

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

In the Matter of)
)
Joint Application of Bright House Networks)
Information Services (Indiana), LLC and)
Time Warner Cable Information Services)
(Indiana), LLC for Designation as Eligible)
Telecommunications Carriers to Receive)
Rural Digital Opportunity Fund Auction)
(Auction 904) Support for Voice and)
Broadband Services)

CAUSE NO. 41052 ETC 85

Joint IURC
PETITIONER'S
EXHIBIT NO. 6
4-27-21 DATE REPORTER AJ

**RESPONSE TO PRESIDING OFFICERS'
APRIL 21, 2021 DOCKET ENTRY QUESTIONS**

Bright House Networks Information Services (Indiana), LLC (“BHNIS”) and Time Warner Cable Information Services (Indiana), LLC (“TWCIS”, and together with BHNIS, each individually a “Charter Entity” and collectively the “Charter Entities”), by counsel, hereby respond to the questions posed in the Presiding Officers’ April 21, 2021 docket entry.¹

As stated herein, “Charter” refers collectively to the Charter Entities, similarly situated affiliates, and other subsidiaries wholly controlled by Charter Communications, Inc. “Application” refers to the Charter Entities’ Joint Application for Designation as Eligible Telecommunications Carriers to Receive Rural Digital Opportunity Fund (Auction 904) Support for Voice and Broadband Services and Request for Expedited Consideration filed with the Commission on January 6, 2021. “RDOF” refers to the Federal Communications Commission’s (“FCC”) Rural Digital Opportunity Fund Auction (Auction 904), and “RDOF Census Blocks” refers to the census blocks where each Charter Entity will receive RDOF support.²

1. Please indicate whether Joint Petitioners disclosed to the FCC in its Long Form application (Form 683) that they would be using affiliated entities to provide the Rural Digital Opportunity Fund (“RDOF”) supported services. If so, please submit a copy of the disclosure of the use of affiliates.

Response: Yes. The Initial Project Overview section from TWCIS’ Long Form Application (Form 683) submitted to the FCC indicates that TWCIS would be utilizing all of

¹ Certain of the subjects and benefits discussed in this Response 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 the Charter Entities as eligible telecommunications carriers (“ETCs”), the Charter Entities respectfully reserve all rights relating to the inclusion of or reference to such information, including without limitation the Charter Entities’ legal and equitable rights relating to jurisdiction, filing, disclosure, relevancy, due process, review, and appeal.

² The Charter Entities’ other filings in this proceeding, including the supplemental testimony, address the census blocks subject to the Charter Entities’ request for ETC designation.

Charter’s resources, including those of Charter’s regional cable affiliate, Spectrum Mid-America, LLC, to fulfill its RDOF responsibilities (**Confidential Exhibit A**). Concurrently with this Response the Charter Entities are filing a Motion for Confidential Treatment regarding **Confidential Exhibit A** and will submit **Confidential Exhibit A** to the Commission after a preliminary determination of confidentiality.

2. Joint Petitioners, in their April 9, 2021 filing with the Commission, indicate that a Notice of Change will be filed to reflect that Spectrum Mid-America, LLC, as the successor in interest to Bright House Networks, LLC (Cause No. 43728) and Time Warner NY Cable LLC (subsequently Time Warner Cable Midwest LLC) (Cause No. 43516-VSP-01), provides broadband service. Please indicate the date by which the Notice of Change will be filed.

Response: In furtherance of their April 9, 2021 Response, the Charter Entities clarify that Spectrum Mid-America, LLC (“Spectrum Mid-America”) has existing authority to provide broadband service in Indiana (Cause No. 43516-VSP-01 and Cause No. 43728). Accordingly, a Notice of Change filing is not necessary to clarify the extent of its existing authority. The tables below, which are comprised of information from the Commission’s Directory of State-Issued Certificates of Franchise Authority and docket files, demonstrate that Spectrum Mid-America is a holder of broadband authority in Indiana.

Cause No. 43516-VSP-01			
Name	Date of Filing	Type of Filing	Description
Time Warner Cable Midwest LLC	10/04/18	Notice of Change	Change in Legal Name to Spectrum Mid-America, LLC
Time Warner Cable Midwest LLC	07/24/15	Notice of Change	Change in Ownership/Control
Time Warner NY Cable LLC d/b/a Time Warner Cable	09/17/12	Notice of Change	Internal Reorganization, Transfer of Certificate to Time Warner Cable Midwest LLC, and Change in Principal Business Address
Time Warner NY Cable LLC d/b/a Time Warner Cable	08/03/09	Notice of Change	Addition of Information Services – High Speed Data Services (Broadband)
Time Warner NY Cable LLC d/b/a Time Warner Cable	07/16/08	Order	Certificate of Franchise Authority

A copy of the Commission’s correspondence dated August 3, 2009 confirming that Spectrum Mid-America (formerly known as Time Warner Cable Midwest LLC, formerly known as Time Warner NY Cable LLC d/b/a Time Warner Cable) has existing broadband authority is attached hereto at **Exhibit B**.

