

## Broadband USA Applications Database

**Applicant Name:** MidAmerican Broadband Pipeline, Inc.

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### Public Notice Submissions

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**Submitter:** ATC Communications

**Comment:** Arapahoe Telephone Company (ATC Communications) provides high speed broadband internet service to its service territory with download speeds ranging from 1 Mbps up to 7 Mbps; and upload speeds from 256 kbps up to 768 kbps. ATC does not charge an installation fee and monthly pricing plans begin at an affordable rate of \$29.95. ATC is capable of offering broadband service to all the households in its service territory.

**Submitter:** Galaxy Cable Inc.

**Comment:** Galaxy Cable Inc., dba Galaxy Cablevision, provides high speed Internet service to various communities within this proposal. Residents of these communities can obtain Internet service from Galaxy with speeds up to 5Mbps downstream. A DSL option is also available in the communities via Windstream Communications.

**Submitter:** Antilles Wireless, LLC

**Comment:** Antilles Wireless, dba Cable Nebraska, provides high speed data services with speeds higher than 3 Meg download to Alma, NE. We currently have 11% penetration in Alma. We also compete with the local telephone provider which offers DSL high speed data service. It does not seem necessary, nor a benefit, to provide funding to build out a last mile project in Alma, NE.

**Submitter:** Great Plains Communications, Inc.

**Comment:** Based on the map provided and brief public description, the MidAmerican Broadband Pipeline "Plains Connect Rural Heartland Project" (MidAmerican) is not only imprecise and overly broad but appears to define a "Last Mile" rather than "Middle Mile" project. The rhetoric in the MidAmerican Executive Summary describes a request for funding for an extensive geographical area with a relatively sparse population and that is that is already well served with "Last Mile" and "Middle Mile" facilities.

Great Plains Communications (GPC) provides middle mile and last mile services to 1,174 of the census blocks contained in this application. Of the overall 90,487 population that the applicant claims is underserved, GPC provides service to 12,040 people, or 13.3%. As GPC will demonstrate in the confidential portion of its response, the broadband service levels it offers to its subscribers contradicts the applicant's claims of the area being underserved.

In addition, the fiber optic or wireless "connectivity" to the existing MidAmerican backbone network that the application seeks to fund is unnecessary. GPC today leases transport capacity from MidAmerican's backbone network, but has no need for any of the facilities generally described in MidAmerican's redacted Executive Summary in order to provide broadband connectivity in the affected census blocks. In point of fact, GPC believes that the \$8.9M in funding that the application seeks would be a misuse of scarce stimulus funding for areas that are already well served with middle mile and last mile broadband-capable facilities.

**Submitter:** BWTelcom

**Comment:** Benkelman, Wauneta and Hartman Telephone Companies, dba BWTelcom, currently serves its certificated exchange areas with Broadband service in the application area which meets or exceeds all ARRA NOFA requirements to be classified as a "Served" area. 100% of the households have access to Broadband service of at least 768/200 Kbps. The current residential take rate in the area at a speed of 768/200 Kbps or higher is 46% of households. BWTelcom offers a 5 Mbps service.

**Submitter:** Hamilton.net, Inc.

**Comment:** All residents and businesses within this service area have had access to broadband DSL services for several years. The number of businesses listed within the zipcode(s) associated with our response are severely skewed and cannot be used for any legitimate analysis.

**Submitter:** Clarks Telecommunications Company

**Comment:** Clarks Telecommunications Company (CTC) is filing this response to the MidAmerican Broadband Pipeline, Inc., (Applicant) Application because we are of the belief that this Application misrepresents the availability of Broadband service (786k downstream/200k upstream) within the area that the Applicant's proposed funded service area (PFSA) overlaps CTC's service area.

CTC was organized in 1908 and in 2007 was acquired by Northeast Nebraska Telephone Company (NNTC), a customer owned cooperative.

CTC is presently a borrower with the Rural Utilities Service and has been since 1957.

Within the PFSA overlap, CTC's recently constructed buried fiber optics cable to the premise (FTTP) network provides access to Broadband services to 100% of the residential households and businesses, CTC advertises Broadband service of 3 Megabits and greater to 100% of the residential households and businesses, and with this new buried FTTP network CTC anticipates the rate of subscription to be greater than 40% in a relatively short period of time.

Applicant's request for funds to build another Broadband capable network, if granted, will be a duplication of investment, duplication of an existing FTTP Broadband capable network, and divert funding that could be available for unserved areas.

**Submitter:** ATCjet.net LLC

**Comment:** ATCJet.net, LLC provides high speed broadband internet service to its service territory with download speeds ranging from 1 Mbps up to 7 Mbps; and upload speeds from 256 kbps up to 768 kbps. ATCJet.net, LLC does not charge an installation fee and monthly pricing plans begin at an affordable rate of \$29.95. ATCJet.net, LLC is capable of offering broadband service to all the households in its service territory.

**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:** Nebraska Central Telephone Co.

**Comment:** The respondent (Nebraska Central Telephone Company) is a Local Exchange Carrier (Common Carrier) that offers facilities-based, terrestrial Broadband (high speed) Internet access service in the overlap area of the PFSA.

The respondent's overlap area of applicant's PFSA contains 51 households. Respondent provides Broadband Internet access service (as defined in the NOFA) exceeding 768K downstream and 200K

upstream speeds to 100% of the households and businesses in its response polygon. Therefore, the PFSA does not qualify as “underserved” based on the availability criterion.

In response to the PFSA, respondent’s advertising copy has been uploaded showing the availability and advertising of service tiers of Broadband speeds up to 5MB downstream and 1 MB upstream, so the PFSA does not qualify as underserved based on the 3Mbps criterion.

The third qualifying criterion for underserved areas requires the use of company specific market data, and is addressed in the Proprietary Comments section.