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January 6, 2021

#### E-PORTAL FILING

Mr. Adam Teitzman, Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: [New Filing] In re: Application of Bright House Networks Information Services (Florida), LLC for Designation as an Eligible Telecommunications Carrier to Receive Rural Digital Opportunity Fund Auction (Auction 904) Support for Voice and Broadband Services

Dear Mr. Teitzman:

Attached for filing, please find the Application of Bright House Networks Information Services (Florida), LLC for Designation as an Eligible Telecommunications Carrier to Receive Rural Digital Opportunity Fund Auction (Auction 904) Support for Voice and Broadband Services. Included with this Application are Exhibits A – E, of which Exhibit E is considered confidential and submitted herewith in redacted version only. Highlighted and redacted versions of Exhibit E are being submitted under separate cover along with a "claim" of confidentiality pursuant to Rule 25-22.006(5), Florida Administrative Code.

Thank you for your assistance with this filing. As always, please don't hesitate to let me know if you have any questions or concerns.

Kind regards,

Beth Keating

Gunster, Yoakley & Stewart, P.A. 215 South Monroe St., Suite 601

Tallahassee, FL 32301

(850) 521-1706

Enclosure (Application)

# BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of	
Application of Bright House Networks Information Services (Florida), LLC for Designation as an Eligible	)
Telecommunications Carrier to Receive Rural Digital Opportunity Fund Auction (Auction 904) Support for Voice and Broadband	
Services	$ \hat{j} $

APPLICATION OF BRIGHT HOUSE NETWORKS INFORMATION SERVICES (FLORIDA), LLC FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER TO RECEIVE RURAL DIGITAL OPPORTUNITY FUND AUCTION (AUCTION 904) SUPPORT FOR VOICE AND BROADBAND SERVICES AND REQUEST FOR EXPEDITED CONSIDERATION

Bright House Networks Information Services (Florida), LLC ("BHNIS") respectfully submits this Application for designation as an Eligible Telecommunications Carrier ("ETC") to the Florida Public Service Commission ("Commission") pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the "Act"), 1 and Sections 54.201 and 54.202² of the Federal Communications Commission ("FCC") rules. CCO Holdings, LLC ("CCO Holdings"), an affiliate of BHNIS, was selected as a winning bidder in Florida³ under the FCC's Rural Digital Opportunity Fund Phase I Auction (Auction 904) ("RDOF Auction"), 4 and CCO Holdings assigned its winning bids to BHNIS in the RDOF Census Blocks identified in Exhibit A ("RDOF Census Blocks"). 5 A map illustrating the RDOF Census Blocks is attached at Exhibit B. BHNIS's

<sup>&</sup>lt;sup>1</sup> 47 U.S.C. § 214(e)(2).

<sup>&</sup>lt;sup>2</sup> 47 C.F.R §§ 54.201 and 54.202.

<sup>&</sup>lt;sup>3</sup> See Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes; Winning Bidders Announced; FCC Form 683 Due January 29, 2021, Public Notice, DA 20-1422 (Dec. 7, 2020) ("Auction 904 Results Notice").

<sup>&</sup>lt;sup>4</sup> See Rural Digital Opportunity Fund Phase I Auction Scheduled for October 29, 2020; Notice and Filing Requirements and Other Procedures for Auction 904, Public Notice, 35 FCC Rcd 6077 (2020) ("Auction 904 Procedures Public Notice").

<sup>&</sup>lt;sup>5</sup> As discussed herein, the FCC announced CCO Holdings as a winning bidder in 2,308 Census Blocks in Florida. Consistent with the FCC's rules for the RDOF Auction, CCO Holdings assigned its winning bid to BHNIS, its Florida operating affiliate.

receipt of RDOF Auction funding and building to these unserved areas, however, is conditioned upon BHNIS obtaining designation as an ETC in those RDOF Census Blocks.<sup>6</sup> Accordingly, BHNIS seeks ETC designation in the RDOF Census Blocks in Florida for which BHNIS was assigned CCO Holdings' winning bids in the RDOF Auction.

Section 214(e)(2) of the Act authorizes the Commission to designate a company that meets the requirements of 47 U.S.C. § 214(e)(1), such as BHNIS, as an ETC and the Commission is likewise authorized by Chapter 364, Florida Statutes, to make the requested designation. As demonstrated in this Application, BHNIS meets all requirements for ETC designation. Further, as shown by the descriptions herein, designating BHNIS as an ETC in the RDOF Census Blocks would allow BHNIS, either directly or through its affiliates, 8 to bring high-quality, innovative voice and broadband Internet access services to consumers in unserved portions of Florida, advance the goals of universal service, and serve the public interest.

Ensuring that high-speed broadband service is available to those without access in Florida has been a major priority of the state's lawmakers and other public officials. By granting this Application, the Commission has the potential to bring significant public and private investment to Florida and to advance the state's goals in making sure that more of its citizens have access to high-speed broadband Internet services. The FCC estimates that Florida has more than 141,625 unserved residential and small business locations, 9 and granting this Application will help to lower

<sup>6</sup> See Auction 904 Results Notice, at ¶ 36.

<sup>&</sup>lt;sup>7</sup> See Order No. PSC-05-0324-PAA-TX (Mar. 25, 2005) (designating Knology of Florida, Inc. as an ETC) and Order Nos. PSC-2012-0552-PAA-TP (Oct. 12, 2012) and PSC-2012-0500-PAA-TP (Sep. 28, 2012) (designating Cox Florida Telcom, LP as an ETC).

<sup>&</sup>lt;sup>8</sup> While the entity seeking ETC designation will directly provide the supported Lifeline voice services, different Charter affiliated entities may directly provide the broadband Internet access services and non-Lifeline voice services in the RDOF Census Blocks.

<sup>&</sup>lt;sup>9</sup> See Auction 904 Results Notice, at Attachment B, p. 1. The FCC defines "locations" as "housing units" and "small businesses" that receive "consumer-grade broadband service." See Wireline Competition Bureau Provides Guidance to Carriers Receiving Connect America Fund Support Regarding Their Broadband Location Reporting Obligations, Public Notice, WC Docket No. 10-90, DA 16-1363 (2016).

that number substantially. Participation through RDOF presents a unique opportunity for Florida to do substantially more to bridge the digital divide in unserved areas.

In support of its Application, BHNIS states as follows:

#### I. OVERVIEW OF BHNIS AND CHARTER

BHNIS. BHNIS is a Delaware limited liability company with a place of business at 12405 Powerscourt Drive, St. Louis, Missouri 63131. BHNIS is a majority owned and wholly controlled subsidiary of Charter Communications, Inc. ("Charter"), which is headquartered at 400 Atlantic Street, Stamford, Connecticut 06901. CCO Holdings and BHNIS are both subsidiaries of Charter. A copy of BHNIS's registration with the Florida Secretary of State is attached as Exhibit C. BHNIS is authorized by the Commission to provide local exchange telecommunications services in Florida. A copy of BHNIS's authorization is attached as Exhibit D.

*Charter*. Charter is a leading broadband connectivity company, serving more than 30 million customers nationwide. Under the brand name Spectrum, the company offers a suite of advanced communications services, including broadband Internet access, cable video, voice, and mobile services. <sup>10</sup> Through its subsidiaries, Charter provides these services in 41 states, including to approximately 2.5 million customers in Florida.

