

## Broadband USA Applications Database

**Applicant Name:** Clemson University Research Foundation

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### Public Notice Submissions

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-----**Service Area:** Orangeburg Region - 15

**Submitter:** TDS Telecom

**Comment:** TDS Telecom offers 3Mbps broadband service within the applicants proposed service area and provides broadband service to customers pursuant to the NOFA definitions.

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband

footprint to assist in determining whether the applicant's proposed

service area, which may be part of a larger application and project,

satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers'

currently operating in the service area may be needed in order to make

a reasonable analysis or a conclusive determination.

**Submitter:** Windstream

**Comment:** Windstream's data strongly suggest that the proposed funded service area likely does not qualify as an underserved area. Windstream offers facilities-based, terrestrial broadband service (meeting the definition set forth in the Notice of Funds Availability) to some of the households in the proposed funded service area, and such households can readily subscribe to Windstream's broadband service upon request. Windstream also has reason to believe that competitive broadband offerings are available in exchanges overlapping the proposed funded service area. Given this information, agency officials should further investigate existing broadband offerings within the proposed funded service area, so that officials can be sure that the area, in fact, qualifies as underserved.

Windstream is a communications and entertainment company with more than 1 million broadband customers in 16 states. Investing more than \$200 million in broadband deployment over the last several years, Windstream now offers approximately 89% of its 3 million voice customers access to quality and affordable broadband service.

The agencies define an "underserved area" as follows: "Underserved area means a proposed funded service area, composed of one or more contiguous census blocks meeting certain criteria that measure the availability of broadband service and the level of advertised broadband speeds. These criteria conform to the two distinct components of the Broadband Infrastructure category of eligible projects- Last Mile and Middle Mile. Specifically, a proposed funded service area may qualify as underserved for last mile projects if at least one of the following factors is met, though the presumption will be that more than one factor is present: 1. No more than 50 percent of the households in the proposed funded service area have access to facilities-based, terrestrial broadband service at greater than the minimum broadband transmission speed (set forth in the definition of broadband above); 2. No fixed or mobile broadband service provider advertises broadband transmission speeds of at least three megabits per second ("mbps") downstream in the proposed funded service area; or 3. The rate of broadband subscribership for the proposed funded service area is 40 percent of households or less. A proposed funded service area may qualify as underserved for Middle Mile projects if one interconnection point terminates in a proposed funded service area that qualifies as unserved or underserved for Last Mile projects."

-----**Service Area:** Pee Dee Region - 18

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** Spartanburg Region - 3

**Submitter:** Chesnee Cable TV

**Comment:** Chesnee CATV Company currently provides broadband access capability to 100% of the households within the area of the proposed funded serving area indicated "PFSA" challenged area. . In the challenged PFSA they currently offer Cable Modem DOCSIS broadband data services. As of June 2009 they are serving 99% of the households with Broadband service within the challenge area, all above 768K access speeds. Chesnee CATV offers speeds of over 3Mbps throughout this area. Therefore by any of the definitions of the ARRA broadband program this area does not qualify as unserved or underserved. Within the PFSA Chesnee currently provides access to broadband services to nearly 100% of the households all with speeds above 3Mbps and has an existing broadband subscriber

penetration rate of 99%. Chesnee provides broadband services at competitive rates and the subscriber penetration rate reflect this fact.

**Submitter:** Chesnee Telephone Company

**Comment:** Chesnee Telephone Company currently provides broadband access capability to 100% of the households within the area of the proposed funded serving area indicated "PFSA" challenged area. Chesnee Telephone is a rural ILEC and RUS borrower that has been serving the area for some time. In the challenged PFSA they currently offer ADSL broadband data services. As of June 2009 they are serving 33% of the households with Broadband services within the challenge area, all above 768K access speeds. Chesnee Telephone offers speeds of over 3Mbps throughout this area. Therefore by any of the definitions of the ARRA broadband program this area does not qualify as un-served. The PFSA currently has access to broadband services above 50% of the households with speed above 3Mbps. This area is underserved only to the extent that actual customer broadband subscriber penetration is slightly less than 40%. Chesnee provides broadband services at competitive rates and the subscriber penetration rate has been limited by factors other than availability and cost.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Windstream

**Comment:** Windstream's data strongly suggest that the proposed funded service area likely does not qualify as an unserved area. Windstream offers facilities-based, terrestrial broadband service at advertised speeds of greater than 768 kbps downstream and 200 kbps upstream to some of the households within the proposed funded service area, and such households can readily subscribe to Windstream's broadband service upon request. Windstream also has reason to believe that competitive broadband offerings are available in exchanges overlapping the proposed funded service area. Given

this information, agency officials should further investigate existing broadband offerings within the proposed funded service area, so that officials can be sure that the area, in fact, qualifies as unserved.

