

## Broadband USA Applications Database

**Applicant Name:** AtContact Communications, LLC

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### Public Notice Submissions

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-----**Service Area:** MN09

**Submitter:** Sleepy Eye Telephone

**Comment:** Sleepy Eye Telephone Company serves the communities and surrounding areas of Sleepy Eye, Hanska, Goodhue, Bellechester, White Rock, and Mazeppa in south central and southeast Minnesota. Sleepy Eye Telephone is the incumbent local exchange carrier and by the NOFA definition of broadband, is neither unserved nor underserved. Due to the satisfaction of these definitions, no ARRA funds should be awarded in this serving territory.

**Submitter:** US Cable of Coastal-Texas, L.P.

**Comment:** US Cable of Coastal-Texas, L.P. operates cable television systems that are overlapped by applicant's proposed service area.

**Submitter:** CenturyLink Corporation

**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:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband

footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Qwest

**Comment:** As authorized by the BIP and BTOP Notice of Funds Availability and the Public Notice associated with the publication of BIP and BTOP broadband infrastructure project funding applications found on the BroadbandUSA.gov website, Qwest responds with broadband service data to the application of AtContact Communications, LLC for funding for an area represented as “underserved” that is located, in whole or in part, in Qwest’s broadband service area.

-----**Service Area:** TN2

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** TN7

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** MN05

**Submitter:** Spring Grove Communications

**Comment:** We have fiber to the home to 100% of our subscribers in 100% of our service area. We currently offer 5 Mb service to everybody. All current broadband customers receive a minimum of 1.5 down and 512 up. We can offer higher speeds if subscribers want or need. We will be developing new offerings in 2010.

-----**Service Area:** OH02

**Submitter:** Armstrong Utilities Inc.

**Comment:** Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible

to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and high speed broadband exceeds 40%, of households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

**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.”

-----**Service Area:** MN04

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** TN4

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers'

currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** MN03

**Submitter:** CenturyLink Corporation

**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:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Qwest

**Comment:** As authorized by the BIP and BTOP Notice of Funds Availability and the Public Notice associated with the publication of BIP and BTOP broadband infrastructure project funding applications found on the BroadbandUSA.gov website, Qwest responds with broadband service data to the

application of AtContact Communications, LLC for funding for an area represented as “underserved” that is located, in whole or in part, in Qwest’s broadband service area.

-----**Service Area:** MN06

**Submitter:** Harmony Telephone Company

**Comment:** Harmony Telephone Company has been serving the city of Harmony and surrounding areas in Fillmore County, Minnesota since 1945. Harmony Telephone is the incumbent local exchange carrier in this area and by the NOFA definition of broadband, our area is neither unserved nor underserved. Due to the satisfaction of these definitions we believe no ARRA funds should be award to the applicant in this area.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** MN11

**Submitter:** diversiCOM- Melrose Telephone Company

**Comment:** The applicants request covers a large geographic area of which our service area represents a limited portion of the area being designated as underserved. This broad request by the applicant

ignores the fact that our company can provide broadband coverage to this area at speeds within the newly defined concept of Broadband. Our company has invested and continues to invest capital dollars to increase speeds and address customer requests as the market dictates. Further, as a part of the communities we serve, we continue to work closely with the economic development teams to ensure our fiber facilities and infrastructure are positioned and available to meet the ever changing broadband needs of these areas. The applicants request is disingenuous as it looks to paint these markets (census blocks) with a very broad brush and ignores the existing market realities that exist today.

**Submitter:** diversiCOM- Wisper Wireless

**Comment:** In mid 2005 we created a company, Wisper Wireless to invest in rural areas using wireless technologies where little or no broadband service was available. Today we are using wireless cutting edge (WiMAX) technology to deliver these services. Initial and ongoing investment dollars are significant. Further, there is a limited amount of households in these markets to support this effort or that are requesting service. As part of this effort we also provide internet classes to our customers to educate them on the basic of internet, web browsing and email. Due to the low population densities we believe sustainable adoption is a more vital tool then putting more providers to cover the same area.

**Submitter:** US Cable of Coastal-Texas, L.P.

**Comment:** US Cable of Coastal-Texas, L.P. provides high speed broadband internet service in communities that are within the applicant's proposed service area.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** MN14

**Submitter:** Garden Valley Telephone Company

**Comment:** Garden Valley Telephone Company ("GVTC"), a small rural operator and Rural Utilities Service ("RUS") Title II borrower, respectfully requests relief and seeks withdrawal of the AtContact Communications, LLC ("AtContact") proposed funded service area in the counties of Polk, Pennington, and Red Lake, MN ("MN14"). AtContact has proposed broadband service for this area and it is already served by GVTC.

