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January 24, 2014

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

Re: **Notice of *Ex Parte* Communication**  
**WC Docket No. 13-184** (*Modernizing the E-Rate Program for Schools and Libraries*);  
**ET Docket No. 13-49** (*Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band*); and  
**MB Docket No. 10-71** (*Amendment of the Commission's Rules Related to Retransmission Consent*)

Dear Ms. Dortch:

On January 22, 2014, Steven Miron, Chief Executive Officer of Bright House Networks ("BHN"), met in separate meetings with Chairman Wheeler, Commissioner Rosenworcel, Commissioner O'Rielly, and Commissioner Pai. Mr. Miron was accompanied by Steven Horvitz of Davis Wright Tremaine, who informed me of the content of those meetings. The Chairman and each of the Commissioners were accompanied by members of their staff. In particular, Mr. Wheeler was accompanied by Maria Kirby; Commissioner Rosenworcel was accompanied by Clint Odum; Commissioner O'Rielly was accompanied by Erin McGrath and Courtney Reinhard; and Commissioner Pai was accompanied by Matthew Berry and additional members of his staff.

In each of the meetings, Mr. Miron expressed similar concerns regarding three distinct topics:

### E-RATE REFORM

Mr. Miron emphasized that providing broadband services to school districts is an important business opportunity for Bright House Networks, and he noted that BHN has existing arrangements with several large school districts in Florida, including Orange County and Hillsborough County. E-rate eligibility is critical to these offerings, and BHN strongly supports efforts to modernize the existing e-rate program in a manner that will facilitate additional broadband deployment to the nation's schools.

E-rate modernization should secure an adequate budget for broadband deployment and minimize administrative difficulties. It should also address practical impediments to the effective and efficient use of broadband for educational purposes. In particular, the E-rate program should not be limited exclusively to a "one size fits all" offering of fiber facilities. E-rate funds should also be available for broadband-related needs, such as managed services (*e.g.*, firewalls, content filtering, bandwidth controllers, internal communications and WiFi). The provision of managed services for the secure and reliable use of broadband facilities will encourage effective use by the nation's schools.

### WIFI REFORM

Mr. Miron emphasized the BHN has been, and continues to be, very interested in wireless opportunities. He emphasized that, given the difficulty in competing directly in the cellular space, WiFi provides an excellent opportunity for cable operators (like BHN) to provide beneficial wireless access that enables customers to reduce their use of expensive wireless data plans. Cable's deployment of WiFi is efficient from both a facilities and spectrum management perspective. BHN already has made a substantial investment in WiFi deployment. It has more than 24,000 WiFi hot spots in a variety of private and public locations, and it has partnered with other cable operators (through Cable WiFi) to provide WiFi roaming capability for authenticated cable customers.

BHN is experiencing a substantial increase in WiFi utilization and is concerned about disruptive congestion as WiFi use continues to increase. Accordingly, BHN supports proposals to make substantial additional unlicensed spectrum available for WiFi purposes. It encourages the Commission to move forward promptly to provide additional usable spectrum (including spectrum potentially made available by DOD).

### RETRANSMISSION CONSENT REFORM

BHN, like other MVPDs, is experiencing a rapid increase in retransmission consent costs, with renewal rates sometimes increasing by more than 100 percent. These costs are increasing faster than they can be passed through to customers, and the result is a reduction in the remaining profit margin on MVPD video offerings. If this continues, smaller cable operators ultimately

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may be forced to abandon direct video service entirely, which will reduce the options available to consumers.

Broadcasters are not just increasing their retransmission consent fees. In an effort to monetize every aspect of consumer viewing, they are trying to impose a host of additional operating restrictions that limit the way MVPD customers access and view network programming.

BHN itself has experienced broadcast black outs and expects there to be additional black outs in the future. BHN questions whether broadcasters exercising retransmission consent authority in such an aggressive manner are truly serving the public interest.

BHN believes that the FCC's existing regulations are providing broadcasters with additional leverage over MVPDs to the detriment of the nation's consumers. Broadcast industry consolidation, along with the aggressive use of LMAs (giving a single entity retransmission consent authority over multiple broadcast stations in a single market), is further fueling rapidly escalating retransmission consent costs.

BHN believes that retransmission consent practices are increasingly disruptive and harmful to consumers and encourage the Commission to be vigilant in protecting the public interest in this area.

Respectfully submitted,

/s/ Cody J. Harrison