Windstream is a communications and entertainment company with more than 1 million broadband customers in 16 states. Investing more than \$200 million in broadband deployment over the last several years, Windstream now offers approximately 89% of its 3 million voice customers access to quality and affordable broadband service.

The agencies define an “unserved area” as follows: “Unserved area means a proposed funded service area, composed of one or more contiguous census blocks, where at least 90 percent of households in the proposed funded service area lack access to facilities-based, terrestrial broadband service, either fixed or mobile, at the minimum broadband transmission speed (set forth in the definition of broadband above). A household has access to broadband service if the household can readily subscribe to that service upon request.”

-----**Service Area:** Beaufort Region - 23

**Submitter:** Hargray Telephone Company, Inc.

**Comment:** Clemson University Research Foundation application is not eligible to receive requested funds for the below-service area because that portion of proposed funded service area is neither “unserved” nor “underserved,” as those terms are defined in the Notice of Funds Availability issued July 9, 2009.

As demonstrated in this response, Clemson University Research Foundation application should not be considered to receive requested funding for the relevant service area because approximately 90% of the households located within that portion of the proposed funded service area already have the ability to access facilities-based terrestrial broadband service.

As demonstrated in this response Clemson University Research Foundation application may not be eligible for funding because, at least as to the below-described service area, there is not one interconnection point of the network within an area that is within an area described as qualifying as unserved or underserved.

**Submitter:** CenturyLink

**Comment:**

The proposed service areas are not wholly underserved or unserved.

CenturyLink is submitting data that shows the application's proposed service area is not underserved or unserved, under program guidelines. Accordingly, the application must be denied as ineligible. With limited funding and a large pool of applications, program grants and loans must be directed only to areas that are truly underserved or unserved, as stipulated in the program guidelines.

CenturyLink can certify that its affiliates currently offer broadband service in some or all of the applicant's proposed service areas. Attached is a state map that is a representative sample of areas where the application overlaps our existing broadband deployment. CenturyLink also provides data showing broadband availability in our local telephone exchanges within the proposed service areas. We will provide additional information on request if that will further assist the agency's review.

This data is not exhaustive; the application may include other areas also currently served with broadband by other providers, which should be considered in the assessment of the application. Our data combined with that of other broadband providers would likely show further duplication and overlap of broadband services in the proposed service areas.

CenturyLink has committed to upgrade and extend broadband.

CenturyLink has an extensive broadband footprint today, and has committed to extend that service even further. As part of its merger commitments to the Federal Communications Commission, CenturyLink committed to offer retail broadband Internet access service to 100% of its broadband eligible access lines by July 1, 2012. Consequently, virtually no areas served by CenturyTel or Embarq local operating companies, in any state, will be underserved or unserved at the end of three years.

CenturyLink also agreed to meet targets for minimum download speeds. CenturyLink will ensure availability of retail broadband Internet access service with a download speed of 1.5 Mbps to 87% of the broadband eligible access lines by July 1, 2011. It will ensure availability with a download speed of 3

Mbps to 75% of broadband eligible access lines by July 1, 2010, to 78% of broadband eligible lines by July 1, 2011, and to 80% of broadband eligible lines within 3 years of the close date. Nationwide, our average tele-density is 23 customers per square mile. This commitment ensures availability of broadband even to very rural consumers.

The agency should consider the importance of this commitment, as CenturyLink's continuing investment inevitably will make applications that overlap CenturyLink service areas less viable. CenturyLink has proven, industry-leading experience in deploying broadband networks and services using both wireline and wireless technology, and a strong commitment and focus on rural areas. Today, it serves over 7 million access lines and 2.1 million broadband customers in 33 states.

