

Broadband USA Applications Database

Applicant Name: USCOC of Nebraska/Kansas, LLC (lead); Kansas #15 Limited Partnership (collectively referred to as U.S. Cellular)

Public Notice Submissions

-----**Service Area:** NEBRASKA

Submitter: Henderson Cooperative Telephone Company

Comment: Henderson Cooperative Telephone Company, dba Mainstay Communications, currently provides service in its certificated exchange area that 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 penetration rate of Broadband service at a speed of 768/200 Kbps or higher is 63%. Henderson Cooperative Telephone offers a 5 Mbps Broadband service.

Submitter: American Broadband Wireless

Comment: HunTel CableVision is an incumbent cable television provider with municipal franchise authority to offer cable television service in 20 communities in northeast Nebraska. HunTel Cablevision offers broadband internet and data services utilizing high speed wireless technologies in rural areas that extend beyond the municipal boundaries of its franchised cable television serving areas. HunTel Cablevision is also classified as a competitive local exchange carrier (CLEC), and is designated by the Nebraska Public Service Commission (PSC) as an eligible telecommunications carrier (ETC) for purposes of receiving Federal Universal Service Support (FUSF). HunTel CableVision offers rural wireless broadband services at speeds that meet and exceed the minimum download (768 Kbps) and upload (200 Kbps) speeds defined in the NOFA. HunTel CableVision does business as (dba) American Broadband in Nebraska. This specific response is from the perspective of the wireless broadband service that is offered in the rural areas that extend beyond our municipal franchise serving areas that overlap with the U.S. Cellular Last Mile Stimulus Application. We have also filed a separate response from the perspective of our cable modem broadband service.

HunTel CableVision (dba American Broadband) advertises broadband service alternatives using wireless technologies that meet and exceed minimum download and upload speeds defined in the NOFA.

HunTel CableVision subscriber numbers provided in this response do not include the cable modem subscribers included in our companion cable modem response to the U.S. Cellular application and do not count/include the penetration of Qwest, which is the ILEC in communities where HunTel CableVision

operates as a CLEC, or other broadband competitors that operate in the service area that U.S. Cellular has applied for.

U.S. Cellular has submitted a last mile broadband stimulus application that overlaps HunTel CableVision wireless serving areas. The U.S. Cellular application overlaps with 2,998 census blocks in which HunTel CableVision offers wireless broadband services. In these census blocks, HunTel CableVision provides wireless broadband service to 488 residential customers and 31 business customers. This does not include the number of residences served by Qwest and other broadband competitors, and our own cable modem broadband services offered within our cable television municipal franchise areas. Thus, the overlap area in the U.S. Cellular application is not unserved and it is not underserved. Furthermore, HunTel CableVision offers its wireless broadband service at speeds that exceed the NOFA minimums, and HunTel CableVision (doing business as American Broadband) advertises speeds that exceed NOFA minimums.

The U.S. Cellular stimulus application should be rejected for several reasons, which include but are not limited to:

1. U.S. Cellular applied for Stimulus dollars in areas (Census Blocks) that are not unserved or underserved.
2. The U.S. Cellular application is overly broad because it did not seek to perform validations of broadband penetration rates at the Census Block level, whereas HunTel CableVision currently provides, advertises, and tracks broadband penetration to the Census Block level within its designated serving areas.
3. Broadband stimulus dollars should not be directed to areas that do not meet the definitions of unserved or underserved territory.
4. U.S. Cellular proposes a wireless technology solution. Only Fiber-to-the-Premise solutions offer a long term future-proof solution for meeting the challenge of a rapidly increasing definition of minimum download and upload speeds. U.S. Cellular is only one of several wireless providers within the geography applied for that offer wireless data services (Verizon, AllTel, Viaero, etc.)
5. U.S. Cellular's application overlaps with the designated service areas of HunTel CableVision. It is not apparent that U.S. Cellular has addressed the challenge of its application's ability to be economically sustainable in areas that lack population density and are already served by multiple providers.
6. Beyond initial network deployment, wireless infrastructure solutions have not demonstrated the ability to create sustained employment opportunities within the immediate service area. This is contrasted by the fact that HunTel CableVision has a resident work force, located within its designated serving areas in Eastern Nebraska, and it has a history of sustained employment.

