

Broadband USA Applications Database

Applicant Name: E-Mac Corporation

Public Notice Submissions

-----**Service Area:** pa

Submitter: Utopian Wireless Corporation

Comment: Proprietary data regarding actual service provider broadband penetration in the proposed service area for this application demonstrates the area is already served by broadband options and therefore this application is ineligible for funding pursuant to the requirements of the Broadband Initiatives Program (BIP) and Broadband Technology Opportunities Program (BTOP).

Submitter: Armstrong Telephone Company

Comment: Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Telephone provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and its high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

Submitter: Pencor

Comment: RESIDENTIAL PACKAGES

Blue Ridge Communications offers Residential High Speed Internet Packages that range from:

1.5 Megabits Downstream / 384 Kilobits Upstream to 15Megabits Downstream /2 Megabits Upstream.

COMMERCIAL PACKAGES

Blue Ridge Communications Commercial High Speed Internet Packages range from:

3 Megabits Downstream / 800 Kilobits Upstream to 15 Megabits Downstream / 2 Megabits Upstream.

Blue Ridge Communications/PTD Commercial High Speed Internet Packages range from:

2 Megabits Downstream / 2 Megabit Upstream to 12 Megabits Downstream / 2 Megabit Upstream

Submitter: Tele-Media Company of Zion, L.L.C.

Comment: Tele-Media Company of Zion,LLC provides cable TV services including broadband and telephony in two areas of central Pennsylvania that are included within the applicant's service areas. We provide broadband service that meets or exceeds the definition of broadband in 100% of these two service areas; accordingly, our areas are not unserved or underserved.

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: Armstrong Cable Services

Comment: Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

Submitter: Armstrong Telephone Co.

Comment: Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Telephone provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and its high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

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:** VA

Submitter: Citizens Telephone Cooperative, Inc

Comment: Citizens Telephone Cooperative, Inc. and its wholly owned subsidiaries already provide last mile broadband services to residents and businesses in Wythe, Floyd, and Patrick counties, as well as an Open Access "Middle Mile" Fiber Network in the counties of Wythe, Carroll, Floyd, Grayson, and Patrick and the city of Galax.

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: JetBroadband VA, LLC.

Comment: Since 2005, Jetbroadband VA, LLC has provided full, robust broadband service in its service areas (see service area map). JetBroadband VA, LLC advertises service of speeds above 3 Mbps throughout the identified service area[s]. JetBroadband VA, LLC passes over 50% of households within our service area and together with its existing competitors provide broadband services that combined exceed 40% subscribership penetration. Here is a recap of Jetbroadband's presence in the State:

- Jetbroadband VA, LLC has invested over \$140 million (\$140,000,000) of private capital in the State of Virginia

- Operates out of seven (7) local offices that it owns and or leases

- Employs nearly 100 local residents

- Operates its own Customer Care Call Center out of its Rustburg, VA central office

- Services the local communities with its existing 2,600 miles of cable plant, 63 vehicles and related equipment

- Jetbroadband currently offers last-mile broadband services that includes High Speed Data, Video and Digital Phone (Triple Play offerings),

- Jetbroadband service offerings are available to over 92,000 homes/households

- Serves over 50,000 customers in the State.

The service areas are served and therefore the NTIA/RUS should NOT disburse federal stimulus funds (public taxpayer funds) to applicants that seek to overbuild current service providers and Jetbroadband and compete with the significant private capital that has already been invested in these areas.

Submitter: DigitalBridge Communications Corp.

Comment: DigitalBridge Communications (“DBC”) currently offers true 4G, WiMAX broadband service in the applicant’s PFSA, serving an active base of residential and business subscribers in the PFSA. Other companies also serve the PFSA - DBC actively competes with cable a broadband provider (Jet Broadband) in the PFSA. DBC estimates 30% overlap of its coverage with the PFSA based on households served.

Submitter: Scott County Telephone Cooperative

Comment: The proposed funded service area includes 4712 households and 605 businesses that have access to Scott County Telephone Cooperative broadband service. These households and businesses have access to fixed broadband service with transmission speeds of more than 3 Mbps downstream.

Submitter: Pembroke Telephone Cooperative

Comment: Pembroke Telephone Cooperative (PemTel) provides this response to the BIP/BTOP application submitted by E-Mac Corporation (E-Mac). PemTel is filing this response in order to alert NTIA and RUS that information contained in the E-Mac’s last mile remote area application may be inaccurate at least as it pertains to the availability of broadband service in significant portions of Giles County, Virginia and a small portion of Craig County, Virginia – areas that E-Mac represents in its application as being “unserved” and “underserved” – as well its description of its proposed funded service area as being “remote,” as that term is defined in the Notice of Funds Availability (NOFA).

