

Broadband USA Applications Database

Applicant Name: NTCH, Inc.

Public Notice Submissions

-----**Service Area:** NTCH 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: 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: 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: Atlantic Telephone Membership Corporation

Comment: NTCH, Inc. 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: 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. 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.

Submitter: Tele-Media Company of the Atlantic, L.L.C.

Comment: The application includes the Village of Bald Head Island, NC. The entire Bald Head Island including the Village of Bald Head Island is currently served with broadband service by Tele-Media Company of the Atlantic, LLC.

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 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: ET Communications

Comment: ET Communications (“ETC”) is responding to this Public Notice Filing regarding NTCH, Inc.’s application for broadband funding under the ARRA. The applicant’s proposed funded service area encompasses a large portion of southeastern 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 “underserved”. The data provided in this response demonstrates that the applicant’s claim that the proposed funded service area which overlaps with ETC is “underserved” is not true.

Submitter: Suddenlink Communications

Comment: This response conclusively demonstrates that Suddenlink and its competitors already offer robust broadband service within the mapped area of the applicant’s proposed funded service area and that this mapped area is neither unserved nor underserved. 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.