

March 14, 2017

**Via ECFS**

The Honorable Ajit Pai, Chairman  
The Honorable Mignon Clyburn, Commissioner  
The Honorable Michael O’Rielly, Commissioner  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: *Ex Parte* Submission; Applications of Charter Communications, Inc., Time Warner Cable, Inc., and Advance/Newhouse Partnership for Consent to the Transfer of Control of Licenses and Authorizations, MB Docket No. 15-149**

Dear Chairman Pai, Commissioner Clyburn, and Commissioner O’Rielly:

We are thirty-eight small to mid-sized cable operators and telephone companies that provide Internet, video and voice services over high-performance broadband networks. We all have made substantial investments to provide some or all of our customers with broadband speeds of at least 25 Mbps. And we all have plans to invest in improved network technologies to offer greater performance or to expand our networks into unserved areas. Unfortunately, the merger condition requiring Charter to overbuild other providers has undermined those plans to provide improved services and reach new customers. We write to encourage the Commission to act in the best interests of millions of unserved and underserved customers by eliminating the overbuild condition.

Last year, the Commission approved Charter’s merger with a condition requiring that, in 1 million customer locations, Charter overbuild other providers already offering broadband with speeds of at least 25 Mbps. While we expect ordinary competition, such Commission-mandated competition is far from ordinary. Based on our experience and knowledge of the industry, we expect Charter to fulfill that overbuild condition through edge-out expansion to locations primarily served by a small broadband provider. These are markets that we would not expect Charter to otherwise enter, including markets that might not support two providers.

For small providers like ourselves, the mere threat of government-mandated, uneconomic entry undermines our ability to make investments that would benefit existing subscribers (e.g., investments in service improvements, network upgrades, etc.) or expand our networks to reach unserved households. To respond to growing consumer demand for increased bandwidth, all of us have been planning to upgrade the electronics on our networks and to deploy more fiber closer to customer locations over the next five years (the lifespan of the overbuild condition). Many of us have been planning to extend our networks to serve communities adjacent to our current service territories. But we have been forced to reconsider, scale back, or halt these investments in the wake of the Commission’s order.

For example, one of us had intended to install electronics that would enable the bonding of additional channels to provide greater downstream and upstream broadband speed. But the business case for that upgrade will be jeopardized if the operator is overbuilt where it is not economic to do so. Similarly, another of us has received a request for service by a neighboring community, but again, the overbuild condition threatens the viability of that build. Should the threat of uneconomic overbuilding pass, however, we will be able to resume our normal, market-driven investment in network upgrades and expansions.

Our objectives are consistent with those of the Commission – we are committed to providing broadband in unserved and underserved areas. But we cannot invest in better service, new technology, or network expansion while the threat of government-mandated, uneconomic overbuilding remains. We thus encourage the Commission to act in consumers' best interests by eliminating the overbuild condition.

Thank you for hearing our views.

/s/  
Larry Waterman  
Owner  
FamilyView Cablevision  
P.O. Box 8  
Seneca, SC 29679  
*800 Broadband Customers*

/s/  
Cheryl Rue  
CEO  
Tri-County Communications Coop., Inc.  
417 5th Ave. N.  
Strum, WI 54770  
*5,500 Broadband Customers*

/s/  
Ty Garrett  
President  
SEMO Communications, Inc.  
107 SEMO Ln. / P.O. Box C  
Sikeston, MO 63801  
*2,150 Broadband Customers*

/s/  
Rick Rothhammer  
President  
Stowe Cable Systems  
172 Thomas Ln.  
Stowe, VT 05672  
*1,800 Broadband customers*

/s/  
Robert W. Schwartz  
President  
Madison Communications Company  
21668 Double Arch Rd.  
Staunton, IL 62088  
*4,100 Broadband Customers*

/s/  
Robert Witter  
President  
Northside TV Corporation  
521 Vulcan St.  
Iron Mountain, MI 49801  
*450 Broadband Customers*

/s/  
Tom Randolph  
Owner  
Spring Creek Cable  
206 West Main  
Montrose, CO 81401  
*378 Broadband Customers*

/s/  
Michael Boley  
President & CEO  
Wabash Mutual Telephone Company  
6670 Wabash Rd.  
Celina, OH 45822  
*5,237 Broadband Customers*

/s/

Eric Cramer  
CEO  
Wilkes Communications, Inc.  
1400 River St.  
Wilkesboro, NC 28697  
*6,747 Broadband Customers*

/s/

Michael R. Hale  
General Manager  
Shrewsbury Electric & Cable Operations  
100 Maple Ave.  
Shrewsbury, MA 01545  
*12,427 Broadband Customers*

/s/

Glen Faulkner  
General Manager  
Heart of the Catskills Communications, Inc.  
dba MTC Cable  
50 Swart St.  
Margaretville, NY 12455  
*2,925 Broadband Customers*

/s/

Jonathan West  
General Manager and CEO  
Twin Lakes Communications  
P.O. Box 696  
200 Telephone Lane  
Gainesboro, TN 38562  
*19,500 Broadband Customers*