**Submitter:** Bluffton Telephone Company Inc.

**Comment:** Clemson University Research Foundation application is not eligible to receive requested funds for the below-service area because that portion of proposed funded service area is neither "unserved" nor "underserved," as those terms are defined in the Notice of Funds Availability issued July 9, 2009.

As demonstrated in this response, Clemson University Research Foundation application should not be considered to receive requested funding for the relevant service area because approximately 98% of the households located within that portion of the proposed funded service area already have the ability to access facilities-based terrestrial broadband service.

As demonstrated in this response Clemson University Research Foundation application may not be eligible for funding because, at least as to the below-described service area, there is not one interconnection point of the network within an area that is within an area described as qualifying as unserved or underserved.

**Submitter:** Charter Communications

**Comment:** Charter Communications ('Charter'), a broadband service provider, has invested capital to provide a full range of Broadband services, including High Speed Internet services, in this service area. The applicant's request in the proposed un-served service area would create an overlap in Charter's service area. Charter's response includes the necessary information to validate the overlapping condition as a result of this applicant's request.

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Hargray Inc. (SC CLEC)

**Comment:** Clemson University Research Foundation application is not eligible to receive requested funds for the below-service area because that portion of proposed funded service area is neither "unserved" nor "underserved," as those terms are defined in the Notice of Funds Availability issued July 9, 2009.

As demonstrated in this response, Clemson University Research Foundation application should not be considered to receive requested funding for the relevant service area because approximately 85% of the households located within that portion of the proposed funded service area already have the ability to access facilities-based terrestrial broadband service.

As demonstrated in this response Clemson University Research Foundation application may not be eligible for funding because, at least as to the below-described service area, there is not one

interconnection point of the network within an area that is within an area described as qualifying as unserved or underserved.

**Submitter:** Comcast Cable

**Comment:** Attached is a summary of the Comcast Cable homes passed, subscriber and advertising information related to the service areas encompassed by this application.

-----**Service Area:** Denmark Region - 14

**Submitter:** TDS Telecom

**Comment:** TDS Telecom offers 3Mbps broadband service within the applicants proposed service area and provides broadband service to customers pursuant to the NOFA definitions.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Palmetto Rural Telephone Cooperative

**Comment:** Clemson University Research Foundation's application should not be considered to receive the requested funds for the below-named service area because that portion of proposed funded service is not "unserved", as that term is defined in the Notice of Funds Availability issued on July 9, 2009.

-----**Service Area:** Greenwood Region - 7

**Submitter:** CenturyLink

**Comment:** The proposed service areas are not wholly underserved or unserved.

CenturyLink is submitting data that shows the application's proposed service area is not underserved or unserved, under program guidelines. Accordingly, the application must be denied as ineligible. With limited funding and a large pool of applications, program grants and loans must be directed only to areas that are truly underserved or unserved, as stipulated in the program guidelines.

CenturyLink can certify that its affiliates currently offer broadband service in some or all of the applicant's proposed service areas. Attached is a state map that is a representative sample of areas where the application overlaps our existing broadband deployment. CenturyLink also provides data showing broadband availability in our local telephone exchanges within the proposed service areas. We will provide additional information on request if that will further assist the agency's review.

This data is not exhaustive; the application may include other areas also currently served with broadband by other providers, which should be considered in the assessment of the application. Our data combined with that of other broadband providers would likely show further duplication and overlap of broadband services in the proposed service areas.

CenturyLink has committed to upgrade and extend broadband.

CenturyLink has an extensive broadband footprint today, and has committed to extend that service even further. As part of its merger commitments to the Federal Communications Commission, CenturyLink committed to offer retail broadband Internet access service to 100% of its broadband eligible access

lines by July 1, 2012. Consequently, virtually no areas served by CenturyTel or Embarq local operating companies, in any state, will be underserved or unserved at the end of three years.

CenturyLink also agreed to meet targets for minimum download speeds. CenturyLink will ensure availability of retail broadband Internet access service with a download speed of 1.5 Mbps to 87% of the broadband eligible access lines by July 1, 2011. It will ensure availability with a download speed of 3 Mbps to 75% of broadband eligible access lines by July 1, 2010, to 78% of broadband eligible lines by July 1, 2011, and to 80% of broadband eligible lines within 3 years of the close date. Nationwide, our average tele-density is 23 customers per square mile. This commitment ensures availability of broadband even to very rural consumers.