Helping to drive Charter's rapid growth is Charter's strong network investment which has significantly enhanced Charter's broadband Internet access service and allowed Charter to better serve its customers in both urban and rural communities across the United States. In 2018-2019, Charter extended its network to more than 1.5 million unserved homes and businesses, 30% of

<sup>&</sup>lt;sup>10</sup> Certain of the subjects and benefits discussed in this filing pertain to non-jurisdictional products and services. While those items are included herein in order to provide a comprehensive view of the public interest benefits of designating BHNIS as an ETC, BHNIS respectfully reserves all rights relating to the inclusion of or reference to such information, including without limitation BHNIS's legal and equitable rights relating to jurisdiction, filing, disclosure, relevancy, due process, review, and appeal.

which were in rural areas. And, from 2015 to 2019, Charter invested nearly \$40 billion in infrastructure and technology to expand the reach of its network.

Charter's customers directly benefit from Charter's commitment to and investment in its network. The FCC recently reported that Charter had one of the fastest, most consistent broadband Internet download speeds in the industry, including at peak times of the day when customer Internet usage is the highest. Additionally, recognizing Charter's experience and commitment to its customers, its network, and its products, *Multichannel News* recently awarded Charter as its Operator of the Year for 2020. With millions working and learning from home due to the COVID-19 pandemic, access to dependable, high-speed broadband Internet access services and reliable voice services has never been more important, especially in the unserved areas comprising the RDOF Census Blocks. Further, Charter's network investment has spurred the development of products such as Charter's Spectrum Mobile service, which relies on the use of the Verizon Wireless mobile network and Charter's own broadband network infrastructure to provide fast, reliable broadband and voice services from customers' mobile phones.

Charter is committed to being part of a comprehensive solution to close the digital divide throughout the United States. With more than \$1.2 billion in RDOF funding awarded to the company across the country, Charter plans to continue its efforts as a leader in rural broadband

<sup>&</sup>lt;sup>11</sup> See Ninth Measuring Broadband America Fixed Broadband Report, A Report on Consumer Fixed Broadband Performance in the United States, FCC Office of Engineering and Technology (Aug. 3, 2020), pp. 15-16.

<sup>&</sup>lt;sup>12</sup> See Cover Story: Charter's 'Giffen Good,' MultiChannel News (Sept. 28, 2020), https://www.nextty.com/features/cover-story-charters-giffen-

good#:~:text=Charter%2C%20the%20Multichannel%20News%20Operator%20of%20the%20Year,it%20completed %20the%20purchase%20of%20Time%20Warner%20Cable (last visited Dec. 13, 2020) (stating that Charter "has managed record broadband and positive video subscriber growth during the pandemic by sticking to its game plan, initiated more than four years ago ... [including setting] out to make Charter's plant across its 41-state footprint fully digital (achieved in 2018), to roll out DOCSIS 3.1 (completed in 2018), to uniformly align products and packaging across all markets (as of Q4 2019, 85% of its customers were in Spectrum pricing and packaging) and to raise broadband speeds (in 2019, it raised the minimum speed to 200 Megabits per second for 60% of the footprint and that rate continues to grow; the remaining 40% are at 100 Mbps).").

deployment, bringing innovative, high-quality voice and broadband Internet access service offerings to unserved communities, including in Florida. In fact, according to the FCC, it assigned Charter the most locations of any provider that participated in the RDOF Auction.

Additional information discussing Charter's RDOF funding in Florida is described at **Exhibit E**, which is being provided to the Commission in accordance with the Commission's requirements for confidential information.

# A. RDOF Support Assigned to BHNIS Will Enable Charter to Extend Voice Services to the RDOF Census Blocks

Charter provides voice communications services to over 9.3 million residential customers throughout its 41-state footprint using interconnected Voice over Internet Protocol technology. <sup>13</sup> Charter's voice service offering includes unlimited long distance calling in the United States, Canada, Puerto Rico, the US Virgin Islands, and Guam. Calling features include voicemail, call waiting, caller ID, call forwarding, and other features, at no additional charge. In addition, the E911 feature automatically provides the emergency service operator with a caller's phone number and location. With respect to its residential voice services, Charter offers customers a simplified pricing structure with plans that include all applicable fees <sup>14</sup> – thus permitting such customers to know their total costs in advance of choosing Charter's services, rather than facing a variety of complicated surcharges after they receive their first billing statement. <sup>15</sup>

The RDOF support assigned to BHNIS will help enable it to extend and maintain Charter's voice services to and within the RDOF Census Blocks.

<sup>&</sup>lt;sup>13</sup> See Press Release, Charter Communications, Inc., Charter Announces Third Quarter 2020 Results (Oct. 30, 2020), https://corporate.charter.com/newsroom/charter-announces-third-quarter-2020-results.

<sup>&</sup>lt;sup>14</sup> The rates, terms and conditions of Charter's voice service plans are subject to change in accordance with applicable federal and state regulations.

<sup>&</sup>lt;sup>15</sup> BHNIS remits fees, such as federal or state universal service fund fees or E911 fees, to the appropriate regulatory agencies, where required, and in accordance with law, but does not generally collect them as separate line items on the bill, in addition to the monthly rate that residential customers pay for BHNIS's voice service. All such fees are described in BHNIS's invoices for voice service in accordance with applicable federal and state billing requirements.

# B. RDOF Support Assigned to BHNIS Will Enable Charter to Extend Broadband Internet Access Services to the RDOF Census Blocks

Charter's broadband Internet access services deliver industry-leading speeds to the vast majority of its 26.8 million residential broadband Internet customers. <sup>16</sup> Charter now offers minimum download speeds of at least 200 Mbps in 60% of Charter's national footprint, and 100 Mbps everywhere else in the footprint—including households and small businesses in rural areas. On December 17, 2020, Charter announced that it plans to double Charter's broadband Internet access service starting speeds in 17 U.S. markets, including in and around Orlando and Tampa, Florida, making 200 Mbps the starting flagship speed in 75% of Charter's communities. These speed enhancements will be available to new customers immediately. Existing customers will receive these speed increases with new Charter broadband Internet access service packages during the first quarter of 2021. <sup>17</sup>

Charter also offers a 1 Gbps connection with maximum download speeds of up to 940 Mbps to the vast majority of those same households, as well as to small and medium-sized businesses. Additionally, recognizing the need for fast, reliable broadband service for community anchor institutions, Charter offers 10 Gbps symmetrical speed broadband Internet connections to schools, libraries, hospitals, and other important community institutions.

The RDOF support assigned to BHNIS will enable it to extend Charter's broadband Internet access services to the RDOF Census Blocks in Florida. The terms of the support assigned to BHNIS will require it to offer Charter's 1 Gbps connections in the RDOF Census Blocks. According to the FCC, these areas are currently unserved by any broadband provider offering

<sup>16</sup> See supra note 13.

<sup>&</sup>lt;sup>17</sup> See Press Release, Charter Communications, Inc., Spectrum Doubles Spectrum Internet Starting Speed to 200 Mbps in 17 Markets (Dec. 17, 2020), <a href="https://corporate.charter.com/newsroom/spectrum-doubles-internet-starting-speed-to-200-mbps">https://corporate.charter.com/newsroom/spectrum-doubles-internet-starting-speed-to-200-mbps</a>.

<sup>18</sup> See supra note 13.

service at or above 25/3 Mbps. Granting this Application will help extend broadband and unleash tremendous benefits to the communities within these RDOF Census Blocks. Charter's broadband deployment demonstrates its commitment to developing and deploying innovative broadband technology and services in unserved and/or rural areas.

Additionally, Charter's services will provide new and innovative services to previously unserved customers in the RDOF Census blocks, including by providing relief to customers struggling as a result of the COVID-19 pandemic. It will allow students and households to get or stay connected, and expand broadband Internet access and adoption among low-income households.