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: Pierce Telephone Company, Inc.

Comment: For the portion of this application that overlaps the Pierce Telephone Company, Inc. serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Pierce Telephone Company, Inc. offers 3Mbps, 8Mbps, 10Mbps, and 12Mbps service in this area. Lastly, Pierce Telephone Company, Inc. combined with its primary competitor, Cable One, supplies broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

Submitter: Glenwood Telecommunications Inc.

Comment: Glenwood Telecommunications has been providing state-of-the-art telecommunication services in this area including High Speed Internet for over 8 years.

Submitter: Applied Communications Technology Inc

Comment: Applied Communications Technology 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. Applied Communications Technology does not charge an installation fee and monthly pricing plans begin at an affordable rate of \$29.95. Applied Communications Technology is capable of offering broadband service to all the households in its service territory.

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: Plainview Telephone Company

Comment: Plainview Telephone Company (PTC) offers FTTP broadband internet service with up to 6 Mbps download speed and up to 2 Mbps upload speed. PTC is capable of delivering FTTP broadband service to all households in its service territory.

Submitter: Glenwood Telephone Membership Corporation

Comment: Glenwood Telephone has been providing state-of-the-art telecommunication services to this area since 1957 and High Speed Internet for over 8 years.

Submitter: WesTel Systems

Comment: WesTel Systems demonstrates that it provides broadband service throughout the Hooper and Uehling areas which are encompassed in the proposed funded Service Area in the USCOC of Nebraska/Kansas, LLC (lead); Kansas #15 Limited Partnership (collectively referred to as U.S. Cellular) application and that the proposed funded Service Area is not unserved or underserved.

As demonstrated, 100% of households in WesTel's service territory within the proposed funded Service Area are able to readily subscribe upon request to facilities-based, terrestrial broadband services with an advertised speed of greater than 768 kbps downstream and 200 kbps upstream from WesTel; 100% of the households in WesTel's service territory within the proposed funded Service Area have access to facilities-based, terrestrial broadband service at greater than the minimum broadband transmission speed as set forth in the definition of broadband; WesTel advertises broadband service at broadband transmission speeds of at least 3 megabits per second downstream throughout the proposed funded Service Area; and the rate of broadband subscribership for the proposed funded Service Area is greater than 40 percent of households.

Submitter: Great Plains Communications, Inc.

Comment: USCOC of Nebraska/Kansas, LLC (U.S. Cellular) has applied for broadband funding for a 57,602 square mile proposed funded service area (PFSA) in Nebraska. This is 75% of the total area of the state. Great Plains Communications, Inc. (GPC) provides broadband service in many parts of the U.S. Cellular – Nebraska PFSA. For the reasons set forth herein, the U.S. Cellular – Nebraska PFSA should not be considered unserved or underserved. U.S. Cellular claims that 430,179 of the housing units in the PFSA are underserved.

GPC provides facilities-based terrestrial broadband service throughout Nebraska and in larger portions of the U.S. Cellular – Nebraska PFSA as can be seen in GPC’s “overlay” map. Specifically, GPC provides broadband service availability (per the definition in the NOFA) to 25,577 residential and business locations, a population of 54,216.

Of the 430,179 units that U.S. Cellular designates as underserved, 7.9% of those have broadband service available from GPC -- i.e., these locations are served.