Submitter: Richmond 20 MHz and Virginia PCS Allnce dba NTELOS

Comment: NTELOS herein provides information on its existing broadband services within Applicant’s proposed service area to be funded.

-----**Service Area:** md

Submitter: Antietam Cable Television, Inc.

Comment: Antietam Cable Television, Inc. (“Antietam Cable”), a privately owned corporation, provides cable television and broadband service to residents and businesses in Washington County, Maryland. Antietam Cable currently offers broadband service to more than 45,000 households spanning 340 square miles of Washington County, Maryland. As an existing broadband service provider, Antietam Cable objects to the representations made by E-Mac Corporation (“E-Mac”) regarding the proposed service area in its application for broadband stimulus funding. In its application, E-Mac seeks funding to offer broadband service to the majority of Washington County, MD, claiming that this area is both unserved and/or underserved. As described in detail below, however, these claims are inaccurate as E-Mac’s proposed service area in Washington County is neither unserved nor underserved.

Submitter: Suddenlink

Comment: This application, filed by a satellite provider of broadband services, proposes a multi-state funded service area (FSA), within which Suddenlink provides wireline broadband services. The sizable number of responses that Suddenlink needed to file as part of this overall process, and the 30-day window in which we were allowed to do so, prohibited us from mapping all Suddenlink-served areas within this particular, multi-state FSA. Accordingly, for the purposes of our response to this application, we have mapped one Suddenlink service area as an example of the company’s many service areas within the applicant’s proposed FSA. Suddenlink requests that the agency reviewing this response take special care to determine ALL of the served areas in the applicant’s FSA and restrict any awarded funds to the provision of broadband service in the unserved and underserved portions of the proposed FSA.

Additional information is provided in the uploaded document, including (1) sample marketing material; (2) a guide on how to read the data we entered in the “Existing Broadband Subscribers” section of this response; (3) a summary of the vendor and methodology used for estimating competitive-service subscribers in the mapped area; (4) Suddenlink contact information, should one or more federal agencies have questions or require additional information; and (5) a summary of concerns with the response process and the limitations that process has placed on our ability to provide NTIA/RUS with relevant, timely data.

Submitter: Armstrong Cable Services

Comment: Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and its high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

Submitter: Suddenlink Communications

Comment: This application, filed by a satellite provider of broadband services, proposes a multi-state funded service area (FSA), within which Suddenlink provides wireline broadband services. The sizable number of responses that Suddenlink needed to file as part of this overall process, and the 30-day window in which we were allowed to do so, prohibited us from mapping all Suddenlink-served areas within this particular, multi-state FSA. Accordingly, for the purposes of our response to this application, we have mapped one Suddenlink service area as an example of the company's many service areas within the applicant's proposed FSA. Suddenlink requests that the agency reviewing this response take special care to determine ALL of the served areas in the applicant's FSA and restrict any awarded funds to the provision of broadband service in the unserved and underserved portions of the proposed FSA.

Additional information is provided in the uploaded document, including (1) sample marketing material; (2) a guide on how to read the data we entered in the "Existing Broadband Subscribers" section of this response; (3) a summary of the vendor and methodology used for estimating competitive-service subscribers in the mapped area; (4) Suddenlink contact information, should one or more federal agencies have questions or require additional information; and (5) a summary of concerns with the response process and the limitations that process has placed on our ability to provide NTIA/RUS with relevant, timely data.

-----**Service Area:** NC

Submitter: Star Telephone Membership Corporation

Comment: Star Telephone Membership Corporation has been Broadband compliant since 2001 offering DSL speeds up to 3mbs down and 512K up in all 10 Exchanges in our 5 county Serving Area in which we are heavily engaged in a 100% FTTH Build-Out Construction Program.

Submitter: Citizens Telephone Company d/b/a Comporium

Comment: E-Mac Corporation'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, E-Mac Corporation'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.

Also demonstrated in this response, E-Mac Corporation's application is not eligible to receive requested funding for the relevant service area because applicant fails to meet any of the criteria showing that the proposed funded service area that overlays the below-described area is underserved. The existing service provider for this area currently offers facilities-based, terrestrial-delivered broadband service at downstream speeds of 3 Mbps or greater and more than 40% of the households in the area subscribe to broadband service.

