

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Applications of Comcast Corporation,)
Time Warner Cable Inc., Charter)
Communications, Inc. and SpinCo) MB Docket No. 14-57
)
For Consent To Assign and Transfer)
Control of FCC Licenses and Other)
Authorizations)

**Reply of the Coalition for Broadband Equity to
Reply to Comments and Opposition to Petitions to Deny
of Charter Communications, Inc. and Midwest Cable, LLC.**

The Coalition for Broadband Equity (“CBE”) submits these comments in reply to the joint *Reply to Comments and Opposition to Petitions to Deny* filed in this docket on September 24, 2014 by Charter Communications, Inc. and Midwest Cable, LLC.

1) CBE is a coalition formed by certain agencies of local government, educational institutions, libraries and community organizations in the cities of Cleveland, Dayton, Akron, and Youngstown, OH; Cuyahoga, Lorain and Greene Counties, OH; the city of Detroit, MI; and the city of Milwaukee, WI. All of the Coalition’s members serve communities whose cable television and cable Internet service will be divested by Comcast to Charter or Midwest, aka GreatLand Networks if the Applications are approved. As noted in our Initial Comments, most of CBE’s member organizations were participants in large-scale “Sustainable Broadband Adoption” or “Public Computer Center” projects funded by the Federal Broadband Technology Opportunities Program (“BTOP”) between 2010 and 2013, and thus have significant recent experience in promoting Internet literacy and broadband access for digitally underserved individuals and households in our communities.

2) In our *Initial Comments*, the Coalition neither supported nor opposed the Applications. Instead, we asked the Commission to...

- a) *“... clarify the Applicants’ intentions with respect to continued availability of discounted Internet Essentials broadband service, or its equivalent, to families of children eligible for free or discounted school lunches in Detroit and other communities which Comcast proposes to transfer to [GreatLand]... [and] If the Commission determines that the Applicants do not plan to provide Internet Essentials or an equivalent program for these families, then we ask that the Applicants be required to do so as a condition of approving the Applications.”*
- b) *“... clarify the intentions of the Applicants, and specifically of Charter*

Communications, with respect to continuing Time Warner Cable's current "Everyday Low Price" service tier or a similar low-cost residential broadband option... [and] If the Commission determines that Charter has no plan to provide such a service tier in the event it is allowed to acquire Time Warner's operations in our communities, then we ask that Charter be required to do so as a condition of approving the Applications."

- c) *"... require the Applicants to provide specific, measurable, accountable plans for substantially increasing the percentage of all households, including households in lower-income neighborhoods, who are served by cable modem Internet connections in the communities proposed for acquisition by Charter Communications or [GreatLand]..."* including specific plans for the communities served by Coalition members.

4) In their *Reply to Comments and Opposition to Petitions to Deny*, Charter and Midwest aka Greatland included the following language, which the Coalition can only assume is a reply to our comments -- since, to our knowledge, no other party's Initial Comments specifically raised the issues of underserved communities, affordable low-income rates and Internet Essentials continuity with respect to these two companies:

"Concerns about the Transactions' effect on underserved communities and local franchising areas are also misplaced. Charter will offer a low-cost broadband service to low-income subscribers. In the systems GreatLand will acquire from Comcast, moreover, current subscribers to the "Internet Essentials" package will keep their service." (page 6)

"VI. RESIDENTS IN UNDERSERVED COMMUNITIES WILL BENEFIT FROM THE TRANSACTIONS. In light of the synergies and other benefits flowing from the Divestiture Transactions, Charter intends to launch a program following the closing of the Divestiture Transactions that offers low-cost broadband service to low-income families. Charter looks forward to working with interested stakeholders as it designs this program. GreatLand will continue to offer Internet Essentials and, over time, may make changes to properly serve this important constituency." (pages 20-21)

5) The Coalition's members certainly welcome these assurances by Charter and GreatLand, especially the two companies' recognition that low-income households in underserved communities are an "important constituency" for their futures. As a statement of intent the companies' language is substantively responsive to the concerns we have raised.

But this admirable statement of intent, standing by itself and unsupported by any other information, is far too vague to constitute a "plan" in any meaningful sense, let alone a *"specific, measurable, accountable plan"* that can truly allay our members' concerns.