Additionally, Bright House Networks, LLC was issued a Certificate of Territorial Authority for video services and broadband services on August 26, 2009 in Cause No. 43728. Along with the Time Warner Cable entities described above, Bright House Networks, LLC was integrated into Spectrum Mid-America, as demonstrated by the following:

Cause No. 43197-VSP-01			
Name	Date of Filing	Type of Filing	Description
Bright House Networks, LLC	04/01/20	Notice of Change	Change in ownership/control and transfer of CFA to Spectrum Mid-America, LLC
Bright House Networks, LLC	07/24/15	Notice of Change	Change in Ownership/Control
Bright House Networks, LLC	02/28/07	Order	Certificate of Franchise Authority

A copy of the Commission's August 26, 2009 Order in Cause No. 43728 confirming the issuance of broadband authority to Spectrum Mid-America (formerly Bright House Networks, LLC) is attached hereto at **Exhibit C**.

Charter intends to submit Notice of Change filings to the Commission to consolidate its various authorizations and Cause numbers for the future administrative efficiency of both Charter and the Commission within sixty (60) days following the Commission's grant of ETC designation to the Charter Entities.

Respectfully submitted,

Bright House Networks Information Services
(Indiana), LLC and Time Warner Cable
Information Services (Indiana), LLC

By: */s/ Anne E. Becker*
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Lewis Kappes, PC
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Indianapolis, Indiana 46282
Tel: (317) 639-1210
Email: Abecker@lewis-kappes.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Response to Presiding Officers' April 21, 2021 Docket Entry Questions was served upon the following via electronic mail this 23rd day of April, 2021:

Karol H. Krohn, Esq.
Indiana Office of Utility Consumer Counselor
PNC Center, Suite 1500 South
115 West Washington Street
Indianapolis, IN 46204
kkrohn@oucc.in.gov
infomgt@oucc.in.gov

/s/ Anne E. Becker
Anne E. Becker (#14185-03)

CONFIDENTIAL EXHIBIT A

EXHIBIT B

NOTICE OF CHANGE APPROVAL LETTER

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 WEST WASHINGTON STREET, SUITE 1500 EAST
INDIANAPOLIS, INDIANA 46204-3407

<http://www.in.gov/iurc>
Office: (317) 232-2701
Facsimile: (317) 232-6758

August 3, 2009

Anne E. Becker
Stewart & Irwin, P.C.
251 E. Ohio Street, Suite 1100
Indianapolis, IN 46204

RE: Original Cause/CTA No.: 43516-VSP-01
Notice of Change No.: CSP0907-2
Company Name: Time Warner NY Cable LLC d/b/a Time Warner Cable

Dear Ms. Becker:

Pursuant to I.C. 8-1-32.5-12, the Communications Division of the Indiana Utility Regulatory Commission ("IURC") has received and processed the enclosed Notice of Change in a Certificate of Territorial Authority ("CTA") for a provider of communications services. The change(s) in the Communications Service Provider's CTA, as indicated on State Form 50739 (R2/5-09), received on July 2, 2009, and amended on July 31, 2009, are hereby acknowledged and reflected in the IURC's records.

IURC records reflect that Time Warner NY Cable LLC d/b/a Time Warner Cable is authorized to provide Video Services, consisting of both State and Local Franchises; and Information Services, including broadband internet services.

A copy of the notice has been retained for our files.

Cordially,

Brandy Darlington
Tariff Administrator

Enclosure

cc: CSP Notice of Change file

EXHIBIT C

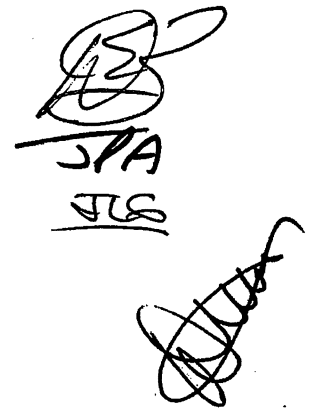
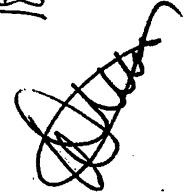
ORDER APPROVING CERTIFICATE OF TERRITORIAL AUTHORITY

