

March 14, 2017

Via ECFS

The Honorable Ajit Pai, Chairman
The Honorable Mignon Clyburn, Commissioner
The Honorable Michael O'Rielly, Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte* Submission; Applications of Charter Communications, Inc., Time Warner Cable, Inc., and Advance/Newhouse Partnership for Consent to the Transfer of Control of Licenses and Authorizations, MB Docket No. 15-149

Dear Chairman Pai, Commissioner Clyburn, and Commissioner O'Rielly:

We are thirty-eight small to mid-sized cable operators and telephone companies that provide Internet, video and voice services over high-performance broadband networks. We all have made substantial investments to provide some or all of our customers with broadband speeds of at least 25 Mbps. And we all have plans to invest in improved network technologies to offer greater performance or to expand our networks into unserved areas. Unfortunately, the merger condition requiring Charter to overbuild other providers has undermined those plans to provide improved services and reach new customers. We write to encourage the Commission to act in the best interests of millions of unserved and underserved customers by eliminating the overbuild condition.

Last year, the Commission approved Charter's merger with a condition requiring that, in 1 million customer locations, Charter overbuild other providers already offering broadband with speeds of at least 25 Mbps. While we expect ordinary competition, such Commission-mandated competition is far from ordinary. Based on our experience and knowledge of the industry, we expect Charter to fulfill that overbuild condition through edge-out expansion to locations primarily served by a small broadband provider. These are markets that we would not expect Charter to otherwise enter, including markets that might not support two providers.

For small providers like ourselves, the mere threat of government-mandated, uneconomic entry undermines our ability to make investments that would benefit existing subscribers (e.g., investments in service improvements, network upgrades, etc.) or expand our networks to reach unserved households. To respond to growing consumer demand for increased bandwidth, all of us have been planning to upgrade the electronics on our networks and to deploy more fiber closer to customer locations over the next five years (the lifespan of the overbuild condition). Many of us have been planning to extend our networks to serve communities adjacent to our current service territories. But we have been forced to reconsider, scale back, or halt these investments in the wake of the Commission's order.

For example, one of us had intended to install electronics that would enable the bonding of additional channels to provide greater downstream and upstream broadband speed. But the business case for that upgrade will be jeopardized if the operator is overbuilt where it is not economic to do so. Similarly, another of us has received a request for service by a neighboring community, but again, the overbuild condition threatens the viability of that build. Should the threat of uneconomic overbuilding pass, however, we will be able to resume our normal, market-driven investment in network upgrades and expansions.

Our objectives are consistent with those of the Commission – we are committed to providing broadband in unserved and underserved areas. But we cannot invest in better service, new technology, or network expansion while the threat of government-mandated, uneconomic overbuilding remains. We thus encourage the Commission to act in consumers' best interests by eliminating the overbuild condition.

Thank you for hearing our views.

/s/
Larry Waterman
Owner
FamilyView Cablevision
P.O. Box 8
Seneca, SC 29679
800 Broadband Customers

/s/
Cheryl Rue
CEO
Tri-County Communications Coop., Inc.
417 5th Ave. N.
Strum, WI 54770
5,500 Broadband Customers

/s/
Ty Garrett
President
SEMO Communications, Inc.
107 SEMO Ln. / P.O. Box C
Sikeston, MO 63801
2,150 Broadband Customers

/s/
Rick Rothhammer
President
Stowe Cable Systems
172 Thomas Ln.
Stowe, VT 05672
1,800 Broadband customers

/s/
Robert W. Schwartz
President
Madison Communications Company
21668 Double Arch Rd.
Staunton, IL 62088
4,100 Broadband Customers

/s/
Robert Witter
President
Northside TV Corporation
521 Vulcan St.
Iron Mountain, MI 49801
450 Broadband Customers

/s/
Tom Randolph
Owner
Spring Creek Cable
206 West Main
Montrose, CO 81401
378 Broadband Customers

/s/
Michael Boley
President & CEO
Wabash Mutual Telephone Company
6670 Wabash Rd.
Celina, OH 45822
5,237 Broadband Customers

/s/

Eric Cramer
CEO
Wilkes Communications, Inc.
1400 River St.
Wilkesboro, NC 28697
6,747 Broadband Customers

/s/

Michael R. Hale
General Manager
Shrewsbury Electric & Cable Operations
100 Maple Ave.
Shrewsbury, MA 01545
12,427 Broadband Customers

