Applicant Name: 01 Data Center

Public Notice Submissions

-----Service Area: New Hampshire, Rockingham

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.

-----Service Area: New Hampshire, Grafton

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.

-----Service Area: Florida, Lake

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.

Submitter: Bright House Networks, LLC

Comment: In support of NTIA and RUS’ efforts to optimize the distribution of the scarce resources available under the ARRA Broadband NOFA, Bright House Networks is providing additional data related to this Applicant’s planned service areas. This application includes service areas which are not unserved nor underserved.

Submitter: Hometown Broadband Orlando (HBO), LLC

Comment: Hometown Broadband Orlando, LLC

RUS Project Designation: New Jersey 1103-A35

SUMMARY

Hometown Broadband Orlando, LLC is a current RUS Broadband Borrower under that certain Loan and Security Agreement and Note dated January 28, 2008 between Hometown Broadband Orlando, LLC (“HBO”) and the United States of America acting through the Administrator of the Rural Utilities Service (“RUS”).
Our service territories were filed under our RUS loan application in accordance with RUS Bulletin 1738-1 and were subsequently approved by the RUS. The filed service territories and the households within each service territory enable the economic viability of our project and the RUS loan. Based on our original RUS loan application our defined service area serves both underserved and un-served households. HBO has projected acquiring a total of 429 broadband subscribers during the life of the project.

Our RUS approved and planned broadband services exceed the minimum broadband transmission speeds (768 kbps down and 200 kbps up) set forth in the BTOP and BIA programs and we advertise and provide optional speeds up to 6 mbps down and 2 mbps up.

The Applicants service area overlaps the HBO service area as approved by the RUS. If the government were to approve the Applicant’s service area, Applicants right to utilize these significant portions of HBO’s service area would impede the ability of HBO to fully build out its service area. That impedance would result in decreased revenue for HBO, thus interfering with HBO's ability to repay its RUS loan and to operate profitably.

-----Service Area:  Florida, Alachua

Submitter:  James Cable LLC

Comment:  James Cable LLC provides 8Mg broadband service to the community of Alachua, Florida.

Submitter:  Windstream

Comment:  Windstream’s data strongly suggest that the proposed funded service area likely does not qualify as an unserved area. Windstream offers facilities-based, terrestrial broadband service at advertised speeds of greater than 768 kbps downstream and 200 kbps upstream to some of the households within 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 unserved.
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 “unserved area” as follows: “Unserved area means a proposed funded service area, composed of one or more contiguous census blocks, where at least 90 percent of households in the proposed funded service area lack access to facilities-based, terrestrial broadband service, either fixed or mobile, at the minimum broadband transmission speed (set forth in the definition of broadband above). A household has access to broadband service if the household can readily subscribe to that service upon request.”

-----Service Area: New Hampshire, Belknap

Submitter: MetroCast Cablevision of NH LLC

Comment: MetroCast Cablevision of NH, LLC offers broadband service to 100% of the applicant's proposed service area. Specifically, MetroCast provides direct fiber connectivity to Lakes Region General Hospital (LRGH), the largest provider of health care services in the lakes region of New Hampshire, and LRGH's outpatient clinics located in the applicant's proposed service area. Additionally, MetroCast provides complimentary 7.0Mbps broadband service to the public facilities, including first responders such as police, fire and emergency facilities, within this same area. MetroCast offers residential broadband transmission speeds in applicant's proposed service area up to 10.0Mbps downstream and 1.0Mbps upstream, with MetroCast's most highly-subscribed broadband service having a transmission speed of 7.0Mbps downstream and 512Kbps upstream. MetroCast's business broadband service offerings in the applicant's proposed service area start at 3.0Mbps downstream and 256Kbps upstream, with advertised offerings up to 15.0Mbps downstream and 2.0Mbps upstream. Higher transmission business speeds are available with customized options including direct fiber connections. Over 30% of the households 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 FairPoint Communications. According to an FCC report (http://www.fcc.gov/wcb/iatd/comp.html), as of June 30, 2008, 11 other companies reported providing broadband 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 the entire City of Laconia, NH which fully encompasses the applicant's proposed service area. Further details regarding the broadband services MetroCast provides in applicant's proposed service area are provided below.