

COLE, RAYWID & BRAVERMAN, L.L.P.

ATTORNEYS AT LAW
1919 PENNSYLVANIA AVENUE, N.W., SUITE 200
WASHINGTON, D.C. 20006-3458
TELEPHONE (202) 659-9750
FAX (202) 452-0067
WWW.CRBLAW.COM

K.C. HALM
ADMITTED IN DC AND MARYLAND

202-659-9750
KCHALM@CRBLAW.COM

LOS ANGELES OFFICE
2381 ROSECRANS AVENUE, SUITE 110
EL SEGUNDO, CALIFORNIA 90245-4290
TELEPHONE (310) 643-7999
FAX (310) 643-7997

August 10, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

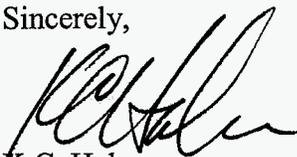
Re: E911 Subscriber Notification Report of Charter Communications, Inc.;
WC Docket Nos. 05-196, 04-36

Dear Ms. Dortch:

Enclosed for filing in the above referenced proceeding please find an original electronic copy of the E911 Subscriber Notification Report of Charter Communications, Inc. Charter files this report on behalf of its subsidiaries Charter Fiberlink-Missouri, LLC, Charter Fiberlink MA-CCO, LLC, and Charter Fiberlink, LLC.

Please contact me at the telephone number listed above if you have any questions about this filing. Thank you for your assistance.

Sincerely,



K.C. Halm

Enclosures

cc: Byron McCoy, Enforcement Bureau
Kathy Berthot, Enforcement Bureau
Janice Myles, Wireline Competition Bureau
Best Copy and Printing, Inc. Portals II
Carrie Cox, Charter Communications, Inc.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matters of

IP-Enabled Services

E911 Requirements for IP-Enabled Service
Providers

WC Docket Nos. 05-196, 04-36

E911 SUBSCRIBER NOTIFICATION REPORT
OF
CHARTER COMMUNICATIONS, INC.
ON BEHALF OF ITS SUBSIDIARIES CHARTER FIBERLINK-MISSOURI, LLC,
CHARTER FIBERLINK MA-CCO, LLC, AND CHARTER FIBERLINK, LLC

Pursuant to the FCC's July 26, 2005 Public Notice concerning the Enforcement Bureau's guidance to interconnected Voice Over Internet Protocol ("VoIP") service providers,¹ Charter Communications, Inc. ("Charter") on behalf of its telecommunications subsidiaries, hereby provides a report on its efforts to comply with the notice and acknowledgement provisions of the FCC's VoIP E911 Order.²

Set forth below is a detailed description of the actions Charter has taken to advise subscribers of the circumstances under which E911 service may not be available via Charter's primary line telephone service utilizing IP technology ("Charter's service"). In addition, information concerning Charter's efforts to distribute warning stickers and obtain affirmative acknowledgement from its subscribers is included in the discussion below.

¹ *Enforcement Bureau Provides Guidance to Interconnected Voice over Internet Protocol Service Providers Concerning the July 29, 2005 Subscriber Notification Deadlines*, Public Notice, DA 05-2085 (rel. July 26, 2005) (hereinafter "Enforcement Bureau Notice").

² *IP-Enabled Services, E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245 (rel. June 3, 2005) (hereinafter "VoIP E911 Order").

1. Initial Mailing to All Current Customers

Mailing Date: July 29, 2005

On July 29, 2005 Charter sent via first class mail a notice to all current customers of Charter's service (a copy of which is attached hereto as Exhibit A) requesting review and acknowledgement of Charter's E911 service description and limitations. This mailing included stickers and instructions for their use (a copy of which is attached hereto as Exhibit B). This mailing was sent to 100 percent (100%) of Charter's customers.

As of August 9, 2005 Charter had received approximately 1500 acknowledgements. This total represents approximately three percent (3%) of notified customers.

2. Implement Installer Process to Obtain Acknowledgement from New Customers

Implementation Date: July 30, 2005

On July 30, 2005 Charter instructed all installation personnel to obtain acknowledgement of E911 service description and limitations from all newly installed customers (a copy of which is attached hereto as Exhibit C). Installation crews began obtaining acknowledgement as of July 30, 2005.

3. Subsequent Mailing to All Current Customers

Mailing Date: August 10, 11, 12 and 16, 2005

On the above referenced dates Charter sent (or will send) via first class mailing post card reminders to its subscribers requesting return of the previously mailed acknowledgement.

