

## Broadband USA Applications Database

**Applicant Name:** Kansas Broadband Internet, Inc.

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### Public Notice Submissions

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-----**Service Area:** KBI - Phase 3

**Submitter:** Cable One, Inc.

**Comment:** Kansas Broadband Internet, Inc. Labette, Montgomery and Wilson Counties, Kansas Chanute, Parsons and Independence, Kansas

Cable One, Inc. is a multi-system broadband provider operating in 19 states. Cable One offers residential broadband service with speeds up to 10 MB and customizable commercial solutions with flexible bandwidth offerings from 5Mbps to 1 Gbps. By November 1, 2009, the majority of Cable One systems will also be offering 12 Mb residential broadband service with a 20 MB boost. Cable One provides its subscribers with quality service offerings at competitive rates. Cable One expends substantial capital and resources to ensure that customers enjoy the latest technology and the highest standards of customer service, and has made its customers and its communities its first priority.

Please refer to our supporting documentation and comments that establish that Cable One already operates in census tract(s) encompassing or included in Applicant's Proposed Funded Service Area. The uploaded document includes maps showing census tracts and homes passed for each the applicable systems, current advertisements for residential and commercial broadband offerings, and subscriber data by census tract.

Cable one's current broadband service offerings are as follows:

Residential:

Economy, Speed (Down/up) - 1.5 Mb/150 kbps, Service Rate - \$26.00

Standard , Speed (Down/up) - 5 Mb/500 kbps, Service Rate - \$49.00

Premium, Speed (Down/up) - 10 Mb/1 Mb, Service Rate - \$59.00

Commercial:

Economy, Speed (Down/up) - 5 Mb/1.0 Mb, Service Rate - \$69.65

Standard, Speed (Down/up) - 10.0 Mb/1.0 Mb, Service Rate - \$85.95

Premium, Speed (Down/up) - 12.0 Mb/1.5 Mb, Service Rate - \$99.95

Ultra, Speed (Down/up) - 15.0 Mb/2.0 Mb, Service Rate - \$199.95

Enterprise Plus, Speed (Down/up) - 20.0 Mb/2.5 Mb, Service Rate - \$299.95

Discounted bundles and promotional pricing are also available.

**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:** Craw-Kan Telephone Cooperative, Inc.

**Comment:** Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

**Submitter:** Totah Communications, Inc.

**Comment:** Totah Communications, Inc.

OMB Control Number: 0660-0031

OMB Control Number: 0572-0142

Kansas Broadband Internet (KBI) a wireless broadband provider with offices in Salina, Kansas has incorrectly filed for ARRA funding for areas that include a portion of Totah Communications, Inc.'s (Totah) rural exchange area in Kansas. The areas involving Totah in which KBI have incorrectly filed include Tyro, Liberty and Havana - all of which are located in Kansas. KBI has wrongly identified these areas as being underserved. Tyro, Liberty and Havana are already being served with broadband by Totah (Incumbent ILEC) at speeds equal to or greater than 768 kbps. In addition, these areas are also currently being served by cable companies and at least one wireless provider.

We strongly oppose KBI's filing and their request for funding on the basis that they have incorrectly identified the area as underserved and recommend that it be rejected on the grounds that the incumbent ILEC, Totah Communications, Inc. is already providing broadband access in this exchange at speeds equal to or in excess of 768 kbps.

If you have any questions, or need additional information please do not hesitate to contact us.

Sincerely,

Keith E. Watson

Totah Communications, Inc.

**Submitter:** Columbus Telephone Co.

**Comment:** Columbus Telephone Co. is a 100% fiber optic company, serving its certificated area with fiber to the premise at synchronous speeds up to 16 megabits per second. Columbus has the installed capacity, at the premise, to deliver 100 megabits per second to the premise.

**Submitter:** Haviland Telephone Co., Inc.

**Comment:** Haviland Telephone Co., Inc. provides Digital Subscriber Line broadband service in Sumner County, KS at speeds exceeding the NOFA definition. The service is offered at every customer location. This includes the towns of Conway Springs, Argonia, Milton, Milan and adjacent rural areas, and rural areas of the telephone exchange areas of Norwich and Riverdale.