Almost every other broadband provider in Nebraska provides service in one or more parts of the U.S. Cellular – Nebraska PFSA. Some of the major broadband providers would include Qwest Communications, Time Warner, CableOne, Consolidated Communications and Northeast Nebraska to name a few. In addition, it is clear that Verizon Wireless has coverage in the U.S. Cellular – Nebraska PFSA. This can be ascertained by entering a selected zip code from the U.S. Cellular – Nebraska PFSA into the Verizon Wireless coverage locator at www.verizonwireless.com. Thus, once one takes into account GPC and all of the other facilities-based providers offering terrestrial broadband service within the U.S. Cellular – Nebraska PFSA, it is highly likely that more than 50% of the households in that PFSA have access to facilities-based terrestrial broadband services (as such services are defined in the NOFA) - meaning that it would not qualify as “underserved” based upon the availability criterion.

Moreover, as discussed elsewhere herein, the U.S. Cellular – Nebraska PFSA likely fails to satisfy any other criteria that would qualify the PFSA as underserved (assuming it even asserted any other basis than availability as the justification for its underserved claim). Specifically, as described further herein, the GPC customers in the PFSA subscribe to the broadband services offered by GPC, and GPC advertises a broadband service with transmission speeds of at least 3 Mbps downstream within the U.S. Cellular – Nebraska PFSA. This is also likely the case for the other broadband providers in the U.S. Cellular – Nebraska PFSA.

The U.S. Cellular application, based on its map and very brief project summary proposes an extensive wireless-based solution relying on its existing wireless network technology. The comprehensive wireless broadband solution that U.S. Cellular proposes is overly ambitious, particularly in rural areas, and it is unlikely that it would provide ubiquitous broadband service to the 57,602 square miles identified in the U.S. Cellular – Nebraska PFSA. This is beyond the fact that this area is already significantly served by a large number of facilities-based providers as noted above.

Wireless broadband is an expensive technology to deploy with its dependence on large numbers of tower sites; but in addition, it suffers from the inherent technical limitations of any spectrum-based technology. It is inappropriate that scarce stimulus program resources would possibly be utilized for deployment of such an expensive and undeveloped technology in rural areas where another facilities-based service exists at a significant level of availability. In rural areas, such as those comprised in much of the

U. S. Cellular application, the greater distance a customer is from a tower, the less likely that claimed speeds are attained. All wireless technologies are terrain-limited, with hills greatly reducing the distances in which service is available. Also, unlike fiber, engineering experts agree that wireless is not expected to be a good platform for video services due to limited bandwidth and external influences.

Granting U.S. Cellular's application constitutes an inefficient and redundant use of funds. U.S. Cellular's claims are unsubstantiated and the application is overly broad and imprecise in its design. For these reasons the U.S. Cellular application should be rejected.

Submitter: BWTelcom

Comment: Benkelman, Wauneta and Hartman Telephone Companies, dba BWTelcom, currently provides service in its certificated exchange areas that meets all ARRA NOFA requirements to be classified as a "Served" area. 100% of the households have access to Broadband service at a speed of at least 768/200 Kbps. The current residential take rate of Broadband service at a speed of 768/200 Kbps or higher is 40% of households. BWTelcom offers a 5 Mbps service.

Submitter: Cozad Telephone Company

Comment: Cozad Telephone Company (CTC) provides wireline and wireless high speed broadband internet service at 3 Mbps downstream and 1 Mbps upstream. CTC is capable of delivering broadband internet to 100% of the households in its service territory.

Submitter: Hamilton.net, Inc.

Comment: DSL continues to be offered in the eastern section of our response area. With DSL our standard packages offer speeds from 768k down/256k up to 6Mb down/512Mb up.. In addition to DSL, in the majority of our response area we offer unmetered stationary broadband services using 3G 1XEVDO/Rev A. Our brand name for this service is "GMAX" and has a maximum download speed of 3.1Mb. This service is configured as a data only solution and is intended to offer a competitive alternative to DSL and cable modem service. We also offer unlicensed wireless services in portions of this area as well with 768k down/ 768 up speeds

Submitter: Three River Telco

Comment: Three River Telco currently provides service in its certificated exchange areas that meets or exceeds all ARRA NOFA requirements to be classified as a "Served" area. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 50% of households. Three River Telco offers an 8 Mbps service.