The agency should consider the importance of this commitment, as CenturyLink's continuing investment inevitably will make applications that overlap CenturyLink service areas less viable. CenturyLink has proven, industry-leading experience in deploying broadband networks and services using both wireline and wireless technology, and a strong commitment and focus on rural areas. Today, it serves over 7 million access lines and 2.1 million broadband customers in 33 states.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** West Carolina Rural Telephone Cooperative, Inc.

**Comment:** Clemson University Research Foundation's application is not eligible to receive requested funds for the below-named service area because that portion of the proposed funded service is neither

"unserved" nor "underserved," as those terms are defined in the Notice of Funds Availability issued on July 9, 2009.

As demonstrated in this response, Clemson University Research Foundation's application should not be considered for funding for the relevant service area because the existing service provider for that portion of the proposed funded service area currently offers terrestrial broadband service at speeds exceeding 3 Mbps in the relevant area and, further, more than 40% of the households subscribe to broadband service.

-----**Service Area:** St George Region - 21

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers'

currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Comcast Cable

**Comment:** Attached is a summary of the Comcast Cable homes passed, subscriber and advertising information related to the service areas encompassed by this application.

**Submitter:** Palmetto Rural Telephone Cooperative

**Comment:** Clemson University Research Foundation's application is not eligible to receive requested funds for the below-named service area because that portion of the proposed funded service is neither "unserved" nor "underserved", as those terms are defined in the Notice of Funds Availability issued on July 9, 2009.

----**Service Area:** Columbia Region - 12

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project,

satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** PBT Telecom, Inc.

**Comment:** Clemson University Research Foundation is not eligible to receive requested funds for the below-named service area because that portion of the proposed funded service is neither "unserved" nor "underserved," as those terms are defined in the Notice of Funds Availability issued on July 9, 2009.

-----**Service Area:** Kingstree Region - 20

**Submitter:** Farmers Telephone Cooperative, Inc.

**Comment:** Clemson's application for Kingstree Region includes claims for "unserved" and "underserved" proposed funded service areas. The Clemson application for "unserved" or "underserved" funded service areas should not be considered to receive the requested funds for the below-named service area because that portion of proposed funded service area is neither "unserved" nor "underserved", as that term is defined in the Notice of Funds Available issued on July 9, 2009. As demonstrated in this response, Clemson's application should not be considered to receive requested funding for the relevant service area because 91% or more of the households located within that portion of the proposed funded service area already have the ability to access facilities-based terrestrial broadband service. Additionally, Clemson's application, as a middle mile project, may not be eligible because, at least as to the below-described service area, there is not one interconnection point of the network within an area that is within an area qualifying as unserved/underserved.

**Submitter:** TDS Telecom

**Comment:** TDS Telecom offers 3Mbps broadband service within the applicants proposed service area and provides broadband service to customers pursuant to the NOFA definitions.

**Submitter:** Home Telephone Company, Inc.

**Comment:** As demonstrated in this response, Clemson University Research Foundation's application may not be eligible for funding because, at least as the below-described service area, there is not one interconnections point of the network that is within an area qualifying as unserved or underserved.

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Comcast Cable

**Comment:** Attached is a summary of the Comcast Cable homes passed, subscriber and advertising information related to the service areas encompassed by this application.

-----**Service Area:** Greenville Region - 2

**Submitter:** Charter Communications

**Comment:** Charter Communications ('Charter'), a broadband service provider, has invested capital to provide a full range of Broadband services, including High Speed Internet services, in this service area. The applicant's request in the proposed under-served and un-served service area would create an overlap in Charter's service area. Charter's response includes the necessary information to validate the overlapping condition as a result of this applicant's request.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** Aiken Region - 13

**Submitter:** TDS Telecom

**Comment:** TDS Telecom offers 3Mbps broadband service within the applicants proposed service area and provides broadband service to customers pursuant to the NOFA definitions.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband

footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Comcast Cable

**Comment:** Attached is a summary of the Comcast Cable homes passed, subscriber and advertising information related to the service areas encompassed by this application.

