

Broadband USA Applications Database

Applicant Name: Command Connect, LLC

Public Notice Submissions

-----**Service Area:** Mississippi 2

Submitter: Delta Telephone Company Inc

Comment: The map for this application does not correspond to the census data provided. That being said, Delta Telephone Company, Inc. (MS531), is a privately held telecommunications, video, and broadband data services to residents in its licensed service areas. Over the years Respondent has utilized funds, including Rural Utilities Service funds, to invest in its network to deploy fiber optic and other state of the art network technologies to provide the residents of its licensed service areas with robust and technologically advanced access to broadband services. Currently, Respondent provides access to broadband services to ninety percent (90%) of the residents in Respondent's service area. Therefore, no portion of Respondent's service area, including those which overlap with Applicant's proposed service area, are unserved.

-----**Service Area:** Colorado 2

Submitter: Stelera Wireless, LLC

Comment: The applicant's proposed service area does not qualify as unserved or underserved as defined by the BIP or BTOP programs. Stelera Broadband will provide broadband access to the service area with peak speeds of 9-10 mbps in the next 6 months. The town of Colorado City will be served by Stelera Broadband, a broadband service provider under the RUS Broadband Loan program. Stelera plans to advertise and deliver broadband transmission speeds in excess of 3 mbps downstream. Over 50% of the households in the proposed service area will soon have access to terrestrial broadband service at greater than the minimum broadband transmission speed. The area does not qualify as unserved because the number of households lacking access to broadband is less than 90% based on Stelera research.

Submitter: Rye Telephone Company

Comment: Rye Telephone Company (RTC) has been providing high-quality communications services in the remote and rural communities of Rye, Colorado City and Kim, Colorado for 50 years. RTC has been offering broadband services since 2002 and can offer speeds up to 5 Mbps within its service areas.

In keeping with its long tradition of providing cutting-edge technologies, RTC utilizes a variety of broadband technologies, each tailored to specific local needs and geographical challenges. At considerable investment, RTC deployed a Fiber-to-the-Premise (FTTP) platform to serve the vast majority of its service areas.

RTC is a local company that helps anchor the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. Because of RTC's advanced network, important community anchor institutions including local and state government, public safety agencies, healthcare facilities, schools and libraries now have broadband services. Due to RTC's entrepreneurial spirit, its dedication to its customers and through a substantial investment in advanced network facilities, these rural southern Colorado communities enjoy the same level of service as offered in metropolitan areas.

-----**Service Area:** Colorado 1

Submitter: Stelera Wireless, LLC

Comment: The applicant's proposed service area does not qualify as unserved or underserved as defined by the BIP or BTOP programs. Stelera Broadband provides broadband access to the service area with peak speeds of 9-10 mbps. The towns of Las Animas, La Junta, Rocky Ford and Lamar are served by Stelera Broadband a broadband service provider which advertises and delivers broadband transmission speeds in excess of 3 mbps downstream. Over 50% of the households in the proposed service area have access to terrestrial broadband service at greater than the minimum broadband transmission speed.

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RTC is a local company that helps anchor the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. Because of RTC's advanced network, important community anchor institutions including local and state government, public safety agencies, healthcare facilities, schools and libraries now have broadband services. Due to RTC's entrepreneurial spirit, its dedication to its customers and through a substantial investment in advanced network facilities, these rural southern Colorado communities enjoy the same level of service as offered in metropolitan areas.

Submitter: Eastern Slope Rural Telephone Association, Inc.

Comment: Eastern Slope Rural Telephone Association, Inc. (ESRTA) has been providing high-quality communications services to rural eastern Colorado for 57 years. Based on our history of serving difficult-to-serve areas that larger providers ignore, ESRTA is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work. To this end, ESRTA is capable of providing broadband services at speeds exceeding 5 Mbps download.

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

Submitter: CenturyLink

Comment: CenturyLink has an extensive broadband footprint today, and has committed to extend that service even further. As part of its merger commitments to the Federal Communications Commission, CenturyLink committed to offer retail broadband Internet access service to 100% of its broadband

eligible access lines by July 1, 2012. Consequently, virtually no areas served by CenturyTel or Embarq local operating companies, in any state, will be underserved or unserved at the end of three years.

CenturyLink also agreed to meet targets for minimum download speeds. CenturyLink will ensure availability of retail broadband Internet access service with a download speed of 1.5 Mbps to 87% of the broadband eligible access lines by July 1, 2011. It will ensure availability with a download speed of 3 Mbps to 75% of broadband eligible access lines by July 1, 2010, to 78% of broadband eligible lines by July 1, 2011, and to 80% of broadband eligible lines within 3 years of the close date. Nationwide, our average tele-density is 23 customers per square mile. This commitment ensures availability of broadband even to very rural consumers.

The agency should consider the importance of this commitment, as CenturyLink's continuing investment inevitably will make applications that overlap CenturyLink service areas less viable. CenturyLink has proven, industry-leading experience in deploying broadband networks and services using both wireline and wireless technology, and a strong commitment and focus on rural areas. Today, it serves 7 million access lines and 2.1 million broadband customers in 33 states

-----**Service Area:** Mississippi 1

Submitter: Delta Telephone Company Inc

Comment: Delta Telephone Company, Inc. (MS531), is a privately held telecommunications, video, and broadband data services to residents in its licensed service areas. Over the years Respondent has utilized funds, including Rural Utilities Service funds, to invest in its network to deploy fiber optic and other state of the art network technologies to provide the residents of its licensed service areas with robust and technologically advanced access to broadband services. Currently, Respondent provides access to broadband services to ninety percent (90%) of the residents in Respondent's service area. Therefore, no portion of Respondent's service area, including those which overlap with Applicant's proposed service area, are unserved.

