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August 8, 2008

Representative John D. Dingell
Chairman of the Committee on Energy and Commerce
United States House of Representatives
2328 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Dingell:

On behalf on Patrick Esser, President of Cox Communications, Inc, I am responding to your letter dated August 1, 2008 regarding companies tailoring Internet advertising based upon consumers' Internet search, surfing and other use. I am responding to the questions listed in the letter in Cox Communications' capacity as an Internet Service Provider as follows:

1. Has your company at any time tailored, or facilitated the tailoring of, Internet advertising based on consumers' Internet search, surfing, or other use?
   Response: Cox Communications has not at any time tailored, or facilitated the tailoring of, Internet advertising based on consumers' Internet search, surfing or other use.

   While we understand your question does not include traditional advertising placement on web pages, like many other parties in the industry, Cox Communications participates in placing ads on its own web sites, web sites that we host for Cox Communications customers, and on "error" pages that our customers may receive if an invalid URL is typed. These activities are not based on a user's search or surfing habits.

2. Please describe the nature and extent of any such practice and if such practice had any limitations with respect to health, financial, or other sensitive personal data, and how such limitations were developed and implemented.
   Response: Not applicable. Please see response to question #1.

3. In what communities, if any, has your company engaged in such practice, how were those communities chosen, and during what time periods was such practice used in each? If such practice was effectively implemented nationwide, please say so.
   Response: Not applicable. Please see response to question #1.

4. How many consumers have been subject to such practice in each affected community, or nationwide?
   Response: Not applicable. Please see response to question #1.

5. Has your company conducted a legal analysis of the applicability of consumer privacy laws to such practice? If so, please explain what that analysis concluded.
   Response: Not applicable. Please see response to question #1.

6. How did your company notify consumers of such practice? Please provide a copy of the notification. If your company did not specifically or directly notify affected consumers, please explain why this was not done.
   Response: Not applicable. Please see response to question #1.

7. Please explain whether your company asked consumers to "opt in" to the use of such practice or allowed consumers who objected to "opt out." If your company allowed consumers who objected to opt out, how did it notify consumers of their opportunity to opt out? If your company did not specifically or directly notify affected consumers of the opportunity to opt out, please explain why this was not done.
   Response: Not applicable. Please see response to question #1.

8. How many consumers opted out of being subject to such practice?
   Response: Not Applicable. Please see response to question #1.

9. Did your company conduct a legal analysis of the adequacy of any opt-out notice and mechanism employed to allow consumers to effectuate this choice? If so, please explain what that analysis concluded.
   Response: Not applicable. Please see response to question #1.

10. What is the status of consumer data collected as a result of such practice? Has it been destroyed or is it routinely destroyed?
    Response: Not applicable. Please see response to question #1.

11. Is it possible for your company to correlate data regarding consumer Internet use across a variety of services or applications you offer to tailor Internet advertising? Do you do so? If not, please indicate what steps you take to make sure such correlation does not happen. If you do engage in such correlation, please provide answers to all the preceding questions with reference to such correlation. If your previous answers already do so, it is sufficient to simply cross-reference those answers.
    Response: Cox Communications does not correlate data regarding consumer Internet use across services or applications in order to tailor Internet advertising.

Cox Communications greatly appreciates the opportunity to respond to the Committee's request. Should the Committee need additional information or have additional questions, please feel free to contact me.

Sincerely,

James A. Hatcher

JAH/mjg

cc: Representative Joseph Barton,
Ranking Member of the Committee on Energy and Commerce
Representative Edward J. Markey
Chairman of the Subcommittee on Telecommunications and the Internet
Representative Cliff Stearns
Ranking Member of the Subcommittee on Telecommunications and the Internet