



October 11, 2007

Missouri Public Service Commission
Governor Office Building
200 Madison Street
P.O. Box 360
Jefferson City, Missouri 65102-0360

Re: Case No. KM-2008-0074, In the Matter of the Application of Charter Communications Entertainment I, LLC d/b/a Charter Communications for the Video Service Authorization

Dear Commissioners:

Charter Communication Entertainment I, LLC d/b/a Charter Communications (“Charter”) is in receipt of a copy of the letter, dated October 10, 2007 from the City of St. Peters, Missouri (“City”) to the Missouri Public Service Commission (“Commission”), regarding the above subject matter. On behalf of Charter, please accept this letter as our response to the allegation made by the City that Charter did not meet the notification requirements of the application.

As a point of historical reference, please be aware that Charter first provided cable service within the boundaries of the City when it acquired the cable systems of AT&T Broadband in the Metropolitan St. Louis market on or around July, 2001. At that time, AT&T Broadband already had a cable franchise agreement with the City and thus Charter assumed the City franchise and its obligations upon the acquisition closure. Charter has been providing cable service in the City continuously since that time. The City’s Franchise Agreement, which took effect in March, 2001 was a five year agreement. Charter and the City agreed to subsequent franchise extensions until the end of the last extension agreement (Ordinance 4705), which expired on June 30, 2007. On June 25, 2007, Charter provided the first of two notices to the City that we would be seeking a state issued franchise pursuant to Chapter 67 RSMo § 67.2675 et seq.

As to the alleged notification deficiency, it should be noted that that 67 RSMO § 67.2679(5) states that a person seeking to commence video service shall file an application for video service authorization covering a franchise area(s) with the Commission “and provide written notice to the affected political subdivision **of its intent to provide video service.**” The statute, under this paragraph, does not require that an applicant provide a copy of the Application or Notice of Change with its notice of intent to provide video service. On the contrary, the statute mandates that the Commission

“shall make such application public by posting a copy of the application on its website within three days of filing”.

Charter believes the attempt by the City to defend their position by referring to a Commission staff response under Page 2, # 7 of the Comments and Responses available on the Commissions’ website as “SB 284 Workshop Comments” is specious. The Commission staff never implied at the June 28, 2007 meeting that any responses given to the variety of video application inquiries from the “SB 284 Workshop Comments” would be considered the definitive and final guidelines as to the application process. In fact, Charter commends the efforts by the Commission staff at the June 28, 2007 Workshop. While it was very clear by staff that the Commission was finalizing the Video Service Application and Notice of Change under a careful interpretation of the law, the staff was also making themselves approachable for potential discussions with interested parties; recognizing that the State Legislature had just created this new structure of granting video service applications, and the need of flexibility to reconsider their interpretations of the 2007 Video Service Providers Act and the application form itself.

This type of further clarification certainly occurred when Charter, on August 29th, asked the Commission staff to provide further guidance regarding the procedures for submission of an application. In the template Application Form, the Certificate of Service text states that the applicant has filed a copy of the application with each political subdivision with its notice of intent to provide video service under a Video Service Authorization. Charter noted that 67 RSMo § 2679(5) did not require the applicant to submit a copy of the application to the affected political subdivision and that the Commission was required to post a copy of the application on its website within three days. Given the fact that a political subdivision was receiving notice by Charter of our intent to seek such video authorization from the Commission by certified mail and that we provided in our letter the legal cite of the “2007 Video Services Providers Act”, we felt that providing a copy of the application was simply adding to the regulatory paperwork.

On August 30th, a response came from Commission staff stating that Charter did not have to provide a copy of the application to the political subdivisions so long as we were providing notice to the political subdivision of our intent to provide video service. The Commission also asked that we amend the Certificate of Service portion on the application to clarify that we were submitting to the political subdivisions notice of our intent to provide video service. As you will note in our applications, Charter’s Certificate of Service accurately reflects that Charter provided notice to the communities affected by the application of our intent to provide video service in those communities. Thus, Charter has fully satisfied the requirements of the statute and the clarification by Commission staff regarding the procedures for submission of the application.

Finally, as we mentioned previously, we sent the City not one, but two, certified notices of our intent to file for state authorization. The second letter was sent on August 30, 2007. Copies of both letters to the City are enclosed. As you will note, we provided clear statements of our intentions to seek authorization from the Missouri Public Service

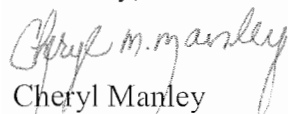
Commission and we were clear in both letters that we wanted to maintain good relationships with the City while continuing to provide quality products and services to our customers. Moreover, the City could not have been confused about Charter's intent to seek a Video Service Authorization from the Commission. Section 67.2679(9)(1) of SB 284 clearly states, **"No existing franchise or ordinance issued by a franchising entity shall be renewed or extended beyond the expiration date of such franchise."**

In light of the facts that we have been continuing to operate in the City under the terms of an expired cable franchise, that the City had representation at the June 28, 2007 Workshop, and received two written notices from Charter about our intent to seek video authorization from the Commission under the provisions of SB 284, and that the City has no role to grant a Video Service Authorization, we are at a loss to conceive any valid reason for the City, on the last day before our Video Service Authorization was to take effect, to submit this allegation of noncompliance. We believe the City's claim has no validity whatsoever, and that any extended consideration of this baseless claim serves only to demean the efforts of the Missouri State Legislature and this Commission to encourage investment and new and innovative services to the citizens of this State.