-----**Service Area:** Central Region

Submitter: Ritter Communications

Comment: Ritter Communications responds to the filed application of Command Connect for the Central Region. Ritter, through its affiliate Ritter Cable, provides access to broadband service to 100% of its service area within Crittenden County, including its 3 Mbps service, a portion of which overlaps Command Connect's Central Region PFS in Arkansas. By providing broadband availability to customers within its service area that overlaps the PFSA, portions of Command Connect's PFSA do not qualify for the underserved designation.

Submitter: NorthEast Louisiana Telephone

Comment: North East Louisiana Telephone Company provides broadband access capability to 100% of the households within the area of the proposed funded serving area indicated "PFSA" challenged area. North East Louisiana Telephone is a rural ILEC that has been serving the area for some time. In the challenged PFSA they currently offer ADSL broadband services. As of June 2009 they are serving 23% of the households within the challenge area with Broadband, although some of the access speeds are below 768Kbps. "Note we have used the Household numbers from the tool as homes passed but feel this number is too large for this service area". North East Louisiana offers speeds of 3Mbps throughout this area. Due to customer choice within this area only 72% of the total households currently served have opted for access speed in excess of 768Kbps. Therefore by any of the definitions of the ARRA broadband program this area does not qualify as un-served and 3Mbps speeds are available throughout the challenge area.

Submitter: Campti-Pleasant Hill Telephone Company Inc.

Comment: The area in Natchitoches Parish, Louisiana described as the Creston community and the Town of Campti La. currently have access to High Speed Broadband. Most of the population is served by 3m to 10M ADSL2 Plus and/or Fiber to the Home.

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: Eastex Telephone Cooperative, Inc.

Comment: Eastex Telephone Cooperative, Inc. is an ILEC providing reliable terrestrial broadband data service within portions of the proposed funding area. In Eastex's many years of experience within this rural service territory, wireless services are unlikely to be able to provide reliable broadband service throughout the area due to the size and density of local pine trees.

Submitter: Southwest Arkansas Telephone Cooperative, Inc.

Comment: Southwest Arkansas Telephone Cooperative (SWAT) objects to the classification of the proposed area being designated as unserved. SWAT provides access to consumers of facilities-based

broadband transmission speeds of at least 768 kilobits to 100% of the Proposed Funded Service Area. Not only does SWAT provide services to this area, but two wireless broadband service providers also compete and advertise broadband services of speeds up to 5 megabits in the proposed funded service area. SWAT has invested extensively in the proposed funded service area to bring consumers the latest broadband technologies. Therefore this application should be rejected based on the above statements.

Submitter: Internet America, Inc.

Comment: Internet America currently provides access to high-speed Broadband Internet service to this Applicant's proposed service area. As detailed in this response the Company believes the area should be re-categorized as served.

Submitter: Cable One, Inc.

Comment: 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 - \$20.00

Standard , Speed (Down/up) - 5 Mb/500 kbps, Service Rate - \$43.00

Premium, Speed (Down/up) - 10 Mb/1 Mb, Service Rate - \$53.00

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 Technologies Opportunities Program (BTOP).

Submitter: Time Warner Cable Inc

Comment: As shown in the attached map and exhibit, TWC currently provides broadband Internet access service in the Proposed Funded Service Area. In addition, we advertise service of speeds above 3 Mbps throughout this service area. We pass over 50% of households, and either (1) have actual broadband subscribership of over 40% of the households in these census blocks or (2) the combined broadband subscribership of the wireline broadband providers (including TWC) in these census blocks is reasonably likely to exceed 40%. Therefore, that portion of the proposed funded service area that overlaps Respondent's service area reflected in this response is neither "unserved" or "underserved."

Submitter: Allen's TV Cable Service, Inc.

Comment: Allen's TV Cable Service submits the following information in response to the proposed service funded area. Edgenics's proposal includes areas currently served by Allen's TV Cable and other providers for the broadband market, thus providing adequate availability and users within our service area. Allen's began offering its rural markets high speed broadband Internet starting in 2001, with speeds already in excess of 3Mbps. Infrastructure already in place allows for both high speed cable modem services as well as FTTx advanced services in Allen's wired markets. Response map depicts these areas as well as our current cable modem rate schedule delivered to all customers and residences within these service areas.

Submitter: Suddenlink Communications

Comment: This response conclusively demonstrates that Suddenlink and its competitors already offer robust broadband service within the mapped area of the applicant's proposed funded service area and that this mapped area is neither unserved nor underserved. Additional information is provided in the uploaded document, including (1) sample marketing material; (2) a guide on how to read the data we entered in the "Existing Broadband Subscribers" section of this response; (3) a summary of the vendor and methodology used for estimating competitive-service subscribers in the mapped area; (4) Suddenlink contact information, should one or more federal agencies have questions or require additional information; and (5) a summary of concerns with the response process and the limitations that process has placed on our ability to provide NTIA/RUS with relevant, timely data.