

Response of RVW, Inc. to ARRA Round 2 RFI:

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

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DEPARTMENT OF COMMERCE

National Telecommunications and
Information Administration

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Broadband Initiatives Program and
Broadband Technology Opportunities
Program

I. The Application and Review Process

A. Streamlining the Applications.

RUS and NTIA tentatively conclude that the application process should be streamlined. In what ways should RUS and NTIA streamline the applications to reduce the burden on applicants, while still obtaining the requisite information to fulfill the statutory requirements set forth in the Recovery Act?

Response: Minimize any changes after the Round 2 NOFA is released. The Round 1 process is now largely understood; therefore, minimize changes to that process. Major changes require major training and re-training.

Response: Allow entities with CAD/GIS mapping capabilities to upload shape files.

Response: Develop “copy” or “copy to new” function within online mapping tool. This would be especially facilitate the response phase. Round 1 responses typically required multiple entries of the same map which was typically a tedious process.

Response: Clarify if census blocks are required by community or proposed funded service area. This was not clear in Round 1.

Should the agencies re-examine the use of a single application for applicants applying to both BIP and BTOP to fund infrastructure projects? **Response : Single application is fine and simplifies things for those applying to both agencies.**

How should NTIA link broadband infrastructure, public computer center and sustainable adoption projects through the application process? **Response: There is no need to link these much different types of applications.**

3. Specification of Service Areas.

The broadband infrastructure application required applicants to submit data on a census block level in order to delineate the proposed funded service areas. Some applicants found this requirement burdensome. What level of data collection and documentation should be required of applicants to establish the boundaries of the proposed funded service areas? **Response: No change required.**

4. Relationship between BIP and BTOP.

The Recovery Act prohibits a project from receiving funding from NTIA in areas where RUS has funded a project. Section VI.C.1.a.i of the NOFA required that infrastructure applications consisting of proposed funded service areas which are at least 75 percent rural be submitted to and considered under BIP, with the option of additional consideration under BTOP. According to the NOFA, NTIA will not fund such an application unless RUS has declined to fund it.⁶ RUS and NTIA are presently reviewing joint applications consistent with the process set forth in the NOFA. Should these kinds of rural infrastructure applications continue to be required to be submitted to RUS or should the agencies permit rural applications to be submitted directly to NTIA, without having to be submitted to RUS as well, and if so, how should NTIA and RUS proceed in a manner that rewards the leveraging of resources and the most efficient use of Federal funds? **Response: No change is recommended the Round 1 procedure is efficient and takes advantage of RUS knowledge of existing service providers/areas.**

Are there situations where it is better to give a loan to an applicant as opposed to a grant? Are there applicants for which a loan would not be acceptable, and if so, how should the programs consider them? **Response: There are situations where loans can be desirable – the Round 1 process allowed BIP applicant to stipulate amount of loan desired. This should be preserved.**

B. Transparency and Confidentiality.

Consistent with the Administration's policy and the Recovery Act's objective to ensure greater transparency in government operations, RUS and NTIA are considering whether they should permit greater access, consistent with applicable Federal laws and regulations, to certain applicant information to other applicants, policymakers, and the public, including state and tribal governments. Should the public be given greater access to application data submitted to BIP and BTOP? Which data should be made publicly available and which data should be considered confidential or proprietary? For example, RUS and NTIA tentatively conclude that the application's executive summary should be made publicly available for the second round of funding.

Response: If it is decided to require public release of the Executive Summary, applicants should be allowed to redact certain confidential information such as financial data, market research and proprietary designs.

C. Outreach and Support.

For the initial round of funding, RUS and NTIA provided multiple means of applicant support and outreach, including hosting national workshops and minority outreach seminars, publicly releasing an application guidance manual, posting responses to Frequently Asked Questions on www.broadbandusa.gov, and establishing a Help Desk that fielded thousands of telephone and e-mail inquiries. What method of support and outreach was most effective? **Response: The workshops were most helpful and were actually essential. The FAQ's were helpful but could have been used more extensively with more precise answers to more questions. The HelpDesk seemed like a good idea but implementation results were mixed. Answers were inconsistent or amounted non-existent to anything beyond FAQ.**