Submitter: Clarks Telecommunications Company

Comment: Clarks Telecommunications Company (CTC) is filing this response to the Satellite Broadband ARRA Application LLC, (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: KeyArt Comm.

Comment: We are providing broadband service through our internet company lakemac.net to the customers in this area.

Submitter: Hershey Cooperative Telephone Co.

Comment: All customers in the Hershey Telephone exchange are 100% capable of receiving 3 meg. down and 768k up.

Submitter: Stanton Telecom, Inc.

Comment: For the portion of this application that overlaps the Stanton Telecom, Inc. serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Stanton Telecom, Inc. offers a 3Mbps downstream and 6Mbps downstream service in this area. Lastly, Stanton Telecom, Inc. supplies broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

Submitter: Southeast Nebraska Communications

Comment: Southeast Nebraska Communications (SNC) provides standard high speed broadband internet service with download speeds up to 3 Mbps for an affordable rate of \$39.95/month; and offer download speeds of up to 5 Mbps. SNC offers internet access to 100% of the households in its service territory; and it has a subscriber rate of over 40% of households. There are no installation fees or contracts to sign for our fast and reliable broadband service.

Submitter: Amercian Broadband Cable TV (cable modem)

Comment: HunTel CableVision is an incumbent cable television provider with municipal franchise authority to offer cable television service in 20 communities in northeast Nebraska. HunTel Cablevision offers broadband internet and data services utilizing cable modem (within municipal franchise boundaries) and high speed wireless technologies in rural areas that extend beyond the municipal boundaries of its franchised cable television serving areas. HunTel Cablevision is also classified as a competitive local exchange carrier (CLEC), and is designated by the Nebraska Public Service Commission (PSC) as an eligible telecommunications carrier (ETC) for purposes of receiving Federal Universal Service Support (FUSF). HunTel CableVision offers broadband services at speeds that meet and exceed the minimum download (768 Kbps) and upload (200 Kbps) speeds defined in the NOFA. HunTel CableVision does business as (dba) American Broadband in Nebraska. This specific response is from the perspective of the cable modem broadband service that is offered within the municipal franchised areas that overlap with the U.S. Cellular Last Mile Stimulus Application. We have also filed a separate response from the perspective of our wireless broadband service that is offered in rural areas that extend beyond our municipal cable television service areas.

HunTel CableVision (dba American Broadband) advertises broadband service alternatives that meet and exceed minimum download and upload speeds defined in the NOFA.

HunTel CableVision enjoys broadband penetration rates that exceed 40% of households in many of census blocks contained within its serving areas, and this does not count/include the penetration of Qwest, which is the ILEC in communities where HunTel CableVision operates as a CLEC, or other broadband competitors that operate in the service area that U.S. Cellular has applied for.

U.S. Cellular has submitted a last mile broadband stimulus application that overlaps HunTel CableVision serving areas. The Lone Lines application overlaps with 754 census blocks in which HunTel CableVision offers cable modem broadband speeds. In these 754 census blocks, HunTel CableVision provides broadband service to 2,285 residential customers and 208 business customers. HunTel CableVision approaches 40% penetration amongst residences all by itself and this does not include the number of residences served by Qwest and other broadband competitors. Thus, the overlap area in the U.S. Cellular application is not unserved and it is not underserved. Furthermore, HunTel CableVision offers its cable modem broadband service at speeds that exceed the NOFA minimums and exceed 3 Mbps, and HunTel CableVision (doing business as American Broadband) advertises speeds that exceed 3 Mbps.

The U.S. Cellular stimulus application should be rejected for several reasons, which include but are not limited to:

1. U.S. Cellular applied for Stimulus dollars in areas (Census Blocks) that are not unserved or underserved.
2. The U.S. Cellular application is overly broad because it did not seek to perform validations of broadband penetration rates at the Census Block level, whereas HunTel CableVision currently provides, advertises, and tracks broadband penetration to the Census Block level within its designated serving areas.

3. Broadband stimulus dollars should not be directed to areas that do not meet the definitions of unserved or underserved territory.

