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# LATHAM & WATKINS LLP

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April 26, 2016

## VIA ECFS

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation, *Special Access Rates for Price Cap Local Exchange Carriers*, WC Docket No. 05-25**

**REDACTED – FOR PUBLIC INSPECTION**

Dear Ms. Dortch:

Pursuant to the Protective Order in the above-captioned proceeding,<sup>1</sup> Comcast Corporation (“Comcast”) submits the Public version of the attached letter via electronic delivery. Comcast will separately submit a Highly Confidential version of this filing via hand delivery. The {{ }} symbols denote Highly Confidential Information.

Please contact the undersigned should you have any questions regarding this matter.

Respectfully submitted,

*/s/ Matthew A. Brill*

Matthew A. Brill  
of LATHAM & WATKINS LLP  
*Counsel for Comcast Corporation*

Attachment

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<sup>1</sup> *In the Matter of Special Access Rates for Price Cap Local Exchange Carriers*, Modified Protective Order, WC Docket No. 05-25, DA 10-2075 (rel. Oct. 28, 2010); *In the Matter of Special Access Rates for Price Cap Local Exchange Carriers*, Second Protective Order, WC Docket No. 05-25, DA 10-2419 (rel. Dec. 27, 2010); *In the Matter of Special Access Rates for Price Cap Local Exchange Carriers*, Order and Data Collection Protective Order, WC Docket No. 05-25, DA 14-1424 (rel. Oct. 1, 2014).

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**REDACTED – FOR PUBLIC INSPECTION**

Dear Ms. Dortch,

In response to questions from Commission staff, this letter supplements Comcast's *ex parte* letter of March 25, 2016,<sup>1</sup> which summarized a call with Commission staff regarding Comcast's data transmission and Internet access services for business customers. Among other things, the March 25 Letter indicated that approximately {{ [REDACTED] }} customer locations were directly connected to Comcast's HFC- or fiber-based Ethernet facilities in 2013 (as reported in Section II.A.3 of Comcast's response to the Commission's special access data collection), and that the number of such directly connected customer locations now stands at approximately {{ [REDACTED] }}.

While Comcast responded to Section II.A.3 in its special access data submission based on its good-faith understanding of the defined term "Location," subsequent discussions with Commission staff have made clear their view that Comcast should have reported additional "Locations" that were (as of 2013) connected to nodes that had been physically upgraded to enable the provision of Ethernet-over-HFC service, even if Comcast at the time had only recently begun offering that service and may not have been actively marketing the service to locations connected to every such node. Comcast is willing to work with Commission staff to provide an

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<sup>1</sup> Letter of Matthew A. Brill, Counsel for Comcast, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 05-25 (Mar. 25, 2016) ("March 25 Letter").

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updated estimate of such an expanded number of “Locations,” subject to constraints on the availability of historical data.

In addition, to provide a more complete picture of Comcast’s deployment of Ethernet over HFC services, of the { [REDACTED] } business locations Comcast identified in Section II.A.3 of its 2013 special access submission, approximately { [REDACTED] } consisted of Ethernet-over-HFC connections; and, of the approximately { [REDACTED] } such business locations identified in the March 25 Letter as a current estimate, approximately { [REDACTED] } consist of Ethernet-over-HFC connections.

Please contact the undersigned if you have any questions regarding this submission.

Sincerely,

*/s/ Matthew A. Brill*

Matthew A. Brill  
of LATHAM & WATKINS LLP  
*Counsel for Comcast Corporation*

cc: William Kehoe  
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