

STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL 120 BROADWAY NEW YORK, NY 10271

ANDREW M. CUOMO Attorney General (212) 416-8050

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Douglas Gaston, Esq.
General Counsel
Comcast Cable Communications, LLC
One Comcast Center
1701 John F. Kennedy Boulevard
Philadelphia, PA 19103-2838 U.S.A.

Dear Mr. Gaston:

This letter serves as formal notice to Comcast Cable Communications, LLC ("Comcast") that within five days the Office of the New York Attorney General intends to commence legal action against Comcast related to an ongoing investigation of the proliferation of child pornography on the Internet. My Office is gravely concerned that Comcast, the second largest Internet Service Provider in the country, has continued to drag its heels when it comes to taking every necessary action to eliminate online child porn from the internet, especially when the nation's other leading Internet Service Providers have already signed a code of conduct to block child pornography newsgroups and websites from their servers.

As you know, my office has been investigating the proliferation of child pornography on the internet and the role of internet service providers in providing access to child pornography through websites and newsgroups. In an effort to have a wholesale effect of the availability of this illegal material, I have entered into agreements with the largest ISPs in the country, including AT& T, Verizon, Time Warner Cable, Sprint and AOL. Each company has stepped up to the plate and voluntarily agreed to block child pornography newsgroups and websites as well as make meaningful changes to their complaint reporting procedures to permit the swift identification and prosecution of distributors of this material. Because the possession or distribution of child pornography is both a federal and state felony, it is not protected by the first amendment. I have crafted the Code of Conduct each of these companies has signed as narrowly as possible to ensure that the actions they volunteer to take are surgically directed at only that felonious material and not at any protected content.

Despite both the groundswell of corporate concern and action to reduce the supply of child pornography and the narrowly tailored provisions of the Code of Conduct, Comcast has remained on the sidelines. My office sent your company a subpoena related to this investigation on May 6, 2008 and commenced discussions several weeks ago to try to come to an agreement that would put Comcast with the top companies in the country in this fight against child pornography. While cable industry trade groups have recently signaled some interest in combating child pornography, we believe these efforts fall well short of the full range of measures set out in our Code of Conduct, which a growing number of the largest ISPs across the country have signed.

Comcast's unwillingness to sign the code of conduct and purge its system of child pornography puts Comcast at the back of the pack in the race to fight this scourge, and would likely be surprising to Comcast's millions of customers across the country. Time is of the essence here, as every day without these measures is another day that this illegal material is sluicing through the internet. I am asking you to take another hard look at the agreement that the other five companies have signed and tell me within the next five days whether you will commit to this Code. In the event that you cannot or will not, my office will pursue the legal remedies open to it to stop child pornography.

Sincerely

ANDREW M. CUOMO