As part of its current broadband Internet access service plans, Charter offers *Spectrum Internet Assist*, a program for low-income households, which is available in its service area in Florida and elsewhere. <sup>19</sup> Charter does not require customers to sign long-term contracts for its services nor does the company impose early termination fees for failing to fulfill them. <sup>20</sup> Charter maintains a focus on ensuring that the broadband user experience is a positive one. <sup>21</sup>

<sup>&</sup>lt;sup>19</sup> See Spectrum Internet Assist, Spectrum, <a href="https://www.spectrum.com/browse/content/spectrum-internet-assist">https://www.spectrum.com/browse/content/spectrum-internet-assist</a> (last visited Nov. 24, 2020). The rates, terms and conditions of Charter's Spectrum Internet Assist program are subject to change.

<sup>&</sup>lt;sup>20</sup> The rates, terms and conditions of Charter's Internet services are subject to change.

<sup>&</sup>lt;sup>21</sup> In the years ahead, cable providers will deploy revolutionary 10 Gbps networks within their footprints. *See* Press Release, NCTA, *Introducing 10G: The Next Great Leap for Broadband* (Jan. 7, 2019), <a href="https://www.ncta.com/media/mediar-room/introducing-10g">https://www.ncta.com/media/mediar-room/introducing-10g</a>. Successful 10 Gbps field tests by cable providers in residential settings have already occurred, and CableLabs has released specifications for DOCSIS 4.0, a new technical standard, to bring 10 Gbps speed capabilities to consumers. 10 Gbps will deliver to customers broadband speeds 10 times faster than what is delivered by today's networks and will have the speed and capacity to change the way we live.

#### II. COMMUNICATIONS AND CORRESPONDENCE

Pleadings, orders, notices or other correspondence and communications regarding this

### Application should be provided to:

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#### and

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#### With copies to:

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#### and

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#### III. CHARTER'S PARTICIPATION IN THE RDOF AUCTION

#### A. Background on the RDOF Auction

On February 7, 2020, the FCC issued a Report and Order establishing the Rural Digital Opportunity Fund, in which service providers would compete to receive up to \$20.4 billion to offer voice and broadband services in unserved high-cost areas. Under this program the FCC will disburse federal universal service funds on a technology neutral basis to providers—including competitive local exchange carriers, cable operators, fixed wireless ISPs, satellite broadband providers, electric co-ops and electric utilities—for deploying voice and broadband-capable networks in these unserved areas.

#### B. CCO Holdings' Selection as a Winning Bidder and Assignment to BHNIS

The FCC's December 7, 2020 *Auction 904 Results Notice* announced that CCO Holdings was among the winners of the recently concluded RDOF Auction.<sup>23</sup> Specifically, the FCC announced CCO Holdings as a winning bidder in 2,308 Census Blocks in Florida. As stated above, in accordance with the FCC's procedures allowing winning bidders to divide and assign their bids to affiliated operating companies within the relevant state,<sup>24</sup> CCO Holdings assigned its winning bids in Florida to BHNIS. BHNIS must demonstrate to the FCC that it has been designated as an ETC in the RDOF Census Blocks where CCO Holdings was the winning bidder in Florida. The FCC's deadline for BHNIS to submit appropriate documentation of the ETC designation is June 7, 2021.<sup>25</sup>

<sup>&</sup>lt;sup>22</sup> Rural Digital Opportunity Fund, Report and Order, 35 FCC Rcd 686 (2020) ("RDOF Order").

<sup>&</sup>lt;sup>23</sup> See Auction 904 Results Notice, at Attachment A, p. 4.

<sup>&</sup>lt;sup>24</sup> See Auction 904 Procedures Public Notice, at ¶ 43.

<sup>&</sup>lt;sup>25</sup> See Auction 904 Results Notice, at ¶ 36.

#### C. Need for Expedited ETC Designation

As noted, CCO Holdings has been selected as a winning bidder in the RDOF Auction for 2,308 Census Blocks in Florida. The timeframe for BHNIS to obtain ETC designation is short and, so that BHNIS may plan its RDOF construction and deployment schedule, BHNIS respectfully requests that the Commission grant BHNIS ETC designation on an expedited basis. Granting this Application on an expedited basis will benefit the citizens of Florida by allowing BHNIS to meet its RDOF deployment milestones for voice and broadband Internet services in the RDOF Census Blocks and by allowing customers the opportunity to reap the benefits of Charter's broadband services, including by participating in telemedicine, remote work and remote education. Expedited Commission action would serve the public interest and advance the goals of universal service by expediting the deployment of high-quality, innovative voice and broadband Internet services in these unserved portions of Florida.

#### IV. BHNIS'S FINANCIAL AND TECHNICAL QUALIFICATIONS

Charter is one of the nation's leading providers of broadband Internet access services and voice services, and Charter has played a significant role in expanding the availability of these services—especially broadband Internet access services—across the United States. Indeed, BHNIS and its affiliates currently provide high-quality voice and broadband services to approximately 26.8 million residential Internet access service customers and 9.3 million residential voice service customers in 41 states, including many in rural and "high cost" areas.

BHNIS is highly qualified to meet the FCC's RDOF service obligations given Charter's proven track record of financial, managerial, technical and commercial success operating as an existing provider of broadband Internet and voice services. In 2019, Charter generated over \$45 billion in revenue from the provision of all of Charter's services, along with approximately \$6.5

billion in income from its operations.<sup>26</sup> BHNIS will draw upon Charter's financial capability and extensive teams of experienced engineers with expertise in the fields of communications technology, hardware design, software development, data analytics, and networking to construct and/or install the networks and infrastructure necessary to provide the required services in the RDOF Census Blocks. Additionally, BHNIS will leverage the significant operational, managerial and technical expertise of Charter to perform all billing, installation, customer service, and other matters related to providing its services in Florida. The Charter corporate family has extensive experience managing the technical and customer service-related issues associated with the provision of mass-market consumer voice and broadband Internet access (as well as other communications services). Charter monitors its network performance on a 24/7/365 basis and has implemented procedures to leverage its extensive engineering resources quickly and effectively to install, modify, repair, and/or restore services, as necessary.

This expertise made it possible for CCO Holdings to confidently participate in the RDOF auction with the certainty that BHNIS will be able to fulfill its RDOF network and service obligations.

# V. <u>BHNIS MEETS ALL FEDERAL STATUTORY AND REGULATORY REQUIREMENTS FOR ETC DESIGNATION</u>

BHNIS meets all applicable federal requirements for designation as an ETC in Florida, including 47 U.S.C. § 214(e) and 47 C.F.R. §§ 54.201 *et seq.*, as follows.

1) For purposes of its ETC designation, BHNIS will operate as a common carrier and offer interstate and intrastate communications on a common carrier basis in the RDOF Census Blocks. Designation as an ETC is a predicate to BHNIS's eligibility to receive RDOF support to

<sup>&</sup>lt;sup>26</sup> See Annual Report, Charter Communications, Inc. (2019), <a href="https://ir.charter.com/financial-information/annual-reports">https://ir.charter.com/financial-information/annual-reports</a>.

provide voice and broadband Internet services in the RDOF Census Blocks (47 U.S.C. § 214(e)(1); 47 C.F.R. § 9.3; 47 C.F.R. § 54.201(d)).