-----**Service Area:** MN12

**Submitter:** US Cable of Coastal-Texas, L.P.

**Comment:** US Cable of Coastal-Texas, L.P. provides high speed broadband internet service in communities that are within the applicant's proposed service area.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Qwest

**Comment:** As authorized by the BIP and BTOP Notice of Funds Availability and the Public Notice associated with the publication of BIP and BTOP broadband infrastructure project funding applications found on the BroadbandUSA.gov website, Qwest responds with broadband service data to the application of AtContact Communications, LLC for funding for an area represented as “underserved” that is located, in whole or in part, in Qwest’s broadband service area

-----**Service Area:** MN01

**Submitter:** Sleepy Eye Telephone Company

**Comment:** Sleepy Eye Telephone Company serves the communities and surrounding areas of Sleepy Eye, Hanska, Goodhue, Bellechester, White Rock, and Mazeppa in south central and southeast Minnesota. Sleepy Eye Telephone is the incumbent local exchange carrier and by the NOFA definition of broadband is not considered unserved nor underserved. Due to the satisfactioin of these definitions, no ARRA funds should be awarded to the applicant in this area.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Zumbrota Telephone Company

**Comment:** Zumbrota Telephone Company has been providing telecommunications service to the community of Zumbrota since 1915. Since 1996, the Company began providing broadband service to the community and the surrounding area.

We disagree with the Applicant's assertion the area is underserved. At no time did the Applicant contact us to determine areas that presently have broadband services. In fact, they apparently did not conduct research with the FCC to determine if a service provider was in the area. Had they checked, they would have found that our FCC form 477 indicates our Company provides broadband service to 100% of our end users and of those 100% are above download speeds greater than 768 kbps.

**Submitter:** Pine Island Telephone Company

**Comment:** Respondent provides broadband service, as defined by the FCC and the NOFA, within a portion of applicant's proposed service area. Respondent provides broadband service to 100% of its customers within the applicant's proposed service area, with approximately 80% of Respondent's customers receiving service at speeds of 768 kbps download and 256 kbps upload or higher. Depending upon location, Respondent provides up to 10 mbps download and 1 mbps upload broadband service. Respondent's portion of applicant's proposed service area, therefore, does not qualify as an underserved area eligible to receive broadband stimulus funds.

-----**Service Area:** TN1

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make

a reasonable analysis or a conclusive determination.

**Submitter:** Peoples Telephone Company, Inc.

**Comment:** People's Telephone Company, Inc. (PTC) is a previous RUS Traditional Telephone Borrower, originally formed as Erin Amateur Telephone Company in 1882 and renamed as PTC in 1962, during that time PTC has served as the existing Incumbent Local Exchange Company (ILEC) for 3 exchange areas within the rural counties of Henry, Houston, Humphreys, Montgomery and Stewart in the State of Tennessee, portions of which are proposed to be served by AtContact Communications, LLC in their ARRA Broadband Stimulus application.

PTC currently advertises and provides broadband services, at speeds up to 3 Mbps to residential and up to 10 Gbps 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 PTC broadband network to approximately 98% of homes and businesses within the PTC service territory. This is shown on Connected Tennessee's Statewide Broadband Inventory Map. The area proposed to be served by the applicant contains 237,718 households according to the 2000 U.S. Census, of which 1,084 residential and business subscribers are already served by PTC. For these reasons the applicant's request for funding to overbuild areas already served by PTC should be denied.

-----**Service Area:** OH01

**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 "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Armstrong Utilities Inc.

**Comment:** Significant portions of the proposed funded service area (PFSA) in the above Application do not satisfy the BIP or BTOP definitions of "unserved" or "underserved," and thus, should not be eligible to receive BIP or BTOP funding. Armstrong Cable provides broadband service at speeds of 3MBPS or greater throughout the portions of Applicant's PFSA mapped in this response. (Advertisement uploaded). Armstrong's high speed broadband network passes more than 50%, and its high speed broadband exceeds 40%, of its households within the areas of Applicant's PFSA mapped herein. Given the presence of other broadband service providers in neighboring towns, it is reasonable to conclude that Applicant has failed to meet the required showings for its entire PFSA, and its application should be denied. At a minimum, Applicant has failed to meet the required showing in the portions of its PFSA served by Armstrong, and therefore, its Application should be denied with respect to the areas mapped herein.

**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:** Horizon Chillicothe Telephone

**Comment:** AtContact Communications requests funding to provide broadband service throughout parts of southern Ohio. Included in this request is Ross

County Ohio, excluding the city of Chillicothe, and Vinton County.

Horizon Chillicothe Telephone is the Incumbent Local Exchange Service

(ILEC) provider in most of Ross County Ohio and Western Vinton County Ohio. Our service offerings include providing broadband service using ADSL and VDSL technology. Horizon Chillicothe Telephone provides broadband speeds exceeding the definition of under served in all of its ILEC service area with the exception of one small area (we have applied for ARRA grants to complete a fiber to the home build in this small area of Ross County and thus provide 100% broadband coverage in the ILEC service area). The AtContact Communications application proposes bringing broadband service to areas of our ILEC currently

served by broadband exceeding the definition of under served.

