

**Before the
DEPARTMENT OF COMMERCE
National Telecommunications and Information Administration
and the
DEPARTMENT OF AGRICULTURE
Rural Utilities Service
Washington, D.C.**

In Re:)
)
American Recovery and) Docket No. 090309298-9299-01
Reinvestment Act of 2009)
Broadband Initiatives)
)

**COMMENTS FROM THE
PUBLIC SERVICE COMMISSION OF WISCONSIN**

The Commissioners of the Public Service Commission of Wisconsin (PSCW) respectfully submit these comments in response to the Public Notice in the above-captioned docket published in the Federal Register on March 12, 2009. Therein, the Departments of Commerce and Agriculture seek comment on numerous issues related to the administration of broadband programs defined and funded under the American Recovery and Reinvestment Act of 2009 (ARRA). While other official bodies of the State of Wisconsin may weigh in on other issues, the PSCW Commissioners limit these brief comments to the issues of the role of states regarding grant administration and broadband mapping.

The PSCW is cognizant of the immense role and burden given to the National Telecommunications and Information Administration (NTIA) and the Rural Utilities Service (RUS) to promote economic recovery through the expansion of broadband facilities, subscription and use. While this endeavor is daunting in magnitude and scope, the PSCW emphasizes that prompt action is of the essence. Grant applicants and mapping project sponsors will depend on the guidelines and definitions on which NTIA and RUS have requested comment, and which will

be delineated in the Notices of Funds Availability to be issued. While comments on these matters may be voluminous, these guidelines and definitions are key first steps in getting funds disbursed to stimulate the broadband development, job creation, and economic opportunities envisioned by the ARRA. The sooner they are codified, the better.

The Commissioners of the PSCW are signers to and in support of the letter of the National Association of Regulatory Utility Commissioners (NARUC), dated April 2, 2009, urging a very active role for the states. A copy of that document is attached. State review and ranking of broadband projects, by states that are willing to do so, based on NTIA and RUS criteria, is the most reasonable means of assuring accountability and timeliness in achieving the goals of the ARRA. The NARUC proposal offers an efficient and effective way to integrate a rapid review of state priorities in the awarding of NTIA and RUS grants.

Broadband Mapping

Maps and other relevant data should be used to assist in determining where unserved and underserved areas exist, as defined by NTIA. Demographic information should also be mapped to identify areas of greatest need (e.g., low income, high unemployment) and areas where broadband grants, loans and loans guarantees have been provided, and where projects are underway. Data should be collected on a regular basis specifically to support the periodic updating of maps.

Maps should include, at a minimum, the number and type of broadband providers, if any, in a given area, and transmission speeds offered. Measures of consumer demand, such as survey data, is also useful. For example, consumer survey information may identify areas of need that are not always reflected in provider-supplied information. The PSCW is engaged in just such a

consumer survey; information on this effort can be seen at:

<http://psc.wi.gov/recoveryAct/sfBroadband.htm>.

Mapped data should be aggregated in a way that masks sensitive confidential information of a competitive nature, subject however to the need for transparency and accountability.

Ideally, data should be collected at the street address level, if not, at the closest practicable level of availability (e.g., census tract or service territory level). Experience tells us that aggregation over any significant area will hide some unserved areas. Many of the “no broadband available” responses received by the PSCW in response to its survey are from individuals in corners of wire centers whose central areas are well served with broadband, sometimes by multiple providers.

NTIA should clearly establish technical specifications for maps and data (e.g., search options, program compatibility, and file format) and define what data states must, at a minimum, collect in order to receive mapping grants. This information should be defined at a level sufficient to assure it supports the national mapping mandates of the ARRA without being so prescriptive as to stifle innovative approaches. Templates for these data and mapping files would be useful guides for all those submitting data to state mapping projects.

To the extent a state collects and maps information on behalf of NTIA and RUS to meet the mapping mandates under the ARRA, NTIA should waive the 20 percent grant matching requirement (i.e., grant more than 80 percent, preferably 100 percent). At a minimum, NTIA should recognize in-kind services (e.g., state employee time, as measured by loaded salaries) and any direct material contributions toward the 20 percent matching requirement.

Other data layers may be useful when evaluating how broadband projects meet specific goals of the ARRA. For instance, income and unemployment data will help identify areas of

greatest need. In addition, the inclusion of population density, forestation, and soil conditions as data layers may be useful in demonstrating the economics of deploying broadband in given areas. This information could be used to guide decisions on where it may be most advantageous to pursue a wireless solution over a wireline solution.

In many cases, states may lack authority to require submission of certain data or in specific formats. Whatever data and mapping templates are adopted by NTIA and RUS, companies should be required to provide granular market and geographical service coverage data as requested by any public agency that seeks such information to measure the extent of broadband availability and to allow policy makers to establish goals for future deployment under the ARRA.

The undersigned appreciate the opportunity to supply these comments.

Dated at Madison, Wisconsin, this 13th day of April, 2009.

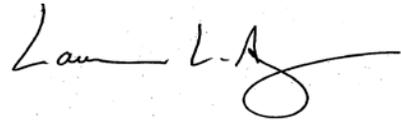
PUBLIC SERVICE COMMISSION OF WISCONSIN:



Eric Callisto
Chairperson



Mark Meyer
Commissioner



Lauren L. Azar
Commissioner

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Broadband Stimulus Comment.docx

Attachment