- 2) Charter is a facilities-based broadband Internet access and voice service provider, with its own network, gateways, switching facilities, and other associated facilities. BHNIS will offer the RDOF supported services using its own facilities within the meaning of the FCC's rules or a combination of its own facilities and resale of another carrier's services (47 U.S.C. § 214(e)(1)(A); 47 C.F.R. § 54.201(d)(1)) within the RDOF Census Blocks.
- 3) As required by 47 C.F.R. § 54.101, BHNIS, either directly or through an affiliate, will offer voice services and broadband Internet access services supported by federal universal service support mechanisms, including the following capabilities within the RDOF Census Blocks:<sup>27</sup>

Voice Grade Access to the Public Switched Telephone Network – BHNIS meets this requirement through the provision of a competitive voice service that includes minutes of use for local service provided at no charge to end users and access to emergency services via 911 or E911, wherever available from local government or public safety organizations. <sup>28</sup> Toll limitation services will also be offered to qualifying low income consumers as provided in the FCC's rules (47 C.F.R. § 54.101(a)(1)) in the RDOF Census Blocks.

<u>Broadband Internet Access Service</u> – Charter's broadband Internet access service provides the capability to transmit data to, and receive data from, all or substantially all Internet endpoints,

<sup>&</sup>lt;sup>27</sup> Charter's broadband Internet access and voice services are provided through subsidiaries controlled and majority owned by Charter. While the entity seeking ETC designation will directly provide the supported Lifeline voice services, different Charter affiliated entities may directly provide the broadband Internet access services and non-Lifeline voice services in the RDOF Census Blocks.

<sup>&</sup>lt;sup>28</sup> See Section I(A) of this Application for a detailed description of Charter's voice service.

including any capabilities that are incidental to and enable the operation of the communications service (47 C.F.R. § 54.101(a)(2)) in the RDOF Census Blocks.

BHNIS commits that these services will be provided consistent with applicable high-cost universal service support rules (47 C.F.R. § 54.101(c)) in the RDOF Census Blocks. BHNIS will also ensure that Lifeline voice and broadband Internet services are offered in accordance with the FCC's rules in all Census Blocks where BHNIS has been assigned RDOF support (47 C.F.R. § 54.101(d)). Moreover, for its Lifeline voice service offering, BHNIS will offer to Lifeline-eligible customers a Charter voice service plan, as described above, at the discounted Lifeline voice service rate in the RDOF Census Blocks. This voice service plan is comparable (if not superior) to the Lifeline voice service offerings of other Lifeline providers in Florida.

- 4) BHNIS will offer its voice service as a standalone service and at rates that are reasonably comparable to urban rates (47 U.S.C. § 254(b)(3); 47 C.F.R. § 54.313(a)(3)) in the RDOF Census Blocks.<sup>29</sup>
- 5) In the RDOF Census Blocks, BHNIS will advertise the availability of its universal service offerings and charges for such offerings using media of general distribution (47 U.S.C. § 214(e)(1)(B); 47 C.F.R. § 54.201(d)(2)), and in a manner reasonably designed to reach those likely to qualify for the service (47 C.F.R. § 54.405(b)).
- 6) BHNIS will provide the supported services throughout the designated RDOF Auction assigned Census Blocks where it has customers (47 U.S.C. § 214(e)(1); 47 C.F.R. § 54.201(d)).

<sup>&</sup>lt;sup>29</sup> See RDOF Order, at ¶ 42.

- 7) BHNIS certifies that, in accordance with 47 U.S.C. § 254(e) and 47 C.F.R. § 54.7(a), it will use federal universal service support only for the provision, maintenance, and upgrading of facilities and services for which the universal service support is intended.
- 8) BHNIS further certifies that it meets all applicable requirements for designation as an ETC under 47 C.F.R. § 54.202 as follows:

Compliance with Applicable Service Requirements. BHNIS certifies that it will comply with the service requirements applicable to the support that it receives, 30 including the requirements of the RDOF Auction.

Ability to Remain Functional in Emergency Situations. Charter has been providing voice and broadband Internet access services to customers on a 24/7/365 basis for almost twenty years. As part of providing these services, it is necessary to have in place contingency plans for emergency situations for each of Charter's major network hubs and/or facilities that are geographically distributed across the United States. These plans contain activation, staffing, escalation, and communication procedures to identify and respond to such emergencies. Additionally, all switching facilities are equipped with independent power generators and sufficient fuel to operate for several days to mitigate commercial power outages. The design of these facilities contains multiple levels of redundancy and autonomy that also mitigate the need for dedicated human interaction. BHNIS will apply this successful model to its RDOF services in the RDOF Census Blocks.

# VI. BHNIS WILL COMPLY WITH FLORIDA'S LIFELINE AND TRANSITIONAL PROGRAM REQUIREMENTS

By Rule 25-4.0665, Florida Administrative Code, the Florida Commission has adopted the FCC's requirements for Lifeline service providers as set forth in Title 47, Code of Federal

<sup>30 47</sup> C.F.R. § 54.202(a)(1)(i).

Regulations, Part 54, Subpart E. BHNIS acknowledges that Florida also has specific statutory and rule requirements pertaining to Lifeline, namely those set forth in Section 364.10, Florida Statutes, and Rule 25-4.0665, Florida Administrative Code, and that the Commission can revoke a provider's ETC designation for failure to comply with those requirements, as well as for failure to utilize USAC disbursements consistent with federal regulations and guidelines. BHNIS also understands that, in accordance with Section 364.105, Florida Statutes, Florida maintains a transitional discount program for those customers no longer eligible for Lifeline. BHNIS will comply with these requirements for Lifeline services and other supported services offered in the RDOF Census Blocks. Specifically, in the RDOF Census Blocks, BHNIS will:

- Use the National Verifier when helping consumers in the RDOF Census Blocks apply for the Lifeline program;
- Accept FCC Form 5629 (both English and Spanish versions) when certifying new Lifeline customers, and accept FCC Form 5630 when recertifying customers, and utilize FCC Form 5631 when obtaining information necessary to certify a customer is eligible for Lifeline;
- 3. Accept applications for Lifeline Service via U.S. Mail, facsimile, and electronically;
- 4. Comply with and participate in the Simplified Enrollment Process, as set forth in Rule 25-4.0665(6), Florida Administrative Code, including maintaining a current email address with the Commission for purposes of receiving notifications that

<sup>&</sup>lt;sup>31</sup> BHNIS acknowledges that the Commission may revoke ETC designation for failure to provide service via technology not approved by the Commission, such as wireless service, as described in Order No. PSC-2019-0526-FOF-TX.

- applications are available for retrieval and contact information for company representatives responsible for managing customer accounts;
- 5. Not impose additional verification requirements beyond those set forth in Rule 25-4.0665, F.A.C.;
- 6. Notify an applicant for Lifeline Service as required by the Rule when an application is rejected, along with the Commission, and provide the reason for such rejection;
- 7. Provide notice to any Lifeline customer prior to termination of Lifeline service, which notice will include information regarding the availability of the transitional discounted service option per Section 364.105, F.S.;
- 8. Allow a customer notified of pending Lifeline Service termination 60 days to demonstrate eligibility to maintain Lifeline Service;
- 9. Not disconnect, or refuse to reconnect, Lifeline customers for non-payment of toll charges;
- Offer a 30% discount for one year for former Lifeline customers no longer eligible for Lifeline Service;
- 11. Maintain required Company Lifeline Service program information with the Universal Service Administrative Company;
- 12. Advertise the availability of Lifeline Service throughout its service area, including the discounted charges, or provide a toll-free contact number and website address where interested customers may view the applicable charges;
- 13. File all reports required by 47 C.F.R. §54.422(c) with the Commission;
- 14. Make toll blocking available for no fee to Lifeline customers and not require a deposit from those Lifeline customers that elect toll blocking;

- 15. Not charge Lifeline customers a monthly number portability charge;
- 16. Maintain Lifeline customer information as confidential to be disclosed only as provided by Section 364.107, F.S.; and
- 17. Allow access to its books and records, as necessary for Commission audit of federal universal service fund disbursements with respect to its services offered in the RDOF Census Blocks.

