



April 26, 2024

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Promoting Competition in the American Economy: Cable Operator and DBS Provider
Billing Practices – MB Docket No. 23-405

Dear Ms. Dortch:

On April 25, 2024, Jacqueline Clary of Altice USA, Inc. (“Altice”) and Tara Corvo of Mintz met with Holly Saurer, Chief of the Media Bureau and Legal Advisor to the Chairwoman, and Hillary DeNigro, Deputy Bureau Chief, Maria Mullarkey, Policy Division Chief, Brendan Murray, Deputy Policy Division Chief, and Katie Costello, all of the Media Bureau, to discuss the proceeding proposing to ban early termination fees (ETFs) and billing cycle fees that may be imposed by cable and DBS operators.¹

During the meeting, Altice reiterated its opposition to the Commission’s proposals and urged the Commission to ensure that any restrictions on billing cycle fees and ETFs do not extend to any business services or offerings.² Altice noted that its offerings to businesses, including small businesses, contain negotiable rates, terms and conditions. Having an established term in these negotiable agreements allows Altice to offer lower rates and so provides benefits to both the service provider and the business customer. Business customers receive certainty and favorable rates for their commitment, and the provider receives the promise of recouping some of its investment, especially when the agreement includes construction requirements. Inclusion of an ETF, or a requirement to pay based on monthly increments, appropriately reflects this trade-off. The Commission should allow these types of beneficial arrangements to continue, especially given the benefits to broadband deployment that accompany enhanced construction incentives.

Please do not hesitate to reach out to the undersigned with any questions.

¹ *Promoting Competition in the American Economy: Cable Operator and DBS Provider Billing Practices*, Notice of Proposed Rulemaking, MB Docket No. 23-405 (rel. December 14, 2023).

² See Reply Comments of Altice USA, Inc., MB Docket No. 23-405 (filed March 5, 2024).

/s/ Jacqueline Clary

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cc:

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