

Broadband USA Applications Database

Applicant Name: NEW EA, INC. FLOW MOBILE

Public Notice Submissions

-----**Service Area:** Flow Mobile-Brookings, Brookings County, SD

Submitter: Sioux Valley Wireless

Comment: We are filing this comment as we have recently constructed an 802-16e fully mobile licensed 2.5GHZ WIMAX wireless Internet system within Brookings, SD, the same service area as the Applicant. Our system is constructed with three broadcast locations and covers the City of Brookings and outlying rural areas with 2.5Ghz licensed WIMAX services. Our system was privately funded and we object to RUS or NTIA funding being made available to New EA to now attempt to duplicate already existing WIMAX wireless services within Brookings, proposing to utilize unlicensed 2.4GHZ frequencies. We further object to the New EA application in that the area is not unserved or underserved. Our WIMAX system is capable of greater than 3MB to end customers, and there are also two incumbent telecom providers beyond us within the City, that also make broadband services available via fiber, DSL, and 3G wireless broadband. With inclusion of our True 4G WIMAX services also now available, there is no need for RUS or NTIA to further fund to duplicate wireless broadband within this community. Even though we have not yet begun advertising our system speeds and capacities, our WIMAX service will definitely have the capability of greater than 3MB services to residents and businesses within Brookings. We expect to have commercial services available November 1st, 2009. We have concluded testing and will be launching November 1st, 2009.

Submitter: Swiftel Communications

Comment: Brookings Municipal Utilities d/b/a Swiftel Communications, a department of the City of Brookings, South Dakota ("Swiftel"), demonstrates herein that it provides broadband service throughout the entire area encompassed in the Proposed Funded Service Area ("PFSA") in the New EA application and that the PFSA is neither "unserved" nor "underserved" pursuant to the applicable definitions. The PFSA is not "unserved" because well over 90% of households in such proposed funded Service Area are able to readily subscribe from Swiftel alone (not to mention Mediacom Communications Corporation ("Mediacom"), an unrelated competing provider of broadband services) upon request to facilities-based, terrestrial broadband services with an advertised speed of greater than 768 kbps downstream and 200 kbps upstream. The PFSA is not "underserved" because: (1) well over 50% 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 as set forth in the definition of broadband; (2) Swiftel

itself (as well as Mediacom) advertises broadband service at broadband transmission speeds of at least 3 megabits per second downstream throughout the Proposed Funded Service Area; and (3) the rate of broadband subscribership for Swiftel and Mediacom in the PFSA is greater than 40 percent of the households therein.