

October 24, 2016

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VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: In the Matter of Business Data Services in an Internet Protocol Environment, WC Docket No. 16-143; Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans, WC Docket No. 15-247; Special Access for Price Cap Local Exchange Carriers, WC Docket No. 05-25; and AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services, RM-10593

Dear Ms. Dortch:

On October 20, 2016, Alex Hoehn-Saric of Charter Communications, Inc. and Maureen O'Connell on behalf of Charter met with Amy Bender and Claude Aiken in separate meetings. During the meetings, Charter argued that the Commission cannot lawfully regulate the large universe of BDS provided on a private-carriage basis.¹ Charter also argued that price regulation of Ethernet services—even if limited to services provided by ILECs and only at lower speeds—could have a devastating impact on BDS investment from cable and other competitive providers because the rates of competitive providers are effectively capped by the rates charged by the market leaders.² Accordingly, the Commission should refrain from regulating Ethernet services at any speed, or, at a minimum, seek further comment before adopting any regulations that directly or indirectly impact Ethernet pricing.

Please contact me if you have any questions regarding these matters.

Sincerely,

/s/ Samuel L. Feder

Samuel L. Feder
Counsel for Charter Communications, Inc.

¹ See Letter from Sam Feder, Counsel for Charter, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 16-143, 05-25, 15-247, RM-10593 at 9, Table 2 (Oct. 18, 2016); Letter from Sam Feder, Counsel for Charter, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 16-143, 05-25, 15-247, RM-10593 at 9, Table 2 (Aug. 23, 2016).

² See Letter from Sam Feder, Counsel for Charter, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 16-143, 05-25, 15-247, RM-10593 at 9, Table 2 (Oct. 3, 2016).

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cc: Amy Bender
Claude Aiken