#### VII. <u>DESIGNATION OF BHNIS AS AN ETC IS IN THE PUBLIC INTEREST</u>

As a winning bidder in the RDOF Auction, BHNIS is eligible to receive funding to bring high-quality, innovative voice and broadband Internet access services to consumers in unserved portions of Florida. The RDOF funding assigned to BHNIS will help enable it to "[b]ring digital opportunity to Americans living on the wrong side of the digital divide," and thereby advance the goals of universal service. Expedited Commission action on this Application serves the public interest by accelerating the deployment of high-quality, innovative voice and broadband Internet access services in unserved portions of Florida that BHNIS and its affiliates will serve in the RDOF Census Blocks.

#### A. <u>Broadband Deployment Will Promote New Investment, Job Growth And</u> Opportunities in Florida

Bringing broadband to unserved areas of Florida has been a major priority of Florida's lawmakers. As House Speaker-designate Chris Sprowls recently recognized "Without access to a reliable internet connection or a computer, education options are limited." Granting this

<sup>32</sup> RDOF Order, at ¶ 1.

<sup>&</sup>lt;sup>33</sup> See Florida House Speaker-designate Sprowls Partners with Spectrum to Help Local School Close Digital Divide, Capital Soup (Oct. 14, 2020), <a href="https://capitalsoup.com/2020/10/14/florida-house-speaker-designate-sprowls-partners-with-spectrum-to-help-local-school-close-digital-divide/">https://capitalsoup.com/2020/10/14/florida-house-speaker-designate-sprowls-partners-with-spectrum-to-help-local-school-close-digital-divide/</a>. See also, Press Release, Office of the Governor, First Lady Casey DeSantis Announces Partnership with T-Mobile Project 10Million to Provide Students Free Internet Access (Oct. 27, 2020), <a href="https://www.flgov.com/2020/10/27/first-lady-casey-desantis-announces-partnership-with-t-mobile-project-10million-to-provide-students-free-internet-access/">https://www.flgov.com/2020/10/27/first-lady-casey-desantis-announces-partnership-with-t-mobile-project-10million-to-provide-students-free-internet-access/</a> (stating "If a student does not have access to technology or internet connectivity necessary for homework, it's a disservice to their educational journey.").

Application will serve the public interest through the deployment of broadband Internet and voice services to unserved high-cost areas in Florida. Deployment of those services will spur investment in facilities and equipment and promote new economic opportunities and job growth in Florida.

Designating BHNIS as an ETC will permit it to receive RDOF Auction funds for 2,308 Census Blocks in Florida, directly advancing the goals of the RDOF Auction and universal service in those RDOF Census Blocks. Moreover, the more than \$1.2 billion of RDOF funding assigned to Charter will help enable it to expand the availability of Charter's network and services throughout Charter's service areas, including in Florida. Charter's deployments will bring expanded voice and broadband connectivity to these areas, many of which are rural and less densely populated in Florida, which will help close the digital divide for residents of the state and expand economic opportunity and job growth in communities that will benefit from increased connectivity. State lawmakers are also calling for more access to broadband, especially in rural areas like the vast majority of those associated with the RDOF Census Blocks: "Congress must act and must act now to help ensure Americans living in rural parts of our country can participate in school, work and other activities vital to our everyday lives." Because granting this Application will allow BHNIS to use the RDOF funds as intended to expand voice and broadband Internet access services in the RDOF Census Blocks in Florida, designating BHNIS as an ETC is in the public interest.

#### B. Access to Broadband Will Transform Rural and Unserved Areas

The availability of Charter's RDOF supported broadband Internet access services and voice services will have a transformative effect on the unserved and/or rural areas in the RDOF Census Blocks. Charter is committed to expanding access to this life-changing connectivity that will

<sup>&</sup>lt;sup>34</sup> See Ashley Moody Joins Coalition Calling for Broadband Expansion, Florida Politics (May 23, 2020), <a href="https://floridapolitics.com/archives/335132-ashley-moody-joins-coalition-calling-for-broadband-expansion">https://floridapolitics.com/archives/335132-ashley-moody-joins-coalition-calling-for-broadband-expansion</a>.

enable consumers to use new technologies, such as distance education, telemedicine, live streaming video, or interactive programming (e.g., a Zoom call). These technologies will create new opportunities for consumers in education, healthcare, business, and civic engagement activities. For example, with access to an online network made available through a Charter broadband Internet connection, an individual may start their own business or take online classes in pursuit of an education. Similarly, local businesses, through use of Charter's broadband Internet and voice services, may connect to vendors and employees, grow their sales, and create new jobs. In short, Charter's broadband Internet access and voice services will enhance the opportunities available to the consumers served by BHNIS and its affiliates in the RDOF Census Blocks.

# C. The Public Will Benefit from Charter's Experience as a Lifeline Voice Service Provider

Charter and its subsidiaries have substantial experience in providing Lifeline voice services to low income consumers and communities, which provides BHNIS with important familiarity with the FCC's Lifeline program and with the interactions necessary with the Universal Service Administrative Company, the National Lifeline Accountability Database, and other third party Lifeline administrators. These experiences will facilitate BHNIS's swift offering of Lifeline voice services for qualifying low-income customers in the Census Blocks where BHNIS receives RDOF support in Florida.

# D. The Public Will Benefit from Charter's Customer-Oriented Policies, Such as Those During the COVID-19 Pandemic

At the onset of the COVID-19 pandemic, Charter joined other telecommunications providers in the Keep Americans Connected Pledge. As part of that effort, Charter voluntarily committed to suspend collections and not charge late fees or terminate service for residential or small business customers who informed Charter that they were experiencing COVID-related

economic challenges. Charter extended its commitment through June 30<sup>th</sup>. During that time, Charter kept connected approximately 700,000 customers who had difficulties meeting bills because of COVID-related economic hardship. Charter has also forgiven approximately \$85 million in customer overdue balances.

Additionally, as schools across the country began to transition to remote learning in March, Charter took action to benefit students, faculty and families. Charter committed to offering broadband Internet service up to 200 Mbps for free for 60-days, including in-home Wi-Fi and a self-installation kit, to households with K-12 and/or college students or educators who did not already have a Charter broadband Internet service subscription for sixty days. Charter extended this offer through June 30<sup>th</sup> and, by the end of the 2020 school year, Charter was able to help nearly 450,000 students and teachers nationally continue schooling through remote learning. To help ease the strain for families and teachers who still lacked broadband, Charter relaunched its Remote Education Offer beginning on September 21, 2020.

Furthermore, for schools and school districts seeking to establish a centralized purchasing arrangement for the benefit of both students and teachers to support remote learning, Charter currently offers Stay Connected K-12 throughout the Charter footprint. Under Stay Connected K-12, Charter contracts directly with schools and school districts to assist them in offering high-speed broadband Internet access to students, educators and staff in their homes. Charter's Stay Connected K-12 is designed as a single-payer option for communities to allow payment by a school or school district, based upon the number of connections purchased. This partnership between Charter and the school or school district helps to ensure that learning, teaching, and working are uninterrupted by giving schools and school districts the flexibility to add students to the program, when needed, and to provide much needed in-home broadband Internet connectivity.

Lastly, recognizing the importance of digital skills during this time of unprecedented volume in distance learning and remote working, Charter has doubled the amount of funds available for its Spectrum Digital Education Grants for 2020-21.<sup>35</sup> These customer-oriented policies, along with others that Charter implements from time to time, will enhance the choices and capabilities available to the consumers served by BHNIS and its affiliates in the RDOF Census Blocks.