**Submitter:** The Southern Kansas Telephone Co., Inc.

**Comment:** The Southern Kansas Telephone Co., Inc. (SKT) has been providing service to rural Kansas communities for 70 years. SKT is committed to providing rural Kansans broadband service that helps both increase the quality of life and allows them to conduct business in a much more productive manner. As an example of this commitment, SKT began offering broadband service in 2001. SKT has continuously upgraded its fiber network over the years to meet the service needs of its customers. SKT currently offers broadband service up to and exceeding 12.0 M downloads and 1.0 M uploads. SKT customers benefit from local customer care, 24/7 support, multiple service discounts, free hardware and installation options that make broadband service more affordable and easier to get connected. SKT's owners and 54 employees are local Kansans who understand the needs of their customers and the importance of supporting the rural communities they serve. To help these communities flourish in the future, SKT provides complimentary broadband service to all local municipalities, including city, police, fire, and EMS locations, as well as libraries and senior centers. SKT will continue to focus on providing vital broadband services for rural Kansans.

**Submitter:** KanOkla Networks

**Comment:** KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

**Submitter:** Cox Communications

**Comment:** Cox Communications, Inc. (Cox) is a broadband communications and entertainment company, providing advanced digital video, Internet, telephone and wireless services over its

nationwide IP network. The third-largest U.S. cable TV company, Cox serves over 6.2 million residences and businesses.

Cox operates in hundreds of communities in 18 states and has invested over \$16 billion in private capital in its network over the last ten years. Cox provides its customers in Kansas with 21st century infrastructure that provides advanced broadband, video and telephone services. More than 99.5 percent of the households in our service areas have access to Cox high-speed Internet, at some of the fastest broadband speeds available in the nation.

Cox supports the goals of the American Recovery and Reinvestment Act to extend broadband to parts of the country that are unserved or underserved. We appreciate the efforts of the Rural Utilities Service and the National Telecommunications and Information Administration in making sure that the limited amount of broadband stimulus funding available under the ARRA is targeted toward those consumers in greatest need, rather than to areas that already have access to broadband service.

To assist your agencies in ensuring that ARRA funds are directed to truly unserved and underserved areas, Cox is providing supplemental information that demonstrates, for the above-referenced application, the following: the location of Cox's broadband infrastructure; broadband service levels provided; number of customers served; pricing for each service tier; and marketing materials which demonstrate service availability. Consistent with the statutory requirement to expend funds only for projects in eligible areas, we trust that your agencies will use this information -- along with information from other broadband providers -- to obtain a clear picture of service availability in the area covered by the application. We encourage the use of independent due diligence to determine the extent of other broadband service offerings in the proposed funded service area covered by this submission, if other providers fail to submit information prior to the submission deadline.

We request that this data be treated as confidential and proprietary. Much of the information provided with this letter constitutes trade secrets or commercial information that is privileged and confidential and therefore exempt from public disclosure under 5 U.S.C. § 552(b)(4). Cox does not disclose this information to the public, and release of this information could cause competitive harm, by enabling other broadband providers to tailor their business strategies to unfairly compete with Cox.

Thank you for the opportunity to submit this information. We trust that it will be helpful in your analysis, and will inform your final decision concerning the application.

**Submitter:** Wheat State Telephone, Inc

**Comment:** Wheat State Telephone has been serving 6 rural communities in south central Kansas for almost 60 years. Some of our service areas are in the heart of sparsely populated cattle country, yet we are committed to delivering high speed broadband service to all of our customers. Wheat State Telephone was the first provider of broadband service in the area as early as July, 2000. Since then we have continually upgraded our network to bring higher speeds to more and more of our subscribers. Wheat State Telephone continues to be a leader in broadband services. Based on the NOFA definition of broadband these communities are neither unserved nor underserved.

Wheat State Telephone is a community based company, with just under 50% of its staff being residents of the communities we serve. Our employees are active in the communities, volunteering with numerous events and serving on various local boards or committees.