**Submitter:** PBT Telecom, Inc.

**Comment:** Clemson University Research Foundation's application should not be considered to receive the requested funds for the below-named service area because that portion of proposed funded service area is not "unserved," as that term is defined in the Notice of Funds Availability issued on July 9, 2009.

-----**Service Area:** Allendale Region - 22

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Comcast Cable

**Comment:** Attached is a summary of the Comcast Cable homes passed, subscriber and advertising information related to the service areas encompassed by this application.

-----**Service Area:** Florence Region - 17

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** Conway Region - 19

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Horry Telephone Cooperative, Inc.

**Comment:** The application filed by Clemson University Research Foundation (CURF) is not eligible to receive requested funds for the below-named service area because that portion of the proposed funded service is not "underserved" nor "unserved," as those terms are defined in the Notice of Funds Availability issued on July 9, 2009. Furthermore, as demonstrated in this response, CURF's application is not eligible to receive requested funding for the relevant service area because the existing service provider for this area currently offers facilities-based, terrestrial-delivered broadband service at downstream speeds of 768 Kbps or greater to more than 50% of the households in the service area.

-----**Service Area:** Charleston Region - 24

**Submitter:** TDS Telecom

**Comment:** TDS Telecom offers 3Mbps broadband service within the applicants proposed service area and provides broadband service to customers pursuant to the NOFA definitions.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Comcast Cable

**Comment:** Attached is a summary of the Comcast Cable homes passed, subscriber and advertising information related to the service areas encompassed by this application.

-----**Service Area:** Gaffney Region - 4

**Submitter:** Chesnee Cable TV

**Comment:** Chesnee CATV Company currently provides broadband access capability to 100% of the households within the area of the proposed funded serving area indicated "PFSA" challenged area. . In the challenged PFSA they currently offer Cable Modem DOCSIS broadband data services. As of June 2009 they are serving 99% of the households with Broadband services within the challenge area, all above 768K access speeds. Chesnee CATV offers speeds of over 3Mbps throughout this area. Therefore by any of the definitions of the ARRA broadband program this area does not qualify as un-served or underserved. Within the PFSA Chesnee currently provides access to broadband services to nearly 100% of the households all with speeds above 3Mbps and has an existing broadband subscriber penetration rate of 99%. Chesnee provides broadband services at competitive rates and the subscriber penetration rate reflect this fact.

**Submitter:** Chesnee Telephone Company

**Comment:** Chesnee Telephone Company currently provides broadband access capability to 100% of the households within the area of the proposed funded serving area indicated "PFSA" challenged area. Chesnee Telephone is a rural ILEC and RUS borrower that has been serving the area for some time. In the challenged PFSA they currently offer ADSL broadband data services. As of June 2009 they are serving 27% of the households with Broadband services within the challenge area, all above 768K access speeds. Chesnee Telephone offers speeds of over 3Mbps throughout this area. Therefore by any of the definitions of the ARRA broadband program this area does not qualify as un-served. The PFSA currently has access to broadband services above 50% of the households with speed above 3Mbps. This area is underserved only to the extent that actual customer broadband subscriber penetration is slightly less than 40%. Chesnee provides broadband services at competitive rates and the subscriber penetration rate has been limited by factors other than availability and cost.

**Submitter:** Charter Communications

**Comment:** Charter Communications ('Charter'), a broadband service provider, has invested capital to provide a full range of Broadband services, including High Speed Internet services, in this service area.

The applicant's request in the proposed under-served service area would create an overlap in Charter's service area. Charter's response includes the necessary information to validate the overlapping condition as a result of this applicant's request.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** Clinton Region - 6

**Submitter:** Piedmont Rural Telephone Cooperative, Inc.

**Comment:** Piedmont Rural Telephone Cooperative, Inc. (PRTC) is an incumbent broadband provider in Laurens County, SC, an area covered by Clemson University Research Foundation's Clinton Region broadband stimulus application. Laurens County is an area served by PRTC and at least three other broadband service providers. PRTC itself provides universal broadband coverage to 100% of the potential subscribers in Laurens County and provides broadband service to approximately 22% of those potential subscribers. PRTC has consistently and effectively advertised the availability of broadband Internet access at speeds of 3 Mbps and higher. The combined penetration rate of all broadband providers in Laurens County should negate a description of the Applicant's Proposed Service Area as "unserved" or "underserved."

