

## Broadband USA Applications Database

**Applicant Name:** Technology Council of Northwest Pennsylvania

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### Public Notice Submissions

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-----**Service Area:** Warren County

**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:** Armstrong Utilities Inc.

**Comment:** Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong’s high speed broadband network passes more than 50%, and its high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

-----**Service Area:** Northwest PA Broadband

**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.”

-----**Service Area:** Waterford

**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."

-----**Service Area:** Forest County

**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:** Armstrong Utilities Inc.

**Comment:** Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong’s high speed broadband network passes more than 50%, and high speed broadband exceeds 40%, of households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

-----**Service Area:** Venango County

**Submitter:** Comcast Cable

**Comment:** Attached is a summary of the Comcast Cable homes passed, subscriber and advertising information related to the service areas encompassed by this application.

**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.

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**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:** 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:** Armstrong Utilities Inc.

**Comment:** Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and its high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

-----**Service Area:** Crawford County

**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.

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**Submitter:** Utopian Wireless Corporation

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therefore this application is ineligible for funding pursuant to the requirements of the Broadband Initiatives Program (BIP) and Broadband Technology Opportunities Program (BTOP).

**Submitter:** Coaxial Cable TV

**Comment:** Coaxial Cable TV has been serving the proposed area with broadband services for 6 years. Coaxial Cable TV offers 768k @ \$25.95 a 1.5Mb @ \$35.95 and 3Mb @ \$45.95 Verizon Telephone Service also offers DSL services to much of the proposed service area.

**Submitter:** Armstrong Utilities Inc.

**Comment:** Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and its high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.