**Submitter:** KeyOn Communications

**Comment:** KeyOn Communications currently provides access at speeds of at least 768kbps downstream and at least 200kbps upstream to more than 50% of the homes in the designated area.

-----**Service Area:** KBI -Phase 2

**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 Technologies Opportunities Program (BTOP).

**Submitter:** Allegiance Communications, LLC

**Comment:** Allegiance Communications (Allegiance) currently provides a wide array of broadband offerings within the proposed funded service area. Allegiance has offered broadband services in excess of the 3 MB bandwidth requirement as set forth in the ARRA, NOFA and BIP/BTOP guidelines, all prior to the ARRA approval. Allegiance's service area already provides for "sufficient access to broadband service to facilitate rural economic development", as well as allows for choice of service providers through competing with Local Exchange Carriers, and allows for leasing of services through our own facilities. Allegiance's opinion of the proposed funded service area is that of excess spending where funds could be better used in other portions of the country to deploy broadband service in accordance with the ARRA, NOFA and BIP/BTOP programs. Through funding the proposed service area, excessive competition will be created for all, which may create a short term economic boost, but have severe long term ramifications which may force service providers out of business.

**Submitter:** LaHarpe Telephone Co., Inc

**Comment:** LaHarpe Telephone Company, Inc has expended more than \$2,500,000 of a loan from USDA to construct a fiber to the premises in LaHarpe, KS and the surrounding rural area. The fiber to the premises build is completed and the citizens in the area have one of the most advanced systems in the nation with internet capability in the range of 100M/sec. Overbuilding with grant money could put repayment of our loan in jeopardy.

**Submitter:** Craw-Kan Telephone Cooperative, Inc.

**Comment:** Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

**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:** Cox Communications, Inc

**Comment:** Cox Communications, Inc. (Cox) is a broadband communications and entertainment company, providing advanced digital video, Internet, telephone and wireless services over its nationwide IP network. The third-largest U.S. cable TV company, Cox serves over 6.2 million residences and businesses.

Cox operates in hundreds of communities in 18 states and has invested over \$16 billion in private capital in its network over the last ten years. Cox provides its customers in Kansas with 21st century infrastructure that provides advanced broadband, video and telephone services. More than 99.5 percent of the households in our service areas have access to Cox high-speed Internet, at some of the fastest broadband speeds available in the nation.

Cox supports the goals of the American Recovery and Reinvestment Act to extend broadband to parts of the country that are unserved or underserved. We appreciate the efforts of the Rural Utilities Service and the National Telecommunications and Information Administration in making sure that the limited amount of broadband stimulus funding available under the ARRA is targeted toward those consumers in greatest need, rather than to areas that already have access to broadband service.

To assist your agencies in ensuring that ARRA funds are directed to truly unserved and underserved areas, Cox is providing supplemental information that demonstrates, for the above-referenced application, the following: the location of Cox's broadband infrastructure; broadband service levels provided; number of customers served; pricing for each service tier; and marketing materials which

demonstrate service availability. Consistent with the statutory requirement to expend funds only for projects in eligible areas, we trust that your agencies will use this information -- along with information from other broadband providers -- to obtain a clear picture of service availability in the area covered by the application. We encourage the use of independent due diligence to determine the extent of other broadband service offerings in the proposed funded service area covered by this submission, if other providers fail to submit information prior to the submission deadline.

We request that this data be treated as confidential and proprietary. Much of the information provided with this letter constitutes trade secrets or commercial information that is privileged and confidential and therefore exempt from public disclosure under 5 U.S.C. § 552(b)(4). Cox does not disclose this information to the public, and release of this information could cause competitive harm, by enabling other broadband providers to tailor their business strategies to unfairly compete with Cox.

Thank you for the opportunity to submit this information. We trust that it will be helpful in your analysis, and will inform your final decision concerning the application.

**Submitter:** MoKan Dial Telephone

**Comment:** MoKan Dial, Inc. demonstrates that the area the Applicant proposes to serve which overlaps MoKan Dial, Inc.'s service area does not meet any of the criteria which categorize an area as unserved or underserved.

