

Broadband USA Applications Database

Applicant Name: Pixius Communications, LLC

Public Notice Submissions

-----**Service Area:** Missouri Lawrence

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 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:** Kansas Morton 8

Submitter: Pioneer Communications, Inc.

Comment: Pioneer Communications, a wireline telecommunications provider serving ten counties in western Kansas, has connected rural communities for more than five decades, and today delivers telephone, cable television and high-speed Internet service. Pioneer first became an Internet Service Provider (ISP) in 1995 by introducing educational Internet networking services for the schools located in its service area, and soon thereafter, made Internet access available commercially to Pioneer's telephone customers. Currently, Pioneer provides broadband internet access to 100% of its wireline service area using both Digital Subscriber Line (DSL) over its telephony infrastructure, and data over cable modems via its cable television system.

The Proposed Service Area for the referenced application covers all of Morton County except the towns of Richfield and Rolla, all of which falls within Pioneer Communications’ wireline service area. Pioneer offers broadband not only to those customers living within towns, but also to those residing in the far reaches of Morton County.

Pioneer consistently and effectively advertises the availability of its broadband internet access throughout the Morton County area. For example, advertisements for Pioneer’s broadband internet access service can be found in the local newspaper, on television, on billing inserts and on the radio. Pioneer also frequently advertises by providing sponsorship to area high school events and other community activities. The attached document is an example of ads that were distributed in the Proposed Service Area.

In conclusion, Pioneer Communications re-emphasizes the fact that it offers broadband internet access to any customer within its wireline service area. Therefore, Pioneer contends that there are no unserved areas within its territory and the referenced application incorrectly classifies the entire area of Morton County as unserved. To the extent demonstrated above, Pioneer asserts that Morton County is well-served by broadband internet access and the above referenced application does not meet the conditions set forth in the NOFA.

Submitter: Elkhart Telephone Co., Inc.

Comment: Elkhart Telephone Co., Inc. is an established rural telecommunications company that has been providing service since 1956. Elkhart Telephone, in conjunction with its affiliate, Epic Touch Co., provides a wide range of telecommunications services to consumers in Kansas and Oklahoma. Those services include local and long distance telephone service, wireless PCS service, cable television, and high speed Internet access. Pixius Communications, LLC's ("Pixius") application to provide service in an "unserved" area includes partial coverage of Elkhart Telephone's service territory in rural Morton County, Kansas. Elkhart Telephone already provides "broadband" service, as that term is defined in the Notice of Funds Availability, in Morton County. Although Pixius proposes a wireless middle mile project, Elkhart Telephone already provides high-capacity "middle mile" transport services in an area covered by Pixius. Accordingly, the service area proposed by Pixius is not "unserved", and accordingly, Pixius's application for broadband funding of its wireless middle mile project should not be granted.

Submitter: United Telephone Assn

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's wireless EVDO RevA network supports wireless broadband at speeds up to 3.1 Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and

local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Douglas 113

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: Sunflower Broadband

Comment: Sunflower Broadband is commenting to the stimulus application of Pixius Communications, LLC for the proposed funded service area identified in the application as "Kansas Douglas 113". Within the proposed service area, Sunflower Broadband provides broadband services that meet and exceed the speeds defined in the NOFA. Sunflower Broadband's full facilities-based broadband service is provided through an HFC network. The current functionality and future capability exceeds the technology proposed by Pixius Communications, LLC. Sunflower Broadband is also providing wireless service in portions of the proposed service area of "Kansas Douglas 113". Because the wireless product has been available for 4 years, Sunflower Broadband has experience with the topographic challenges as there are areas where terrain is not conducive to a wireless option and in our experience at least 50% of homes in the area cannot be reached with a wireless option. In addition to Sunflower Broadband, there are at least two other existing wireless Internet options in the 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: Mercury Wireless, LLC

Comment: Mercury Wireless currently provides up to 3 mbps wireless Internet access to sections of the applicant's proposed service area.