Based on the above, Charter respectfully requests that the Commission reinstate the Order, which approves its Video Service Authorization, as of the original effective date of October 10, 2007.

Thank you for your consideration of this matter.

Sincerely,


Cheryl Manley

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <input checked="" type="checkbox"/> <i>Robbie Keras</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:	B. Received by (Printed Name) <i>Robbie Keras</i>	C. Date of Delivery
The Honorable Len Pagano Mayor City of St. Peters P.O. Box #9 St. Peters, MO 63376	D. Is delivery address different from item 1? if YES, enter delivery address below:	
<input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
Article Number (transfer from service label)	7005 0100 0000 6203 5341	
Form 3811, February 2004	Domestic Return Receipt	102595-02-M-1540



August 30, 2007

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

The Honorable Len Pagano, Mayor
St. Peters
P.O. Box #9
St. Peters, MO 63376

RE: City of St. Peters Franchise MO0179

Dear Mayor Pagano:

Charter Communications Entertainment I, LLC d/b/a Charter Communications (“Charter”) has appreciated the opportunity to serve the City of St. Peters and its residents over the years. Our records indicate that our franchise expired on June 30, 2007. As you are aware, Charter submitted to the City of St. Peters proper notification to renew its franchise under applicable law on September 4, 2003.

Recently, the Missouri State Legislature passed Senate Bill 284, which addresses a State-issued franchise process. The legislation mandates that expired franchises must renew their franchise through the State. Senate Bill 284 was signed into law by Governor Matt Blunt on March 22, 2007 with an effective date of August 28, 2007.

By this letter, Charter hereby notifies you of our intent to renew our cable franchise under a State-issued franchise under the terms and conditions set forth in Chapter 67 RSMo § 67.2675 et seq., as such terms and conditions exist as of this date. Charter reserves its rights under 47 U.S.C. § 546 and other applicable federal law to the formal process for renewal of its franchise should the State franchise law in the future be repealed or modified.

We have made a major investment in your community and we look forward to the opportunity to continue our relationship. We believe our goal of providing value to our customers through high quality products and services rests on maintaining the cooperative approach that has existed between Charter and your community.

We will be happy to discuss this matter with you or provide any additional information you may require regarding this notification. You may contact me at 314-543-6640 or I can be reached by email at paul.berra@chartercom.com. We look forward to maintaining the long relationship that we believe has benefited the community and its residents.

Sincerely,

Paul Berra
Senior Director of Government Affairs and Franchise Relations
Charter Communications

Cc: Susan Flynn
Franchise File

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<p><input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>Mayor Len Pagano City of St. Peters One St. Peters Centre Blvd. St. Peters, MO 63376</p>	<p>A. Signature <i>[Handwritten Signature]</i></p> <p>B. Received by (Printed Name) J. LIMIA</p>	<p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (transfer from service label)</p>	<p>7006 0100 0000 6201 5068</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102585-02-01-1540</p>		



June 25, 2007

VIA CERTIFIED MAIL –
RETURN RECEIPT REQUESTED

The Honorable Len Pagano
Mayor
City of St. Peters
One St. Peters Centre Blvd.
St. Peters, Missouri 63376

Dear Mayor Pagano:

Charter Communications Entertainment I, LLC d/b/a Charter Communications (“Charter”) has appreciated the opportunity to serve the City of St. Peters, Missouri (“City”) and its residents over the years. Our records indicate that our cable franchise (Ordinance 3415) was extended by the City under Ordinance 4705 to June 30, 2007. As you are aware, Charter submitted to the City proper notification to renew its franchise under applicable law on September 4, 2003.

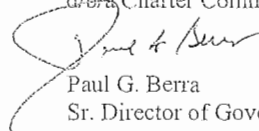
Recently, the Missouri State Legislature passed Senate Bill 284, which addresses a State-issued franchise process. The legislation mandates that expired franchises must renew their franchise through the State. Senate Bill 284 was signed into law by Governor Matt Blunt on March 22, 2007.

By this letter, Charter hereby notifies the City of our intent to renew our cable franchise under a State-issued franchise under the terms and conditions set forth in Chapter 67 RSMo § 67.2675 et seq., as such terms and conditions exist as of this date. Charter reserves its rights under 47 U.S.C. § 546 and other applicable federal law to the formal process for renewal of its franchise should the State franchise law in the future be repealed or modified.

Charter has made a major investment in your community and we look forward to the opportunity to continue our relationship. We believe our goal of providing value to our customers through high quality products and services rests on maintaining the cooperative approach that has existed between Charter and your community.

In closing, we will be happy to discuss this matter with you or provide any additional information you may require regarding this notification. We look forward to maintaining the long relationship that we believe has benefited the community and its residents.

Sincerely,
Charter Communications Entertainment I, LLC
d/b/a Charter Communications



Paul G. Berra
Sr. Director of Government Affairs & Franchise Relations

Cc: City Council
William Chamisky
Randy Weber
Franchise File