Moreover, Horizon Chillicothe Telephone competes with a national cable provider in most of its ILEC service area. This national cable provider also provides broadband service exceeding the definition of under served.

**Submitter:** Suddenlink Communications

**Comment:** This response conclusively demonstrates that Suddenlink and its competitors already offer robust broadband service within the mapped area of the applicant's proposed funded service area and that this mapped area is neither unserved nor underserved. Additional information is provided in the uploaded document, including (1) sample marketing material; (2) a guide on how to read the data we entered in the "Existing Broadband Subscribers" section of this response; (3) a summary of the vendor and methodology used for estimating competitive-service subscribers in the mapped area; (4) Suddenlink contact information, should one or more federal agencies have questions or require additional information; and (5) a summary of concerns with the response process and the limitations that process has placed on our ability to provide NTIA/RUS with relevant, timely data.

-----**Service Area:** MN10

**Submitter:** Park Region Mutual Telephone Company

**Comment:** The applicant incorrectly claims the area served by our company as underserved. 100% of the establishments in our serving territory have access to facilities-based, terrestrial 3Mb plus internet. The rate of broadband subscribership is 44%. Moreover, part of the area is also served by a competing cable TV provider.

**Submitter:** Loretel

**Comment:** Loretel will provide the advertising that was published in the local area verifying the speed of 3Mb and above. We will also provide the number of premises we reach and the number of customers we have on each speed tier. We will map out the area we serve broadband within this applicant misstated application.

**Submitter:** Twin Valley/Ulen Telephone Company, dba ACS

**Comment:** Twin Valley/Ulen Telephone Company, dba ACS will provide the advertising that was published in the local area verifying the speed of 3Mb and above. We will also provide the number of premises we reach and the number of customers we have on each speed tier. We will map out the area we serve broadband within this applicant misstated application.

**Submitter:** Callaway Telephone Company

**Comment:** Callaway Telephone Company, dba ACS will provide the advertising that was published in the local area verifying the speed of 3Mb and above. We will also provide the number of premises we reach and the number of customers we have on each speed tier. We will map out the area we serve broadband within this applicant misstated application.

**Submitter:** Felton Telephone Company

**Comment:** Felton Telephone Company will provide the advertising that was published in the local area verifying the speed of 3Mb and above. We will also provide the number of premises we reach and the number of customers we have on each speed tier. We will map out the area we serve broadband within this applicant misstated application.

**Submitter:** City of Barnesville Telephone Utility

**Comment:** City of Barnesville Telephone Utility Company has been serving the rural area of Barnesville in Clay County Minnesota for over 108 years. Our company is the incumbent local exchange carrier in this area and by the NOFA definition of broadband, our area is neither unserved nor underserved. Due to the satisfaction of these definitions we believe no ARRA funds should be made available in this service area.

-----**Service Area:** TN3

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project,

satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Ben Lomand Communications, LLC

**Comment:** Ben Lomand Telephone Cooperative, Inc., and Ben Lomand Communications, LLC, (Ben Lomand) offer middle mile services to connect the communities of McMinnville, Sparta, Spencer, Tracy City, Laager, Monteagle, Beersheba, Pelham, Hillsboro, Viola, Rock Island, Dibrell, Doyle, Old Zion, and BonDeCroft in the State of Tennessee. They have multiple transport networks to connect these communities, including Ethernet and Sonet transport systems that offer a capacity of up to 10 Gigabits. These communities are served with a diversely routed fiber optic cable system that provides high reliability and resiliency from a potential fiber optic cable cut. Their existing fiber optic cable infrastructure and transport network electronics provide adequate transport facilities to serve all the needs of these communities today and into the future. Based on the factors included in this response, RUS/NTIA must reject At Contact Communications, LLC's TN3 application. The public interest goals suggested to be furthered by the proposed project are being accomplished using existing "middle-mile" infrastructure, which is thereby more efficient and will avoid the potential destabilizing effect of subsidized competition. These locations cannot be considered either "underserved" or "unserved". The middle mile and last mile infrastructure deployed by Ben Lomand and its affiliated companies currently provide (and will continue to provide) highly reliable, state-of-the-art services to the businesses and residents of these communities.

-----**Service Area:** TN6

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project,

satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** MN07

**Submitter:** Sleepy Eye Telephone

**Comment:** Sleepy Eye Telephone Company serves the communities and surrounding areas of Sleepy Eye, Hanska, Goodhue, Bellechester, White Rock, and Mazeppa i south central and southeast Minnesota. Sleepy Eye Telephone is the incumbent local exchange carrier and by the NOFA definition of broadband, is neither unserved nor underserved. Due to the satisfaction of these definitions, no ARRA funds should be awarded to the applicant in this area.

