

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

In the Matter of )  
 )  
Applications of Charter Communications, Inc., )  
Time Warner Cable Inc., and Advance/Newhouse )  
Partnership ) MB Docket No. 15-149  
 )  
For Consent to the Transfer of Control of )  
Licenses and Authorizations )

**Reply to Applicants’ Opposition to Petitions to Deny and Response to Comments**

The Coalition for Broadband Equity (“CBE”) submits these comments in reply to the Applicants’ “Opposition to Petitions to Deny and Response to Comments”, filed on November 2.

1. The Applicants' Response addresses the issue of enhanced broadband access and affordability for low income households in two brief passages and accompanying footnotes on pages 28, 29 and 84.
2. The Applicants' Response provides no new information regarding their proposed expansion of the Bright House Networks Connect2Compete program, beyond what was provided in their Public Interest Statement filed four and a half months ago. Specifically, the Response offers no details regarding the proposed program's speed, cost, or criteria for eligibility beyond families of children receiving free school lunches. Nor does the Response address the future of Time Warner Cable's current “Everyday Low Price” offering, which makes low-end broadband service available to any household at a total cost of about \$22 a month.

Without these details, there is no basis for CBE members – or the Commission – to accept the

Applicants' assurance (p. 28) that “*concerns that the Transaction could result in increased prices or decreased access to broadband for low-income consumers... are unfounded...*” On the contrary, the Applicants' continuing vagueness about these critical issues, at this late date in the proceeding, only deepens our concern.

3. CBE's Initial Comments described the large Internet access disparities affecting low-income households in communities served by our members, and the harm caused by these disparities to important public interests of our communities in such areas as healthcare, education, employment, human services and civic participation. We explained why the Applicants (notably Time Warner Cable) bear significant responsibility for these disparities and public interest harms, due to their market dominance and historic lack of effort to make broadband Internet services fully and equitably accessible to all our residents. We asked the Commission to “*ask the Applicants to show, clearly and affirmatively, how approval of the Applications will cause them to break this pattern and start serving the interests of these unserved and unconnected members of our public.*” The Applicants' Response fails to address these arguments.

4. In our Initial Comments, CBE's members asked the Commission “*to condition its approval of the Applications on two minimum commitments from the Applicants... [a] truly affordable Internet service tier or program for all low-income households... [and] ambitious, accountable participation goals, supported by a major commitment of marketing dollars...*” We suggested a specific eligibility mechanism (Lifeline telephone eligibility), a specific monthly cost target (\$9.95 per month), specific annual and five-year program participation goals (1 million sign-ups over five years), a specific minimum annual dollar investment in marketing and new customer support for the program (\$50 million), and specific priorities for this investment (“*direct outreach and training partnerships with community-based digital literacy programs in*

*underserved communities*”).

The Applicants' Response fails to respond to these proposals beyond the generalization that “*there is nothing in the record, and no transaction-specific harm, that would support imposing the additional low-income broadband requirements proposed by petitioners.*” (p. 28) But as discussed in point 3 above, CBE's members in our Initial Comments described serious, continuing Internet access disparities suffered by our communities arising, in part, from the Applicants' historic market dominance and lack of effort to make broadband Internet accessible to our lower income residents and neighborhoods; we pointed out the harms inflicted by these disparities on the public interest in our communities; and we asked the Commission to attach specific, accountable, meaningful conditions to the Transactions which would help reduce these disparities and future harms through improved services and customer acquisition and support investments by New Charter.

5. CBE members are disappointed in the Applicants' failure to respond in any meaningful way to the arguments and proposals offered in our Initial Comments, or to provide a meaningful level of detail about its own proposed low income broadband plan. But in light of this failure, we can only reiterate our requests to the Commission to...

a) give serious consideration to the ongoing harms to our communities' low income residents and neighborhoods, and to the general public interests of our communities, caused by the persistent major disparities in broadband Internet adoption documented in our Initial Comments; and

b) address these issues by conditioning any approval of the Transactions on a clear, specific, enforceable agreement by the Applicants which includes...

- a truly affordable Internet service tier or program for all low-income households,

- with ambitious, accountable participation goals,
- supported by a major commitment of marketing dollars to support direct outreach and training partnerships with community-based digital literacy programs in underserved communities...

as described in more detail in our Initial Comments.

Respectfully submitted,

**Coalition for Broadband Equity**

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November 12, 2015