4. U.S. Cellular proposes a wireless technology solution. Only Fiber-to-the-Premise solutions offer a long term future-proof solution for meeting the challenge of a rapidly increasing definition of minimum download and upload speeds. U.S. Cellular is only one of several wireless providers within the geography applied for that already offer data services over their wireless networks (Verizon, AllTel, Viaero, etc.)

5. U.S. Cellular's application overlaps with the designated service areas of HunTel CableVision. It is not apparent that U.S. Cellular has addressed the challenge of its application's ability to be economically sustainable in areas that lack population density, and are already populated with multiple providers.

6. Beyond initial network deployment, wireless infrastructure solutions have not demonstrated the ability to create sustained employment opportunities within the immediate service area. This is contrasted by the fact that HunTel CableVision has a resident work force, located within its designated serving areas in Eastern Nebraska, and it has a history of sustained employment.

Submitter: Elsie Communications

Comment: Elsie Communications, Inc. (ECI) has been providing high-quality communications services to the residents of the rural community of Elsie, Nebraska for 103 years. It was one of the first providers in this remote area to offer broadband services seven years ago. Currently, 100% of ECI's service areas have broadband capability. Because of ECI's advanced network it can meet the local geographical challenges providing important community anchor institutions including local government and public safety agencies with broadband services. This local presence also allows ECI to provide 24-7 customer service and support. Due to ECI's entrepreneurial spirit and its dedication to its customers and through a substantial investment in advanced network facilities, the rural communities surrounding the village of Elsie, Nebraska enjoy the same level of service as offered in metropolitan areas.

Submitter: American Broadband exchanges (DSL)

Comment: HunTel Inc., doing business as American Broadband – Nebraska has four telephone company subsidiaries, consisting of the Arlington Telephone Company, Blair Telephone Company, Eastern Nebraska Telephone Company (ENTC), and the Rock Telephone Company. All four are classified as incumbent local exchange carriers (ILECs) and are authorized by the Nebraska Public Service Commission (PSC) and the Federal Communications Commission (FCC) to provide reliable and ubiquitous

telecommunications services within their designated service areas. These ILECs offer broadband service predominantly utilizing Digital Subscriber Line (DSL) technology at speeds that meet and exceed the minimum download (768 Kbps) and upload (200 Kbps) speeds defined in the NOFA.

American Broadband - Nebraska advertises broadband service at speeds that meet and exceed minimum download and upload speeds defined in the NOFA.

American Broadband - Nebraska enjoys broadband penetration rates that exceed 40% of households in many of the census blocks contained within its exchange serving areas.

U.S. Cellular has submitted a last mile broadband stimulus application that overlaps the American Broadband – Nebraska exchange serving areas. The U.S. Cellular application overlaps with 2,575 census blocks in which American Broadband – Nebraska offers broadband services using DSL technology. In these 2,575 census blocks, American Broadband - Nebraska provides broadband service to 4,654 residential customers and 582 business customers. American Broadband - Nebraska exceeds 40% penetration amongst residences all by itself and this does not include the number of residences served by other broadband competitors. Thus, the overlap area in the U.S. Cellular application is not unserved and it is not underserved. Furthermore, American Broadband - Nebraska offers its DSL broadband service at speeds that exceed the NOFA minimums and exceed 3 Mbps, and American Broadband – Nebraska advertises speeds that exceed 3 Mbps.

The U.S. Cellular stimulus application should be rejected for several reasons, which include but are not limited to:

1. U.S. Cellular applied for Stimulus dollars in areas (Census Blocks) that are not unserved or underserved.
2. The U.S. Cellular application did not seek to perform validations of broadband penetration rates at the Census Block level, whereas American Broadband - Nebraska currently provides, advertises, and tracks broadband penetration to the Census Block level within its designated serving areas.
3. Broadband stimulus dollars should not be directed to areas that do not meet the definitions of unserved or underserved territory.
4. U.S. Cellular proposes a wireless technology solution. Only Fiber-to-the-Premise solutions offer a future-proof solution for meeting the challenge of a rapidly increasing definition of minimum download and upload speeds. U.S. Cellular is only one of several wireless providers within the geography applied for that offer wireless data services (Verizon, AllTel, Viaero, etc.)
5. U.S. Cellular's application overlaps with the designated service area of American Broadband - Nebraska. It is not apparent that U.S. Cellular has addressed the challenge of its application's ability to be economically sustainable in areas of low population density already served by multiple providers.