-----**Service Area:** Kansas Harvey 73

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: Moundridge Telephone Company

Comment: For the portion of this application that overlaps the Moundridge Telephone Company serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Moundridge Telephone offers a 4Mbps downstream / 1 Mbps upstream service in this area. Lastly, Moundridge Telephone supplies broadband service to over 45% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

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: KanOkla Networks

Comment: KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

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.

-----**Service Area:** Oklahoma Washington 126

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: Totah Communications, Inc.

Comment: Totah Communications, Inc.

OMB Control Number: 0660-0031

OMB Control Number: 0572-0142

Pixius Communications, LLC (Pixius), is a wireless broadband provider with offices in Wichita, Kansas.

According to the Wichita Business Journal of July 8th, 2005, this is the same company that filed bankruptcy in 2004 which allowed it to forgo paying back 80% of a previous \$6.4 Million Rural Utilities Service (RUS) loan. Now they have inappropriately filed in their Washington 126 filing for ARRA funding for an area that include a portion of Totah Communications, Inc.'s (Totah) rural exchange areas in Oklahoma. The area involving Totah in which Pixius has incorrectly filed is Oglesby and a portion of Ochelata. Pixius has wrongly identified these areas as being unserved. All of these areas are currently being served broadband by Totah Communications. In addition, portions of this area are also currently being served by a cable company and or at least one wireless provider.

We strongly oppose the Pixius filing and their request for funding on the basis that they have incorrectly identified the Totah service area of Oglesby and a portion of Ochelata as unserved and recommend that it be rejected on the grounds that the incumbent ILEC, Totah Communications, Inc. is already providing broadband access in these exchange areas.

If you have any questions, or need additional information please do not hesitate to contact us.

Sincerely,

Keith E. Watson

Totah Communications, Inc.

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 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:** Kansas Finney 21&22&28

Submitter: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of

United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

Submitter: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Coffey 105

Submitter: CenturyLink

Comment: 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.

-----**Service Area:** Kansas Pawnee 44

Submitter: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Saline 71

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

Submitter: The Tri-County Telephone Association, Inc.

Comment: The Tri-County Telephone Association, Inc. (TCT) has been providing high-quality communications services to rural Kansas for over 46 years. During this time, there has been much technological advancement, providing new services. TCT is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work.

In 2001, TCT proved this commitment by making substantial investment in upgrading its core facilities including digital switches and a fiber fed network. This cutting-edge technology allowed TCT to offer

advanced communication services, including broadband access to 100% of its service areas. TCT, in looking toward the future, has embarked on a Fiber-To-The-Home (FTTH) project that, by the time it is complete in 2013, will connect every home and business in its service areas to fiber-speed bandwidth.

TCT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. TCT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because TCT's owners, who are also its customers, have a personal stake in the communities where they work and live.

Recently, TCT committed to further serve our customers by creating the TCT Community Development Initiative. This initiative supports infrastructures to attract new residents and businesses to TCT communities. TCT, one of the largest employers in the area, provides assistance in business development for both new and existing businesses. TCT will also acts as a liaison between local, state, and national economic development groups and contributes in local Community Development Groups.

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: Home Communications, Inc.

Comment: For the portion of this application that overlaps the Home Communications, Inc. serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Home Communications, Inc. offers a 3Mbps downstream and 5Mbps downstream service in this area. Lastly, Home Communications, Inc. supplies

broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

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: Wilson Telephone Co Inc dba Wilson Communications

Comment: Wilson Communications has been providing high quality and leading technology telecommunications services to rural Kansans for more than sixty years. Wilson Communications began offering high speed internet access service to our customers in the late 1990's. We continued to expand our fiber network and now can provide broadband services to 100% of our customers. Wilson Communications continues to make investments in fiber optic facilities to ensure our customers have access to the latest broadband technology. We provide broadband to critical community anchor institutions including schools, rural health clinics, and public libraries. We are a full service provider of communications services and are able to bundle services offering discounts to our customers. Wilson Communications is a community based company, providing volunteerism, and other forms of support to each of the seven communities we serve.

