

Congress of the United States  
House of Representatives  
Washington, DC 20515-3222

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January 25, 2019

The Honorable Ajit V. Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Dear Chairman Pai:

I write today regarding the ongoing challenges my constituents are experiencing with Charter Communications, Inc (Charter). As you know, on May 5, 2016 the FCC approved the applications of (Charter), Time Warner Cable Inc. (Time Warner Cable), and Advance/Newhouse Partnership (Advance/Newhouse or Bright House) who were seeking to merge into a larger Charter. Since that merger, and the transition from Time Warner to Charter/Spectrum, hundreds of my constituents have contacted me to share stories of exorbitant rate increases. Some people who were paying just over \$100 a month for cable and internet service were paying about \$200 a month for the same service two years later. For working families and seniors living on a fixed income, these rate increases are unacceptable.

As you may know the State Attorney General's Office of New York announced a \$174 million settlement with Charter/Spectrum late last year, the largest of its kind in U.S. history. Spectrum will provide over \$100 million in services to consumers and \$62 million in refunds to customers the company defrauded with false claims in its advertisements about internet speeds. Further, the New York Public Service Commission (PSC) revoked Spectrum's 2016 acquisition of Time-Warner Cable's assets in New York last July and gave the company 60 days to file a "six month exit plan." Since then, Charter has received several extensions from the PSC, and the company currently has until February 11th to file its exit strategy.

The 2016 FCC settlement required "New Charter" to undertake a build-out program that will deploy high-speed broadband to 2 million more homes and a low-income broadband program for eligible households."<sup>1</sup> High speed broadband was described quite clearly as "at least a 60 Mbps download speed."<sup>2</sup> Based on the experience in my community, this high-speed broadband has not been expanded to consumers in Upstate New York. I write today on behalf of my constituents to inquire:

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<sup>1</sup> "Applications of Charter Communications, Inc., Time Warner Cable Inc., and Advance/Newhouse Partnership For Consent to Assign or Transfer Control of Licenses and Authorizations," Pg. 4, <https://www.fcc.gov/document/commission-approves-charter-twc-and-bright-house-merger> (May 10, 2016).

<sup>2</sup> Ibid.

1. How does the FCC intend to monitor and enforce the 2016 requirement that Charter expand high-speed broadband to 2 million new customers?
2. As of January 2019, how many customers of the needed 2 million has Charter brought access to?
3. Should Charter not meet the conditions of the 2016 FCC agreement by the 2021 deadline, will the FCC commit to immediately revoking the agency's approval of the merger?

Chairman Pai, I know you share my commitment to expanding broadband access to rural communities and fostering competition to benefit consumers. My district is more than 50% rural, with roughly 375,000 people living in rural communities according to the U.S. Census. As you know, the rate of broadband deployment in urban areas has far outpaced deployment in rural and tribal areas. According to the FCC's Communications Marketplace Report, 24% of Americans in rural areas lack coverage from broadband, as compared to only 1.5% of Americans in urban areas. During my time in Congress, it will be my mission to expand access to broadband for rural consumers in my district, and I hope to partner with you on this issue.

Thank you very much for your attention to this matter and your timely response. I would also like to invite you to come visit my district at your convenience to learn more about expanding rural broadband in Upstate New York. If you have any questions, please feel free to contact my office.

Sincerely,



Anthony Brindisi  
Member of Congress