



May 5, 2016

Ex Parte Notice

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: In the Matter of Applications of Charter Communications, Inc., Time Warner Cable, Inc., and Advance/Newhouse Partnership for Consent to Transfer Control of Licenses and Authorizations, MB Docket No. 15-149

Dear Ms. Dortch:

On Tuesday, May 3, 2016, the undersigned on behalf of NTCA–The Rural Broadband Association (“NTCA”) spoke via telephone with Stephanie Weiner, legal advisor to Chairman Tom Wheeler, regarding the above-referenced proceeding.

During the conversation, we discussed a potential condition pursuant to which the applicants seeking approval of the contemplated transaction might be required to provide a high-speed connection to a sizeable number of customers that lack any such connection today. NTCA noted that, if any such condition were imposed, it must be coordinated with other Federal Communications Commission (“Commission”) initiatives intended to extend broadband to unserved consumers. I explained that a lack of coordination would lead to duplicative and wasteful efforts to reach certain unserved locations, even as other unserved locations remain ignored altogether in frustration of the Commission’s stated objectives. For example, the Connect America Fund (“CAF”) Phase II unserved area build outs by price cap carriers are just commencing, the Commission is still in the process of developing the CAF II competitive bidding process for areas the price cap carriers choose to leave unserved, and a recent order creates new CAF mechanisms for rate-of-return-regulated carriers that include buildout requirements. To the extent that any merger condition mandates the deployment of networks into unserved areas as well, the Commission must ensure that such a measure does not undermine or inefficiently duplicate its use of several billion dollars per year of universal service fund resources via these initiatives to reach unserved consumers. Thus, if the Commission decides to approve the transactions subject to buildout conditions, any such requirements should specifically exclude any areas where CAF support is being made available and buildout obligations will attach to the recipient; any transaction approval conditions should instead target unserved locations that CAF dollars will not reach.

Marlene H. Dortch

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Thank you for your attention to this correspondence. Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS.

Sincerely,

/s/ Michael R. Romano

Michael R. Romano

Senior Vice President – Policy

cc: Stephanie Weiner