**Submitter:** CenturyLink

**Comment:** The proposed service areas are not wholly underserved or unserved.

CenturyLink is submitting data that shows the application's proposed service area is not underserved or unserved, under program guidelines. Accordingly, the application must be denied as ineligible. With limited funding and a large pool of applications, program grants and loans must be directed only to areas that are truly underserved or unserved, as stipulated in the program guidelines.

CenturyLink can certify that its affiliates currently offer broadband service in some or all of the applicant's proposed service areas. Attached is a state map that is a representative sample of areas where the application overlaps our existing broadband deployment. CenturyLink also provides data showing broadband availability in our local telephone exchanges within the proposed service areas. We will provide additional information on request if that will further assist the agency's review.

This data is not exhaustive; the application may include other areas also currently served with broadband by other providers, which should be considered in the assessment of the application. Our data combined with that of other broadband providers would likely show further duplication and overlap of broadband services in the proposed service areas.

CenturyLink has committed to upgrade and extend broadband.

CenturyLink has an extensive broadband footprint today, and has committed to extend that service even further. As part of its merger commitments to the Federal Communications Commission, CenturyLink committed to offer retail broadband Internet access service to 100% of its broadband eligible access lines by July 1, 2012. Consequently, virtually no areas served by CenturyTel or Embarq local operating companies, in any state, will be underserved or unserved at the end of three years.

CenturyLink also agreed to meet targets for minimum download speeds. CenturyLink will ensure availability of retail broadband Internet access service with a download speed of 1.5 Mbps to 87% of the broadband eligible access lines by July 1, 2011. It will ensure availability with a download speed of 3 Mbps to 75% of broadband eligible access lines by July 1, 2010, to 78% of broadband eligible lines by July 1, 2011, and to 80% of broadband eligible lines within 3 years of the close date. Nationwide, our average tele-density is 23 customers per square mile. This commitment ensures availability of broadband even to very rural consumers.

The agency should consider the importance of this commitment, as CenturyLink's continuing investment inevitably will make applications that overlap CenturyLink service areas less viable. CenturyLink has proven, industry-leading experience in deploying broadband networks and services using both wireline and wireless technology, and a strong commitment and focus on rural areas. Today, it serves over 7 million access lines and 2.1 million broadband customers in 33 states.

**Submitter:** Charter Communications

**Comment:** Charter Communications ('Charter'), a broadband service provider, has invested capital to provide a full range of Broadband services, including High Speed Internet services, in this service area. The applicant's request in the proposed under-served and un-served service area would create an overlap in Charter's service area. Charter's response includes the necessary information to validate the overlapping condition as a result of this applicant's request.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** Georgetown Region - 25

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3

Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** Cheraw Region - 10

**Submitter:** Sandhill Telephone Cooperative

**Comment:** Sandhill Telephone Cooperative, Inc. ("Sandhill") is responding to the application of the Clemson University Research Foundation for broadband funding under the ARRA. The applicant's Proposed Funded Service Area encompassing parts of Chesterfield and Marlboro Counties in South Carolina does not meet the definition of "unserved" as defined in the NOFA.

The area(s) in which the applicant is requesting funding is/are unclear as the applicant drew a large service area containing one area designated as unserved, but did not indicate if the remaining service area as drawn is underserved or fully served. In addition, the "Communities Chosen" list includes areas within Sandhill's service area, but they are not drawn into any map area and not designated as unserved or underserved.

Despite this uncertainty, Sandhill can respond that its Chesterfield, Jefferson, McBee, Pageland, Patrick and Ruby exchanges are located in Chesterfield County as drawn in the Public Notice Response form and overlaps approximately 50% of the service area drawn by the applicant. 100% of Sandhill's customers have access to broadband service at advertised speeds of 3 Mbps or higher in the small area that overlaps part of the area designated as unserved as well as in the remaining undesignated area. Therefore, this Proposed Funded Service Area cannot be considered as unserved.

