

Broadband USA Applications Database

Applicant Name: Cyber Digital, Inc.

Public Notice Submissions

-----**Service Area:** Essex

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 and un-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: 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: High Peak Ed Fnd & Keene Valleey Video & internet

Comment: The service areas for this proposal in the Town of Keene, New York Are shown as Unserved and shown to be in the CBN Connect Service area. They are in census tract 960900, block group 5, blocks 5017-5131. These areas do not meet the definition of unserved or underserved based on the July 9 definitions released by RUS and NTIA for the following reasons.

Greater than 90% of the homes in this area are reached by fiber-to-the-home service recently built by the joint effort of the local school foundation (High Peaks Education Foundation) and the local ISP (Keene Valley Video and Internet). There are 3 levels of service available, 1, 2 and 3 mbps all of which exceed the government definition of broadband. This is the product of 3 years of grassroots community fundraising and work towards this goal.

In addition, about 1/3 of the homes in this area have a second service provider available. A brand new Verizon Wireless tower became operational in October 2009. Speeds range from 600kbps to 1.4mbps at \$40-60 per month.

Clearly there is no need for the government to fund an overbuild in this area. Community grass roots action solved our middle mile and last mile problem and to provide broadband access to over 90% of the homes in Keene and Keene Valley (zips 12942 and 12943). Government funds for middle and last mile projects would be better spent where a need exists.

Finally, CBN Connect is a middle mile project and there are no middle mile access problems in the Town of Keene. We have built links to low cost middle mile service providers.

Please feel free to call me at 518-576-9791 or email me with any questions you might have. We are very proud of our rural broadband accomplishments and pleased to be ahead of the curve on this issue. We would be happy to provide any assistance that might be helpful. We respectfully suggest that the government can better spend its limited funds outside of our town.

-----**Service Area:** Clinton

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 and un-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: 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."

-----**Service Area:** Otsego

Submitter: Time Warner Cable

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-----**Service Area:** Washington

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-----**Service Area:** Greene

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."

-----**Service Area:** Columbia

Submitter: Taconic Telephone Corporation

Comment: Taconic Telephone Corporation ("Taconic") is responding to this Public Notice Filing regarding Cyber Digital, Inc.'s application for broadband funding under the ARRA. The applicant's proposed funded service area is located in Columbia County New York. Taconic is an incumbent broadband provider that currently offers broadband service (as defined in the NOFA) to 100% of its service area as outlined in the response area map in Columbia County New York. For the proposed

funded service area which overlaps with Taconic's incumbent service area, the applicant did not designate its proposed funded service area as "unserved" or "underserved". Therefore, the application should be rejected. Taconic is still providing this response and the data provided in this response demonstrates that the overlap with the proposed funded service area is neither "unserved" or "underserved".

-----**Service Area:** Franklin

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."