Applicant Name: Virginia Broadband, LLC

 Public Notice Submissions

-----Service Area: Rappahannock Region Last Mile Broadband Delivery

Submitter: Gans Communications LP dba MetroCast Communications

Comment: Gans Communications, L.P. dba MetroCast Communications offers broadband service to a significant portion of the applicant’s proposed service area in King George and Westmoreland Counties, Virginia. MetroCast offers residential broadband transmission speeds in applicant’s proposed service area up to 10Mbps downstream and 1 Mbps upstream, with MetroCast’s most highly-subscribed broadband service having a transmission speed of 7.0Mbps downstream and 512 kbps upstream. MetroCast’s business broadband service offerings start at 3Mbps downstream and 256 kbps upstream, with advertised offerings of up to 15Mbps downstream and 2 Mbps upstream. Higher business speeds are available with customized service options including direct fiber connections. Over 39% of the households and businesses within the applicant’s proposed service area currently subscribe to MetroCast broadband services. MetroCast is aware of other providers of high speed broadband service in applicant’s proposed service area, including Verizon. According to an FCC report(http://www.fcc.gov/wcb/iatd/comp.html), as of June 30, 2008, nine other companies reported providing high-speed service to this service area. Based on the information provided above, applicant’s proposed service area certainly does not meet the definition of “unserved” or “underserved” as those two terms are defined in the NTIA/RUS NOFA. MetroCast has invested several million dollars of private capital to build an advanced fiber optic network to provide broadband services to King George and Westmoreland County, Virginia, which encompasses much of the applicant’s proposed service area in those counties. Further details regarding the broadband services MetroCast provides in applicant’s proposed service area are provided below.

Submitter: Richmond 20 MHz LLC dba NTELOS

Comment: NTELOS herein provides information on its existing broadband services within Applicant’s proposed service area to be funded.

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 Virginia 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.

**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).