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** Lancaster Region - 9

**Submitter:** Comporium Communications

**Comment:** Clemson University Research Foundation's application should not be considered to receive the requested funds for the below-named service area because that portion of proposed funded service is not "unserved," as that term is defined in the Notice of Funds Availability issued on July 9, 2009. As demonstrated in this response, Clemson University Research Foundation's application may not be eligible for funding because, at least as to the below-described service area, there is at least one interconnection point of the network within that area that is Applicant describes as qualifying as unserved.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Windstream

**Comment:** Windstream's data strongly suggest that the proposed funded service area likely does not qualify as an underserved area. Windstream offers facilities-based, terrestrial broadband service (meeting the definition set forth in the Notice of Funds Availability) to some of the households in the proposed funded service area, and such households can readily subscribe to Windstream's broadband service upon request. Windstream also has reason to believe that competitive broadband offerings are available in exchanges overlapping the proposed funded service area. Given this information, agency officials should further investigate existing broadband offerings within the proposed funded service area, so that officials can be sure that the area, in fact, qualifies as underserved.

Windstream is a communications and entertainment company with more than 1 million broadband customers in 16 states. Investing more than \$200 million in broadband deployment over the last several years, Windstream now offers approximately 89% of its 3 million voice customers access to quality and affordable broadband service.

The agencies define an “underserved area” as follows: “Underserved area means a proposed funded service area, composed of one or more contiguous census blocks meeting certain criteria that measure the availability of broadband service and the level of advertised broadband speeds. These criteria conform to the two distinct components of the Broadband Infrastructure category of eligible projects- Last Mile and Middle Mile. Specifically, a proposed funded service area may qualify as underserved for last mile projects if at least one of the following factors is met, though the presumption will be that more than one factor is present: 1. No more than 50 percent of the households in the proposed funded service area have access to facilities-based, terrestrial broadband service at greater than the minimum broadband transmission speed (set forth in the definition of broadband above); 2. No fixed or mobile broadband service provider advertises broadband transmission speeds of at least three megabits per second (“mbps”) downstream in the proposed funded service area; or 3. The rate of broadband subscribership for the proposed funded service area is 40 percent of households or less. A proposed funded service area may qualify as underserved for Middle Mile projects if one interconnection point terminates in a proposed funded service area that qualifies as unserved or underserved for Last Mile projects.”

-----**Service Area:** Sumter Region - 16

**Submitter:** Farmers Telephone Cooperative, Inc.

**Comment:** Clemson's application should not be considered to receive the requested funds for the below-named service area because that portion of proposed funded service area is not "unserved", as that term is defined in the Notice of Funds Available issued on July 9, 2009. As demonstrated in this response, Clemson's application should not be considered to receive requested funding for the relevant service area because 91% or more of the households located within that portion of the proposed funded service area already have the ability to access facilities-based terrestrial broadband service.

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined

broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband

footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** Newberry Region - 8

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband

footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project,

satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Comcast Cable

**Comment:** Attached is a summary of the Comcast Cable homes passed, subscriber and advertising information related to the service areas encompassed by this application.

**Submitter:** PBT Telecom, Inc.

**Comment:** Clemson University Research Foundation's application should not be considered to receive the requested funds for the below-named service area because that portion of proposed funded service area is not "unserved," as that term is defined in the Notice of Funds Availability issued on July 9, 2009.

-----**Service Area:** Clemson Region - 1

**Submitter:** Charter Communications

**Comment:** Charter Communications ('Charter'), a broadband service provider, has invested capital to provide a full range of Broadband services, including High Speed Internet services, in this service area. The applicant's request in the proposed under-served and un-served service area would create an overlap in Charter's service area. Charter's response includes the necessary information to validate the overlapping condition as a result of this applicant's request.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed

service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Northland Communications Corporation

**Comment:** No comment.

**Submitter:** West Carolina Rural Telephone Cooperative, Inc.

**Comment:** Clemson University Research Foundation's application is not eligible to receive requested funds for the below-named service area because that portion of the proposed funded service is neither "unserved" nor "underserved," as those terms are defined in the Notice of Funds Availability issued on July 9, 2009.

As demonstrated in this response, Clemson University Research Foundation's application should not be considered for funding for the relevant service area because the existing service provider for that portion of the proposed funded service area currently offers terrestrial broadband service at speeds exceeding 3 Mbps in the relevant area and, further, more than 40% of the households subscribe to broadband service.

