

Broadband USA Applications Database

Applicant Name: Level 3 EON, LLC

Public Notice Submissions

-----**Service Area:** Reagan

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.”

-----**Service Area:** Fruitland

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.

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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.”

-----**Service Area:** Navasota

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.

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subscriberhip 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: 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.

-----**Service Area:** Itasca

Submitter: TOCN

Comment: The Itasca tower proposed by Level 3 EON, LLC partially covers the area that is already being served by TOCN since 2004 by serving 650 households in their communities that are overlapped by the proposed service area. These communities are being served by 6 other broadband servers along with the incumbents.

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

-----**Service Area:** Knippa

Submitter: Texas Lone Star Network

Comment: Comments: The University of Texas at Austin

Texas Lone Star Network, Inc. (TSLN) is middle mile provider that provides wholesale transport and Internet bandwidth in the state of Texas. TSLN appreciates the opportunity to provide comments to RUS and NTIA regarding the ARRA applications. TSLN was founded by 38 Texas telecommunications providers as an alternative middle mile market provider with the objective of providing higher capacity with lower operating costs and consequently lower rates to its members and other telecommunication providers. TSLN has been operating since _____ and has invested considerable capital in the state of Texas by providing solutions for private networks providers, local exchange carriers, long distance carriers, competitive providers, Internet providers, wireless providers, and cable providers

TSLN has reviewed the middle mile ARRA application filed by The University of Texas at Austin (UT) which seeks loan and grant funds to provide middle mile connectivity to areas they say will "...create a useful broadband infrastructure for the people in Texas who need it." UT further states: "...the problem of building adequate network connections between the Internet's backbone pipes and the last mile local loops that go to end users with no means of connecting those local loops to the greater network." TSLN takes exception to UT's claim that middle mile facilities are not available and adequate today and are preventing end-users from obtaining high speed broadband services. This is simply not a correct statement. TSLN has in place sufficient middle mile capacity to provide to all last mile providers along the route described in UT's application.. TSLN is not aware of any last mile provider along UT's proposed route that does not have sufficient capacity available. TSLN currently has bandwidth capacity of up to 10 GigE available. TSLN takes exception to the limited ARRA resources being used as proposed by UT. In addition, the loan/grant request of \$99,825,256 seems excessive when compared to the capital investments made by TSLN for similarly placed facilities and capacity.

TSLN point outs that funding another middle mile provider in an area that is already saturated with multiple service providers is a poor use of limited ARRA funds and does not meet the goals of the ARRA.. TSLN requests that the UT ARRA application which labels its proposed funded area as unserved or underserved be considered areas that do not qualify for ARRA grant or loan funding.

The TSLN members are: Alonso Cellular, Advanced Telecom. Big Bend Telephone, Border2Border, Brazoria Telephone., Cap Rock Telephone, Central Texas Communications, Century Telephone, Colorado Valley Telephone , Coleman County Telephone, Comanche County Telephone, Comcell ,Cumby Telephone, Delcom, Etex Telephone, Eastex Telephone, Five Area Telephone , Guadalupe Valley Telephone, Hill Country Telecommunications. Industry Telephone Company, LaWard Communications, Lipan Cell-Tel, Norte Communications, Brazos Telephone, Peoples Telephone, Plateau Telecommunications, Poka Lambro Telephone, Riveria Telephone, Santa Rosa Telephone, South Plains Telephone, Southwest Texas Telephone, Taylor Telephone, Townes Communications, W. T, Services, YK Communications and XIT Telecommunications

Please contact us if you have any questions.

-----**Service Area:** Atlanta

Submitter: Etex Telephone Cooperative, Inc.

Comment: Etex Telephone Cooperative, Inc. is an ILEC providing reliable terrestrial broadband data service within portions of the proposed funding area. Etex is currently capable of delivering 4-5mbps broadband service throughout much of 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.

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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.”

-----**Service Area:** Dumas

Submitter: Texas Lone Star Network

Comment: Comments: Level 3 EON, LLC

Texas Lone Star Network, Inc. (TLSN) is a wholesale middle mile provider that provides backhaul transport and Internet bandwidth for incumbent local exchange and competitive local exchange carriers, operating in the rural areas of Texas. TLSN appreciates the opportunity to provide comments to RUS and NTIA regarding the ARRA applications. TLSN is owned by 39 independent Texas Telecommunications providers. TLSN is a combination of telecom transport networks that offer connectivity to Texas' most congested and fastest growing regions as well as many rural areas. TLSN has solutions for private networks, local carriers, long distance carriers, CLEC providers, Internet providers, Wireless Internet Providers and Cable TV Providers.

TLSN has reviewed the middle mile ARRA application filed by Level 3 EON, LLC, which seeks loan and grant funds to provide middle mile connectivity to areas they say will “open new access points offering underserved area a new on-ramp to high-speed services. By investing in additional fiber optic transmission equipment and supporting network elements last mile providers and their subscribers will gain access to the national Internet backbone at lower costs.” TLSN takes exception to Level 3’s claim that the middle mile facilities are not adequate today and are preventing end-user customers from obtaining high speed broadband services.

As a middle-mile service provider TLSN provides point to point transport services for our state wide diverse service region. Because TLSN is not busy acquiring property and building a network, its costs are well contained and pricing remains highly competitive. As a result, TLSN is the most cost effective option to provide bandwidths of DS1 to 10 GigE for a broad range of telecommunications carriers and resellers.

