

September 27, 2013

VIA HAND DELIVERY & ECFS

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

**Re: Suddenlink Communications' Opposition to Price Cap Carrier Elections
Seeking Incremental Support in Connect America Fund Phase 1 (Round 2);
WC Docket No. 10-90**

Ms. Dortch:

In accord with 47 C.F.R. 54.312(c) Suddenlink Communications (“Suddenlink”) hereby files its opposition to the elections of several price cap carriers seeking incremental Phase I Connect America Fund (CAF) support in those census blocks served by Suddenlink. Specifically, Suddenlink opposes the elections of AT&T, CenturyLink, Frontier and Windstream to receive support in the census blocks identified in this filing.

Appendix A to this filing sets forth specific evidence that Suddenlink serves the census blocks identified therein. For that reason, the Commission should deny the requests of price cap carriers AT&T, CenturyLink, Frontier and Windstream to receive CAF Phase I incremental support in the census blocks served by Suddenlink.

SUDDENLINK EVIDENCE OF BROADBAND OFFERINGS BY CENSUS BLOCKS

In support of this opposition Suddenlink is providing the Commission with a certification of Michael J. Zarrilli, Vice President – Government Relations and Senior Counsel, certifying under penalty of perjury that the company has subscribers in and offers broadband Internet service of at least speeds of 3 Mbps / 768 kbps in each of the census blocks listed in Exhibit 1. In addition, Exhibit 1 of this filing provides an address of a current Suddenlink broadband customer or Suddenlink serviceable home (redacted to preserve customer privacy and confidential/proprietary information) in each of the census blocks at issue.

This information effectively rebuts the price cap carriers' claims that these census blocks are unserved or underserved.

WINDSTREAM'S PORTING EVIDENCE IS NOT DETERMINATIVE

The porting evidence offered by Windstream to challenge the National Broadband Map's designation of census blocks served by Suddenlink does not establish that the census blocks at issue are unserved or underserved. As a threshold matter, the lack of number porting activity in a particular census block is not indicative of whether broadband service is offered in that area. However, even if the Commission were to consider such information, the specific evidence described above effectively rebuts Windstream's claims because it demonstrates that Suddenlink provides broadband Internet service in the challenged census block areas.

Also, the lack of any porting activity in certain areas may be the result of several factors. First, Windstream's evidence is narrowly framed and ignores ports from their customers who did not also purchase broadband service from Windstream. Second, a percentage of Suddenlink voice subscribers use so-called "native" numbers which do not require any porting activity. Third, some Suddenlink customers purchase broadband service on a stand-alone basis, without bundling that service with voice services. Thus, the lack of porting activity in these census blocks does not demonstrate that these areas are not served by broadband.

REQUEST FOR CONFIDENTIAL TREATMENT

Pursuant to Sections 0.457 and 0.459 of the Commission's rules, Suddenlink requests confidential treatment for those documents marked "confidential" that it is providing to the Commission in this filing. Suddenlink requests that this information be withheld from routine public inspection because it is of a commercially-sensitive nature, contains trade secrets, and has not been previously made available to the public. In addition, some information is personally-identifiable customer information which should be withheld from public disclosure. Each page of the confidential material therein has been clearly marked "**CONFIDENTIAL—NOT FOR PUBLIC INSPECTION**". Support for Suddenlink's request for confidential treatment is set forth in full in the attached supplemental request for confidential treatment.

Please contact the undersigned if you have any questions about this matter. Thank you.

Marlene H. Dortch
Federal Communications Commission
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Sincerely,

A handwritten signature in black ink, appearing to read "K.C. Halm", enclosed in a thin black rectangular border.

K.C. Halm
Counsel for Suddenlink Communications, Inc.

Encl.

cc: Ryan Yates, WCB