

## Broadband USA Applications Database

**Applicant Name:** Darke County, Ohio

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### Public Notice Submissions

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**Submitter:** Time Warner Cable Inc

**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. AT&T has attempted to use the available manual mapping tool, to the best of its ability, to approximately depict its combined wireline and 3G mobile broadband service area footprint overlaid on the Applicant's proposed funded service area.

**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:** 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:** KeyOn Communications

**Comment:** KeyOn Communications currently provides access at speeds of at least 768kbps downstream and at least 200kbps upstream to more than 50% of the homes in the designated area.