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.”

Submitter: Santa Rosa Telephone Cooperative, Inc.

Comment: Santa Rosa Telephone Cooperative, Inc. provides comments on this application
regarding the underserved designation of the proposed funded area.

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: Partnership BB

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.

Submitter: Aledo BroadBand

Comment: Aledo BroadBand is a high-speed Internet Service Provider that serves the East Parker County area of Texas. We offer both DSL and wireless services to over 95% to the East Parker County community. Our service of this area is effective and comprehensive. Additionally, there are at least eight other DSL, Cable and wireless providers offering service in this area.

Partnership Wireless does not offer sustainable service in our area, and if they expand their wireless service into our area, they would increase the RF noise floor thereby disrupting the existing service that the businesses and residents in this area are receiving.

Submitter: James Cable LLC

Comment: James Cable LLC provides 8Mb broadband service to the communities of Decatur and Bowie, Texas. We provide 3Mb service to the communities of Runaway Bay, Lake Bridgeport, and Bridgeport, Texas.

Submitter: TOCN

Comment: TOCN has been providing wireless broadband service in the south and east area of Dallas since 2004 and presently have 935 customers in the applicants proposed area. The applicant is applying for stimulus funds to deliver broadband service in a densely populated well supplied section of Dallas. This is in direct contradiction of the mandate of the stimulus plan to deliver to the rural areas of the United States.
Submitter: VRFuturenet

Comment: VRFuturenet currently high speed wireless internet services Parker County with coverage in the entire county. We also cover many adjacent counties. We offer a variety of speed packages for both business and residential customers. We have a large backbone and stable network with the ability to deliver multi-meg packages in the areas of Parker, Palo Pinto, Jack and many other counties.

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.

Submitter: WispOps, Inc

Comment: WispOps is a cooperative representing Mesh.net, CIT Broadband, VRFuturenet, CDI Broadband, URnet, Aledo Broadband, Prarie.net, Cirra Networks

Submitter: Community Telephone Company/ Comcell

Comment: Community provides this response to Partnership Broadband in the Archer County, Texas area. Community provides broadband access to over 95% of its customers in its service area, portions of which overlap the Partnership Broadband application. Because the company offers availability throughout its service area, unserved and underserved designations do not apply in areas of overlap in the Partnership PFSA

Submitter: CIT Broadband

Comment: CIT broadbands service extends throughout Parker County, with coverage also provided in parts of Tarrant, Jack, Denton, Wise, Palo Pinto, Eastland, Erath, Stephens and Johnson Counties. These areas are not unserved or underserved. There are at a minimum 13 wireless ISPs operating in this area, including Aldeo Broadband, Belwave Communications, Dot11 Networks, CIT Broadband, CDI Broadband, Mesh.net, Prairienet, UrNet, Vrfuturenet, Skywi, One Source, Unite Wireless, and AEI Wireless. At least 2 or more of these companies provide services in excess of 3M.
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: Grayson Cablerocket LLCV

Comment: Grayson Cablerocket has high speed internet in Grayson County.
Submitter: JAB Wireless, Inc.

Comment: JAB Wireless, Inc. (“JAB”), operating under the trade name Skybeam, is providing information depicting broadband coverage within the proposed service area, sample advertising of JAB’s advertising of at least 3 meg. Internet service within the proposed service area, and subscriber information to assess broadband penetration.

Submitter: Internet America, Inc.

Comment: Internet America currently provides access to high-speed Broadband Internet service to this Applicant’s proposed service area. As detailed in this response the Company believes the area should be re-categorized as served.

Submitter: Cable One, Inc.

Comment: Cable One, Inc. is a multi-system broadband provider operating in 19 states. Cable One offers residential broadband service with speeds up to 10 MB and customizable commercial solutions with flexible bandwidth offerings from 5Mbps to 1 Gbps. By November 1, 2009, the majority of Cable One systems will also be offering 12 Mb residential broadband service with a 20 MB boost. Cable One provides its subscribers with quality service offerings at competitive rates. Cable One expends substantial capital and resources to ensure that customers enjoy the latest technology and the highest standards of customer service, and has made its customers and its communities its first priority.

