October 13, 2015

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

Re: Application 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 Ms. Dortch,

The Advanced Communications Law & Policy Institute ("ACLP") at New York Law School respectfully submits this letter in the above-referenced docket. The ACLP supports the proposed merger because there is significant evidence to suggest that it will further the public interest by facilitating additional investment, innovation, and competition in the provision of broadband, video, and communications services across the country. Therefore, we respectfully recommend that the Commission approve the merger.

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Having a robust digital foundation and a skilled user-base are central to supporting 21st century economic development; unleashing and realizing the full transformative potential of broadband in key sectors like healthcare, education, and energy; and improving the lives of users who are able to put these tools to productive and meaningful uses. From the consumer's perspective, what these goals seek to achieve – connection, inclusion, and innovation; continued forward progress; better, faster, and cheaper services – constitute the "public interest" in the broadband era. These are the desired outcomes of policy reforms, network investment, and consumer engagement. Consequently, when weighing whether a particular transaction or activity furthers the public interest in this context, the Commission should seek to determine whether and how that action might influence – for better or for worse – the status quo. Those that will have net positive impacts should be approved immediately.

When viewed in light of this understanding of the public interest, as well as all publicly available documents regarding the proposed merger, the undersigned respectfully urge the Commission to approve this merger. Doing so will bolster efforts to improve broadband connectivity and enhance advanced communications services of all kinds. In particular, the merged entity will be positioned to contribute in several important ways to achieving many of the goals highlighted above.

The merged entity, for example, will have greater capacity to invest in advanced networks and services across its newly expanded service territory. In the universe of efforts to improve broadband connectivity, additional private investment is among the most important elements to realizing the transformative potential of advanced services. Networks are expensive to build, manage, upgrade, and expand. As noted in the Application, New Charter will be able to leverage its larger national footprint in ways that will allow it to channel additional investment into key areas, including those that remain unserved or under-served. Increased investment, supplemented with targeted public funding at the federal and state levels (*e.g.*, via the federal Universal Service Fund and/or state-level grant programs), is vital to pushing broadband networks and new services to areas that remain without robust connectivity. It is also essential to improving upon existing offerings in served areas, providing consumers with consistently better service and helping to ensure that consumers continue to pay less for more, a hallmark of competition that has been evident in this space for many years. Increased private investment also has important secondary impacts on economic development and job creation, two critical priorities for policymakers and residents everywhere.

In addition, the merging companies have committed to creating a robust low-income broadband offering. This kind of program is essential to addressing perhaps the most vexing technology challenge facing stakeholders across the country: ensuring that as many people as possible have equal opportunity to benefit from the universe of services enabled by a high-speed Internet connection. Programs that provide broadband connections at discounted prices, and supplement those offerings with low-cost access devices and digital literacy training opportunities, have proven to be enormously successful in raising adoption rates among low-income households. Expanding this kind of program will be a substantial boon to millions of consumers who might otherwise choose to remain unconnected.

A number of other unique benefits arising from the merger have been discussed at length in the Application, subsequent filings, and public comments. Together, they constitute a compelling value proposition for approving the merger: approval will trigger new investment, the deployment of new services, the creation of new jobs, and the emergence of new opportunities for consumers to reap the benefits of more advanced services. The potential for such robust gains represents a net positive vis-à-vis the status quo and certainly furthers the public interest. Accordingly, the Commission should approve the merger.

Respectfully submitted,*

/s/ Charles M. Davidson
CHARLES M. DAVIDSON, DIRECTOR

/s/ Michael J. Santorelli
MICHAEL J. SANTORELLI, DIRECTOR

* The views expressed herein are those of the signatories only and do not necessarily represent those of New York Law School.