**Submitter:** US Cable of Coastal-Texas, L.P.

**Comment:** US Cable of Coastal-Texas, L.P. operates cable television systems that are overlapped by applicant's proposed service area.

**Submitter:** Granada Telephone Company

**Comment:** Respondent serves a portion of applicant's proposed service area in southern Minnesota (MN07) with broadband internet service.

**Submitter:** Christensen Communications Company

**Comment:** Christensen Communications Company has been serving the rural area of Watonwan County, Minnesota for over 106 years. As the incumbent local exchange carrier and by NOFA definition, Christensen Communications is neither unserved nor underserved.

100% of our service area is served with broadband meeting the definition of 768Kbps. 100% of our service area is covered with broadband. We have 75% subscribership in our area. We offer 3 Mg in 80% of our service territory. We also have 2 competitors who also have broadband available to these customers.

Due to the satisfaction of the definitions outlined in the NOFA, we feel this application should be found invalid and no ARRA funds made available to the applicant in this area.

**Submitter:** Easton Telephone Company d/b/a BEVCOMM

**Comment:** Respondent contends that applicat is seeking Broadband Stimulus grants or loans for area's within Respondent's service territory that do not qualify as underserved areas as defined in the NOFA. Respondent offers broadband service as defined by the FCC and in the NOFA to 100% of its customers that are located within applicant's proposed service area, and that approximately 72% of our internet customers actually recieve broadband service at speeds of 768 kbps download and 256 kbps upload or greater. Depending upon location, Respondent provides broadband service up to 15 mbps download and 1 mbps upload.

**Submitter:** Blue Earth Valley Telephone Company d/b/a BEVCOMM

**Comment:** Respondent contends that applicant is seeking broadband stimulus funds for areas within Respondent's service territory that do not qualify as underserved areas as defined in the NOFA. Respondent provides broadband service as defined by the FCc to 100% of its customers that are located within applicant's proposed service area, and that 53% of our internet customers actually recieve broadband service at speeds of 768 kbps download and 256 kbps upload or greater. Depending upon location, Respondent provides braodband service of up to 15 mbps download and 1 mbps upload.

-----**Service Area:** OH03

**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 "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** MN02

**Submitter:** Sleepy Eye Telephone Company

**Comment:** Sleepy Eye Telephone Company serves the communities and surrounding areas of Sleepy Eye, Hanska, Goodhue, Bellechester, White Rock, and Mazeppa in south central and southeast Minnesota. Sleepy Eye Telephone is the incumbent local exchange carrier and by the NOFA definitions of broadband is not considered unserved nor underserved. Due to the satisfaction of these definitions, no ARRA funds should be awarded to the applicant in this serving area.

**Submitter:** US Cable of Coastal-Texas, L.P.

**Comment:** US Cable of Coastal-Texas, L.P. provides high speed broadband internet service in communities that are within the applicant's proposed service area.

**Submitter:** CenturyLink Corporation

**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:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**Submitter:** Qwest

**Comment:** As authorized by the BIP and BTOP Notice of Funds Availability and the Public Notice associated with the publication of BIP and BTOP broadband infrastructure project funding applications found on the BroadbandUSA.gov website, Qwest responds with broadband service data to the application of AtContact Communications, LLC for funding for an area represented as "underserved" that is located, in whole or in part, in Qwest's broadband service area

-----**Service Area:** TN5

**Submitter:** TDS Telecom

**Comment:** TDS Telecom offers 3Mbps broadband service within the applicants proposed service area and provides broadband service to customers pursuant to the NOFA definitions.

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements.

Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** OH05

**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 "unserved" or "underserved."

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

-----**Service Area:** OH04

**Submitter:** AT&T

**Comment:** AT&T is providing data about its wireline and mobile broadband footprint to assist in determining whether the applicant's proposed service area, which may be part of a larger application and project, satisfies the unserved and underserved eligibility requirements. Additional information regarding other broadband service providers' currently operating in the service area may be needed in order to make a reasonable analysis or a conclusive determination.

**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.”

-----**Service Area:** MN13

**Submitter:** Paul Bunyan Rural Telephone Cooperative

**Comment:** Paul Bunyan Telephone Cooperative provides comments on this application regarding the underserved designation of the proposed funded area.

**Submitter:** Qwest

**Comment:** As authorized by the BIP and BTOP Notice of Funds Availability and the Public Notice associated with the publication of BIP and BTOP broadband infrastructure project funding applications found on the BroadbandUSA.gov website, Qwest responds with broadband service data to the application of AtContact communications, LLC MN13 for funding for an area represented as “underserved” that is located, in whole or in part, in Qwest’s broadband service area.