#### E. The Public Will Benefit from BHNIS's Advanced Service Offerings

Designating BHNIS as an ETC in the RDOF Census Blocks will promote the deployment of advanced voice and broadband Internet services in these areas. Charter is widely recognized as a premier provider of voice and broadband Internet offerings that relies on advanced systems, technologies, and infrastructure. Charter provides voice and broadband Internet services to approximately 26.8 million residential Internet access service customers and 9.3 million residential voice service customers in 41 states. Its investments have enabled it to offer minimum download speeds of at least 200 Mbps in 60% of Charter's national footprint, and 100 Mbps everywhere else in the footprint—including households and small businesses in rural areas. On December 17, 2020, Charter announced that it plans to double Charter's broadband Internet access service starting speeds in 17 U.S. markets, including in and around Orlando and Tampa, Florida, making 200 Mbps the starting flagship speed in 75% of Charter's communities. These speed enhancements will be available to new customers immediately. Existing customers will receive these speed increases with new Charter broadband Internet access service packages during the first quarter of 2021.<sup>36</sup>

<sup>&</sup>lt;sup>35</sup> See Spectrum Digital Education Grant, Spectrum, <a href="https://corporate.charter.com/digital-education/grants">https://corporate.charter.com/digital-education/grants</a> (last visited Dec. 13, 2020).

<sup>&</sup>lt;sup>36</sup> See Supra at footnote 17.

Charter also offers a 1 Gbps connection with maximum download speeds of up to 940 Mbps to the vast majority of those same households, as well as to small and medium-sized businesses. Charter's broadband Internet service offerings enable customers "to use tomorrow's Internet applications as well as today's." These levels of service will be made available to consumers in BHNIS's RDOF Census Blocks, as well.

# F. Grant of ETC Designation to BHNIS Will Preserve and Advance Universal Service

BHNIS's provision of supported voice and broadband Internet access services in the RDOF Census Blocks will preserve and advance universal service. In assessing the public interest merits of ETC applications, the Florida Commission has previously concluded that:

The public interest benefits of a particular ETC designation must be analyzed in a manner that is consistent with the purposes of the Act itself, including the fundamental goals of preserving and advancing universal service; ensuring the availability of quality telecommunications services at just, reasonable, and affordable rates; and promoting the deployment of advanced telecommunications and information services to all regions of the nation, including rural and high-cost areas. We have previously determined that before designating a carrier as an ETC, we shall make an affirmative determination that such designation is in the public interest, regardless of whether the applicant seeks designation in an area served by a rural or non-rural carrier.

Order No. PSC-10-0323-PAA-TP, issued in Docket No. 090245-TP, at p. 8. By the Florida Commission granting BHNIS ETC designation, BHNIS will be able to provide RDOF supported service offerings, such as Lifeline voice and broadband services, in the RDOF Census Blocks and thereby broaden the overall service availability and service options to the customers that reside in those RDOF Census Blocks. By doing so, BHNIS will advance the deployment of broadband solutions in these unserved RDOF Census Blocks utilizing Charter's network, gateways, switching

<sup>&</sup>lt;sup>37</sup> RDOF Order, at ¶ 2.

facilities, and other associated facilities. Thus, granting BHNIS ETC designation will support the Florida Commission's prior ETC public interest determinations.

#### VIII. CONCLUSION

For the reasons stated herein, BHNIS respectfully requests that the Commission designate BHNIS as an ETC in the RDOF Census Blocks identified in **Exhibit A** on an expedited basis and order such other relief as may be appropriate.

Respectfully submitted,

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#### LIST OF EXHIBITS

Exhibit A – List of Census Blocks Where Bright House Networks Information Services (Florida), LLC was Assigned RDOF Auction Support

Exhibit B – Map of Census Blocks Where Bright House Networks Information Services (Florida), LLC was Assigned RDOF Auction Support

Exhibit C – Copy of Bright House Networks Information Services (Florida), LLC's Florida Secretary of State Registration

Exhibit D – Copy of Bright House Networks Information Services (Florida), LLC's Authorization to Provide Competitive Local Exchange Services in Florida

Exhibit E – RDOF Funding Information (Confidential – Redacted)

## EXHIBIT A

 $\textbf{Exhibit A} - \textbf{List of Census Blocks Where Bright House Networks Information Services (Florida), LLC was Assigned RDOF Auction Support \\$ 

#### CENSUS BLOCKS<sup>1</sup>

120010009011000	120174501023038	120174503042044	120174503043377
120010015171007	120174503023003	120174503042048	120174503043381
120010015171009	120174503023005	120174503042049	120174503043403
120010015171014	120174503023008	120174503042050	120174503043410
120010017023028	120174503023010	120174503042051	120174503043411
120010022201011	120174503023015	120174503042058	120174503043416
120010022201024	120174503023016	120174503042063	120174504001012
120010022201027	120174503023031	120174503042064	120174504001013
120010022201048	120174503023032	120174503042065	120174504001015
120010022201052	120174503023033	120174503042067	120174504001016
120010022201054	120174503023034	120174503042071	120174504001017
120174501021019	120174503023035	120174503042072	120174504001018
120174501021024	120174503023037	120174503042080	120174504001019
120174501021027	120174503023038	120174503042097	120174504001021
120174501021028	120174503023040	120174503042098	120174504001022
120174501021029	120174503023041	120174503042099	120174504001023
120174501021048	120174503023073	120174503043004	120174504001024
120174501021052	120174503023079	120174503043016	120174504001029
120174501021068	120174503023085	120174503043031	120174504001030
120174501021070	120174503023086	120174503043032	120174504001034
120174501021073	120174503023316	120174503043034	120174504001036
120174501021074	120174503042011	120174503043035	120174504001037
120174501021097	120174503042017	120174503043064	120174504001038
120174501023007	120174503042020	120174503043068	120174504001040
120174501023008	120174503042023	120174503043073	120174504001041
120174501023010	120174503042024	120174503043078	120174504001044
120174501023013	120174503042026	120174503043098	120174504001045
120174501023015	120174503042027	120174503043099	120174504001046
120174501023016	120174503042033	120174503043100	120174504001047
120174501023017	120174503042035	120174503043142	120174504001048
120174501023020	120174503042036	120174503043143	120174504001049
120174501023022	120174503042037	120174503043144	120174504001050
120174501023023	120174503042038	120174503043160	120174504001053
120174501023026	120174503042039	120174503043366	120174504001054
120174501023028	120174503042040	120174503043367	120174504001055
120174501023032	120174503042041	120174503043369	120174504001056
120174501023033	120174503042042	120174503043375	120174504001057

<sup>&</sup>lt;sup>1</sup> This <u>Exhibit A</u> is intended to be a full and complete list of the RDOF Census Blocks assigned to CCO Holdings, LLC in Florida. To the extent there is any inconsistency between the list of RDOF Census Blocks on this <u>Exhibit A</u> and the list at the FCC's RDOF Dashboard (<u>https://auctiondata.fcc.gov/public/projects/auction904</u>), the list at the FCC's RDOF Dashboard shall control.