4. Subsequent Telephone Contact of Charter Customers

Initiation Date: August 1, 2005

- (a) On August 1, 2005 Charter initiated an outbound messaging program reminding all customers to return their acknowledgements. In addition, this program allowed customers to dial out to a live agent for further assistance. Charter also updated its current telephone interactive voice recording ("TVR") system to provide E911 information to persons calling Charter regarding their telephone service.

Beginning on August 15, 2005

- (b) On August 15, 2005 Charter will initiate outbound automated calling asking customers to complete the required E-911 acknowledgement. Customer acknowledgements obtained via this contact will be recorded (and will note that all customers will already have received their stickers via earlier mailings).

5. Maintenance of Subscriber Acknowledgements

Charter will be receiving acknowledgements in both electronic recording (via a third party verification ("TPV") process similar to the TPV process used in customer service change verification) and written formats. All recorded acknowledgements will be stored by the recording vendor and available to Charter on a daily basis. In addition, Charter will receive at least daily updates regarding the status of the customer notification process. This will allow Charter to identify which customers have not yet provided an acknowledgement on a daily basis.

All written acknowledgements will be stored at Charter's corporate headquarters in St. Louis, Missouri for an initial period of no less than three months. Following that initial time period, written records are transferred to secure off-site storage facilities. Access to materials in the off-site storage facility is available within a business day. This is the same retention process used for letter of authorization ("LOA") documents.

The corporate address for Charter is as follows:

Charter Communications
Attention: Telephony Regulatory Department
12405 Powerscourt Drive
St. Louis, MO 63131

6. Charter Employee Responsible for the Company's E-911 Compliance

Ted Schremp
Vice President of IP Services
12405 Powerscourt Drive
St. Louis, MO 63131
314-543-2371
ted.schremp@chartercom.com

7. Number of Customers Charter Expects to Obtain Acknowledgement From Prior to August 29, 2005

Prior to August 29, 2005 Charter expects to have contacted all of its IP based primary line customers on multiple occasions using the various methods described above. Charter is concerned that a significant number of customers will not be responsive despite Charter's repeated attempts to obtain acknowledgement. Charter expects that based on the current data, and presuming a best-case scenario, that it will be able to obtain approximately 60% to 65% of the required acknowledgements prior to August 29, 2005. Charter will continue to work diligently to design and implement additional activity geared to obtain customer acknowledgements for E-911 services.

8. Further Comments

As indicated above, Charter, as of the date of this filing, has received confirmation of the E911 acknowledgement from approximately three percent (3%) of its customer base. It is difficult if not impossible to predict with any reasonable degree of certainty the number of customers (reflected in a percentage of total customer base) that will have failed or declined to respond to the above-described measures for acknowledgement by August 29, 2005. As the August 29, 2005, deadline for obtaining acknowledgement³ of E911 capabilities approaches, Charter will continue to assess, develop and implement methods of obtaining acknowledgements as needed to obtain all required acknowledgements.

Charter is working diligently to notify all of its current customers, and those whose service is to be installed shortly, of its E-911 service capabilities and limitations as required by the FCC's VoIP E911 Order.⁴

Charter notes that many of the concerns raised in the VoIP E911 Order do not apply to its service. Although Charter's service is provided over the cable modem facilities of its affiliated cable providers, Charter is a certificated telecommunications provider in all the states in which it provides service. As such, Charter has always had direct interconnection to the E-911 infrastructure, and has always routed ALI and ANI directly to public safety operators. Moreover, the service is not portable in the same way as VoIP services that utilize the broadband Internet connections of third-parties.⁵ Indeed, the multimedia terminal adapter used by Charter's customers functions only on Charter cable systems. Thus, Charter customers cannot use the service from any broadband connection, as marketed by other VoIP providers. Likewise, Charter does not offer its customers non-native telephone numbers, so that many of the E-911 routing issues faced by other VoIP providers are simply inapplicable to Charter's service. Finally, the customer premises equipment Charter provides its customers includes a back-up battery, meaning that Charter's service is less susceptible to power outages than other VoIP services.

In summary, Charter offers its customers regular telephone service that happens to be provided using a different technology. Charter considers its service functionally equivalent to that provided by traditional wire-line service providers.

Charter is concerned with the notice and acknowledgment requirements imposed by the Order. They constitute a significant deviation from the typical relationship a communications provider has with its customers. In Charter's experience, its customers expect their provider to install and provide a high quality service without being subject to repeated contact from their provider. Provider-customer contacts are typically limited to

³ Enforcement Bureau Notice, Public Notice, DA 05-2085 (rel. July 26, 2005).

⁴ 20 FCC Rcd 10245 (rel. June 3, 2005).