-----**Service Area:** Kansas Stevens 9

Submitter: Pioneer Communications, Inc.

Comment: Pioneer Communications, a wireline telecommunications provider serving ten counties in western Kansas, has connected rural communities for more than five decades, and today delivers telephone, cable television and high-speed Internet service. Pioneer first became an Internet Service Provider (ISP) in 1995 by introducing educational Internet networking services for the schools located in its service area, and soon thereafter, made Internet access available commercially to Pioneer's telephone customers. Currently, Pioneer provides broadband internet access to 100% of its wireline service area using both Digital Subscriber Line (DSL) over its telephony infrastructure, and data over cable modems via its cable television system.

The Proposed Service Area for the referenced application covers all of Stevens County except the towns of Hugoton and Moscow, much of which falls within Pioneer Communications' wireline service area. Within its territory in Stevens County, Pioneer offers broadband not only to those customers located in towns, but also to those residing in more isolated parts. Additionally, Pioneer's rate of broadband subscribership for its territory within the Proposed Service Area is greater than 40 percent of households.

Pioneer consistently and effectively advertises the availability of its broadband internet access service throughout its territory in Stevens County. For example, advertisements for Pioneer's broadband service can be found in the local newspaper, on television, on billing inserts and on the radio. Pioneer also frequently advertises by providing sponsorship to area high school events and other community activities. The attached document is an example of ads that were distributed in the Proposed Service Area.

In conclusion, Pioneer Communications re-emphasizes the fact that it offers broadband internet access to any customer within its wireline service area. Therefore, Pioneer contends that there are no unserved areas within its territory and the referenced application incorrectly classifies its territory in Stevens County as unserved. Furthermore, due to Pioneer's existing subscribership, this area is mislabeled as underserved. To the extent demonstrated in this response, Pioneer asserts that Stevens County is well-served by broadband internet access and the above referenced application does not meet the conditions set forth in the NOFA.

Submitter: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the

communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Rawlins 16

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

Submitter: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of "Unserved".

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

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: BW Telcom

Comment: Benkelman, Wauneta & Hartman Telephone Companies, dba BWTelcom, currently provides Broadband service in its certificated exchange areas that meets or exceeds all ARRA NOFA requirements to be classified as a "Served" area. 100% of the households have access to Broadband service of at least 768/200 Kbps. The current residential penetration rate of Broadband services at a speed of 768/200 Kbps or higher for this application is not applicable due to zero households in the area. BW Telcom currently advertises and offers a 5 Mbps Broadband service.

-----**Service Area:** Kansas Ellis 46&47

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

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: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger

providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

Submitter: Gorham Telephone Company

Comment: For the portion of this application that overlaps the Gorham Telephone Company serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Gorham Telephone Company offers a 3Mbps downstream service in this area. Lastly, Gorham Telephone Company supplies broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

-----**Service Area:** Oklahoma Pawnee 124

Submitter: Cimmaron Telephone Co.

Comment: Cimarron Telephone Company through its subsidiary Cim-Tel Cable, LLC, has been offering broadband speed data service to subscribers for over 5 years. The area applied for by the ARRA applicant, which falls within the telephone exchange boundary is served with high speed internet broadband service. Cim-Tel Cable, LLC also offers IPTV service to its subscribers within the communities Cimarron Telephone Company serves.

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:** Kansas Logan 14

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: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of "Unserved"

-----**Service Area:** Missouri Atchinson

Submitter: Rock Port Telephone Company and Affiliates

Comment: Executive Summary: Rock Port Telephone Company and its affiliates advertize and are capable of providing broadband service at download rates of 1, 3 and 5 mbps to 99% of the households in their exchange territory. Within that ILEC service area 46% of households have subscribed to the broadband product. Countywide, we provide broadband service with speeds greater than 3mbps to 32% of the households. In that area, two other companies also offer broadband. The three companies' combined customer count is greater than 40%. Atchison County does not qualify as an unserved or underserved area.