Please refer to our supporting documentation and comments that establish that Cable One already operates in census tract(s) encompassing or included in Applicant’s Proposed Funded Service Area. The uploaded document includes maps showing census tracts and homes passed for each the applicable systems, current advertisements for residential and commercial broadband offerings, and subscriber data by census tract.

Cable one’s current broadband service offerings are as follows:

Residential:

Economy, Speed (Down/up) - 1.5 Mb/150 kbps, Service Rate - $20.00

Standard , Speed (Down/up) - 5 Mb/500 kbps, Service Rate - $43.00
Premium, Speed (Down/up) - 10 Mb/1 Mb, Service Rate - $53.00

Commercial:

Economy, Speed (Down/up) - 5 Mb/1.0 Mb, Service Rate - $69.65
Standard, Speed (Down/up) - 10.0 Mb/1.0 Mb, Service Rate - $85.95
Premium, Speed (Down/up) - 12.0 Mb/1.5 Mb, Service Rate - $99.95
Ultra, Speed (Down/up) - 15.0 Mb/2.0 Mb, Service Rate - $199.95
Enterprise Plus, Speed (Down/up) - 20.0 Mb/2.5 Mb, Service Rate - $299.95

Discounted bundles and promotional pricing are also available.

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

Submitter:  TV Cable of Grayson County

Comment:  Grayson County Cable (GCC) currently provides a wide array of broadband offerings within the proposed funded service area. GCC has been offering broadband services in excess of the 3 MB bandwidth requirement as set forth in the ARRA, NOFA and BIP/BTOP guidelines, all prior to the ARRA approval. GCC’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 allows for leasing of services through our own facilities. The proposed funded service area already provides for not only broadband service through GCC, but several ILEC’s, Wireless companies, and numerous mobile broadband service providers offer several choices to
the subscriber. GCC’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.

Submitter: Electra Telephone Co.

Comment: Electra Telephone Company demonstrates that the area Inside My City LLC proposes to serve which overlaps a small part of Electra Telephone’s service area does not meet all of the criteria which categorize an area as underserved.

As demonstrated, 100% of households in Electra Telephone’s service area, including those areas which are part of Applicant’s proposed funded service area, are able to readily subscribe upon request to facilities-based, terrestrial broadband services at a minimum transmission speed of greater than 768 kbps downstream and 200 kbps upstream from Electra Telephone and, therefore, no part of this overlapping area is underserved on the basis of access to broadband service. In addition, Electra Telephone demonstrates that the rate of broadband subscribership for households in its service area is significant.

Submitter: CenturyLink

Comment: The proposed service areas are not wholly underserved or unserved.

CenturyLink is submitting data that shows the application’s proposed service area is not underserved or unserved, under program guidelines. Accordingly, the application must be denied as ineligible. With limited funding and a large pool of applications, program grants and loans must be directed only to areas that are truly underserved or unserved, as stipulated in the program guidelines.

CenturyLink can certify that its affiliates currently offer broadband service in some or all of the applicant’s proposed service areas. Attached is a state map that is a representative sample of areas
where the application overlaps our existing broadband deployment. CenturyLink also provides data showing broadband availability in our local telephone exchanges within the proposed service areas. We will provide additional information on request if that will further assist the agency’s review.

This data is not exhaustive; the application may include other areas also currently served with broadband by other providers, which should be considered in the assessment of the application. Our data combined with that of other broadband providers would likely show further duplication and overlap of broadband services in the proposed service areas.

CenturyLink has committed to upgrade and extend broadband.

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 over 7 million access lines and 2.1 million broadband customers in 33 states.

Submitter:  Nortex Communications
**Comment:** Nortex Communications is disputing that its service area is unserved or underserved as it provides DSL services to 100% of its landline telephone service area which also includes fiber to the home in its two largest exchanges. It also provides wireless internet via 700 Mhz licenses in areas lying outside of the landline service area and its affiliate provides cable modem broadband services outside of the telephone serving area for the cities of Saint Jo, Lindsay, Lake Kiowa and Collinsville.

**Submitter:** CHARTER COMMUNICATIONS

**Comment:** Charter Communications (‘Charter’), a broadband service provider, has invested capital to provide a full range of Broadband services, including High Speed Internet services, in this service area. The applicant’s request in the proposed under-served and un-served service area would create an overlap in Charter’s service area. Charter’s response includes the necessary information to validate the overlapping condition as a result of this applicant’s request.