/s/

Glen Faulkner
General Manager
Heart of the Catskills Communications, Inc.
dba MTC Cable
50 Swart St.
Margaretville, NY 12455
2,925 Broadband Customers

/s/

Jonathan West
General Manager and CEO
Twin Lakes Communications
P.O. Box 696
200 Telephone Lane
Gainesboro, TN 38562
19,500 Broadband Customers

/s/

Tom Semptimphelter
President & CEO
RB3, LLC, dba "Reach Broadband"
18475 CR 96
Foxton, CO 80433
3,100 Broadband Customers

/s/

David Gobrogge
General Manager
RTEC Communications
S732 Co. Rd. 20B
Ridgeville Corners, OH 43555
1,127 Broadband Customers

/s/

Craig S. Mitchell
Sr. Vice President
Morris Broadband
725 Broad St.
Augusta, GA 30901
23,000 Broadband Customers

/s/

Robert Parisien
General Manager
D&P Communications, Inc.
4200 Teal Rd.
Adrian, MI 49270
6,600 Broadband Customers

/s/

C. Lee Chambers
General Manager / CEO
Sandhill Connexions
122 S Main St.
Jefferson, SC 29718
1,363 Broadband Customers

/s/

Chris Hilliard
Founder
USA Communications
920 E 56th St., Ste B
Kearney, NE 68847
9,600 Broadband Customers

/s/

Ron Savage
President
Savage Communications, Inc.
111 Tobies Mill Pl.
Hinckley, MN 55037
4,300 Broadband Customers

/s/

Christopher A. Dyrek
President
Cable America Missouri LLC
7822 E Gray Rd.
Scottsdale, AZ 85260
10,000 Broadband Customers

/s/ _____
Paige Venczel
Manager
Chesnee Communications
P.O. Box 430
Chesnee, SC 29323
2,700 Broadband Customers

/s/ _____
John Karban
President,
Karban TV Systems Inc.
73 A So Stevens St.
Rhineland, WI 54501
500 Broadband Customers

/s/ _____
Christine Jones
General Manager
Michigan Cable Partners Inc.
8800 Ferry St.
Montague, MI 49437
600 Broadband Customers

/s/ _____
Robert Gessner
President
MCTV
814 Cable Court NW
Massillon, OH 44646
49,000 Broadband Customers

/s/ _____
Neil Classen
General Manager
Three River Telco
225 North 4th St.
Lynch, NE 68746
1,900 Broadband Customers

/s/ _____
Chris J. Phillips
GM / Treasurer
Kalida Telephone Co.
121 E. Main St.
Kalida, OH 45853
1,130 Broadband Customers

/s/ _____
Robert Webb
Vice-President
Northeast Communications of WI, Inc.
450 Security Blvd.
Green Bay, WI 54313
11,160 Broadband Customers

/s/ _____
Ray Poorman
Owner/Operator
San Juan Cable
1911 C St,
Bellingham, WA 98225
555 Broadband Customers

/s/ _____
Randy Fletcher
General Manager
TVC, Inc.
P.O. Box 369
Lennon, MI 48449
1,868 Broadband Customers

/s/ _____
Rochelle Pervisky
VP of Regulatory Affairs
Hiawatha Broadband Communications, Inc.
58 Johnson St.
Winona, MN 55987
15,709 Broadband Customers

/s/ _____
John Klatt
President / CEO
Lakeland Communications
825 Innovation Ave.
Milltown, WI 54858
2,940 Broadband Customers

/s/ _____
Andrew B. Davis
Owner
Fidelity Communications, Inc.
64 N. Clark St.
Sullivan, MO 63080
60,000 Broadband Customers

Mar. 14, 2017

Page 5

/s/

Richard Sjoberg
President
Sjoberg's Inc.
315 N. Main Ave.
Thief River Falls, MN 56701
6,500 Broadband Customers

/s/

Mike DeMarce
General Manager
Celect Communications, LLC
S131 McKay Ave
Spring Valley, WI 54767
4,164 Broadband Customers

/s/

Brian Singleton
President & CEO
TruVista
112 York St.
Chester, SC 29706
18,000 Broadband Customers

/s/

Floyd Grocholski
General Manager
Parish Communications
803 W Midland Rd.
Auburn, MI 48611
1,352 Broadband Customers

cc: Jay Schwarz
Kristen Harris
Robin Colwell
Claude Aiken