6. Beyond initial network deployment, wireless infrastructure solutions have not demonstrated the ability to create sustained employment opportunities within the immediate service area. This is contrasted by the fact that American Broadband - Nebraska has a resident work force, located within its designated serving areas in Nebraska, and it has a history of sustained employment.

Submitter: Consolidated Companies Inc.

Comment: Consolidated Companies is the parent company of four rural local exchange carriers, three of which provide telephone and broadband service to the PFSA for which Pinpoint has applied for broadband funding. Consolidated Companies' response polygon has been input to the mapping tool. One hundred percent of the households within the response polygon have access to broadband as defined in the NOFA.

The applicant's PFSA is over 57,000 square miles. Within the proposed PFSA, Consolidated provides broadband service to 6,530 square miles with 3,232 households having access to broadband from Consolidated. The respondent provides, and advertises the availability of 3Mbps broadband service within the PFSA, so the PFSA does not qualify as underserved based on the 3Mbps criterion.

Submitter: Hartington Telecommunications Co., Inc.

Comment: Hartington Telecommunications Co., Inc. is providing information regarding the number of residential households and business establishments capable of receiving broadband in the area that the applicant's PFSA overlaps the respondent's service area. Hartington Telecommunications Co., Inc. is also providing information regarding the number of existing customers purchasing broadband service in the area of overlap. Hartington Telecommunications Co., Inc. overlapping broadband service area, at a minimum defined as 768k downstream and 200k upstream are displayed on the associated mapping tool. In the area of overlap, 100% of households have access to facilities-based broadband service and the rate of broadband subscribership for residential households and business establishments exceeds 40%. Hartington Telecommunications Co., Inc. also advertises broadband transmission speeds of at least 3 Mbps downstream within the area of overlap. Accordingly, such area is not underserved.

Submitter: Jagwireless

Comment: To Whom It May Concern:

Hello, my name is Danny Olson and I am writing this on behalf of my employer, jagWIRELESS. jagWIRELESS specifically focuses on the delivery of broadband Internet services via wireless methods, using the unlicensed spectrums available from the FCC. Our organization has been in business for over 7 years and services the broadband needs of rural Southeastern Nebraska and Western Iowa. Through careful business management and investment we have built a network which now provides broadband services to nearly 1200 subscribers, in 2 states, 12 counties and from nearly 50 tower sites. In the areas we provide service we often compete with wired and other wireless service providers who may use license and license-exempt delivery methods. We differentiate our product through helpful technical support and quality customer service. We grow our business as customer demand drives our revenues and retract in areas of significant competition.

We recently discovered that U.S Celluar has requested funds to build a network in Cass County Nebraska from the Broadband stimulus package. I wish to submit a dispute regarding the “underserved” designation of this area by U.S Celluar. I will carefully detail the evidence to show that the funds request is without merit and will likely damage the ability of both or organization to provide quality services.

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: Northeast Nebraska Telephone Company

Comment: Northeast Nebraska Telephone Company (NNTC) is filing this response to the USCOC of Nebraska/Kansas LLC (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 NNTC’s service area.

NNTC was organized as a cooperative in 1955 and is owned by its customer/members.

NNTC is presently a borrower with the Rural Utilities Service and has been since 1955.

Within the area of overlap NNTC's buried fiber optics cable to the node (FTTN) network provides access to Broadband services to 100% of the residential households and businesses, NNTC advertises Broadband service of 3 Megabits and greater to 100% of the residential households and businesses, and NNTC has a rate of Broadband subscribership that is greater than 40%.

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

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 7,122 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.