

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Time Warner Cable Inc.

Appeal of Local Rate Order

File No. _____

**MOTION FOR LEAVE TO FILE ASSENTED-TO SURREPLY OF
THE MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND
CABLE TO TIME WARNER CABLE INC.'S REPLY**

Commonwealth of Massachusetts
Department of Telecommunications and Cable

KAREN CHARLES PETERSON,
COMMISSIONER

1000 Washington Street, Suite 820
Boston, MA 02118-6500
(617) 305-3580

Dated: January 29, 2015

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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The Massachusetts Department of Telecommunications and Cable (“MDTC”) hereby respectfully moves for leave to file the attached Assented-To Surreply in the above-referenced proceeding. The MDTC wishes to file the attached Assented-To Surreply to correct Time Warner Inc.’s (“Time Warner”) confusion as to the precedential value of previous Federal Communications Commission (“FCC”) decisions. Time Warner assented to the MDTC’s filing of this Surreply in a January 16, 2015, telephone call between John Fogarty, Vice President & Assistant Chief Counsel of Time Warner, and Kalun Lee, Acting General Counsel of the MDTC. Time Warner confirmed its assent in a January 23, 2015, email to the undersigned.

In the interests of providing a complete and accurate record in this proceeding, acceptance of the attached Surreply would serve the public interest and would not burden Time Warner or delay this proceeding. Accordingly, the MDTC respectfully requests that the FCC grant this Motion and make the attached Surreply part of the record in this proceeding.

Respectfully submitted,

KAREN CHARLES PETERSON,
COMMISSIONER

By:



Sean M. Carroll, Hearing Officer

Massachusetts Department of
Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, MA 02118-6500
(617) 305-3580

January 29, 2015

CERTIFICATION PURSUANT TO 47 C.F.R. § 76.6(a)(4)

I have read the foregoing Motion for Leave to File Assented-To Surreply, and, to the best of my knowledge, information and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification or reversal of existing law; and it is not interposed for any improper purpose.

Respectfully submitted,



Sean M. Carroll

Commonwealth of Massachusetts
Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, MA 02118-6500
(617) 305-3580

January 29, 2015

CERTIFICATE OF SERVICE

I, Sara Clark, do hereby certify on this 29th day of January, 2015, that a true and correct copy of the foregoing Motion for Leave to File Assented-To Surreply has been sent via U.S. mail, postage prepaid, to the following:

Katie Costello
Federal Communications Commission
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Sara Clark