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June 12, 2009

Mr. Gary Locke
Secretary
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Re: Expedition of BTOP Grant Awards.

Secretary Locke:

The Telecommunications Industry Association (TIA) urges the U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA), as it establishes a timeline for administering the Broadband Telecommunications Opportunity Program (BTOP), to expedite BTOP grant awards and attribute pre-existing infrastructure investments necessary to BTOP projects as in-kind contributions to the BTOP 20 percent non-federal match requirement.

As you know, the American Recovery and Reinvestment Act (ARRA) of 2009 directed the NTIA to administer \$4.7 billion in broadband funding under BTOP.¹ TIA appreciates the thoughtful and effective steps NTIA has taken thus far to execute this duty. Additionally, the information contained in NTIA's BTOP Recovery Plan, which details its planned grant administration schedule, is very informative.² In the BTOP Program Plan's Schedule and Milestones, NTIA states that initial BTOP grant awards will be made in December 2009.³ While recognizing the importance of thoroughly vetting and reviewing applications and the significant amount of time it can take to do so, TIA respectfully requests that, to the extent feasible, NTIA take steps to at least partially begin

¹ See American Recovery and Reinvestment Act of 2009, § 6001(d), Pub. L. No. 111-5, 123 Stat. 115 (2009) (ARRA).

² Department of Commerce Program Plan, Broadband Technology Opportunities Program (BTOP) Recovery Plan (BTOP Program Plan), http://www.recovery.gov/?q=content/program-plan&program_id=7795 (last visited June 12, 2009).

³ See *id.*

to make these grant awards well in advance of December 2009. Such action would be in line with President Obama's recently announced plan to accelerate the spending of ARRA money over the next few months with the goal of creating an additional 600,000 jobs.

TIA members are increasingly aware of public and private service providers withholding on investments in ICT today. Many providers are awaiting grant awards to make such investments, thereby stalling the economic engine the ICT industry can be in our nation's difficult economic times. Similarly, service providers are unsure if they will be able to apply current investments toward the BTOP 20 percent matching requirement.⁴ With the current schedule of December 2009 for initial grants awards and uncertainty of how current investments are going to be attributed to the BTOP matching requirement, ICT investment spending could be further stalled for at least 2 to 3 quarters. This will have a devastating impact on our economy – one that NTIA can prevent by making initial BTOP grant awards prior to December 2009 and counting towards the matching requirement pre-existing infrastructure investments, when that infrastructure is integral to a BTOP project.

TIA recognizes the importance of carefully evaluating BTOP grant applications to ensure all Americans benefit from the best BTOP projects. Simultaneously, TIA believes that funding worthy BTOP projects as quickly as possible will speed economic recovery. Thus, TIA urges NTIA to balance these two interests and adjust its BTOP Program Plan Schedule and Milestones to ensure that initial BTOP grant awards are made well prior to December 2009. Additionally, TIA reiterates its request that NTIA determine that pre-existing investments in both passive and active infrastructure count as in-kind contributions toward the BTOP 20 percent matching requirement when they play a role in BTOP-proposed projects.

TIA appreciates your consideration of this important matter, and looks forward to working with you and the NTIA as it administers the BTOP.

Sincerely,



Danielle Coffey
Vice President
Government Affairs

CC: Bernadette McGuire-Rivera

⁴ See ARRA § 6001(f).