Applicant Name: Foundation Telecommunications Inc

Public Notice Submissions

-----Service Area: Bena-Boy River-Federal Dam-Remer, MN

Submitter: Johnson Telephone Company

Comment: Foundation Telecommunications Inc.'s proposed project covers primarily the city limits of the Federal Dam, Boy River and Remer exchanges served by Johnson Telephone Company. We currently serve the exchange areas by an existing copper ADSL2+ / fiber-to-the-home network. In the public notice response Johnson Telephone Company is providing; 1) a map of the overlapping area Johnson provides broadband services, 2) Johnson's DSL high speed internet advertising 3) the number of residential households and business establishments capable of receiving broadband services, 4) the number of residential households and business establishments subscribing to our broadband, 5) the advertised download and upload speeds and service rates, and 6) comments addressing the existing services offered within the proposed funded service area.

-----Service Area: Dearing - Tyro, KS

Submitter: Totah Communications, Inc.

Comment: Totah Communications, Inc.

OMB Control Number: 0660-0031

OMB Control Number: 0572-0142

Foundation Telecom Inc, (FTI) a satellite broadband provider, a non-terrestrial based service provider, with offices in Rogers, Arkansas has incorrectly filed for ARRA funding in their Dearing-Tyro filing for an area that includes a portion of Totah Communications, Inc.’s (Totah) rural exchange area in Kansas. The area FTI proposes to serve that covers Totah territory is Tyro City. FTI has incorrectly identified the area as Unserved. FTI is wrong in their assertion. Tyro is already being served with broadband by Totah
(Incumbent ILEC) at speeds equal to or greater than 768 kbps. In addition, this area is also currently being served by a cable company and at least one wireless provider.

We strongly oppose FTI’s filing and their request for funds covering Tyro City in Kansas on the basis that they have incorrectly identified the area as unserved and recommend that it be rejected on the grounds that the incumbent ILEC, Totah Communications, Inc. is already providing broadband access in this exchange.

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

Sincerely,

Keith E. Watson

Totah Communications, Inc.

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 least 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.

-----Service Area: Alden-Raymond-Chase, KS

Submitter: Mutual Telephone Company

Comment: Mutual Telephone Company is a cooperative telephone company headquartered in Little River, KS. MTC has been in operation for 104 years. Through the organization and its subsidiary
company, high-speed internet is available throughout all of Rice County, Kansas to include the towns of Alden, Raymond and Chase.

Submitter:  H&B Cable Service
Comment:  We offer broadband speeds of up to 6Mbps in Chase via cable modems. We also offer internet service outside of town via wireless technology.

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:  st.francis,ar

Submitter:  NewWave Communications
Comment:  NewWave currently serves this area with 45% market penetration. They offer 3 MG or higher to all.

-----Service Area:  knowles, ok

Submitter:  Panhandle Telephone Cooperative, Inc.
Comment:  Panhandle Telephone Cooperative, Inc. provides comments on this application regarding the underserved designation of the proposed funded area.
-----Service Area: Mahaska, KS

Submitter: JBN Telephone Company Inc.

Comment: JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 3% of households. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not “Unserved” as defined by the ARRA NOFA.

-----Service Area: reserve,ks

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.

-----Service Area: soper,ok

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:  Munden-Narka, KS

Submitter:  JBN Telephone Company Inc.

Comment:  JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 8% of households. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not “Unserved” as defined by the ARRA NOFA.

-----Service Area:  Orange, IN

Submitter:  DigitalBridge Communications Corp.

Comment:  DigitalBridge Communications (“DBC”) currently offers true 4G, WiMAX broadband service in the applicant’s PFSA, serving an active base of residential and business subscribers in the PFSA. Other companies also serve the PFSA - DBC actively competes with cable (Comcast) and DSL (Verizon) broadband providers in the PFSA. DBC estimates 85% overlap of its coverage with the PFSA based on households served.
-----Service Area: Kirwin, KS

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Nex-Tech, Inc. a wholly owned subsidiary of Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service to 100% of the Proposed Funded Service Area as shown on the map. This area meets the definition of an underserved area as defined in the NOFA.

-----Service Area: Skedee, OK

Submitter: Cimarron Telephone Co.

Comment: Cimarron Telephone Company through its subsidiary Cim-Tel Cable, LLC, has been offering broadband speed data service to subscribers for over 5 years. The area applied for by the ARRA applicant, which falls within the telephone exchange boundary is served with high speed internet broadband service. Cim-Tel Cable, LLC also offers IPTV service to its subscribers within the communities Cimarron Telephone Company serves.

-----Service Area: Alton, KS

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service to 100% of the Proposed Funded Service Area as shown on the map. This area meets the definition of a served area as defined in the NOFA.

-----Service Area: Smolan, KS
Submitter: Home Communications, Inc.

Comment: For the portion of this application that overlaps the Home Communications, Inc. serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Home Communications, Inc. offers a 3Mbps downstream and 5Mbps downstream service in this area. Lastly, Home Communications, Inc. supplies broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

-----Service Area: Glenwood, IN

Submitter: DigitalBridge Communications Corp.

Comment: DigitalBridge Communications (“DBC”) currently offers true 4G, WiMAX broadband service in the applicant’s PFSA, serving an active base of residential and business subscribers in the PFSA. Other companies also serve the PFSA - DBC actively competes with cable (Comcast) and DSL (Verizon) broadband providers in the PFSA. DBC has 100% overlap of its coverage with the PFSA based on households served.

