

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20544**

In the Matter of)	
)	MB Docket No. 16-126
Petition for Declaratory Ruling Clarifying)	
that Notices Required by Section 76.1602(b))	
May Be Distributed by Email)	
)	

COMMENTS OF CHARTER COMMUNICATIONS, INC.

Charter Communications, Inc. (“Charter”) respectfully submits these comments in support of the Petition for Declaratory Ruling filed by the National Cable & Telecommunications Association (“NCTA”) and the American Cable Association (“ACA”) requesting clarification that the “written information” requirement in Section 76.1602(b) of the Commission’s rules encompasses electronic writings.¹ Charter has a strong interest in ensuring that subscribers have convenient and reliable access to information regarding their cable service. Charter supports the Petition because allowing customers to choose to receive information electronically will fully serve that goal while reducing customer burden and harm to the environment caused by unwanted paper filings.

Like all cable providers, Charter currently provides the “written information” required by Section 76.1602(b) in paper format, mailed through the U.S. Postal Service. In recent years, however, electronic mail and publicly accessible websites have revolutionized how businesses interact with their customers, and—when given the option—customers have increasingly chosen to receive communications via electronic means. For instance, Charter now offers customers the

¹ *In re Petition for Declaratory Ruling Clarifying that Notices Required by Section 76.1602(b) May be Distributed by Email*, MB Docket No. 16-126, Petition for Declaratory Ruling of NCTA and ACA (Mar. 7, 2016) (“Petition”).

option of receiving their monthly billing statements electronically, and the percentage of customers who choose electronic billing has increased steadily over time. Many customers—and people generally—now clearly prefer communicating electronically. Indeed, the Commission itself is considering moving many of its paper communications to electronic format.² Clarifying that communications required under Section 76.1602(b) may be sent electronically would allow Charter to modernize its notice practices to reflect customers’ shifting preferences. Interpreting “written information” to include electronic writings would also benefit consumers because Charter could more quickly inform customers of important new information electronically, either through email or through Charter.net, than it can through paper notices.

In addition to these consumer-facing benefits, clarifying that cable providers can disseminate Section 76.1606(b) information electronically will significantly reduce environmental harm. According to the PayItGreen Alliance—an organization committed to educating consumers and businesses about the positive environmental impact of choosing electronic payments, bills, and statements instead of paper—by switching to electronic bills, statements, and payments, the average household saves 6.6 pounds of paper, avoids producing 171 pounds of greenhouse gas emissions, and saves .079 of a tree annually.³ Using the PayItGreen Alliance’s calculator for determining the environmental impact of paper statements, eliminating the annual notice required by Section 76.1602(b) for even one-fifth of Charter’s approximately 17.3 million post-merger video subscribers would result in 96,880 fewer pounds of paper consumed, over four hundred thousand fewer pounds of greenhouses gases produced, over one million gallons of wastewater avoided, and 4,623 fewer household garbage bags of

² See *Report on FCC Process Reform*, FCC Staff Working Group, 29 FCC Rcd 1341, 1359 (2014) (concluding that paper copies of items should be discontinued in favor of electronic distribution).

³ Get The Facts, PayItGreen.org, <http://www.payitgreen.org/consumer/get-the-facts/>.

solid waste annually.⁴ These estimates demonstrate the clear environmental benefit of clarifying Section 76.1602(b) and make the continued reliance on paper notices difficult to justify.

Moreover, there would be no corresponding consumer harms that could possibly outweigh these substantial benefits. Importantly, customers who prefer to continue to receive paper notices would be able to do so under NCTA and ACA's proposal.⁵

CONCLUSION

For the reasons stated above, the Bureau should grant the Petition and clarify that the Commission's rules permit cable providers to provide the "written information" required by Section 76.1602(b) via electronic writings.

May 26, 2016

Respectfully submitted,

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⁴ See Financial Paper Footprint?, PayItGreen.org, <http://www.payitgreen.org/business/green-calculators/footprint-calculator>; see also Paper Footprint Calculator and Environmental Benefits Fact Sheet, PayItGreen.org, http://www.payitgreen.org/files/resources/Fact_Sheet-2013.pdf (explaining the methodology and sources used to calculate the environmental benefits of electronic billing).

⁵ See Petition at 4 & n.9 (indicating that "customers would be informed that they may request and receive a paper version of their Section 76.1602(b) notices").