Without questioning the sincerity or seriousness of Charter and Greatland's statement, here are a few of the most obvious questions it begs:

- a) GreatLand is repeatedly described in the Applications as completely independent from Comcast. Internet Essentials is a Comcast program, with

proprietary branding, management and marketing assets, equipment sourcing, etc. So what does it mean to say that “*GreatLand will continue to offer Internet Essentials*”, a Comcast program, to its own newly acquired customers? Does GreatLand intend to partner with Comcast on a single Internet Essentials management and branding structure? Does this imply that changes to the Comcast Internet Essentials program may also affect GreatLand customers and communities? Whose customer premises equipment, technical support resources, etc. would be used by GreatLand-area Internet Essentials families?

b) If “*current subscribers to the ‘Internet Essentials’ package will keep their service*” after divestiture from Comcast to GreatLand, what about eligible families who aren’t current subscribers?

c) How quickly do the two companies expect to roll out their respective rate offerings for low income households?

d) What are their expectations about criteria for eligibility? Internet Essentials is limited to families of schoolchildren eligible for Federally subsidized school lunches, a small fraction of low income households in many underserved communities. Does Charter intend to follow this model or develop a broader one? What about GreatLand’s version of Internet Essentials?

e) What are their hopes and expectations for numbers of participants, and over what time period? Are these numbers large enough to make a significant, timely impact on the percentages of unserved households in communities like Detroit, Milwaukee, Cleveland, Dayton, etc.? And how do Charter and GreatLand expect to achieve those levels of participation?

6) Regarding the question posed in point 4e above: GreatLand is a nascent enterprise, while Charter currently has no history of low-income rate discounts, broadband adoption or digital training programs in the communities it already serves. Assuming the two companies’ managers intend to launch serious, strategic efforts to increase broadband use by lower-income residents, their unfamiliarity with our communities, and with the “field” of effective digital inclusion work, make it likely that those efforts will take many years to show a significant impact -- unless they are undertaken in partnership with experienced actors and community leaders in the places where they are most needed.

Thus, in our view, the best time for Charter and GreatLand to begin “*working with interested stakeholders*” on the design of their programs to serve low-income households in underserved communities is *right now*, in order to provide the FCC and our communities with meaningful plans before a judgment on the balance among the public interest impacts of the proposed Transactions must be rendered by the Commission.

7) Charter and GreatLand have the opportunity to partner with experienced public and nonprofit organizations in our cities to create cost-effective grassroots customer acquisition programs with significant, immediate community impact. As we detailed in our Initial Comments, members of the Coalition for Broadband Equity have extensive experience managing computer literacy and Internet adoption programs for low-income residents in our communities.

In our *Initial Comments* submitted four months ago, we asked the Commission as well as Charter and Greatland to take note of our members' willingness to assist the two companies to develop appropriate, effective community investment strategies for customer acquisition in the communities we serve. We reiterate that willingness now.

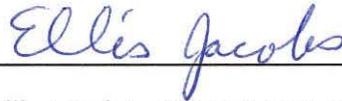
8) But whether or not Charter and GreatLand choose to take advantage of this opportunity, the Coalition must also reiterate our request to the Commission:

- to require both companies to submit "*specific, measurable, accountable plans*" to increase cable broadband use by low income households in our underserved communities -- plans that go well beyond the vague statements of intention in their *Reply to Comments*; and
- to require their commitments to implement those plans as part and parcel of any order allowing the Transactions to go forward.

Respectfully submitted,

Coalition for Broadband Equity

By:



Ellis Jacobs, Attorney at Law
Advocates for Basic Legal Equality, Inc.
130 West Second St., Ste. 700 East
Dayton, OH 45402
(937) 535-4419
ejacobs@ablelaw.org

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Attachment 1: Coalition for Broadband Equity Member Organizations, 12/23/14

Focus:HOPE	Detroit MI
Matrix Human Services	Detroit MI
Akron Urban League	Akron OH
Ashbury Senior Computer Community Center	Cleveland OH
Cleveland Housing Network	Cleveland OH
Cleveland Tenants Organization	Cleveland OH
Connect Your Community 2.0	Cleveland OH
Cuyahoga Community College	Cleveland OH
Esperanza, Inc.	Cleveland OH
Famicos Foundation	Cleveland OH
OneCommunity	Cleveland OH
Seeds of Literacy	Cleveland OH
Straightway Project	Cleveland OH
Cuyahoga County Public Library	Parma OH
Dayton Metro Library	Dayton OH
Edgemont Neighborhood Coalition	Dayton OH
Lorain County Community College	Lorain County OH
Greene County Public Library	Xenia OH
Youngstown-Mahoning County Public Library	Youngstown OH
City of Milwaukee	Milwaukee WI
Milwaukee Housing Authority	Milwaukee WI