

February 4, 2015

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FILED ELECTRONICALLY

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

Re: *Protecting and Promoting the Open Internet*, GN Docket No. 14-28;
Framework for Broadband Internet Service, GN Docket No. 10-127;
Implementation of Section 224 of the Act, WC Docket No. 07-245

Dear Ms. Dortch:

On February 2, 2015, Catherine Bohigian, Charter Communications, Inc.'s Executive Vice President for Government Affairs, Alex Hoehn-Saric, Charter's Senior Vice President for Government Affairs, and the undersigned met with Jon Sallet, Matthew DeINero, Stephanie Weiner, Claude Aiken, and Andrew Erber. At the meeting, Charter commended the Commission for working to ensure that the Internet remains open and thriving and argued that reclassifying broadband under Title II was both unnecessary and harmful to those ends. See Comments of Charter, *Protecting and Promoting the Open Internet*, GN Docket Nos. 14-28 and 10-127, at 13-21 (July 18, 2014). Charter also explained that the Commission's existing transparency regulations are working well and that the Commission should not require additional reporting. See *id.* at 21-35. Charter argued that if the Commission nevertheless does require additional reporting on congestion, it must necessarily include edge providers and transit providers in those reporting requirements, as such providers may be the cause of congestion. Charter explained that this could be done simply by asking the most popular edge providers to state (1) whether they have acquired enough capacity between their servers and the ISP's network to handle their customers' expected maximum peak utilization and (2) whether their agreements with the ISP allow for interconnection points that are sufficient to handle their customers' expected maximum peak utilization.

Additionally, Charter discussed several issues that arise if the Commission nevertheless proceeds with reclassification. Charter advocated that the Commission not regulate Internet interconnection, but if it does so (whether via rules or on a case-by-case basis), it should make clear that it will police the actions of edge providers and others in the Internet ecosystem equally to those of ISPs. See Letter from Matthew A. Brill to Marlene H. Dortch, GN Docket Nos. 14-28 and 10-127, at 22-25 (Dec.

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23, 2014). Charter also argued that the Commission should not regulate broadband pricing in any way and should state that state public utility regulation of broadband is preempted. *See id.* at 12-22; Letter from Jonathan Banks et al. to Marlene H. Dortch, GN Docket Nos. 14-28 and 10-127 (Jan. 23, 2015). Charter argued further that, in addition to granting reconsideration to fully equalize the federal cable and telecommunications rate formulas for pole attachments, *see* Letter from Steven F. Morris to Marlene H. Dortch, GN Docket No. 14-28 and WC Docket No. 07-245 (Jan. 22, 2014), it should make clear that any change in pole attachment rates caused by reclassification is prospective-only, as reclassification would clearly be a change in existing law.

Please contact me if you have any questions regarding this meeting.

Sincerely,

/s/ Samuel L. Feder

Samuel L. Feder

cc: Jon Sallet
Matthew DelNero
Stephanie Weiner
Claude Aiken
Andrew Erber