

November 25, 2019

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**VIA EMAIL AND U.S. MAIL**

Cynthia Walker  
Director, Communications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102-3298

**Re: Comments of Charter Communications Operating, LLC  
on Draft Resolution T-17674 (Cruzio Equal Access Santa Cruz)**

Dear Director Walker:

Pursuant to Rule 14.5 of the Commission's Rules of Practice and Procedure, Charter Communications Operating, LLC ("Charter") submits the following comments regarding Draft Resolution T-17674 ("Resolution"), which approves funding from the California Advanced Services Fund (CASF) Infrastructure Grant Account for the application of Cruzio Media, Inc. ("Cruzio") to construct the Equal Access Santa Cruz Project.

Charter appreciates the Commission's attention to Charter's June 5, 2019 challenge to Cruzio's initial application. In response to Charter and other challenges filed with the Commission, Staff requested that Cruzio revise its application to remove served census blocks, including blocks shown as served on the Broadband Map as well as blocks demonstrated by challengers as being served based on documented customer address and billing information.

One census block remains in the Equal Access Santa Cruz Project which Charter believes should be deemed ineligible for CASF funding: **060871216005003**. Charter challenged this block given that it has deployed plant and has one or more subscribers within the census block.<sup>1</sup> This block represents most of the Castle Mobile Estates, a mobile home park which Charter serves in its entirety. In fact, the Commission granted Charter's challenge to block 060871216005002, which is another portion of the Castle Mobile Estates directly adjacent to block 060871216005003.

Charter incorporates by reference its prior challenge, including its confidential exhibits, and directs Staff specifically to Attachment A and Attachment B, Exhibit Cruzio-4.<sup>2</sup> The address and

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<sup>1</sup> See Charter Challenge to the May 1, 2019 CASF Application Filed by Cruzio Media (June 5, 2019), Section B.

<sup>2</sup> Section 11 of the Program Rules requires a challenger to provide (a) a CSV file containing all serviceable addresses in the census block; (b) a customer bill from one subscriber; and (c) an attestation that the households identified in the CSV file as serviceable have capability to receive minimum speeds of 6 Mbps download and 1

Cynthia Walker  
November 25, 2019  
Page 2

corresponding subscriber information depicted in Exhibit Cruzio-4 were initially included to substantiate Charter's challenge to block 060871216005002 but apply equally to block 060871216005003 as part of the same mobile home community.

Accordingly, Charter respectfully requests the Draft Resolution be modified to remove census block 060871216005003 from the project to avoid overbuilding in a served census block and to correspondingly reduce the funding amount to reflect such removal.

Respectfully submitted,



James W. McTarnaghan

cc: Phillip Enis, CPUC Communications Division (via email)  
Dorris Chow, CPUC Communications Division (via email)  
Lindsey Tong, CPUC Communications Division (via email)  
CASF Distribution List (via email)

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Mbps upload. As explained in Charter's challenge, Charter raised concerns with Communications Division staff that providing a customer bill would potentially require Charter to violate federal and California consumer privacy laws. Charter addressed these concerns with Communications Division staff and provided sufficient information to allow Staff to verify that addresses in challenged blocks are served by Charter.