Submitter: Atlantic Telephone Membership Corporation

Comment: E-Mac Corporation indicates in its application that Brunswick County NC is unserved and/or underserved with regard to broadband service to consumers. But, in fact, the portion of Brunswick County which is included in the serving area of Atlantic Telephone Membership Corporation (ATMC) is not unserved or underserved. Broadband service is made available to 100% of the households in our serving area, with 99.9% of those households capable of receiving broadband speeds of 6.0Mbps or greater. Currently, more than 40% of the total households subscribe to those services. In addition, consumers in our serving area enjoy a competitive marketplace where they have a choice of broadband providers. ATMC actively advertises its broadband services to the public on a regular basis and consistently provides such services at competitive market rates. We believe the granting of Federal Stimulus Funds for the purposes of expanding broadband services in our serving area would be an

inappropriate use of government funds in that the goal of granting such funding has already been reached in our serving area.

Submitter: SkyLine Telephone Membership Corporation

Comment: Although we applaud the efforts of E-MAC to offer high speed broadband in areas lacking in available broadband service, Digital Subscriber Line service is available throughout the area where the proposed E-MAC territory in North Carolina overlaps the service area of SkyLine Telephone Membership Corporation. Digital Subscriber Line service is available to well over 50% of households. Transmission speeds up to at least 3 mbps downstream and 512 kbps upstream are advertised. Broadband subscribership via DSL is in excess of 39% and is likely in excess of 2% via competing cable modem service which would combine for an amount in excess of 41%.

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: 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.”

Submitter: ET Communications

Comment: ET Communications (“ETC”) is responding to this Public Notice Filing regarding E-Mac Corporation’s application for broadband funding under the ARRA. The applicant’s proposed funded service area encompasses the entire state of North Carolina. ETC is an incumbent broadband provider that currently offers broadband service (as defined in the NOFA) to 95% of the overlap with the applicant’s proposed funded service area, as outlined in the response area map. The proposed funded service area overlaps completely with ETC’s incumbent service area, and the applicant claims that the area is both “unserved” and “underserved”. This application should be rejected as the applicant incorrectly designated the entire state as both “unserved” and “underserved”. The data provided in this response demonstrates that the applicant’s claim that the proposed funded service area which overlaps with ETC is “undeserved” and “underserved” is not true.

-----**Service Area:** WV

Submitter: West Virginia PCS Alliance LC dba NTELOS

Comment: NTELOS herein provides information on its existing broadband services within Applicant’s proposed service area to be funded.

Submitter: Armstrong Telephone Company

Comment: Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and its high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

Submitter: Suddenlink

Comment: This application, filed by a satellite provider of broadband services, proposes a multi-state funded service area (FSA), within which Suddenlink provides wireline broadband services. The sizable number of responses that Suddenlink needed to file as part of this overall process, and the 30-day window in which we were allowed to do so, prohibited us from mapping all Suddenlink-served areas within this particular, multi-state FSA. Accordingly, for the purposes of our response to this application, we have mapped one Suddenlink service area as an example of the company's many service areas within the applicant's proposed FSA. Suddenlink requests that the agency reviewing this response take special care to determine ALL of the served areas in the applicant's FSA and restrict any awarded funds to the provision of broadband service in the unserved and underserved portions of the proposed FSA.

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Submitter: Shentel

Comment: Shentel passes approximately 15,437 homes and 2,427 businesses in the State of West Virginia. Approximately 33% of Shentel's cable systems have already been or will be upgraded to provide

broadband services before the end of 2009, and Shentel has committed to providing broadband to 100% of its markets in the first half of 2010.

Submitter: Armstrong Cable Services

Comment: Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and its high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

Submitter: JetBroadband WV, LLC.

Comment: Since 2005, Jetbroadband WV, LLC has provided full, robust broadband service in its service areas (see service area maps). JetBroadband WV, LLC advertises service of speeds above 3 Mbps throughout the identified service area[s]. JetBroadband WV, LLC passes over 50% of households within our service area and together with its existing competitors provide broadband services that combined exceed 40% subscribership penetration. Here is a recap of Jetbroadband's presence in the State:

- Jetbroadband WV, LLC has invested nearly \$25,000,000 of private capital in Wyoming County & McDowell County, WV

- Operates out of local offices

- Employs 30 local residents

- Services the local communities with its existing 637 miles of cable plant, 15 vehicles and related equipment

- Jetbroadband currently offers last-mile broadband services that includes High Speed Data, Video and Digital Phone (Triple Play offerings)
- Jetbroadband service offerings are available to over 21,000 homes/households
- Serves nearly 11,000 customers in Wyoming and McDowell Counties, WV.