100171501001050	100174504001400	10015150100050	
120174504001058	120174504001129	120174504003079	120174512001063
120174504001059	120174504001130	120174504005011	120174512001066
120174504001061	120174504001131	120174504005013	120174512001071
120174504001063	120174504001134	120174504005027	120174512001072
120174504001064	120174504002006	120174504005032	120174512001076
120174504001065	120174504002011	120174504005037	120174513001002
120174504001066	120174504002016	120174504005039	120174513001004
120174504001067	120174504002017	120174504005040	120174513001006
120174504001068	120174504002019	120174504005055	120174513001007
120174504001069	120174504002023	120174504005064	120174513001010
120174504001070	120174504002026	120174504005066	120174513001012
120174504001071	120174504002032	120174504005067	120174513001013
120174504001072	120174504002034	120174504005069	120174513001014
120174504001075	120174504002036	120174504005071	120174513001015
120174504001076	120174504002038	120174504005080	120174513001016
120174504001077	120174504002041	120174504005085	120174513001017
120174504001078	120174504002050	120174504005087	120174513001020
120174504001079	120174504002052	120174504005089	120174513001022
120174504001080	120174504002054	120174504005095	120174513001032
120174504001081	120174504002055	120174507024021	120174513001037
120174504001082	120174504002060	120174507024032	120174513001038
120174504001084	120174504002062	120174507024048	120174513001039
120174504001085	120174504002063	120174507024049	120174513001040
120174504001086	120174504002064	120174507024050	120174513001041
120174504001088	120174504002067	120174507024053	120174513001044
120174504001089	120174504002069	120174507024056	120174513001047
120174504001090	120174504002070	120174508001002	120174513001048
120174504001091	120174504002077	120174508001006	120174513001049
120174504001094	120174504003027	120174508001010	120174513001050
120174504001095	120174504003040	120174508001013	120174513001051
120174504001098	120174504003044	120174508001021	120174513001055
120174504001099	120174504003046	120174508001022	120174513002000
120174504001100	120174504003047	120174508001024	120174513002001
120174504001104	120174504003049	120174508001026	120174513002004
120174504001106	120174504003051	120174508001029	120174513002005
120174504001107	120174504003054	120174508001036	120174513002008
120174504001109	120174504003055	120174508001037	120174514001107
120174504001110	120174504003057	120174508001038	120174514001120
120174504001112	120174504003058	120174512001051	120330036032014
120174504001116	120174504003061	120174512001052	120330036032015
120174504001117	120174504003062	120174512001053	120330036032028
120174504001118	120174504003063	120174512001056	120330036032080
120174504001119	120174504003066	120174512001058	120330036033016
120174504001120	120174504003069	120174512001059	120330036131007
120174504001125	120174504003078	120174512001061	120330036131012

120330036131048	120330039003220	120350602061085	120350602071218
120330039003000	120330039003223	120350602061086	120350602071219
120330039003007	120330039003225	120350602061087	120350602071221
120330039003011	120330039003229	120350602061088	120350602071223
120330039003013	120330039003234	120350602061089	120350602071224
120330039003023	120330039003251	120350602061090	120350602071227
120330039003027	120330039003262	120350602061095	120350602071228
120330039003032	120330039003272	120350602061096	120350602071232
120330039003034	120330039003280	120350602061102	120350602071237
120330039003038	120330039003284	120350602061103	120350602071240
120330039003051	120330039003287	120350602061107	120350602071241
120330039003072	120330039003297	120350602061117	120350602071244
120330039003076	120330039003298	120350602061118	120350602071247
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120330039003082	120330039003302	120350602061121	120350602071256
120330039003084	120330039003304	120350602061122	120350602071260
120330039003088	120330039003306	120350602061123	120350602071263
120330039003091	120330039003315	120350602061126	120350602071266
120330039003093	120330039003318	120350602061131	120350602071268
120330039003094	120330039003320	120350602071031	120350602071280
120330039003097	120330039003330	120350602071033	120530401011001
120330039003101	120330039003333	120350602071045	120530401011004
120330039003102	120330039003336	120350602071048	120530401011006
120330039003103	120330039003341	120350602071049	120530401011007
120330039003108	120330039003347	120350602071051	120530401011008
120330039003109	120330039003348	120350602071053	120530401011009
120330039003110	120330039003349	120350602071054	120530401011011
120330039003119	120330039003350	120350602071059	120530401011012
120330039003123	120330039003351	120350602071064	120530401011015
120330039003124	120330039003356	120350602071066	120530401011016
120330039003127	120330039003358	120350602071068	120530401011017
120330039003133	120330039003361	120350602071069	120530401011018
120330039003140	120330039003366	120350602071070	120530401011023
120330039003150	120330039003374	120350602071071	120530401011024
120330039003151	120330039003387	120350602071074	120530401011026
120330039003163	120330039004011	120350602071098	120530401011030
120330039003169	120330039004015	120350602071106	120530401011038
120330039003183	120330039004061	120350602071156	120530401011039
120330039003184	120330039004062	120350602071160	120530401011040
120330039003192	120330039004063	120350602071164	120530401011042
120330039003196	120330039004085	120350602071185	120530401011043
120330039003197	120330039004092	120350602071205	120530401011045
120330039003202	120350602061016	120350602071213	120530401011046
120330039003204	120350602061079	120350602071215	120530401011047
120330039003211	120350602061083	120350602071217	120530401011048

120530401011049	120530401011124	120530401013028	120530403011032
120530401011050	120530401011126	120530401013052	120530403011034
120530401011053	120530401011127	120530401013055	120530403011036
120530401011055	120530401011128	120530401013060	120530403011037
120530401011056	120530401011132	120530401013061	120530403011038
120530401011062	120530401011134	120530401013107	120530403022018
120530401011063	120530401011151	120530402011002	120530403022038
120530401011065	120530401011155	120530402011003	120530403022039
120530401011067	120530401011156	120530402011005	120530403022040
120530401011068	120530401011158	120530402011011	120530403022042
120530401011070	120530401011159	120530402011019	120530403022043
120530401011072	120530401011160	120530402011020	120530403022044
120530401011075	120530401011163	120530402011022	120530403022045
120530401011078	120530401011164	120530402011023	120530403023000
120530401011080	120530401011175	120530402011026	120530403023001
120530401011081	120530401011177	120530402011026	120530403023001
120530401011082	120530401011177	120530402011036	120530403023011
120530401011083	120530401011179	120530402011038	120530407011002
120530401011084	120530401011180	120530402011040	120530407011002
120530401011088	120530401011181	120530402011016	120530407011000
120530401011090	120530401011182	120530402011069	120530407011020
120530401011091	120530401011183	120530402011072	120530407011021
120530401011092	120530401011184	120530402012001	120530407011022
120530401011093	120530401011185	120530402012005	120530407011026
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120830026013254	120830026041042	120830026041101	120830026041154
120030020013234	120030020041043	120030020041103	120030020041134

# BRIGHT HOUSE NETWORKS INFORMATION SERVICES (FLORIDA), LLC

## **CENSUS BLOCKS**

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120830026041155	120830026041218	120830027011003	120830027011076
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120830026041216	120830027011001	120830027011072	120830027024008
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# BRIGHT HOUSE NETWORKS INFORMATION SERVICES (FLORIDA), LLC

## **CENSUS BLOCKS**

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121010331022022	121050142032090	121050153022060	121050156002126

## BRIGHT HOUSE NETWORKS INFORMATION SERVICES (FLORIDA), LLC

## **CENSUS BLOCKS**

10105015000101	1212201200		g racina la vigiliagna describilità del escribilità pre-
121050156002131	121050159001110	121050161001074	121199107001017
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121050159001103	121050161001069	121199107001008	121199115002087
121050159001105	121050161001070	121199107001010	121199800001010
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### **EXHIBIT B**

 $\textbf{Exhibit B} - \textbf{Map of Census Blocks Where Bright House Networks Information Services (Florida), LLC was Assigned RDOF Auction Support \\$ 

## FLORIDA: ASSIGNED RDOF CENSUS BLOCKS





## EXHIBIT C

# APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY TO FILE AMENDMENT TO APPLICATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

