

**Before the  
DEPARTMENT OF COMMERCE  
National Telecommunications and Information Administration**

**American Recovery and Reinvestment Act )  
of 2009 Broadband Initiatives )**

**Docket No. 0907141137-91375-05**

**COMMENTS OF HOME TOWN CABLE TV, LLC**

Home Town Cable TV, LLC (“HTC”) submits the following comments to the National Telecommunications and Information Administration in response to the Request for Information (“RFI”) issued in this proceeding on November 9, 2009. HTC is a broadband service provider that delivers fiber-to-the-premises (“FTTP”) broadband service in previously unserved and underserved residential communities in St. Lucie County, Florida. HTC applied for BTOP funding in the first round to construct the region’s first entirely-underground public safety and community anchor network, which is a critical need in hurricane-prone area such as coastal Florida. HTC’s Application included letters of support from its City and County governments, its School Board and universities, and its police and fire departments, and the County Economic Development Council. In addition, the Governor and members of Congress the State of Florida have written to NTIA in support of HTC’s application.

**Response to RFI Questions 2(A)(1) and 2(A)(2):**

**Preference Should be Given to Middle Mile “Comprehensive Community” Projects that Enhance Critical Public Safety Networks in Economically-Distressed, Hurricane-Prone Regions**

HTC agrees with the RFI that NTIA should seek to concentrate funding using a “comprehensive community” approach in order to make more meaningful the impact of its investments. Ensuring broadband access to community anchor institutions and public safety agencies will foster economic development and stimulate development of last mile services.

HTC also agrees that NTIA should specifically target projects supported by county or regional economic development plans in economically-distressed communities. Rather than require NTIA reviewers to become experts in measuring economic distress and sift through endless potential data, HTC proposes that NTIA favor projects located in a federal “Recovery Zone” as designated under Section 1401 of ARRA, a designation created by Congress in the same legislation that enacted the broadband stimulus programs to identify areas that should be priorities to receive stimulus funding.

One of the most important ways of joining these two objectives would be to favor projects that would deliver disaster-proof underground fiber rings to interconnect local and regional public safety agencies. For example, HTC’s first-round proposal would construct an entirely-underground fiber network to provide free fiber connectivity to core community anchor institutions and public safety agencies in a hurricane-prone area where existing public safety communications have been disabled in recent storms.

Port St. Lucie’s Mayor has filed its “strong support” for this Application, exhorting that “it is no understatement that lives could be saved” by HTC’s Project. St. Lucie is in one of the most hurricane-prone areas of the nation, and has been struck by three major hurricanes in the past five years. In these recent storms, our first responders, the County Emergency Operations Center (EOC), rescue and relief centers, hospitals and other essential personnel lost access to their primary broadband services. HTC’s underground system remained fully operational and online throughout each of these hurricanes. Indeed, underground redundant fiber rings are so reliable that the St. Lucie County Fire Chief emphasized in his support letter to HTC’s application that the service HTC already provides to two fire stations “has been nothing short of outstanding” with “zero service interruptions.” HTC was commended by the Mayor for its

outstanding performance and public service, and Congress subsequently recognized the special importance of such underground broadband deployments by making FTTP projects in St. Lucie County expressly eligible for funding from the RUS Rural Development Broadband Loan and Loan Guarantee Program. That experience led the City, all of its public safety agencies, and the county economic development agency to support HTC's first round application to assure the same level of reliability for its core public safety facilities that HTC had delivered to its residential users.

HTC's initial proposal would also extend on a regional basis by providing the first underground fiber connection to the Martin County public safety network, and in the second round HTC may consider filing additional applications to expand its public safety network to a larger, regional basis.

To the extent that the Agencies cannot afford to fund all such proposals, it would complement the goals of the Recovery Act to focus such awards in Recovery Zones, which is the measure used by the Act to designate economically-distressed communities that should be prioritized for Recovery Act funding. Businesses will increasingly look to the availability of reliable underground broadband facilities in deciding whether to locate in a hurricane-prone area, both for their own commercial access and also because of its attractiveness to prospective employees at their residences. And the ability of broadband networks to withstand hurricanes is key to restoring a community's economic health after a major storm. ARRA urged preference for projects that enhance public safety, deliver the fastest possible speeds, and promote economic development. Underground FTTP does all of these. NTIA should therefore give preference to the construction of underground FTTP in hurricane-prone Recovery Zones that currently lack such facilities.

Finally, projects that squarely meet the above criteria should not necessarily be required to demonstrate interconnection points in “underserved” areas. Broadband service to community anchor institutions and public safety agencies were specifically listed as independent priorities in section 6001 of the Recovery Act, separate and apart from providing funding for unserved and underserved areas. HTC’s first round project met this test, but next round expansions of its public safety network could be constrained by this requirement. The importance of public safety is no less in “served” areas. The broadband service in “served” areas is of no use if it has been disabled by a hurricane. If a project would deliver needed public safety communication, connect community anchor institutions and create economic growth as part of a comprehensive community or regional plan in an economically-distressed area, it should not be disqualified based on residential broadband penetration rates.

**Other:**

**Reasonable Preapplication Expenses Incurred Prior to the Second NOFA’s Publication Date Should be Eligible for Reimbursement**

Section V(D)(iii) of the NOFA allows grantees to recover pre-application expenses “not to exceed five percent” of the grant award. Such expenses may only be reimbursed, however, if they were incurred after the NOFA’s publication date.

In the second funding round, the agencies should allow applicants to receive reimbursement for preapplication expenses incurred since the date of the first NOFA if they filed a similar or related application in the first round. It would be unfair to not allow such recovery simply because a new application builds off of a prior application effort rather than being newly conceived after the second NOFA. Alternatively, all applicants could be permitted to include such expenses, which could be justified since, at least in the prior round, an applicant was

effectively required to begin preparation well before the release of the NOFA to be able to submit a comprehensive application within the short window of time provided.

This modification would not place any unreasonable additional burden on the program since all preapplication expenses, whenever incurred, would still be subject to the 5% limit. In addition, adoption of this recommended change would foster the development of stronger applications and projects that are truly “shovel ready.”

Respectfully submitted,

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