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November 30, 2009

Broadband Technology Opportunities Program  
National Telecommunications and Information Administration  
U.S. Department of Commerce  
HCHB Room 4887  
1401 Constitution Avenue, N.W.  
Washington, DC 20230.  
By E-mail to [broadbandrfi@ntia.doc.gov](mailto:broadbandrfi@ntia.doc.gov)

**RE: NOFA 2 RFI Docket No. 090309298-9299-01**

Dear Administrator Strickling:

The Mid-America Regional Council (MARC), the metropolitan planning organization and association of city and county governments serving the bi-state Kansas City metropolitan area, encourages your consideration of the following comments related to changes in the BTOP program. Many of our comments are consistent with those offered by the National Association of Telecommunications Officers and Advisors.

## **I. Agencies Should Embrace Tentative Conclusions**

The application process must be streamlined to encourage private-public partnerships to apply. Greater transparency in the application process would enhance the public's support for the programs. The public availability of the executive summary of applications is a good first step, but the summary should not be the only new information made publicly available. Applicants should have the ability to review and rebut information submitted to the Agencies by an incumbent to challenge an application as well as any statements regarding the project made by a state agency.

## **II. Enhancing Private-Public Partnership Participation**

NTIA could enhance the program's success by increasing the number of private-public partnerships selected for funding and better leverage private funding to serve underserved consumers. NTIA should allow public agencies to apply for a larger federal share of the total project cost than private applicants. Local government budgets are constrained due to current economic conditions, and broadband technology could play an important role in helping stimulate ongoing economic development. In addition, NTIA should amend the definition of "underserved area" by permitting applicants to establish the boundaries of the proposed funded service areas by means other than census blocks, and should permit reliance on metrics to show underserved areas that are not tied to data in the sole possession of incumbent broadband providers.

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One way that applicants could be permitted to show that service in an area is unaffordable would be by showing that 60% or more of the households in that area qualify under the income eligibility rules of the free or reduced school lunch program. Other metrics that may be employed are poverty line status or any metric that does not require reliance on incumbent “proprietary” data and is a reliable indicator of lower income residents.

### **III. How Best To Invest Round 2 Funds**

#### **Support Public Safety and Other Anchor Institutions**

NTIA should be encouraged to support middle mile projects that connect public safety and other important community facilities together, allowing for the enhanced sharing of data and other communication.

We appreciate the opportunity to submit these comments in your efforts to strengthen round 2 of the broadband grant program.

Sincerely,

A handwritten signature in black ink that reads "Marlene Nagel". The signature is written in a cursive, flowing style.

Marlene Nagel  
Community Development Director

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