

Rachelle Chong
Law Offices of Rachelle Chong
220 Sansome Street, 14th Floor, San Francisco, CA 94104
Telephone (415) 288-4005
Facsimile (415) 480-3146
Email rachelechong@gmail.com

January 28, 2016

Via Electronic Comment Filing System
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington D.C. 20554

Re: Notice of Ex Parte Communication by the California Emerging Technology Fund,
Re Charter Communications Acquisition of Time Warner Cable and
Advance/Newhouse Partnership, MB Docket 15-149

Dear Secretary Dortch:

Pursuant to Section 1.1206 of the Commission's rules, the undersigned counsel hereby provides late-filed notice of the following presentations by the California Emerging Technology Fund (CETF), and Chicano Latina Foundation (CLF), on the above-referenced docket relating to the acquisition of Time Warner Cable and Advance/Newhouse Partnership by Charter Communications.

On January 21, 2016, two representatives of CETF, Sunne Wright McPeak, President and CEO, and Outside Counsel Rachelle Chong; plus Olga Talamante, Executive Director, Chicana Latina Foundation, met with Gigi B. Sohn, Counselor, Phil Verveer, Senior Counselor, and Jessica Almond, Legal Advisor, Media, Public Safety and Enforcement, to the Office of the Chairman Tom Wheeler. While other representatives of Los Angeles Unified School District (LAUSD) (Diane Pappas via telephone) and Los Angeles County (Randy Davis and Greg Campbell) were in the room while this portion of the meeting occurred, these representatives made clear that LAUSD and Los Angeles County had no position on this docket.

During the meeting, CETF said it neither supported nor opposed the proposed acquisition but should the FCC approve the merger, CETF requested that a public benefit for broadband adoption be a condition of approval. In the past, the FCC has approved actions to promote affordable broadband, such as in the SBC – AT&T merger (10,000 DSL lines), Comcast –NBC Universal (Comcast Internet Essentials program at \$10/month), and AT&T - DirecTV (affordable broadband program at \$10/month for four years). CETF presented data that New Charter California will have about 2,312,454 low-income households, consisting of 529,956 Charter, 1,680,826 Time Warner Cable, and 91,671 Bright House households. New Charter will hold a significant number of low income households in Southern California as a result. CETF

Secretary Dortch
January 28, 2016

requests that New Charter have a goal of broadband adoption of 696,000 to 960,000 low-income household adoptions in California as the “appropriate, fair and comparable” public benefit of the acquisition, compared to prior transfers.

CETF made eight recommendations to the FCC for substantive public benefits in the Charter – Time Warner Cable – Advance/Newhouse consolidation:

5 Recommendations for Broadband Adoption:

1. Include all low-income households (particularly people with disabilities and veterans) in the commendable voluntary offer by Charter to make a \$14.99 broadband rate available to families with a child eligible for the National School Lunch Program and seniors on SSI. Require a wireless router be included with the program’s modem so all of the household members may be connected to the Internet at once, and school-provided electronic devices with only WiFi capability may be easily connected to the Internet.
2. Set performance goals for the affordable broadband offer at 45% of eligible households in two years, and continue the affordable broadband offer until the adoption rate is 80% in low-income service areas.
3. Direct collaboration with states on strategic plans to close the Digital Divide.
4. Establish an independent fund to support community-based organizations as “trusted messengers” to help increase broadband adoption through a sincere and effective public private partnership.
5. Establish a National Oversight Committee over the merger conditions.

3 Recommendations for Broadband Deployment:

6. Require infrastructure builds in ten unserved and underserved broadband areas, including in California with particular focus on the Inland Empire, San Joaquin Valley, Salinas Valley (Monterey County) and Modoc County.
7. Direct network upgrades to meet FCC broadband speed thresholds;
8. Encourage collaboration with other public interest deployment initiatives, including leveraging E-Rate, Connect America Funds, and Healthcare Connect Funds, in addition to urging cooperation by Applicants with FirstNet, the California Telehealth Network, CENIC, K-12 HSN and CalREN.

Later in the day, Ms. Chong met with Owen Kendler of the merger team and made the same presentation to him. No one else was in the room.

Secretary Dortch
January 28, 2016

The handouts are attached that were distributed at the meetings.

Sincerely yours,

/s/ Rachelle Chong

Rachelle Chong

Outside Counsel for CETF