As demonstrated, 80% of households in MoKan Dial, Inc.'s service area, including those areas which are part of the Applicant's proposed funded service area, are able to readily subscribe upon request to facilities-based, terrestrial broadband services at a minimum transmission speed of greater than 768 kbps downstream and 200 kbps upstream from MoKan Dial, Inc. Therefore, the Applicant's claim that this overlapping area is underserved due to limited access is incorrect. In addition, MoKan Dial, Inc. demonstrates that it advertises speeds of at least 3 Mbps downstream in its service area and that the rate of broadband subscribership for Miami County and Franklin County is significant.

**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:** Mercury Wireless, LLC

**Comment:** Mercury Wireless currently provides up to 3 mbps wireless Internet access to sections of the applicant's proposed service area.

-----**Service Area:** KBI - Phase 1

**Submitter:** Cable One, Inc.

**Comment:** Kansas Broadband Internet, Inc. Lyon County, Kansas Emporia, Kansas

Cable One, Inc. is a multi-system broadband provider operating in 19 states. Cable One offers residential broadband service with speeds up to 10 MB and customizable commercial solutions with flexible bandwidth offerings from 5Mbps to 1 Gbps. By November 1, 2009, the majority of Cable One systems will also be offering 12 Mb residential broadband service with a 20 MB boost. Cable One provides its subscribers with quality service offerings at competitive rates. Cable One expends substantial capital and resources to ensure that customers enjoy the latest technology and the highest standards of customer service, and has made its customers and its communities its first priority.

Please refer to our supporting documentation and comments that establish that Cable One already operates in census tract(s) encompassing or included in Applicant's Proposed Funded Service Area. The uploaded document includes maps showing census tracts and homes passed for each the applicable systems, current advertisements for residential and commercial broadband offerings, and subscriber data by census tract.

Cable one's current broadband service offerings are as follows:

**Residential:**

Economy, Speed (Down/up) - 1.5 Mb/150 kbps, Service Rate - \$26.00

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Economy, Speed (Down/up) - 5 Mb/1.0 Mb, Service Rate - \$69.65

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Enterprise Plus, Speed (Down/up) - 20.0 Mb/2.5 Mb, Service Rate - \$299.95

Discounted bundles and promotional pricing are also available.

**Submitter:** The Tri-County Telephone Association, Inc.

**Comment:** The Tri-County Telephone Association, Inc. (TCT) has been providing high-quality communications services to rural Kansas for over 46 years. During this time, there has been much technological advancement, providing new services. TCT is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work.

In 2001, TCT proved this commitment by making substantial investment in upgrading its core facilities including digital switches and a fiber fed network. This cutting-edge technology allowed TCT to offer advanced communication services, including broadband access to 100% of its service areas. TCT, in

looking toward the future, has embarked on a Fiber-To-The-Home (FTTH) project that, by the time it is complete in 2013, will connect every home and business in its service areas to fiber-speed bandwidth.

TCT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. TCT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because TCT's owners, who are also its customers, have a personal stake in the communities where they work and live.

Recently, TCT committed to further serve our customers by creating the TCT Community Development Initiative. This initiative supports infrastructures to attract new residents and businesses to TCT communities. TCT, one of the largest employers in the area, provides assistance in business development for both new and existing businesses. TCT will also act as a liaison between local, state, and national economic development groups and contributes in local Community Development Groups.

**Submitter:** Cox Communications, Inc

**Comment:** Cox Communications, Inc. (Cox) is a broadband communications and entertainment company, providing advanced digital video, Internet, telephone and wireless services over its nationwide IP network. The third-largest U.S. cable TV company, Cox serves over 6.2 million residences and businesses.

Cox operates in hundreds of communities in 18 states and has invested over \$16 billion in private capital in its network over the last ten years. Cox provides its customers in Kansas with 21st century infrastructure that provides advanced broadband, video and telephone services. More than 99.5 percent of the households in our service areas have access to Cox high-speed Internet, at some of the fastest broadband speeds available in the nation.

