**Application Name:** Phalanx Technology Holdings, LLC

**Project Title:**
- Dubuque Middle Mile Route
- DeWitt Middle Mile Route
- Airport – Marengo Middle Mile Route
- North CR Middle Mile Route

**Project Type:** Middle Mile

**Comment by Iowa Network Services, Inc.:**

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These communities are currently served by Iowa Network Services and our affiliate local independent telephone companies and are not unserved or underserved rural areas. The Phalanx applications request middle mile build out that would essentially overlay existing fiber networks that are already established, in-service, and operated by Iowa Network Services and other providers.
Phalanx Technology Holdings, LLC (Phalanx), d/b/a as fryeSTORM Cable and Fiber, Inc. has submitted the largest request in Iowa. With only five employees, FryeSTORM is a young, privately-held organization based out of Cedar Rapids, Iowa and to date has only run a pilot cable TV operation. 1

Iowa Network Services (INS) offers access to over 5,000 existing fiber optic route miles within the state of Iowa. In addition, fiber networks operated by Qwest, Iowa Telecom, South Slope, and other smaller carriers also serve the 19 locations identified in the application as well as throughout the state. Through our 34 points of presence and local LEC partnerships throughout Iowa, the INS statewide fiber optic network featuring fully redundant DS1 to 10 Gigabit Ethernet service connects all 99 counties of the state and primarily serves the rural sector. There is a competitive broadband backbone and middle mile service in all of the areas listed in the Phalanx application.

In 1984, Iowa Network Services was conceived to provide state-of-the-art telecommunications services to rural Iowa and has successfully done so over the past two decades. Iowa Network Services has been critical to the delivery of competitive long distance telephone services since the late 1980’s, Internet access in the early 1990’s, and Internet protocol television today. The INS Network was initially intended for use by 150 locally owned independent telephone companies in rural communities throughout the state of Iowa.

Today that use has expanded. INS continues to provide connectivity services to the independents in addition to providing full network access to other entities including major land line interexchange carriers, regional and national wireless carriers, and private businesses requiring high capacity fiber, wireless backhaul, broadband services and more. Through our local independent telephone companies and affiliate partners, the INS Network is available to any customer.

The state of Iowa has more telecommunication providers than any other state. In 2008, over 250 Local Exchange Carriers filed revenue statements with the Iowa Utilities Board (IUB) and this number does not include all unregulated companies providing broadband services. Competition for voice, Internet and video subscribers is fierce; the state is well served. In July 2007, the IUB released a report that 96.1% of Iowa’s rural communities currently have high-speed Internet access and that wireless/satellite technologies are available in the greatest number of Iowa communities. 2

Phalanx is seeking additional public funding to offer expanded services where services and competitive options already exist. The IUB report also stated that competition in the provisioning of high-speed
Internet services is increasing in both rural and non-rural communities and that 64.8% of these rural areas have two or more providers to choose from for their broadband services.

If public money is used to build out Phalanx services unfair and unnecessary competition will be created. When using the American Recovery and Reinvestment Act funds, the base line objective is to provide broadband services to unserved or underserved areas with the funds available.

The Phalanx goals can be met today without additional government funded build out. High-speed, fiber optic network with broadband, digital phone and television service is currently available to rural Iowans by multiple, competitive carriers throughout the state. To address the last mile need, government should look to support providers such as Iowa Network Services and others that currently have the ability to provide state-of-the-art telecommunication services, transport and last mile access.

To further invest public dollars by awarding this application would jeopardize current providers who successfully provide broadband services within Iowa.

We oppose the Phalanx Technology Holdings LLC (fryeSTORM Cable & Fiber) application because:

- Developing a high-speed, fiber optic network where a high-capacity, fully-redundant network already exist does not fulfill the need for broadband expansion in rural areas
- the taxes we pay would pay for their network
- it generates unfair, redundant competition
- it adds unnecessary infrastructure
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2) From the Iowa Utilities Board “Assessing High-Speed Internet Access in the State of Iowa: Sixth Assessment” January 2008

Submitter:  South Slope Cooperative Telephone Company

Comment:  South Slope Cooperative Telephone Company (South Slope) demonstrates that it provides broadband service throughout the entire area encompassed in the proposed funded Service Area in the Phalanx Technology Holdings, LLC application; that no interconnection point identified in the proposed project and no part of the proposed project terminates in a proposed funded Service Area that qualifies as unserved or underserved for Last Mile projects; and all of the Last Mile areas to be served identified in the application are served with broadband service by South Slope. Further, South Slope demonstrates that in addition to providing its own last mile broadband services, South Slope has middle mile broadband facilities providing sufficient capacity to support the provision of broadband service to end users.