⁵ These providers are known to some as "over-the-top" VoIP providers because they ride "over" the broadband connections provided by others. Charter, by contrast, uses its own transport facilities.

service issues, billing concerns, and change orders. Indeed, because of its concerns about irritating its customers, Charter is very careful about its direct marketing activities.

As noted above, Charter's customers view the Charter service as ordinary telephone service. Unlike some over-the-top providers of VoIP service, Charter's telephone service is not marketed as a revolutionary product. Customers of over-the-top providers of VoIP service may be more tolerant of outreach efforts from their providers and expect changes to, or updated explanations of, aspects of their service. This difference between the marketing strategy of over-the-top VoIP service and Charter's service may explain why Charter's customers have been more resistant to Charter's 911 notice efforts than those of over-the-top VoIP service providers.

It is, therefore, not surprising that the 911 notices have caused concern among Charter's customers, despite the fact that Charter's E-911 service is nearly identical to an incumbent wire-line provider's E-911 service. Charter has experienced an exceptionally large number of customer inquiries regarding this 911 outreach. As of the time of this filing Charter has logged over 6600 calls regarding the acknowledgement, well above the norm for customer inquiries, which indicates that our customers are reluctant to engage with Charter on this activity. In addition, Charter has received a number of complaints from customers some of whom have stated that they will disconnect their service if they have to provide the acknowledgement. Others are very concerned about being disconnected if they fail to return the acknowledgement. Questions Charter has received include the following:

- What happens if I don't return my form in time?
- How do I get a replacement letter?
- How do I get a replacement sticker?
- What is the mailing address (I have lost my return envelope)?
- Why are you going to disconnect me?

Both the customer inquiries and the customer complaints are of great concern to Charter as they indicate that customers do not understand the acknowledgment requirement. Nonetheless, Charter will continue to diligently pursue customer acknowledgments as required by the FCC's VoIP E-911 Order.

Respectfully submitted,



Thomas Hearity
Carrie L. Cox
CHARTER COMMUNICATIONS, INC.
12405 Powerscourt Dr.
St. Louis, Missouri 63131
314-965-0555
314-965-6640 (fax)
thearity@chartercom.com
ccox1@chartercom.com

Michael C. Sloan
K.C. Halm
COLE, RAYWID & BRAVERMAN, LLP
1919 Pennsylvania Ave., N.W., Suite 200
Washington, D.C. 20006
202-659-9750
202-452-0067 (fax)
msloan@crblaw.com
kc.halm@crblaw.com

Attorneys for Charter Communications, Inc.

Dated: August 10, 2005

EXHIBIT A

Charter Communications' E911 Notice to Subscribers



July 29, 2005

<CUSTOMER NAME>
<STREET>
<CITY, STATE ZIP>

Keeping You Safe: Plain Talk About Charter Telephone's Enhanced 911 (E911) Services

As a valued customer, you are already enjoying the many benefits of Charter Telephone. To help you quickly respond to emergencies, Charter Telephone provides E911 services much like traditional telephone companies. These services are reliable, easy to use and invaluable to our customers.

This letter includes important information on the E911 services provided by Charter Telephone. To help ensure your safety, please review the following information and sign and return the attached form acknowledging that you are aware of Charter Telephone's E911 services. This step will take only a few moments and is required by a recent FCC mandate.

We have also provided stickers for you to place on your telephones and network interface equipment to remind you and your family about the availability of E911 services.

Moving quickly

If you ever need to access emergency services, including fire, police or ambulance, you can do so from your Charter Telephone by dialing the familiar digits: 911. Your call will be routed directly to the nearest public safety operator, who will dispatch the appropriate services. To help emergency services quickly find you, your telephone number and address will be electronically routed to the operator at the moment that you call.

To ensure that E911 calls are properly routed, do not move the equipment installed in your home to another location without first contacting Charter. If you use our service from an address that is different from the one you initially provided, the E911 service will not work properly. If you are moving and need to change your service address, please contact Charter customer service at 1-800-528-0569.

Backing you up

The Charter Telephone network is supported by backup systems that provide emergency power in the event of a power outage. We have provided a device in your home (known as an MTA or multi-media terminal adapter) that interfaces to the Charter Telephone network. This MTA device provides battery backup for up to eight hours of standby time and approximately five hours of talk time. These backup systems are designed to ensure the full-time availability of E911 services, but if power is unavailable for an extended period of time you may not be able to make E911 calls.

While we hope that you never have to use Charter's E911 services, the network is designed for reliability and responsiveness with your safety as our first priority. If you have any questions, please call us at 1-800-528-0569 and we will be happy to help.

