what “[a]ny customer acting in an economically rational**
14 **manner would presumably want.”**⁶⁷ He also insinuates that Charter may fail “to fully
15 disclose, in an understandable manner, that customers could pay less by migrating to
16 Charter’s pricing.”⁶⁸ What is your view on whether Charter should force Cox customers
17 onto its plans and on Charter’s incentives to communicate with Cox customers regarding
18 Charter plans?

20 ⁶⁴ Dr. Keating Rebuttal Testimony at 21.

21 ⁶⁵ Intervenor Testimony of California Emerging Technology Fund Declaration of Rigo Hernandez, at 3 (Feb. 11, 2026).

22 ⁶⁶ California LifeLine Program, Program Guidelines, <https://www.californialifeline.com/en/eligibility-requirements> (last visited Mar. 4, 2026); FCC, Lifeline Program for Low-Income Consumers (“Enrollment” tab) (Mar. 2, 2026), <https://www.fcc.gov/general/lifeline-program-low-income-consumers>.

23 ⁶⁷ Direct Testimony of Lee L. Selwyn, Public Advocates Office of the California Public Utilities Commission, at 72-73 (Feb. 11, 2026).

24 ⁶⁸ *Id.*

1 I appreciate that Mr. Selwyn acknowledges that Cox customers will have better options
2 available to them post-Transaction. I agree. But the notion of Charter switching customers to new
3 plans that *Charter* has chosen is fraught with risk of confusing and angering customers. Even if a
4 consumer would prefer a Charter plan, that consumer needs to be the one to select *which* Charter
5 plan. Some consumers, for instance, may prioritize adding wireless connectivity for family
6 members – while others may focus on video offerings and streaming services available at no
7 additional costs with Spectrum. Neither Mr. Selwyn, the Commission, nor Charter should be
8 selecting the services a customer will receive in the marketplace. I think Cox’s current customers
9 would agree that providing the *choice* to select one of Charter’s better-value packages, and the
10 *ability* to remain on plan they currently enjoy if they prefer, is the best way to help ensure
11 customers remain satisfied.

12 As for informing former Cox consumers of their Charter pricing options, Charter has every
13 incentive to do so. That is the best way to keep consumers satisfied, which is necessary for success
14 in today’s highly competitive marketplace. In addition, Charter knows from prior experience that
15 managing legacy plans from acquired companies is administratively difficult, creating a further
16 incentive to make it easy for legacy Cox customers to select new options while not forcing them
17 to do so. Charter’s footprint-wide retail prices will be easy for consumers to understand. And, as
18 I discuss above, Charter’s extensive voluntary marketing is backstopped by existing California and
19 federal statutory transparency requirements.

20 **V. CONCLUSION**

21 **Q: Does this conclude your testimony?**

22 Yes.