Cox supports the goals of the American Recovery and Reinvestment Act to extend broadband to parts of the country that are unserved or underserved. We appreciate the efforts of the Rural Utilities Service and the National Telecommunications and Information Administration in making sure that the limited

amount of broadband stimulus funding available under the ARRA is targeted toward those consumers in greatest need, rather than to areas that already have access to broadband service.

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Thank you for the opportunity to submit this information. We trust that it will be helpful in your analysis, and will inform your final decision concerning the application.

**Submitter:** Allegiance Communications

**Comment:** Allegiance Communications (Allegiance) currently provides a wide array of broadband offerings within the proposed funded service area. Allegiance has offered broadband services in excess of the 3 MB bandwidth requirement as set forth in the ARRA, NOFA and BIP/BTOP guidelines, all prior to the ARRA approval. Allegiance's service area already provides for "sufficient access to broadband service to facilitate rural economic development", as well as allows for choice of service providers through competing with Local Exchange Carriers, and allows for leasing of services through our own facilities. Allegiance's opinion of the proposed funded service area is that of excess spending where funds could be better used in other portions of the country to deploy broadband service in accordance with the ARRA, NOFA and BIP/BTOP programs. Through funding the proposed service area, excessive

competition will be created for all, which may create a short term economic boost, but have severe long term ramifications which may force service providers out of business.

**Submitter:** S&A Telephone Company

**Comment:** This grant proposes to bring wireless broadband internet service to all of 33 counties covering 595,000 population. The vast majority of the locations covered by this grant already have broadband today and this grant doesn't pay the slightest bit of attention to the grant rules. It characterizes these areas as underserved when in fact, most of the homes, businesses and anchor institutions within this footprint are already served with broadband today. This grant seems to confuse rural with unserved and underserved, when in fact most of the proposed service area already has broadband.

For example, this grant request proposes to completely cover the service territory of S&A Telephone Company. S&A is an incumbent rural telephone company that has been serving this area for over 80 years. S&A has been granted a franchised area to serve, and since it has been willing to serve a very poor and rural area also has been given a federal exemption against competition. Small rural areas like the one served by S&A need a barrier against competition to ensure that people in the area can continue to get service for the next century. S&A has kept rates low and has brought advanced services and broadband to this rural area when nobody else was willing to make investments in such an impoverished area.

The S&A service territory is 'served' today using the definitions of the NOFA since the company has 1) more than a 40% broadband penetration, and 2) advertises broadband speeds of 3 Mbps.

Our local knowledge of the area tells us that this grant also proposes to bring broadband to many areas where AT&T and other small telephone companies already provide broadband today.

This grant should be rejected in its entirety for not adhering to the grant guidelines for serving mostly unserved and underserved areas. We believe that the vast majority of residences and businesses covered by this proposed grant are 'served' with broadband using the definitions defined in the NOFA. This grant seems to think that rural equates to 'underserved' and 'unserved' as defined in the NOFA. This is not the case and the county seats, other towns and most census designated areas within these 33 counties already have broadband today and are not eligible for grant funding. The NOFA allows using only a small portion of any grant to cover served areas, but this grant seeks to use grant money to bring broadband mostly to places that are defined as 'served' under the NOFA. Again, this grant request should be rejected.

**Submitter:** Moundridge Telephone Company

**Comment:** For the portion of this application that overlaps the Moundridge Telephone Company serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Moundridge Telephone offers a 4Mbps downstream / 1 Mbps upstream service in this area. Lastly, Moundridge Telephone supplies broadband service to over 50% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

**Submitter:** The Southern Kansas Telephone Co., Inc.

**Comment:** The Southern Kansas Telephone Co., Inc. (SKT) has been providing service to rural Kansas communities for 70 years. SKT is committed to providing rural Kansans broadband service that helps both increase the quality of life and allows them to conduct business in a much more productive manner. As an example of this commitment, SKT began offering broadband service in 2001. SKT has continuously upgraded its fiber network over the years to meet the service needs of its customers. SKT currently offers broadband service up to and exceeding 12.0 M downloads and 1.0 M uploads. SKT customers benefit from local customer care, 24/7 support, multiple service discounts, free hardware and installation options that make broadband service more affordable and easier to get connected. SKT's owners and 54 employees are local Kansans who understand the needs of their customers and the importance of supporting the rural communities they serve. To help these communities flourish in the future, SKT provides complimentary broadband service to all local municipalities, including city, police, fire, and EMS locations, as well as libraries and senior centers. SKT will continue to focus on providing vital broadband services for rural Kansans.

