

FRIEND, HUDAK & HARRIS, LLP

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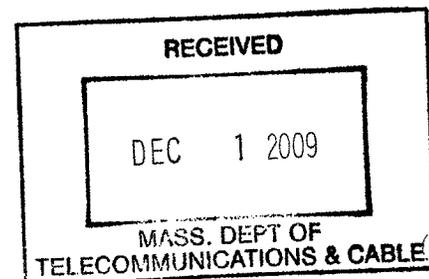
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November 30, 2009

VIA ELECTRONIC AND OVERNIGHT MAIL

Michael A. Isenberg
Director, Competition Division
Department of Telecommunications and Cable
Two South Station
Boston, Massachusetts 02110

Re: Charter Communications, Inc.

Dear Mr. Isenberg:

We are counsel to Charter Communications, Inc. ("Charter") and its subsidiaries.

On October 30, 2009, Charter received your letter requesting information regarding Charter's implementation or use of Voice over Internet Protocol ("VoIP") telephone services in the Commonwealth of Massachusetts. In that same letter, you also requested information concerning Charter's regulatory status in Massachusetts. In response to your inquiries, Charter provides the following information.

As an initial matter, as you are probably aware, Charter provides telephone services in Massachusetts through Charter Fiberlink MA-CCO, LLC ("Charter Fiberlink"), its indirect, wholly owned subsidiary. On November 20, 2003, Charter Fiberlink submitted a Statement of Business Operations/Registration to the Department of Telecommunications and Cable (then known as the Department of Telecommunications and Energy) (collectively, the "Department"). In addition, on that same date, Charter Fiberlink submitted initial local and intrastate interexchange service and intrastate access service tariffs to the Department. Since submitting its initial tariffs, Charter Fiberlink has revised and/or updated those tariffs in the ordinary course of its business.

Charter Fiberlink's principal service offering in Massachusetts is its all distance voice communications service permitting unlimited calling throughout the United States, Canada and Puerto Rico, combined with eleven (11) features (anonymous call rejection, call waiting, cancel call waiting, caller ID, caller ID with call waiting, speed dial 8, call forwarding-selective, call forwarding-variable, call screening, custom ring, and selective call acceptance) and the lease of a multimedia terminal adaptor, which connects the customer's home wiring to the cable television facilities of Charter Fiberlink's affiliate. Although Charter Fiberlink also offers point-to-point

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private line telecommunications services in certain portions of Massachusetts, Charter Fiberlink does not offer a telephone service providing only local or intrastate calling, nor does it offer a primary line service that does not include the lease of a multimedia terminal adaptor.

Charter Fiberlink provides its voice communication service over a broadband connection provided by its cable television affiliate using the same cable that is used to provide cable television service. As such, Charter Fiberlink has no local telecommunications network in Massachusetts. Although Charter Fiberlink has a switch located in Massachusetts, the switch serves all parts of the state within which Charter Fiberlink offers voice communications service and is not limited to any local exchange. When a Charter Fiberlink customer in Massachusetts places a call, whether that call is to her neighbor across the street or to a relative in Alaska, Charter Fiberlink switches that call at its single Massachusetts switch and delivers the call to the local exchange carrier that serves the called party. In some cases where Charter Fiberlink is directly interconnected with the terminating carrier, Charter Fiberlink delivers the call directly to that carrier, while in other cases Charter Fiberlink may deliver the call through one or more intermediary carriers.

Charter Fiberlink's voice communications service satisfies the Federal Communications Commission's ("FCC") definition of an interconnected VoIP service.¹ With respect to such service, Charter Fiberlink is regulated pursuant to the FCC's jurisdiction, and Charter Fiberlink complies with all current FCC requirements applicable to interconnected VoIP service, including requirements related to 911, federal universal service, CALEA, CPNI, number portability and accessibility.² The FCC's regulation of interconnected VoIP service continues to evolve, and it is possible (if not likely)

¹ The FCC has defined "interconnected VoIP service" as "a service that: (1) Enables real-time, two-way voice communications; (2) Requires a broadband connection from the user's location; (3) Requires Internet protocol-compatible customer premises equipment (CPE); and (4) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network." 47 C.F.R. § 9.3.

² *IP-Enabled Services, E911 Requirements for IP-Enabled Service Providers*, WC Docket Nos. 04-36, 05-196, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245 (2005); *Communications Assistance for Law Enforcement Act and Broadband Access and Services*, ET Docket No. 04-295, First Report and Order and Further Notice of Proposed Rulemaking, 20 FCC Rcd 14989 (2005); *Universal Service Contribution Methodology*, WC Docket No. 06-122, Report and Order and Notice of Proposed Rulemaking, 21 FCC Rcd 7518 (2006); *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information*, CC Docket No. 96-115, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 6927 (2007); *IP-Enabled Services; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, WC Docket No. 04-36, CG Docket No. 03-123, Report and Order, 22 FCC Rcd 11275 (2007); *Telephone Number Requirements for IP-Enabled Services Providers*, WC Docket No. 07-243, Report and Order, Declaratory Ruling, Order on Remand, and Notice of Proposed Rulemaking, 22 FCC Rcd 19531 (2007).

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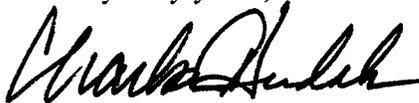
that the FCC will impose additional requirements related to the provision of interconnected VoIP services in the future.³

Charter Fiberlink does not agree that its voice communications service is subject to state regulation, including the Department's regulatory authority under Chapter 159 of the Massachusetts General Laws or the Department's consumer protection requirements set forth in D.P.U. Docket 18448. However, because of uncertainties arising from the evolving regulatory framework applicable to interconnected VoIP service, Charter Fiberlink has decided to voluntarily comply with the laws and regulations that apply to the provision of traditional local telephone services in Massachusetts in connection with Charter Fiberlink's voice communications service in Massachusetts. Such voluntary compliance on Charter Fiberlink's part includes, among other things, filing and maintaining tariffs that describe Charter Fiberlink's voice communications service, as well as Charter Fiberlink's voluntary compliance with the Department's consumer protection requirements set forth in D.P.U. Docket 18448, as described in Charter Fiberlink's tariffs.

Please be aware, however, that Charter Fiberlink reserves the right in the future to modify the manner in which it offers or provides its voice communications service in Massachusetts, including Charter Fiberlink's regulatory treatment of its voice communications service in Massachusetts, to conform to the evolving regulatory framework applicable to that service.

I hope that the foregoing information is helpful to the Department in understanding Charter Fiberlink's VoIP telephone services offered in Massachusetts and Charter Fiberlink's regulatory treatment of such services. If further information is needed by the Department, please feel free to contact the undersigned.

Very truly yours,



Charles A. Hudak

Counsel to Charter Communications, Inc. and its Subsidiaries

CAH/jh

cc: Mark E. Brown, Esq.
Tom Cohan
Charter Communications, Inc.
(via Electronic Mail)

³ See *Consumer Information and Disclosure; Truth-in-Billing and Billing Format; IP-Enabled Services*, CG Docket No. 09-158, CC Docket No. 98-170, WC Docket No. 04-36, Notice of Inquiry, 24 FCC Rcd 11380 (Rel. Aug. 28, 2009).