

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Petition of Southern Vermont Cable)
Company for consent, pursuant to 30)
V.S.A § 109, to sell substantially all of its)
Vermont assets to Comcast of)
Connecticut/Georgia/Massachusetts/New)
Hampshire/New York/North Carolina/)
Virginia/Vermont, LLC, approval,)
pursuant to 30 V.S.A. § 505, of such)
entity's abandonment of cable-television)
service in Vermont and revocation of its)
Certificates of Public Good)

Case No. 19-4845-PET

Petition of Comcast of Connecticut/)
Georgia/Massachusetts/New Hampshire/)
New York/North Carolina/Virginia/)
Vermont, LLC for a Certificate of Public)
Good, pursuant to 30 V.S.A. §§ 503 &)
504 and Vermont Public Utility)
Commission Rule 8.200, to own and)
operate the cable-television systems in)
Vermont currently owned and operated by)
Southern Vermont Cable Company)

PREFILED TESTIMONY OF
AARON BRASSARD

ON BEHALF OF THE
VERMONT DEPARTMENT OF PUBLIC SERVICE

March 4, 2020

Summary: Mr. Brassard's testimony provides the Department's analysis of Comcast's technical and commercial soundness as it relates to the standards under which a cable CPG petition should be reviewed. Mr. Brassard discusses certain applicable criteria such as facilities and equipment, capacity and service offerings. Mr. Brassard makes recommendations pertaining to the migration of SVCC customers to the Comcast network.

Mr. Brassard Sponsors the Following Exhibits:

Exhibit DPS–AJB–1 2017 Cable Route Map (Comcast and SVCC)

Direct Testimony
of
Aaron Brassard

1 **Q1. Please state your full name and occupation.**

2 A1. My name is Aaron Brassard. I am the Fiber Optic Project Manager for the Vermont
3 Department of Public Service (“Department”).
4

5 **Q2. Please describe your educational background and experience.**

6 A2. I earned an Associate’s degree in Business Technology and Management from Vermont
7 Technical College in 1994. I joined the Department in September of 2019. In my current
8 position, I manage the Department's telecom assets including its fiber network, resiliency
9 solar sites and the rural cellular coverage project. Prior to joining the Department, I held
10 various telecommunications industry positions for 22 years, the duties for which included
11 leading a technical team, designing communications networks and installation,
12 maintenance, troubleshooting and repair of different carrier-grade telecom equipment. I
13 have focused on various network technologies throughout my career, including TDM,
14 CDWM, DWDM, 10g/40g/100g Ethernet and Wave transport. I am well versed in both
15 electrical and optical network testing and have knowledge of telecommunications DC
16 Power systems. I am familiar with and worked with many of Vermont’s major
17 telecommunications providers including Comcast, Consolidated Communications,

1 Charter, FirstLight, CenturyLink, AT&T, Verizon Wireless, Sprint, Franklin Telephone
2 and Champlain Valley Telecom.

3
4 **Q3. Have you previously testified before the Vermont Public Utility Commission**
5 **(“Commission”)?**

6 A3. No.

7
8 **Q4. What is the purpose of your testimony?**

9 A4. My testimony provides the Department’s analysis of Comcast of
10 Connecticut/Georgia/Massachusetts/New Hampshire/New York/North
11 Carolina/Virginia/Vermont, LLC’s (“Comcast”) technical and commercial soundness as
12 it relates to the standards under which a cable Certificate of Public Good (“CPG”)
13 petition should be reviewed. I discuss certain applicable criteria such as facilities and
14 equipment, capacity and service offerings. Finally, I make recommendations pertaining
15 to the migration of Southern Vermont Cable Company (“SVCC”) customers to the
16 Comcast network.

17
18 **Q5. Please describe whether Comcast’s system designates adequate channel capacity**
19 **and appropriate facilities for public, educational or governmental (“PEG”) use**
20 **consistent with 30 V.S.A. § 504(b)(1).**

21 A5. Comcast’s system has adequate channel capacity for PEG use and currently broadcasts

1 PEG content on two channels. Daniel M. Glanville, Comcast (“Glanville”) pf. at 11.

2 Comcast has asserted that it will maintain the public access currently offered by SVCC
3 and that Brattleboro Community Television (“BCTV”) will continue as the Access
4 Management Organization for the towns of Dummerston, Jamaica, Newfane, Putney and
5 Townshend, in addition to the towns of Brattleboro, Guilford and Vernon already served
6 by Comcast. Comcast has also asserted that it will comply with the terms of the existing
7 PEG agreement between SVCC and BCTV. *Id.*

8
9 **Q6. Please describe whether Comcast’ system provides adequate and technically sound**
10 **facilities and equipment, and signal quality consistent with 30 V.S.A § 504(b)(2).**

11 A6. Comcast describes its facilities and equipment as adequate and technically sound with
12 excellent signal quality. Glanville pf. at 8. The company also asserts that it will continue
13 to make investments in Vermont infrastructure to support video-on-demand, high
14 definition (“HD”) television and other services. In discovery responses, Comcast
15 confirmed that, whether served by fiber-to-the-home or coax, customers will have access
16 to the same services and products.

17
18 **Q7. Please describe whether the Comcast system provides basic service in a competitive**
19 **market consistent with 30 V.S.A. § 504(b)(5).**

20 A7. SVCC is the only cable provider in its respective service area, so it can be deduced that
21 Comcast, in acquiring SVCC assets, will be the only cable provider in the same service

1 area. However, Comcast will participate in the larger market for video services. The
2 video market includes other multichannel video programming distributors such as
3 satellite television as well as Internet based over-the-top (“OTT”) video providers. It is
4 worth noting, however, that Comcast has a competitive advantage over OTT video
5 providers because Comcast can and does provide those services on its network via
6 Xfinity X1.

