

From: [David Moore \(DOA\)](#)
To: [BOCrfc2015](#)
Subject: Public Comment - The Marshall Plan for Broadband in America
Date: Wednesday, June 10, 2015 8:57:35 AM

Dear Sir:

In response to the Broadband Opportunity Council's Request for Comment, I would like to submit the following:

1. Council Objective: Engage with industry and other stakeholders to understand ways the government can better support the needs of communities seeking to expand broadband access and adoption.

Previous efforts of the federal government have attempted to expand broadband access and adoption to varying degrees. The Broadband Technology Opportunities Program (BTOP) and the State Broadband Initiative (SBI), both funded through the American Recovery and Reinvestment Act of 2009, effectively expanded commercial offerings to un-served and underserved citizens, while the FCC's Rural Broadband Experiment promises further expansion. While no federal program is perfect, I believe these earlier and current efforts are missing the mark in one very important area: these programs are primarily seeking to partner with commercial providers to benefit the communities, rather than partnering with the communities directly.

I would like to propose a Marshall Plan for Broadband in America (MPBA). Under the MPBA, the federal agencies responsible for broadband investment would empower communities to determine their broadband destinies in a federal / local match program, utilizing funding through the Connect America Fund.

I envision communities pursuing broadband solutions that best fit their needs. From a technology standpoint, I believe many will pursue fiber as their technology of choice, while other may opt for cable technology, wireless mesh, or, in small rural communities, perhaps reliable fixed wireless technologies. The other variable is the operations model – I believe some communities will choose to solely build, own, and operate its broadband network, others may build and maintain the physical plant while outsourcing service to commercial providers; still others will partner with commercial providers, effectively outsourcing the build, ownership and operation of its network.

The key to the success of the MPBA is for participating communities to have a true stake in their projects. I propose a 30/30/40 funding split: a 30 percent investment by the community, a matching 30% grant from the Connect America Fund, with the remaining 40% funded through either a Connect America Fund loan to the community or as an investment by a private service provider.

If a community chooses the “own and operate” model, this turns into a win-win for the community and the federal government: the community develops its broadband network of choice with an initial investment of 30 cents on the dollar (with a requirement to repay another 40% with favorable terms, similar to RUS loans today), while the federal government expands the National Broadband Network for 30 cents on its dollar.

If a community chooses to partner with a commercial provider, we will have a triple win: the community gets its broadband network for 30 cents on the dollar, the federal government expands the national network for 30 cents on the dollar, and the commercial provider services a new market for 40% of the total network build-out investment, thereby significantly shortening its path to profitability.

2. *Council Objective: Identify regulatory barriers unduly impeding broadband deployment, adoption, or competition.*

In approximately 20 states, legislation is enacted that is generally known as the “Local Government Fair Competition Act”. The intent of such legislation is to prohibit local governments who are interested in building their own broadband networks from gaining a competitive advantage over commercial providers, by utilizing governmentally subsidized investments lowering the service offerings of the publicly owned network.

The reality is that such legislation inhibits un-served and underserved communities in these states from establishing or enhancing the broadband service available to its constituents. If the potential return-on-investment for a commercial provider in these states fail to meet the providers’ business plans, the providers can simply choose to wait until a community grows in population to meet its ROI, with no threat that the community may build on its own.

I propose that the FCC override the “Fair Competition Acts” of the States, allowing for local broadband networks, should a community notify all commercial providers serving users within 200 miles of the community of its intent to build a broadband network and receive no commitment of investment from providers within 90 days of notification. Similarly, should a community that is served by one technology (cable, for instance) desire to build out a more advanced technology (fiber, for example), it should be allowed to do so if no commercial provider commits to building the advanced network on the proposed scale within the 90 days of such notification.

Thank you.

David Moore