Applicant Name: Webpass Inc.

Public Notice Submissions

-----Service Area: United States

Submitter: Ponderosa Cablevision

Comment: Ponderosa has demonstrated that the service area submitted has sufficient subscribership, better than federally mandated broadband speeds and pricing equivalent to less rural areas.

Submitter: Kerman Telephone Company, dba Sebastian

Comment: Kerman Telephone, dba, Sebastian, is challenging the applications for ARRA funding for the Kerman Telephone exchange. The Kerman telephone exchange exceeds the federal NTIA/RUS unserved and underserved definition. Audeamus, a non-regulated affiliate of Sebastian launched high-speed Internet service back in 2000 and has availability to 100% of the customers in our service territory. Sebastian is currently offering the choice of 1.5Mbps, 4 Mbps, and 6Mbps to all our customers. The Kerman Telephone exchange has a broadband penetration rate of 41% and growing. As stated in the NOFA ARRA grants are designed to fund areas where no broadband connectivity exists (i.e. are either unserved or underserved). This is not the case in the Kerman exchange. Applicants also fail in the requirement to demonstrate that service would not exist absent support from the grant funds – services already exist in this area. As the area served by Sebastian does not meet the required criteria, the request for funding in our service territory for this application should be denied.

Submitter: Pinnacles Telephone Co.

Comment: Pinnacles Telephone Co. is currently capable of providing DSL to most of the residents of southern San Benito County.

Submitter: Foresthill Telephone Company, dba Sebastian

Comment: Foresthill Telephone, dba, Sebastian, is challenging the applications for ARRA funding for the Foresthill Telephone exchange. The Foresthill telephone exchange exceeds the federal NTIA/RUS unserved and underserved definition. Audeamus, a non-regulated affiliate of Sebastian launched high-
speed Internet service back in 2005 consistent with the acquisition of this exchange. Sebastian is currently offering the choice of 6 Mbps, 2.5 Mbps, and 1.5 Mbps to its customers. The Foresthill Telephone exchange has a broadband penetration rate estimated at 58% and growing. As stated in the NOFA ARRA grants are designed to fund areas where no broadband connectivity exists (i.e. are either unserved or underserved). This is not the case in the Foresthill exchange. Applicants also fail in the requirement to demonstrate that service would not exist absent support from the grant funds – services already exist in this area. As the area served by Sebastian does not meet the required criteria, the request for funding in our service territory for this application should be denied.

Submitter: Race Communications, Inc.

Comment: Race Communications, Inc. has full GPON network in the Playa Vista, CA area capable of providing 100Mbps to each subscriber.

Submitter: Clear Wave Cable

Comment: Our company is in the process of creating as builds to upgrade our existing cable plant to support broadband of up to 20 Mbps. As a small business, it would be detrimental to our company if the federal government were to supplement another initiative in our existing service area.

Submitter: Lafourche Telephone Company, LLC

Comment: Lafourche Telephone Co. LLC (Latelco) a former RUS Traditional Telephone Borrower from February 1951 through September 2001 and since 1945 has served as the existing Incumbent Local Exchange Company (ILEC) for 5 exchange areas within the rural parishes of Lafourche and Jefferson in the State of Louisiana, a portion of Lafourche Parish is proposed to be served by Webpass Inc. in their ARRA Broadband Stimulus application.

Latelco through its wholly owned subsidiary Vision Communications (Vision), a Cable TV company, currently advertises and provides broadband services, at speeds up to 10 Mbps to residential and businesses and can provide up to 100 Mbps services to business subscribers within the area proposed by this applicant. In addition, broadband service, at speeds greatly in excess of the minimum broadband speed defined by the ARRA NOFA is currently available, through the DSL and Cable Modems distribution plant of Latelco/Vision to approximately 90% of homes and businesses within the Latelco/Vision service territory. The area proposed to be served by the applicant contains 103,240,558 households according to the 2000 U.S. Census, of which 1,097 residential and business subscribers are already served by
Lateco/Vision. For these reasons the applicant’s request for funding to overbuild areas already served by Lateco/Vision should be denied.

**Submitter:** West Carolina Rural Telephone Cooperative, Inc.

**Comment:** Webpass Inc.’s application is not eligible to receive requested funds for the below-named service area because that portion of the proposed funded service is neither "unserved" nor "underserved," as those terms are defined in the Notice of Funds Availability issued on July 9, 2009.

As demonstrated in this response, Webpass Inc.’s application should not be considered for funding for the relevant service area because the existing service provider for that portion of the proposed funded service area currently offers terrestrial broadband service at speeds exceeding 3 Mbps in the relevant area and, further, more than 40% of the households subscribe to broadband service.