**Submitter:** TC Wireless

**Comment:** TC Wireless, Inc, along with its parent company The Tri-County Telephone Association, Inc., has been providing communications services to rural Kansas for over 46 years. TC Wireless was formed in 2004 specifically to provide wireless broadband services to communities that larger companies ignored. TC Wireless is a pioneer in providing high-quality services over the 700 Mhz wireless spectrum. It acquired its licenses at auction in 2002, taking a chance on the unproven spectrum. It began providing services in this band as soon as equipment was available. To meet the specific needs of the communities it serves, TC Wireless has expanded its offerings to include the 900 MHz and 2.4 MHz bands.

By utilizing an array of licensed and unlicensed spectrum, TC Wireless achieved a task five years ago that some still say today is not possible – bringing high speed Internet access to rural and remote areas. It did this, at considerable cost, because, as a local company, TC Wireless' owners, who are also its

customers, have a personal stake in the communities where they work and live. As a result, TC Wireless is providing rural America with advanced, reliable communications service.

**Submitter:** KanOkla Networks

**Comment:** KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

**Submitter:** Wheat State Telephone, Inc

**Comment:** Wheat State Telephone has been serving 6 rural communities in south central Kansas for almost 60 years. Some of our service areas are in the heart of sparsely populated cattle country, yet we are committed to delivering high speed broadband service to all of our customers. Wheat State Telephone was the first provider of broadband service in the area as early as July, 2000. Since then we have continually upgraded our network to bring higher speeds to more and more of our subscribers. Wheat State Telephone continues to be a leader in broadband services. Based on the NOFA definition of broadband these communities are neither unserved nor underserved.

Wheat State Telephone is a community based company, with just under 50% of its staff being residents of the communities we serve. Our employees are active in the communities, volunteering with numerous events and serving on various local boards or committees.

**Submitter:** KeyOn Communications

**Comment:** KeyOn Communications currently provides access at speeds of at least 768kbps downstream and at least 200kbps upstream to more than 50% of the homes in the designated area.

**Submitter:** Mercury Wireless, LLC

**Comment:** Mercury Wireless currently provides up to 3 mbps wireless Internet access to sections of the applicant's proposed service area.

-----**Service Area:** KBI - Phase 4

**Submitter:** Wamego Telecommunications Co, Inc.

**Comment:** Wamego Telecommunications Company, Inc., provides Broadband service speeds up to 3.0Mb/s to all households and businesses within our local exchange area of service as shown on our service area map. This area is NOT an "underserved" area as defined by the federal government.

**Submitter:** Rainbow Communications

**Comment:** Rainbow Telecommunications Association, Inc. dba Rainbow Communications is a phone, Internet, and cable TV service provider in rural northeast Kansas. The telecommunications company is headquartered in Everest, Kansas, and has been in existence since 1952. While Rainbow Telecommunications has offered high speed DSL- Internet for many years, the company has since expanded its service offerings in 2006 through a CLEC operation, Carson Communications dba Rainbow Communications. Rainbow Communications is able to provide high speed DSL, cable modem, and fiber-based Internet in many northeast Kansas rural communities. It is our goal to provide communication technology which rivals or surpasses those available in metro areas.

