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# LATHAM & WATKINS LLP

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March 1, 2013

## EX PARTE – VIA ECFS

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: *Telecommunications Carriers Eligible to Receive Universal Service Support;*  
*Time Warner Cable Petition for Forbearance, WC Docket No. 09-197*

Dear Ms. Dortch,

On February 28, 2013, Terri Natoli of Time Warner Cable Inc. (“TWC”) and the undersigned met with Julie Veach, Trent Harkrader, Michael Jacobs, Kimberly Scardino, Alex Minard, and Garnet Hanly of the Wireline Competition Bureau to discuss TWC’s pending petition for forbearance in the above-referenced docket. We provided background information on TWC’s plans to participate in the Lifeline program through its competitive local exchange carrier affiliates in several states, as reflected in the ETC modification petition pending before the New York State Public Service Commission. We also reiterated the arguments TWC has made in support of forbearing from the boundary modification provisions in Section 214(e)(5) of the Communications Act and Section 54.207 of the Commission’s rules, noting that the cream-skimming concerns underlying those provisions are relevant only in the context of high-cost universal service support, as the Commission has repeatedly recognized.

We urged the Commission to grant TWC’s forbearance petition as expeditiously as possible to enable TWC to proceed with its plans to offer Lifeline discounts to qualifying low-income customers. We noted that such discounts not only will promote affordability and competition in connection with TWC’s local voice services, but more broadly will facilitate access to TWC’s broadband Internet access services because the low cost of TWC’s Lifeline service plans will better enable low-income consumers to afford bundled packages including broadband service. With respect to TWC’s planned Lifeline service offerings, we noted that TWC previously submitted an illustrative summary of its anticipated Lifeline rates in New York State, but the company has since decided to apply a uniform Lifeline discount (likely in the range of approximately \$12.25) to all available voice service plans. Thus, a Lifeline customer would

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be able to apply that discount to TWC's stand-alone voice offering or to the voice component of any bundled service plan.

Please contact the undersigned with any questions regarding this notice.

Sincerely,

/s/ Matthew A. Brill

Matthew A. Brill  
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*Counsel to Time Warner Cable*

cc: Julie Veach  
Trent Harkrader  
Michael Jacobs  
Kimberly Scardino  
Alex Minard  
Garnet Hanly