7
8 **Q8. Please describe whether the Comcast system provides or utilizes a reasonable**
9 **quality of service for basic service and other packages consistent with 30 V.S.A.**
10 **504(c)(1).**

11 A8. SVCC is a small, rural company with approximately 2,450 subscribers. For a small
12 company like SVCC, technological advancements requiring capital investment and
13 increases in the number of video service options available to customers make staying
14 competitive difficult. Comcast’s system offers a minimum bandwidth of 750 megahertz
15 in Vermont, which is enough capacity to provide an enhanced range of channels and
16 services compared to that offered by SVCC. Comcast also offers 100% digital picture,
17 sound and, if desired, HD programming, which allows for a better audio and visual
18 experience. Further, Comcast monitors its plant and headend operations 24 hours a day
19 and, as explained in its discovery responses, employs hundreds of employees responsible
20 for network monitoring. The company also employs local response teams able to
21 response quickly to outages. All these factors contribute to Comcast’s reasonable quality

1 of service for basic service and other packages.

2
3 **Q9. Please describe whether Comcast's system provides or utilizes construction,**
4 **including installation, that conforms to all applicable state and federal laws and**
5 **regulations and the National Electric Safety Code consistent with 30 V.S.A. §**
6 **504(c)(2).**

7 A9. Comcast asserts that the company complies with all applicable state and federal
8 regulations, including the National Electric Safety Code. Glanville pf. at 14. Comcast
9 also asserts that the company complies with the technical standards set forth in the
10 Federal Communications Commission's rules and regulations as they apply to cable
11 television systems. *Id.* at 8. The Department does not have any reason to believe the
12 company will not continue to comply with such provisions. The company also confirmed
13 in discovery responses that its systems are designed and built to transmit properly
14 formatted closed-captioned signals.

15
16 **Q10. Are Comcast's rules and policies reasonable for line extensions, disconnections,**
17 **customer deposits and billing practices pursuant to 30 V.S.A. § 504(c)(5)?**

18 A10. The company asserts that its policies are consistent with applicable rules, laws and tariffs,
19 including Comcast's line extension tariff. The Department's experience indicates that
20 Comcast's rules and policies for line extensions are reasonable.

21

1 **Q11. Do you foresee any issues with Comcast's present and proposed service offerings to**
2 **customers as it relates to Commission Rule 8.214(B)(2)?**

3 A11. No. Comcast provides services generally in line with other cable providers, including
4 SVCC. The company currently offers 53 channels for its most basic package, has video
5 capability and two public access channels.
6

7 **Q12. What is the Department's position regarding Comcast's commitment to**
8 **construction and in-service schedule as it relates to Commission Rule 8.214(B)(3)?**

9 A12. Comcast asserts that it is committed to construction and minimal impact on customers as
10 it transitions SVCC customers to its own network. Glanville pf. at 20. That said, the
11 Department is concerned that Comcast remains in the early stages of developing an
12 integration plan for SVCC customers, as indicated in the company's discovery responses.
13

14 **Q13. Does the Comcast system make service available to a maximum number of**
15 **residences consistent with Commission Rule 8.214(B)(7)?**

16 A13. Yes. Comcast appears to be following its line extension tariff.
17

18 **Q14. Please describe the quality of engineering and materials used in the SVCC system**
19 **that will be acquired by Comcast. Commission Rule 8.214(B)(8).**

20 A14. Based on a site visit to the Putney headend, the quality of engineering and materials used
21 in the SVCC system appear to have been recently upgraded and well maintained. SVCC

1 and Comcast co-locate in the headend along with at least one other provider. The site has
2 a fiber optic cable entry cabinet, fire suppression and robust DC plant, as well as
3 generator-backed AC power provided by a Comcast generator. SVCC and Comcast
4 appear to tie into the Comcast DC plant. Equipment racks have an assortment of
5 electronics, coax and fiber distribution panels. SVCC confirmed that the company
6 maintains an inventory of equipment spares that will be transferred to Comcast. There is
7 evidence of past rodent intrusion, but it appears to have been remedied.
8

9 **Q15. Is the Comcast system a logical fit with neighboring systems consistent with**
10 **Commission Rule 8.214(B)(9)?**

11 A15. Yes. As demonstrated in Exhibit DPS-AJB-1, SVCC's network intersects with Comcast
12 at multiple points. The networks nearly meet on the north and south and western sides of
13 the SVCC network, as well as one segment in the middle. SVCC and Comcast co-locate
14 in the same building, as confirmed during a site visit to the SVCC Putney headend.
15 SVCC and Comcast use the same brands and types of equipment and share resources
16 such as a generator, DC power plant and cable entryways and compatible equipment.
17 These commonalities indicate cohesion between the networks and a logical fit with
18 neighboring systems that could potentially achieve a system migration from the SVCC
19 system to Comcast's with limited interruption to SVCC customers.
20

21 **Q16. Does the Department make any recommendations regarding the issuance of a new**

CPG to Comcast?

A16. Yes. The Department recommends that, within 45 days of any order approving the joint petition, Comcast make a written report to the Department, with a copy to the Commission, detailing the migration of SVCC customers to the Comcast network, which the Department will then have 30 days to review and provide comments on, with a copy of any comments to be provided to the Commission. The Department recommends that isolated migration testing be part of the migration plan. Finally, the Department recommends that any migration assistance be provided to SVCC customers at no-charge, including set-top box and modem setup.

Q17. Does this conclude your testimony?

A17. Yes.