/s/

Tom Semptimphelter  
President & CEO  
RB3, LLC, dba "Reach Broadband"  
18475 CR 96  
Foxton, CO 80433  
*3,100 Broadband Customers*

/s/

David Gobrogge  
General Manager  
RTEC Communications  
S732 Co. Rd. 20B  
Ridgeville Corners, OH 43555  
*1,127 Broadband Customers*

/s/

Craig S. Mitchell  
Sr. Vice President  
Morris Broadband  
725 Broad St.  
Augusta, GA 30901  
*23,000 Broadband Customers*

/s/

Robert Parisien  
General Manager  
D&P Communications, Inc.  
4200 Teal Rd.  
Adrian, MI 49270  
*6,600 Broadband Customers*

/s/

C. Lee Chambers  
General Manager / CEO  
Sandhill Connexions  
122 S Main St.  
Jefferson, SC 29718  
*1,363 Broadband Customers*

/s/

Chris Hilliard  
Founder  
USA Communications  
920 E 56th St., Ste B  
Kearney, NE 68847  
*9,600 Broadband Customers*

/s/

Ron Savage  
President  
Savage Communications, Inc.  
111 Tobies Mill Pl.  
Hinckley, MN 55037  
*4,300 Broadband Customers*

/s/

Christopher A. Dyrek  
President  
Cable America Missouri LLC  
7822 E Gray Rd.  
Scottsdale, AZ 85260  
*10,000 Broadband Customers*

/s/ \_\_\_\_\_  
Paige Venczel  
Manager  
Chesnee Communications  
P.O. Box 430  
Chesnee, SC 29323  
*2,700 Broadband Customers*

/s/ \_\_\_\_\_  
John Karban  
President,  
Karban TV Systems Inc.  
73 A So Stevens St.  
Rhineland, WI 54501  
*500 Broadband Customers*

/s/ \_\_\_\_\_  
Christine Jones  
General Manager  
Michigan Cable Partners Inc.  
8800 Ferry St.  
Montague, MI 49437  
*600 Broadband Customers*

/s/ \_\_\_\_\_  
Robert Gessner  
President  
MCTV  
814 Cable Court NW  
Massillon, OH 44646  
*49,000 Broadband Customers*

/s/ \_\_\_\_\_  
Neil Classen  
General Manager  
Three River Telco  
225 North 4<sup>th</sup> St.  
Lynch, NE 68746  
*1,900 Broadband Customers*

/s/ \_\_\_\_\_  
Chris J. Phillips  
GM / Treasurer  
Kalida Telephone Co.  
121 E. Main St.  
Kalida, OH 45853  
*1,130 Broadband Customers*

/s/ \_\_\_\_\_  
Robert Webb  
Vice-President  
Northeast Communications of WI, Inc.  
450 Security Blvd.  
Green Bay, WI 54313  
*11,160 Broadband Customers*

/s/ \_\_\_\_\_  
Ray Poorman  
Owner/Operator  
San Juan Cable  
1911 C St,  
Bellingham, WA 98225  
*555 Broadband Customers*

/s/ \_\_\_\_\_  
Randy Fletcher  
General Manager  
TVC, Inc.  
P.O. Box 369  
Lennon, MI 48449  
*1,868 Broadband Customers*

/s/ \_\_\_\_\_  
Rochelle Pervisky  
VP of Regulatory Affairs  
Hiawatha Broadband Communications, Inc.  
58 Johnson St.  
Winona, MN 55987  
*15,709 Broadband Customers*

/s/ \_\_\_\_\_  
John Klatt  
President / CEO  
Lakeland Communications  
825 Innovation Ave.  
Milltown, WI 54858  
*2,940 Broadband Customers*

/s/ \_\_\_\_\_  
Andrew B. Davis  
Owner  
Fidelity Communications, Inc.  
64 N. Clark St.  
Sullivan, MO 63080  
*60,000 Broadband Customers*

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/s/

Richard Sjoberg  
President  
Sjoberg's Inc.  
315 N. Main Ave.  
Thief River Falls, MN 56701  
*6,500 Broadband Customers*

/s/

Mike DeMarce  
General Manager  
Celect Communications, LLC  
S131 McKay Ave  
Spring Valley, WI 54767  
*4,164 Broadband Customers*

/s/

Brian Singleton  
President & CEO  
TruVista  
112 York St.  
Chester, SC 29706  
*18,000 Broadband Customers*

/s/

Floyd Grocholski  
General Manager  
Parish Communications  
803 W Midland Rd.  
Auburn, MI 48611  
*1,352 Broadband Customers*

/s/

William D. Bauer  
President and CEO  
WinDBreak Cable  
1140 10th St.  
Gering, NE 69341  
*297 Broadband Customers*

/s/

Bart Olson  
President  
Merrimac Communications Ltd.  
327 Palisade St.  
Merrimac, WI 53561  
*2,200 Broadband Customers*

cc: Jay Schwarz  
Kristen Harris  
Robin Colwell  
Claude Aiken