**Submitter:** Allegiance Communications, LLC

**Comment:** Allegiance Communications (Allegiance) currently provides a wide array of broadband offerings within the proposed funded service area. Allegiance has offered broadband services in excess of the 3 MB bandwidth requirement as set forth in the ARRA, NOFA and BIP/BTOP guidelines, all prior to the ARRA approval. Allegiance's service area already provides for "sufficient access to broadband service to facilitate rural economic development", as well as allows for choice of service providers through competing with Local Exchange Carriers, and allows for leasing of services through our own facilities. Allegiance's opinion of the proposed funded service area is that of excess spending where funds could be better used in other portions of the country to deploy broadband service in accordance with the ARRA, NOFA and BIP/BTOP programs. Through funding the proposed service area, excessive competition will be created for all, which may create a short term economic boost, but have severe long term ramifications which may force service providers out of business.

**Submitter:** Blue Valley Tele-Communications, Inc.

**Comment:** Blue Valley Tele-Communications, Inc. (BVTC) is a rural telephone cooperative that has been serving these remote and rural communities for over 50 years. BVTC was one of the first companies in the nation to offer High-Speed DSL to both in-town and rural customers no matter the distance from the central office. BVTC is also building for future applications and higher demands for broadband by investing in a fiber to the premise network that will reach 100% of its customers in their telephone exchanges, and was one of the first companies in the nation to attempt this type of network. On top of these offerings, BVTC offers Internet services via cable modems and wireless technologies to many communities that lie outside of their ILEC telephone exchanges.

As a cooperative, BVTC services are driven by customer need and demand and customers are represented by a Board of Directors to make sure those needs are being met. The company also employs a full-time economic development director to assist in growth of their service areas. BVTC is proud to be known as an industry leader in the broadband arena, and plans to continue leading the way in broadband development in the future.

**Submitter:** sci cable

**Comment:** Provides broadband service to service area with video, High speed data and voip(launch date voip 12-1-09) Construction is rural with 60% of plant last mile.

**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:** Cox Communications

**Comment:** Cox Communications, Inc. (Cox) is a broadband communications and entertainment company, providing advanced digital video, Internet, telephone and wireless services over its nationwide IP network. The third-largest U.S. cable TV company, Cox serves over 6.2 million residences and businesses.

Cox operates in hundreds of communities in 18 states and has invested over \$16 billion in private capital in its network over the last ten years. Cox provides its customers in Kansas with 21st century infrastructure that provides advanced broadband, video and telephone services. More than 99.5 percent of the households in our service areas have access to Cox high-speed Internet, at some of the fastest broadband speeds available in the nation.

Cox supports the goals of the American Recovery and Reinvestment Act to extend broadband to parts of the country that are unserved or underserved. We appreciate the efforts of the Rural Utilities Service and the National Telecommunications and Information Administration in making sure that the limited amount of broadband stimulus funding available under the ARRA is targeted toward those consumers in greatest need, rather than to areas that already have access to broadband service.

To assist your agencies in ensuring that ARRA funds are directed to truly unserved and underserved areas, Cox is providing supplemental information that demonstrates, for the above-referenced application, the following: the location of Cox's broadband infrastructure; broadband service levels provided; number of customers served; pricing for each service tier; and marketing materials which demonstrate service availability. Consistent with the statutory requirement to expend funds only for projects in eligible areas, we trust that your agencies will use this information -- along with information from other broadband providers -- to obtain a clear picture of service availability in the area covered by the application. We encourage the use of independent due diligence to determine the extent of other

broadband service offerings in the proposed funded service area covered by this submission, if other providers fail to submit information prior to the submission deadline.

We request that this data be treated as confidential and proprietary. Much of the information provided with this letter constitutes trade secrets or commercial information that is privileged and confidential and therefore exempt from public disclosure under 5 U.S.C. § 552(b)(4). Cox does not disclose this information to the public, and release of this information could cause competitive harm, by enabling other broadband providers to tailor their business strategies to unfairly compete with Cox.

Thank you for the opportunity to submit this information. We trust that it will be helpful in your analysis, and will inform your final decision concerning the application.

**Submitter:** Mercury Wireless, LLC

**Comment:** Mercury Wireless currently provides up to 3 mbps wireless Internet access to sections of the applicant's proposed service area.