-----Service Area: kanopolis, KS

Submitter: Eagle Communications Inc.

Comment: In response to the RUS/BIP and NTIA/BTOP FTI High Speed Internet application submitted by Foundation Telecommunications, Inc.: Eagle Communications, Inc., a broadband service provider in northwest and north-central Kansas wishes to notify the Rural Utilities Service and National Telecommunications and Information Administration that the Service Areas proposed contains areas in which Eagle Communications, Inc. currently provides broadband services.

-----Service Area: pollard, AR
Submitter: NewWave Communications

Comment: NewWave Communications currently provides 3 meg service with a broadband market penetration of 45 percent to this service area.

-----Service Area: Cedar - Gaylord, KS

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service to 100% of the Proposed Funded Service Area as shown on the map. This area meets the definition of a served area as defined in the NOFA.

-----Service Area: Fowler, KS

Submitter: FairPoint Broadband d/b/a FairPoint Communications

Comment: FairPoint Broadband d/b/a FairPoint Communications (“FairPoint”) is responding to this Public Notice Filing regarding Foundation Telecommunications Inc.’s application for broadband funding under the ARRA. The applicant’s proposed funded service area is the city of Fowler, Kansas. FairPoint is an incumbent broadband provider that currently offers broadband service (as defined in the NOFA) to 100% of its service area as outlined in the response area map in Fowler, Kansas. For the proposed funded service area which overlaps with FairPoint’s incumbent service area, the applicant claims that it is “unserved”. The data provided in this response demonstrates that the applicant’s claim that the overlap with the proposed funded service area is “unserved” is simply not true.

-----Service Area: Lockington, OH
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: garland city, AR

Submitter: Southwest Arkansas Telephone Cooperative, Inc.

Comment: In the Garland exchange, 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. SWAT advertises 3 megabit service in the proposed 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 and over 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.

-----Service Area: Gorham, KS

Submitter: Gorham Telephone Company

Comment: For the portion of this application that overlaps the Gorham Telephone Company serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of
households and 100% of businesses. Additionally, Gorham Telephone Company offers a 3Mbps downstream service in this area. Lastly, Gorham Telephone Company supplies broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

-----Service Area:  Buckhorn, KY

Submitter:  TDS Telecom

Comment:  TDS Telecom offers 3Mbps broadband service within the applicants proposed service area and provides broadband service to customers pursuant to the NOFA definitions.

-----Service Area:  South Lead Hill, AR


Comment:  NATCO Technologies objects to the classification of the South Lead Hill community as being unserved and underserved. This is in the Lead Hill exchange and NATCO advertises and provides access to facilities based broadband service at speeds up to 6MB to 100% of the proposed funded service area in South Lead Hill. Not only does NATCO provide service to this area, but AT&T Wireless, Verizon Wireless and Wildblue high speed internet also compete and advertise broadband services of speeds up to 5 megabits in the proposed funded service area. When coupled with the two broadband wireless providers and the satellite provider, the penetration rate of broadband access would be over 40% in the South Lead Hill area. NATCO has invested extensively in the proposed funded service area to bring consumers the latest broadband technologies and this area is 100% served. Therefore, this application should be denied for the South Lead Hill proposed funding area.

-----Service Area:  onaga,ks

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.

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.

-----Service Area: Susank, KS

**Submitter:** Rural Telephone Service Co., Inc./Nex-Tech, Inc.

**Comment:** Nex-Tech, Inc., an RUS Broadband Loan borrower and wholly owned subsidiary of Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service within the Proposed Funded Service Area as shown on the map. This area meets the definition of an underserved area as defined in the NOFA.

-----Service Area: Granada-Truman, MN

**Submitter:** Granada Telephone Company

**Comment:** Respondent serves applicant's proposed service area with broadband internet service, as defined by the FCC and the NOFA. Therefore, applicant's portion of its proposed service area currently served by Respondent does not qualify as an unserved area.
-----Service Area: rome, oh

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: florence, ks

Submitter: Eagle Communications Inc.

Comment: In response to the RUS/BIP and NTIA/BTOP FTI High Speed Internet application submitted by Foundation Telecommunications, Inc.: Eagle Communications, Inc., a broadband service provider in northwest and north-central Kansas wishes to notify the Rural Utilities Service and National Telecommunications and Information Administration that the Service Areas proposed contains areas in which Eagle Communications, Inc. currently provides broadband services.

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: Amoret-Amsterdam-Hume-Merwin, MO
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.

-----Service Area:  Pine Mountain, KY

Submitter:  TDS Telecom

Comment:  TDS Telecom offers 3Mbps broadband service within the applicants proposed service area and provides broadband service to customers pursuant to the NOFA definitions.

-----Service Area:  carter, ok

Submitter:  Pioneer Telephone Cooperative

Comment:  Pioneer Telephone Cooperative, Inc. through its subsidiary Pioneer Long Distance, Inc. (PLDI), has been offering broadband speed data service to subscribers for over 10 years. The area applied for by the ARRA applicant, which falls within the telephone exchange boundary is served with high speed internet broadband service. PLDI also offers IPTV service to its subscribers in this area using the Pioneer’s broadband plant.