Sincerely,

Ted Schremp
Vice President

Acknowledgement

<CUSTOMER NAME>
<STREET>
<CITY, STATE ZIP>

<CUSTOMER PHONE #>

This acknowledgement is required by a recent FCC mandate, please sign and return in the enclosed postage paid envelope.

I have read and understand the Charter Communications E911 notice dated July 29, 2005.



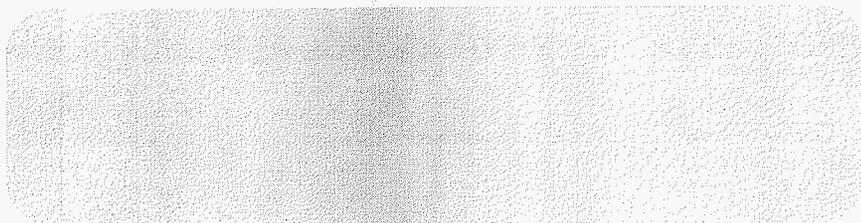
Signature



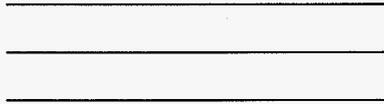
P.O. Box 31099
St. Louis, MO 63131-1099

PRESORT
FIRST CLASS
U.S. POSTAGE
PAID
Ronkonkoma NY
Permit No. 1306

Important information enclosed.



Keeping
you safe:
Plain talk
about Charter Telephone's
E911 Services



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO 2727 ST LOUIS MO

POSTAGE WILL BE PAID BY ADDRESSEE

CHARTER COMMUNICATIONS
PO BOX 31099
ST LOUIS MO 63131-9736



EXHIBIT B

Charter Communications' E911 Warning Stickers and Instructions

Place one of these stickers on your telephone and one on your Charter provided MTA/Network Interface Device.

FOR EMERGENCY
Dial 911
police · fire · medical

E911 services may not function properly if MTA/Network Interface Device is moved without prior notice to Charter Communications. Contact Charter Customer Service prior to any change of physical location.



FOR EMERGENCY
Dial 911
police · fire · medical

E911 services may not function properly if MTA/Network Interface Device is moved without prior notice to Charter Communications. Contact Charter Customer Service prior to any change of physical location.



EXHIBIT C

**Charter Communications' Affirmative Acknowledgement Form
Used by Service Installation Personnel to Provide Notice and Obtain
Acknowledgement**



Keeping You Safe: Plain Talk About Charter Telephone's Enhanced 911 (E911) Services

As a new customer, you will enjoy the many benefits of Charter Telephone. To help you quickly respond to emergencies, Charter Telephone provides E911 services much like traditional telephone companies. These services are reliable, easy to use and invaluable to our customers.

This letter includes important information on the E911 services provided by Charter Telephone. To help ensure your safety, please review the following information, and acknowledge that you are aware of Charter Telephone's E911 services, by signing at the end. This step will take only a few moments and is required by a recent FCC mandate.

We have also provided stickers for you to place on your telephones and network interface equipment to remind you and your family about the availability of E911 services.

Moving quickly

If you ever need to access emergency services, including fire, police or ambulance, you can do so from your Charter Telephone by dialing the familiar digits: 911. Your call will be routed directly to the nearest public safety operator, who will dispatch the appropriate services. To help emergency services quickly find you, your telephone number and address will be electronically routed to the operator at the moment that you call.

To ensure that E911 calls are properly routed, do not move the equipment installed in your home to another location outside of your home without first contacting Charter. If you use our service from an address that is different from the one you initially provided, the E911 service will not work properly. If you are moving and need to change your service address, please contact Charter customer service at 1-800-528-0569.

Backing you up

The Charter Telephone network is supported by backup systems that provide emergency power in the event of a power outage. We have provided a device in your home (known as an MTA or multi-media terminal adapter) that interfaces to the Charter Telephone network. This MTA device provides battery backup for up to eight hours of standby time and approximately five hours of talk time. These backup systems are designed to ensure the full-time availability of E911 services, but if power is unavailable for an extended period of time you may not be able to make E911 calls.

While we hope that you never have to use Charter's E911 services, the network is designed for reliability and responsiveness with your safety as our first priority. If you have any questions, please call us at 1-866-207-3663 and we will be happy to help.

Acknowledgement

Ted Schremp
Vice President

This acknowledgement is required by a recent FCC mandate. Please sign and return to your Charter Communications installation technician.

I have read and understand the Charter Communications E911 notice provided to me today, and I am 18 years of age or older.

Print Name Here

Sign Name Here

Service Address

Account Phone Number

Date