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Partner

September 7, 2018

**VIA ELECTRONIC MAIL**

New York State Public Service Commission  
Three Empire State Plaza  
Albany, New York 12223-1350

**Joint Petition of Charter Communications, Inc. and Time Warner Cable Inc. for Approval of a Transfer of Control of Subsidiaries and Franchises; for Approval of a Pro Forma Reorganization; and for Approval of Certain Financing Arrangements.**  
**Case: 15-M-0388**

**Re: Charter's Request for Extension of Deadline in Ordering Clause No. 4 of July 27, 2018 Order**

Dear Secretary Burgess:

On July 27, 2018, the Commission issued an Order Denying Petitions for Rehearing and Reconsideration and Revoking Approval (the "*Revocation Order*").<sup>1</sup>

Among other requirements, the *Revocation Order* directs Charter to "file a plan with the Secretary to the Commission within 60 days of the issuance of this Order, consistent with the discussion in this Order,"<sup>2</sup> to operate as a notification pursuant to Publ. Serv. L. 226(a) to discontinue services in New York six months following the submission of the plan (the "Six-Month Exit Plan"). The *Revocation Order* indicates that the deadlines therein may be extended "[i]n the Secretary's sole discretion" upon a written request including a justification for the extension.<sup>3</sup>

On August 20, 2018, Your Honor granted Charter's request to extend from September 25, 2018 to October 9, 2018 the requirement to submit a Six-Month Exit Plan. Charter respectfully requests a further extension of this deadline to November 8, 2018. The effect of extending this deadline would be to cause the Six-Month Exit Plan to provide notice of a discontinuation of

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<sup>1</sup> Case 15-M-0388, Order Denying Petitions for Rehearing and Reconsideration and Revoking Approval (July 27, 2018).

<sup>2</sup> *Revocation Order* at 29.

<sup>3</sup> *Id.* This request for an extension (and restatement of the *Revocation Order*'s requirements) is not intended an agreement by Charter that Publ. Serv. L. 226(a) in fact provides the governing legal framework.

Charter's New York operations in legacy Time Warner Cable areas after May 8, 2019.

Good cause exists to further extend this deadline. Charter and the Department have been involved over the past few weeks in productive dialogue regarding the *Revocation Order* as well as the *July Compliance Order*<sup>4</sup> and the related special proceeding initiated by the Commission in the Supreme Court pursuant to the *July Compliance Order*. As part of that dialogue, Charter has been assembling additional information regarding broadband deployment efforts in New York for the Department's and the Commission's review. A further extension would allow additional time for discussions between Charter and the Department before the initiation by Charter of additional Commission or court proceedings. Additional proceedings before the Commission and/or the courts would have the potential to divert the resources of both Charter and the Department from discussions regarding both orders, and could have the effect of making it more difficult to resolve the issues raised by the orders without litigation.<sup>5</sup>

In order to ensure that this request does not delay other measures Charter would soon need to initiate to protect its rights to administrative and judicial review, we respectfully request that Your Honor act upon this request by the close of business on Monday, September 10, 2018.

If you have any questions with regards to this request, please do not hesitate to contact the undersigned. We appreciate Your Honors' attention to this matter.

Very truly yours,

/s/ Maureen O. Helmer

Maureen O. Helmer  
*Counsel for Charter Communications, Inc.*

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<sup>4</sup> Case 15-M-0388, Order Confirming Missed June 2018 Compliance Obligation and Denying Good Cause Justification (July 27, 2018).

<sup>5</sup> This request for an extension of these deadlines is without prejudice to Charter's ability to seek relief, either from the Commission or otherwise, from the *Revocation Order* and the *July Compliance Order*.