#### SECTION I (1-3 must be completed)

1. Name of limited liability company as it appears on the records of the Plorida Department
of State: Time Warner Cable Information Services (Florida), LLC
2. Jurisdiction of its organization: Delaware
3. Date authorized to do business in Florida; April 21, 2003
SECTION II (4-7 complete only the applicable changes)
4. If the amendment changes the name of the limited liability company, when was the
change effected under the laws of its jurisdiction of organization? April 22, 2003
5. New name of the limited liability company: Bright House Networks Information Services (Florids), LLC
6. If the amendment changes the period of duration, indicate new period of duration:
7. If the amendment changes the jurisdiction of organization, indicate new jurisdiction:
8. If the amendment corrects any false statement, indicate the statement being corrected and the correction:
9. Attached is an original certificate, no more than 90 days old, evidencing the aforementioner amendment(s), duly authenticated by the official having custody of records in the jurisdiction under the law of which this entity is organized.  Signature of a member of the authorized representative of a member
Staven A. Miron Typed or printed name of signee
Filing Fee: \$25.00



The First State

I, HARRIET SMITH WINDSON, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "TIME WARNER CABLE INFORMATION SERVICES (FLORIDA), LLC", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "BRIGHT HOUSE NETWORKS INFORMATION SERVICES (FLORIDA), LLC", THE TWENTY-SECOND DAY OF APRIL, A.D. 2003, AT 4:25 O'CLOCK P.M.

8320

Harriet Smith Windson, Secretary of States

AUTHENTICATION: 2470142

DATE: 06-12-03

## EXHIBIT D

 $\begin{tabular}{l} \bf Exhibit \, D - Copy \, of \, Bright \, House \, Networks \, Information \, Services \, (Florida), \, LLC's \, Authorization \, to \, Provide \, Competitive \, Local \, Exchange \, Services \, in \, Florida \, \end{tabular}$ 

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for name change on CLEC Certificate No. 8015 from Time Warner Cable Information Services (Florida), LLC d/b/a Time Warner Cable Information Services d/b/a Time Warner Cable d/b/a Time Warner Communications to Bright House Networks Information Services (Florida), LLC.

DOCKET NO. 030713-TX
ORDER NO. PSC-03-0989-FOF-TX
ISSUED: September 3, 2003

#### ORDER ACKNOWLEDGING NAME CHANGE

#### BY THE COMMISSION:

By letter dated June 24, 2003, Time Warner Cable Information Services (Florida), LLC d/b/a Time Warner Cable Information Services d/b/a Time Warner Cable d/b/a Time Warner Communications, holder of CLEC Certificate of Public Convenience and Necessity No. 8015, requested that Certificate No. 8015 be amended to reflect the new corporate name, Bright House Networks Information Services (Florida), LLC. Upon review of the Department of State, Division of Corporations' records, it appears that Time Warner Cable Information Services (Florida), LLC d/b/a Time Warner Cable Information Services d/b/a Time Warner Cable d/b/a Time Warner Communications has properly registered the new corporate name. Accordingly, we find it appropriate to amend Certificate No. 8015 to reflect the new corporate name.

This Order will serve as the amended CLEC Certificate of Public Convenience and Necessity No. 8015 for Bright House Networks Information Services (Florida), LLC. Bright House Networks Information Services (Florida), LLC should retain this Order as evidence of the name change. We are vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request by Time Warner Cable Information Services (Florida), LLC d/b/a Time Warner Cable Information Services d/b/a Time Warner

DOCUMENT NUMBER - CATE

08180 SEP-38

FPSC-COMMISSION CLERK

ORDER NO. PSC-03-0989-FOF-TX DOCKET NO. 030713-TX PAGE 2

Cable d/b/a Time Warner Communications to change the name on Certificate No. 8015 from Time Warner Cable Information Services (Florida), LLC d/b/a Time Warner Cable Information Services d/b/a Time Warner Cable d/b/a Time Warner Communications to Bright House Networks Information Services (Florida), LLC is hereby approved. It is further

ORDERED that this Order will serve as Bright House Networks Information Services (Florida), LLC's amended certificate and that this Order should be retained as evidence of the name change. It is further

ORDERED that this change will be effective upon issuance of this Order. It is further

ORDERED that this Docket is hereby closed.

By ORDER of the Florida Public Service Commission this 3rd Day of September, 2003.

> BLANCA S. BAYÓ, Director Division of the Commission Clerk and Administrative Services

By: <u>| Cau | Lu</u> Kay Flynh, Chief

Bureau of Records and Hearing

Services

(SEAL)

JLS

ORDER NO. PSC-03-0989-FOF-TX DOCKET NO. 030713-TX PAGE 3

#### NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide alternative local exchange telecommunications service by Dialtone Telecom, LLC.

In re: Application for certificate to provide alternative local exchange telecommunications service by City of Daytona Beach.

In re: Application for certificate to provide alternative local exchange telecommunications service by Time Warner Cable Information Services (Florida), LLC d/b/a Time Warner Cable Information Services d/b/a Time Warner Cable d/b/a Time Warner Cable d/b/a Time Warner Communications.

DOCKET NO. 011205-TX

DOCKET NO. 011600-TX

DOCKET NO. 011617-TX
ORDER NO. PSC-01-2467-PAA-TX
ISSUED: December 18, 2001

The following Commissioners participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATES TO
PROVIDE ALTERNATIVE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES

BY THE COMMISSION:

DOCUMENT NUMBER-CATE

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

The entities listed below have applied for certificates to provide Alternative Local Exchange Telecommunications (ALEC) service, pursuant to Section 364.337, Florida Statutes. Upon review of their applications, it appears that these entities have sufficient technical, financial, and managerial capability to provide such service. Accordingly, we hereby grant to each of these entities the certificates depicted below, which shall authorize them individually to provide ALEC services throughout the State of Florida.

ENTITY'S NAME	CERTIFICATE 1	<u>. 01</u>
Dialtone Telecom, LLC	7967	
City of Daytona Beach	8014	
Time Warner Cable Information Services (Florida), LLC d/b/a Time Warner Cable Information Services d/b/a Time Warner Cable d/b/a Time Warner Communications	8015	

If this Order becomes final and effective, it will serve as each entity's certificate. Each entity should, therefore, retain this Order as proof of certification. We are vested with jurisdiction on this matter pursuant to Sections 364.335 and 364.337, Florida Statutes.

ALEC providers are subject to Chapter 25-24, Florida Administrative Code, Part XV, Rules Governing Telecommunications Service Provided by Alternative Local Exchange Companies. ALEC providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

Pursuant to Section 364.337(2), Florida Statutes, basic telecommunications service provided by an ALEC "... must include access to operator services, "911" services, and relay services for the hearing impaired." Further, Section 364.337(2), requires that an ALEC's "911" service "... shall be provided at a level equivalent to that provided by the local exchange telecommunications company serving the same area."

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice has been mailed each December to each of the entities listed above for payment in January. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice shall relieve any of these entities from its obligation to pay RAFs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide Alternative Local Exchange Telecommunications services, subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as each entity's certificate and should, therefore, be retained by these entities as proof of certification. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and

Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, these dockets shall be closed.

By ORDER of the Florida Public Service Commission this 18th Day of <u>December</u>, 2001.

> BLANCA S. BAYÓ, Director Division of the Commission Clerk and Administrative Services

By: Kay Flynn, Chief

Bureau of Records and Hearing

Services

(SEAL)

KMP

#### NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 8, 2002.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

## EXHIBIT E

Exhibit E – RDOF Funding Information (Confidential – Redacted)

## EXHIBIT E