-----**Service Area:** Rock Hill Region - 5

**Submitter:** Comporium Communications

**Comment:** Clemson University Research Foundation's application should not be considered to receive the requested funds for the below-named service area because that portion of proposed funded service is not "unserved," as that term is defined in the Notice of Funds Availability issued on July 9, 2009. As demonstrated in this response, Clemson University Research Foundation's application may not be eligible for funding because, at least as to the below-described service area, there is at least one interconnection point of the network within that area that is Applicant describes as qualifying as unserved.

**Submitter:** Time Warner Cable

**Comment:** As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

**Submitter:** Chester Telephone Co. d/b/a TruVista

**Comment:** As demonstrated in this response, the application of the Clemson University Research Foundation for Rock Hill Region-5 should not be considered for funding for the relevant service area because 91% or more of the households located within that portion of the proposed funded area already have the ability to access facilities based broadband service.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** Camden Region - 11

**Submitter:** Sandhill Telephone Cooperative

**Comment:** Sandhill Telephone Cooperative, Inc. ("Sandhill") is responding to the application of the Clemson University Research Foundation for broadband funding under the ARRA. The applicant's Proposed Funded Service Area encompassing Fairfield and Kershaw Counties in South Carolina does not meet the definition of "unserved" as defined in the NOFA.

The area(s) in which the applicant is requesting funding is/are unclear as the applicant drew a large service area containing three (3) non-contiguous areas designated as unserved, but did not indicate if the remaining service area as drawn is underserved or fully served. In addition, the "Communities Chosen" list includes areas within Sandhill's service area, but they are not drawn into any map area and not designated as unserved or underserved.

Despite this uncertainty, Sandhill can respond that its Bethune exchange is located in Kershaw County as drawn in the Public Notice Response form and overlaps approximately 6.2% of the service area drawn by the applicant. 100% of Sandhill's customers have access to broadband service at advertised speeds of 3 Mbps or higher in the small area that overlaps part of one of the areas designated as unserved as well as in the remaining undesignated area. Therefore, the Proposed Funded Service Area cannot be considered unserved.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers'

currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Windstream

**Comment:** Windstream's data strongly suggest that the proposed funded service area likely does not qualify as an underserved area. Windstream offers facilities-based, terrestrial broadband service (meeting the definition set forth in the Notice of Funds Availability) to some of the households in the proposed funded service area, and such households can readily subscribe to Windstream's broadband service upon request. Windstream also has reason to believe that competitive broadband offerings are available in exchanges overlapping the proposed funded service area. Given this information, agency officials should further investigate existing broadband offerings within the proposed funded service area, so that officials can be sure that the area, in fact, qualifies as underserved.

Windstream is a communications and entertainment company with more than 1 million broadband customers in 16 states. Investing more than \$200 million in broadband deployment over the last several years, Windstream now offers approximately 89% of its 3 million voice customers access to quality and affordable broadband service.

The agencies define an "underserved area" as follows: "Underserved area means a proposed funded service area, composed of one or more contiguous census blocks meeting certain criteria that measure the availability of broadband service and the level of advertised broadband speeds. These criteria conform to the two distinct components of the Broadband Infrastructure category of eligible projects- Last Mile and Middle Mile. Specifically, a proposed funded service area may qualify as underserved for last mile projects if at least one of the following factors is met, though the presumption will be that more than one factor is present: 1. No more than 50 percent of the households in the proposed funded service area have access to facilities-based, terrestrial broadband service at greater than the minimum broadband transmission speed (set forth in the definition of broadband above); 2. No fixed or mobile broadband service provider advertises broadband transmission speeds of at least three megabits per second ("mbps") downstream in the proposed funded service area; or 3. The rate of broadband subscribership for the proposed funded service area is 40 percent of households or less. A proposed funded service area may qualify as underserved for Middle Mile projects if one interconnection point terminates in a proposed funded service area that qualifies as unserved or underserved for Last Mile projects."

**Submitter:** Chester Telephone Company d/b/a TruVista

**Comment:** As demonstrated in this response, the application of the Clemson University Research Foundation for Camden Region-11 should not be considered for funding for the relevant service area because 91% or more of the households located within that portion of the proposed funded area already have the ability to access facilities based broadband service.