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

BRIGHT HOUSE NETWORKS, LLC)
APPLICATION FOR A CERTIFICATE OF) CAUSE NO. 43728
TERRITORIAL AUTHORITY FOR)
COMMUNICATION SERVICE PROVIDERS) APPROVED: AUG 26 2009


SPA
JLG


BY THE COMMISSION:

David E. Veleta, Administrative Law Judge

On July 15, 2009, Bright House Networks ("Applicant") filed with the Indiana Utility Regulatory Commission ("Commission") its Application for a Certificate of Territorial Authority ("CTA") to provide **communications services, including information services as defined in 47 U.S.C. 153(20) and video services as defined in I.C. § 8-1-34-14**, both as described in the Application within the State of Indiana. The Commission published notice that Applicant filed an application for a CTA to provide communications services within the State of Indiana. Absent a timely request, the Application may be granted without a hearing.

Based upon information contained in the Application and applicable law, the Commission makes the following findings:

1. **Commission Notice and Jurisdiction.** Due, legal and timely notice of the Application was given and published by the Commission in accordance with General Administrative Order ("GAO") 2009-4 and I.C. § 8-1-32.5-9. Applicant requests the issuance of a CTA pursuant to I.C. § 8-1-32.5 and, therefore, the Commission has jurisdiction over the Applicant and the subject of this Cause.

2. **Commission Discussion and Findings.** The Applicant filed an application for a CTA and information describing its legal authority and demonstrating its financial, managerial and technical ability to provide the proposed communications services in certain identified service areas. The Applicant also provided information indicating the type, means and location of service that the Applicant proposes to provide.

The Application was filed with the Commission on July 15, 2009. Notice of the Application was posted to the Commission's website. No timely written request for intervention or a hearing was made by any entity during the 30-day posting period, and the Commission has not, on its own motion, determined a need for a hearing in this Cause. Accordingly, no hearing is required in this Cause.

Therefore, based upon the information provided by the Applicant in its Application, the Commission finds that a Certificate of Territorial Authority for **video services and broadband information services** proposed to be offered within the service areas identified in the Application should be issued to the Applicant, consistent with and subject to the following findings.

The Applicant shall comply with all applicable legal requirements pertaining to the provision of the communications services authorized by this CTA, including, but not limited to, the following.

a. **Notice of Initiation of Service.** Pursuant to I.C. §§ 8-1-32.5-6(b)(3)(D) and 8-1-32.5-6(a)(9)(A), filing of a notice with the Secretary of the Commission of Applicant's "in service" dates (i.e., the dates on which Applicant commences offering communications service in each service area identified in the Application in accordance with I.C. § 8-1-32.5-6(a)(4)) within ninety (90) days of each "in service" date.

b. **Additional Filing Requirements.** Filing of any other data, information, or reports required or requested by the Commission, including but not limited to information concerning the types of service offered, the areas in which the services are offered and any information needed by the Commission.

c. **Indiana Underground Plant Protection Service.** Establishing and maintaining contact with, and providing appropriate notice to, the Indiana Underground Plant Protection Service, the designated administrator of the 811 dialing code in Indiana, and complying with I.C. § 8-1-26.

d. **Notice of Changes.** Notifying the Commission, pursuant to I.C. § 8-1-32.5-12, of any change involving either the Applicant or the CTA occurring after the issuance of this CTA. Such notice shall be provided using a Notice of Change form in accordance with GAO 2009-4. If the change involves the provision of other types of services than those approved in this CTA, additional obligations and fees may apply.

e. **Other Customer Notifications.** Providing appropriate notice to customers when Applicant offers new communications services, discontinues communications services, and/or increases rates and charges for communications services in any of the Applicant's service areas in Indiana pursuant to I.C. § 8-1-32.5-11(b) and any regulations adopted by the Commission.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

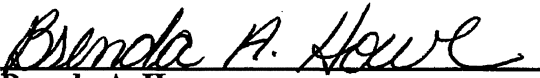
1. Subject to the Findings set forth in this Order, the Applicant Bright House Networks, LLC is hereby issued a Certificate of Territorial Authority as a Communications Service Provider to provide **Video Services provided under local franchise and state-issued franchise and the following Information Services** as requested in the Application that is the subject of this Order: **Broadband Services.**

2. This Order shall be effective on and after the date of its approval.

HARDY, ATTERHOLT, GOLC, AND ZIEGNER CONCUR; LANDIS ABSENT:

APPROVED: AUG 26 2009

I hereby certify that the above is a true and correct copy of the Order as approved.


Brenda A. Howe
Secretary to the Commission