

## Broadband USA Applications Database

**Applicant Name:** insideMyCity, LLC

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### Public Notice Submissions

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-----**Service Area:** Electra, TX (ELE)

**Submitter:** Santa Rosa Telephone Cooperative, Inc.

**Comment:** Santa Rosa Telephone Cooperative, Inc. provides comments on this application regarding the underserved designation of the proposed funded area.

**Submitter:** Electra Telephone Co.

**Comment:** Electra Telephone Company demonstrates that the area Inside My City LLC proposes to serve which overlaps a small part of Electra Telephone's service area does not meet all of the criteria which categorize an area as underserved.

As demonstrated, 100% of households in Electra Telephone's service area, including those areas which are part of 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 Electra Telephone and, therefore, no part of this overlapping area is underserved on the basis of access to broadband service. In addition, Electra Telephone demonstrates that the rate of broadband subscribership for households in is significant.

**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:** Cumby, TX (CUM)

**Submitter:** TOCN

**Comment:** The Cumby tower proposed by InsideMyCity, LLC covers the Cumby area that is already being served by TOCN since 2004 by serving 31 households out of the 236 households and business in the community, as well as 6 other broadband providers. According to a survey taken by TOCN the broadband take rate for this community is 41%.

-----**Service Area:** Archer City, TX (ACI)

**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:** Blossom, TX (BLO)

**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:** Blossom Telephone Company, Inc.

**Comment:** Blossom Telephone Company, Inc.

OMB Control Number: 0660-0031

OMB Control Number: 0572-0142

Inside My City, LLC, with corporate offices in Irving, Tx has incorrectly filed for ARRA funding for areas that include a significant portion of Blossom Telephone Company’s (Blossom) exchange area in Texas. Inside My City, LLC has incorrectly identified the Blossom exchange area in which they have filed in Texas as underserved. Inside My City, LLC is wrong in their assertion and blanket filing. Blossom is providing broadband speeds equal to or in excess of 768 kbs throughout its service territory. In addition, a significant portion of their exchange area also has highspeed broadband service being provided by a cable provider as well as at least one wireless service provider. It therefore would seem plain that Inside My City, LLC did not perform due diligence in submitting its application for the Blossom service area. We also want to note that Blossom recently was approved for a RUS loan project specifically designed to

construct a Fiber to the Home (FTTH) network in the Blossom exchange that will enable broadband speeds in excess of 5 Mbps.

We strongly oppose Inside My City, LLC's filing and their request for funds on the basis that they have incorrectly identified the service area of Blossom as underserved when Blossom is providing broadband access at speeds equal to or greater than 768 bps throughout their exchange. We recommend that the Inside My City, LLC application regarding Blossom Telephone Company in Texas be rejected.

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

Clint Dorries

Blossom Telephone Company, Inc.

-----**Service Area:** Pecan Gap, TX (PGA)

**Submitter:** Rhino Communications

**Comment:** Rhino Communications (RC) currently provides a wide array of broadband offerings within the proposed funded service area. RC has been offering broadband services in excess of the bandwidth requirement as set forth in the ARRA, NOFA and BIP/BTOP guidelines, all prior to the ARRA approval. RC'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 Incumbent Local Exchange Carriers, and RC's network allows for leasing of services through our own facilities. The proposed funded service area already provides for not only broadband service through RC, but several CLEC's, Cable companies, and numerous mobile broadband service providers offer several choices to the subscriber. RC's opinion of the proposed funded service area is that of unnecessary spending within areas where sufficient broadband offerings exist to meet current demands. Whereas the requested funding could be better utilized in other portions of the country to deploy, map, or support other broadband services 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 current stable and thriving

service providers to close or consolidate business, leading to layoffs and resulting in another economic downturn.

-----**Service Area:** Campbell, TX (CAM)

**Submitter:** TOCN

**Comment:** The Campbell tower proposed by insideMyCity,LLC covers the Campbell area east of Greenville that are already being served by TOCN by serving 280 households and 1 business, as well as 6 other broadband providers including the incumbents. According to a survey taken by an independent company for TOCN the broadband take rate for these communities is 82.8%