

LATHAM & WATKINS LLP

FIRM / AFFILIATE OFFICES

Barcelona	Moscow
Beijing	Munich
Boston	New York
Brussels	Orange County
Century City	Paris
Chicago	Riyadh
Dubai	Rome
Düsseldorf	San Diego
Frankfurt	San Francisco
Hamburg	Seoul
Hong Kong	Shanghai
Houston	Silicon Valley
London	Singapore
Los Angeles	Tokyo
Madrid	Washington, D.C.
Milan	

November 3, 2017

VIA ECFS

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

Re: *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84

Dear Ms. Dortch:

On November 1, 2017, the undersigned, along with David Don and Brian Josef of Comcast Corporation, and Christi Barnhart of Charter Communications, Inc., met with Annick Banoun, Adam Copeland, Lisa Hone, Daniel Kahn, and Michael Ray from the Wireline Competition Bureau, and with Paul LaFontaine from the Office of Strategic Planning, regarding the draft Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking in the above-referenced proceeding. Also on that day, we met with Jamie Susskind from the Office of Commissioner Carr, and with Amy Bender from the Office of Commissioner O’Rielly, regarding the same. At these meetings, we noted that the Commission has long recognized that cable providers often expand and add capacity to their broadband networks by overlashing onto their existing facilities attached to utility poles, and that overlashing directly advances the Commission’s goals of “accelerat[ing] rapid deployment” of broadband infrastructure and “increas[ing] competition.”¹ We accordingly urged the Commission to reaffirm, in its Report and Order, longstanding precedent holding that overlashers need not “obtain additional approval from or consent of the utility for overlashing other than the approval obtained for the host attachment,”² and “are not required to give prior notice to utilities before overlashing.”³

¹ *Amendment of Commission’s Rules and Policies Governing Pole Attachments*, Consolidated Partial Order on Reconsideration, 16 FCC Rcd 12103 ¶ 73 (2001), *aff’d*, *Southern Co. Servs., Inc. v. FCC*, 313 F.3d 574 (D.C. Cir. 2002).

² *Id.* ¶ 75.

³ *Southern Co.*, 313 F.3d at 582.

LATHAM & WATKINS LLP

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this ex parte notification is being filed for inclusion in the public record of the above-referenced proceeding.

Respectfully submitted,

/s/

Matthew T. Murchison
of LATHAM & WATKINS LLP
Counsel for Comcast

cc: Annick Banoun
Amy Bender
Adam Copeland
Lisa Hone
Daniel Kahn
Paul LaFontaine
Michael Ray
Jamie Susskind