TLSN's member group consists of the following companies: Alonso Cellular, Advanced Telecom. Big Bend Telephone, Border2Border, Brazoria Telephone., Cap Rock Telephone, Central Texas Communications, Century Telephone, Colorado Valley Telephone , Coleman County Telephone, Comanche County Telephone, Comcell, ,Cumby Telephone, Delcom, Etex Telephone, Eastex Telephone, Five Area Telephone. , Guadalupe Valley Telephone, Hill Country Telecommunications. Industry Telephone Company, LaWard Communications, Lipan Cell-Tel, Norte Communications, Brazos Telephone, Peoples Telephone, Plateau Telecommunications, Poka Lambro Telephone, Riveria Telephone, Santa Rosa Telephone, South Plains Telephone, Southwest Texas Telephone, Taylor Telephone, Townes Communications, W. T, Services, YK Communications and XIT Telecommunications

TLSN point outs that funding another middle mile provider in an area that is already saturated and has multiple service providers is a poor use of the limited ARRA funds. TLSN requests that any ARRA application that labels its ability to acquire middle mile facilities as unserved or underserved, be removed from the Level 3 application and be considered areas that do not qualify for ARRA grant or loan funding.

Please contact us if you have any questions.

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.

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-----**Service Area:** Luling

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.”

-----**Service Area:** Leesburg

Submitter: Etex Telephone Cooperative, Inc.

Comment: Etex Telephone Cooperative, Inc. is an ILEC providing reliable terrestrial broadband data service within portions of the proposed funding area. Etex is currently capable of delivering 4-5mbps broadband service throughout much of its service territory.

Submitter: TOCN

Comment: The Leesburg tower proposed by Level 3 EON,LLC covers an area that is already being served by TOCN since 2004 by serving 138 households . These rural communities have 6 broadband providers that supply internet with speeds well above the minimum set by the stimulus application guidelines.

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.

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-----**Service Area:** Tolbert

Submitter: Texas Lone Star Network

Comment: Comments: The University of Texas at Austin

Texas Lone Star Network, Inc. (TLSN) is middle mile provider that provides wholesale transport and Internet bandwidth in the state of Texas. TLSN appreciates the opportunity to provide comments to RUS and NTIA regarding the ARRA applications. TSLN was founded by 38 Texas telecommunications providers as an alternative middle mile market provider with the objective of providing higher capacity with lower operating costs and consequently lower rates to its members and other telecommunication providers. TLSN has been operating since ____ and has invested considerable capital in the state of Texas by providing solutions for private networks providers, local exchange carriers, long distance carriers, competitive providers, Internet providers, wireless providers, and cable providers

TLSN has reviewed the middle mile ARRA application filed by The University of Texas at Austin (UT) which seeks loan and grant funds to provide middle mile connectivity to areas they say will "...create a useful broadband infrastructure for the people in Texas who need it." UT further states: "...the problem of building adequate network connections between the Internet's backbone pipes and the last mile local loops that go to end users with no means of connecting those local loops to the greater network." TLSN takes exception to UT's claim that middle mile facilities are not available and adequate today and are preventing end-users from obtaining high speed broadband services. This is simply not a correct statement. TLSN has in place sufficient middle mile capacity to provide to all last mile providers along the route described in UT's application.. TSLN is not aware of any last mile provider along UT's proposed route that does not have sufficient capacity available. TLSN currently has bandwidth capacity of up to 10 GigE available. TSLN takes exception to the limited ARRA resources being used as proposed by UT. In addition, the loan/grant request of \$99,825,256 seems excessive when compared to the capital investments made by TLSN for similarly placed facilities and capacity.

TLSN point outs that funding another middle mile provider in an area that is already saturated with multiple service providers is a poor use of limited ARRA funds and does not meet the goals of the ARRA.. TLSN requests that the UT ARRA application which labels its proposed funded area as unserved or underserved be considered areas that do not qualify for ARRA grant or loan funding.

The TLSN members are: Alonso Cellular, Advanced Telecom. Big Bend Telephone, Border2Border, Brazoria Telephone., Cap Rock Telephone, Central Texas Communications, Century Telephone, Colorado Valley Telephone , Coleman County Telephone, Comanche County Telephone, Comcell ,Cumby Telephone, Delcom, Etex Telephone, Eastex Telephone, Five Area Telephone , Guadalupe Valley Telephone, Hill Country Telecommunications. Industry Telephone Company, LaWard Communications, Lipan Cell-Tel, Norte Communications, Brazos Telephone, Peoples Telephone, Plateau Telecommunications, Poka Lambro Telephone, Riveria Telephone, Santa Rosa Telephone, South Plains Telephone, Southwest Texas Telephone, Taylor Telephone, Townes Communications, W. T, Services, YK Communications and XIT Telecommunications

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-----**Service Area:** Edgewood

Submitter: TOCN

Comment: The Edgewood tower proposed by Level 3 EON, LLC covers several communities that are already being served by TOCN since 2004 by serving 111 households, as well as 6 other broadband providers including the incumbents. According to a survey taken for TOCN by a third party company the broadband take rate for this community is 47%.

-----**Service Area:** Buna

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: 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.

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-----**Service Area:** Del Rio

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: Big Bend Telephone Co.

Comment: Big Bend Telephone Company, Inc. is an ILEC currently providing terrestrial broadband

data service within portions of the proposed funding area. Big Bend Telephone has served this area as the provider of last resort since 1960 and currently provides broadband service throughout 100% of its rural service territory.

-----**Service Area:** Liberty-Sour Lake

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.

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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.”

-----**Service Area:** Corsicana

Submitter: windstream

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