

March 12, 2021

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Via ePUC

Holly R. Anderson, Clerk
Vermont Public Utility Commission
112 State Street
Montpelier, VT 05620-2701

Re: Case No. 21-0041-PET; Charter Fiberlink VT-CCO, LLC

Dear Ms. Anderson:

As requested by Hearing Officer Micah Howe in the Memorandum dated February 16, 2021, this letter is filed on behalf of Charter Fiberlink VT-CCO, LLC (“Charter Fiberlink”) in response to the comments of the Vermont Department of Public Service (“DPS”) dated February 4, 2021 in this Case. Charter Fiberlink does not object to the conditions recommended by the DPS in its Comments Regarding the Petition of Charter Fiberlink VT-CCO, LLC For Eligible Telecommunications Carrier Designation (the “Comments”), filed with the Commission on February 4, 2021, with the clarifications included below (and attached). We spoke with DPS Counsel Aceves who confirmed the Department is agreeable to the clarifications to the conditions requested by Charter Fiberlink.

Specifically, given both the limited geographic scope and number of Charter Fiberlink’s designated RDOF Census Blocks at issue in Vermont, Charter Fiberlink does not object to the DPS request for milestone reports filed with the FCC (in proposed condition 1, on page 2 of the Comments). Charter Fiberlink requests that Condition 1 be clarified to add that the company will work with the DPS to determine a mutually agreeable format for the reports to be filed with the Commission and the DPS.

With respect to Condition 2 on page 2 and 3 of the Comments, the DPS confirmed they are amenable to changing the time for filing a marketing plan to be “no less than 60 days prior to the time it begins to provide service in the RDOF Census Blocks.” The marketing plan is not available now, and Charter Fiberlink would prefer to finalize a plan that is tailored and targeted to its Vermont locations closer to the time of deployment and initiation of service.

With respect to Condition 3 on page 3 of the DPS Comments, consistent with the clarification to Condition 2, Charter Fiberlink requests the Condition be modified to require the company to provide a report on our marketing efforts for the preceding year starting June 30th of the year following initiation of service in the RDOF Census Blocks and each year thereafter for the duration of the RDOF program.

Holly R. Anderson, Clerk
Vermont Public Utility Commission
March 12, 2021
Page 2

Please contact us with any questions. Thank you for your assistance in this matter.

Very truly yours,
DOWNS RACHLIN MARTIN PLLC
Attorneys for Charter Fiberlink VT-CCO, LLC



By: _____
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cc: Mr. Michael Chowaniec
Ms. Tiffany Smink

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**CHARTER FIBERLINK VT-CCO, LLC'S CLARIFICATIONS TO DEPARTMENT OF
PUBLIC SERVICE'S PROPOSED CONDITIONS**

1. That the Commission require Charter Fiberlink to file with the Commission and the Department any and all deployment milestone reports filed with the FCC during the RDOF support term, which shall include the number of locations served with stand-alone voice in the applicable RDOF Census Block. Charter Fiberlink will work with the Department to determine a mutually agreeable format for the deployment milestone reports to be filed with the Commission and the Department.

2. To the extent Charter Fiberlink does not indicate in its petition or certifications the various marketing and outreach efforts used in advertising the required Lifeline services, the Commission require Charter Fiberlink to file ~~within 60 days of any order granting the company ETC status~~ no less than sixty (60) days prior to the time it begins to provide service in the RDOF Census Blocks a marketing plan that describes the marketing and outreach efforts Charter Fiberlink will use in advertising the availability of the required services and explain how it will be effective in reaching eligible consumers. While some of the following information is highlighted in Charter Fiberlink's petition, the Department recommends that, consistent with other ETC designations, the marketing plan specifically describe:

- A. Whether information about the required services is clearly displayed on Charter Fiberlink's website;
- B. Charter Fiberlink's use of multiple outreach methods;
- C. The frequency of its outreach efforts;
- D. Whether Charter Fiberlink will provide outreach materials to relevant community institutions;
- E. Whether it will advertise in multiple languages if appropriate;
- F. The use of clear and plain language when describing the required services; and

G. Possible cooperation with other ETCs for the joint production, placement and use of outreach materials.

3. That the Commission require Charter Fiberlink to file with the Commission and the Department by June 30, ~~2022 and~~ each year ~~thereafter~~ filing the marketing plan per the prior paragraph, an annual certification describing its marketing efforts for the preceding year.