What should be done differently in the next round of funding to best assist applicants? **Response: Perhaps Web Casts could be used a few weeks after the after Workshops.**

II. Policy Issues Addressed in the NOFA

A. Funding Priorities and Objectives.

1. Middle Mile "Comprehensive Community" Projects.

Should RUS and/or NTIA focus on or limit round 2 funding on projects that will deliver middle mile infrastructure facilities into a group of communities and connect key anchor institutions within those communities? Ensuring that anchor institutions, such as community colleges, schools, libraries, health care facilities, and public safety organizations, have high-speed connectivity to the Internet can contribute to sustainable community growth and prosperity. Such projects also have the potential to stimulate the development of last mile services that would directly reach end users in unserved and underserved areas. Additionally, installing such middle mile facilities could have a transformative impact on community development by driving economic growth. Should we give priority to those middle mile projects in which there are commitments from last mile service providers to use the middle mile network to serve end users in the community? Should the agencies' goal be to fund middle mile projects that provide new coverage of the greatest population and geography so that we can be assured that the benefits of broadband are reaching the greatest number of people? Should we target projects that create "comprehensive communities" by installing high capacity middle mile facilities between anchor institutions that bring essential health, medical, and educational services to citizens that they may not have today? Should certain institutions, such as educational facilities, be given greater weight to reflect their impact on economic development or a greater need or use for broadband services? If so, what specific information should RUS and NTIA request from these institutions? To the extent that RUS and NTIA do focus the remaining funds on "comprehensive community" projects, what attributes should the agencies be looking for in such projects? For example, are they most sustainable to the extent that they are public-private partnerships through which the interests of the community are fully represented? Should we consider the number of existing community anchor institutions that intend to connect to the middle mile network as well as the number of unserved and underserved communities and vulnerable populations (i.e., elderly, low-income, minority) that it will cover? How should RUS and NTIA encourage appropriate levels of non-Federal (State, local, and private) matching funds to be contributed so that the potential impact of Federal funds is maximized? In addition, should we consider the extent of the geographic footprint as well as any overlap with existing service providers? **Response: The agencies should not overly emphasize anchor institutions or education entities because this would disadvantage applicants in areas of extremely low population density where there are very few "anchor institutions".**

2. Economic Development.

Should RUS and/or NTIA allocate a portion of the remaining funds available under the BIP and BTOP programs to promote a regional economic development approach to broadband deployment? This option would focus the Federal broadband investment on communities that have worked together on a regional basis to develop an economic development plan. It would encompass a strategy for broadband deployment, and would link how various economic sectors benefit from broadband opportunities. Such a regional approach would seek to ensure that communities have the "buy-in,".... **Response: No. This approach is not practical in the timeframes allowed.**

B. Program Definitions.

Section III of the NOFA describes several key definitions applicable to BIP and BTOP, such as “unserved area,” “underserved area,” and “broadband.”⁹ These definitions were among the most commented upon aspects of the NOFA. For example, a number of applicants have suggested that the definitions of unserved and underserved are unclear and overly restrictive; that they kept many worthy projects, particularly those in urban areas, from being eligible for support; that there was insufficient time to conduct the surveys or market analyses needed to determine the status of a particular census block area; and that they discouraged applicants from leveraging private investment for infrastructure projects. In what ways should these definitions be revised?

Should they be modified to include a specific factor relating to the affordability of broadband service or the socioeconomic makeup of a given defined service area, and, if so, how should such factors be measured? **Response: No. This is not practical in the timeframes allowed.**

Should the agencies adopt more objective and readily verifiable measures, and if so, what would they be? **Response: Advertised speeds of existing services should be credible for the technology deployed. CDMA 3G1X and EV-DO Rev 0 are not 768/200 Kbps capable technologies. EV-DO Rev A is not capable of sustained, real world 3.0 Mbps throughput. Applicants should, at most, only have to verify the technology deployed to establish that areas with only these technologies are not served.**

The geographic factor upon which an area was determined to be eligible was its distance from a nonrural area; in this case, 50 miles.... **Response: Change non-rural to urban; i.e. 50,000 pops or eliminate “remote” concept and focus on unserved and underserved.**

Respectfully submitted,

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