As demonstrated, 100% of households in the proposed funded Service Area, including the identified interconnection points, 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 South Slope; 100% of the households in the proposed funded Service Area, including the identified interconnection points, have access to facilities-based, terrestrial broadband service at greater than the minimum broadband transmission speed as set forth in the definition of broadband; South Slope advertises broadband service at broadband transmission speeds of at least 3 megabits per second downstream throughout the proposed funded Service Area, including the identified interconnection points; and the rate of broadband subscribership for the proposed funded Service Area, including the identified interconnection points, is greater than 40 percent of households.
-----Service Area: Fairfax

Submitter: Mediacom Communications Corporation

Comment: Applicant's proposed service area is currently served by at least two wireline broadband service providers. Broadband speeds well in excess of the minimum broadband speeds set forth in the NOFA are currently available within the applicant's proposed service area. For its part, Mediacom advertises and provides broadband services within the proposed service area at speeds up to 20 Mbps.

Submitter: IOWA NETWORK SERVICES, INC.

Comment: Comments on the Phalanx Technology Holdings, LLC Application

Application Name: Phalanx Technology Holdings, LLC
Project Title: Dubuque Middle Mile Route
DeWitt Middle Mile Route
Airport – Marengo Middle Mile Route
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Comments by Iowa Network Services, Inc.

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Today that use has expanded. INS continues to provide connectivity services to the independents in addition to providing full network access to other entities including major land line interexchange carriers, regional and national wireless carriers, and private businesses requiring high capacity fiber, wireless backhaul, broadband services and more. Through our local independent telephone companies and affiliate partners, the INS Network is available to any customer.

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If public money is used to build out Phalanx services unfair and unnecessary competition will be created. When using the American Recovery and Reinvestment Act funds, the base line objective is to provide broadband services to unserved or underserved areas with the funds available.

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We oppose the Phalanx Technology Holdings LLC (fryeSTORM Cable & Fiber) application because:

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Submitter: South Slope Cooperative Telephone Company

Comment: South Slope Cooperative Telephone Company (South Slope) demonstrates that it provides broadband service throughout the entire area encompassed in the proposed funded Service Area in the Phalanx Technology Holdings, LLC application; that no interconnection point identified in the proposed project and no part of the proposed project terminates in a proposed funded Service Area that qualifies as unserved or underserved for Last Mile projects; and all of the Last Mile areas to be served identified in the application are served with broadband service by South Slope. Further, South Slope demonstrates that in addition to providing its own last mile broadband services, South Slope has middle mile broadband facilities providing sufficient capacity to support the provision of broadband service to end users.

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-----Service Area: Marengo
Submitter: Mediacom Communications Corporation

Comment: Applicant's proposed service area is currently served by at least two wireline broadband service providers. Broadband speeds well in excess of the minimum broadband speeds set forth in the NOFA are currently available within the applicant's proposed service area. For its part, Mediacom advertises and provides broadband services within the proposed service area at speeds up to 20 Mbps.

Submitter: Iowa Telecom

Comment: Applicant proposes to offer broadband services in Marengo, IA. Iowa Telecom is the incumbent local exchange carrier in Marengo and already offers 3 to 15 mbps broadband last-mile service throughout the proposed service area. In addition, Iowa Telecom provides dual fiber routes as middle-mile facilities to Marengo. Mediacom competes in Marengo. Based on the variety of broadband services already offered in Marengo, Iowa Telecom asks that this application be rejected.

Submitter: IOWA NETWORK SERVICES, INC.

Comment: Comments on the Phalanx Technology Holdings, LLC Application

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Project Title: Dubuque Middle Mile Route

DeWitt Middle Mile Route

Airport – Marengo Middle Mile Route

North CR Middle Mile Route

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