-----**Service Area:** Nebraska Seward 146

Submitter: Clarks Telecommunications Company

Comment: Clarks Telecommunications Company (CTC) is filing this response to the Pixus Communications, LLC, (Applicant) Application because we are of the belief that this Application misrepresents the availability of Broadband service (786k downstream/200k upstream) within the area that the Applicant's proposed funded service area (PFSA) overlaps CTC's service area.

CTC was organized in 1908 and in 2007 was acquired by Northeast Nebraska Telephone Company (NNTC), a customer owned cooperative.

CTC is presently a borrower with the Rural Utilities Service and has been since 1957.

Within the PFSA overlap, CTC's recently constructed buried fiber optics cable to the premise (FTTP) network provides access to Broadband services to 100% of the residential households and businesses, CTC advertises Broadband service of 3 Megabits and greater to 100% of the residential households and businesses, and with this new buried FTTP network CTC anticipates the rate of subscription to be greater than 40% in a relatively short period of time.

Applicant's request for funds to build another Broadband capable network, if granted, will be a duplication of investment, duplication of an existing FTTP Broadband capable network, and divert funding that could be available for unserved areas.

Submitter: Time Warner Cable

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: 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:** Oklahoma Noble 122

Submitter: Pioneer Telephone Cooperative

Comment: Pioneer Telephone Cooperative, Inc. through its subsidiary Pioneer Long Distance, Inc. (PLDI), has been offering broadband speed data service to subscribers for over 10 years. The area

applied for by the ARRA applicant, which falls within the telephone exchange boundary is served with high speed internet broadband service.

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:** Missouri Cass 137

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:** Kansas Edwards 43

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: United Telephone Assn.

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's wireless EVDO RevA network supports wireless broadband at speeds up to 3.1 Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest

consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

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: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Decatur 17&32

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are served as defined in the NOFA.

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:** Kansas Cloud 68

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: Cunningham Communications

Comment: Cunningham Telephone Company, with its affiliate Cunningham Communications has been providing high-quality communications services to the residents of the rural communities of northwestern Kansas for more than 65 years. It was one of the first providers in this remote area to offer broadband services eleven years ago. Currently, almost 100% of Cunningham's service areas have broadband capability reaching speeds up to 10 Mbps.

In keeping with its long tradition of providing cutting-edge technologies, Cunningham has begun a Fiber To The Home (FTTH) project. Through this FTTH project, estimated to be completed in 2012, every customer in a majority of Cunningham's service areas, even in the most remote rural areas, will have a direct fiber feed from their home and business to the world.

Cunningham is a local company that helps anchor the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. Cunningham provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because Cunningham's owners and employees have a personal stake in the communities where they work and live.

Submitter: JBN Telephone Company Inc.

Comment: JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. While the Broadband mapping tool indicates no households or businesses in the area, JBN can provide Broadband service of 768/200 Kbps or higher in this area. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not "Unserved" as defined by the ARRA NOFA.

-----**Service Area:** Kansas Sherman 2

Submitter: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of "Unserved"

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

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:** Kansas Russell 52

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

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: Gorham Telephone Company

Comment: For the portion of this application that overlaps the Gorham Telephone Company serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Gorham Telephone Company offers a 3Mbps downstream service in this area. Lastly, Gorham Telephone Company supplies broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

Submitter: Wilson Telephone Co Inc dba Wilson Communications

Comment: Wilson Communications has been providing high quality and leading technology telecommunications services to rural Kansans for more than sixty years. Wilson Communications began offering high speed internet access service to our customers in the late 1990's. We continued to expand our fiber network and now can provide broadband services to 100% of our customers. Wilson Communications continues to make investments in fiber optic facilities to ensure our customers have

access to the latest broadband technology. We provide broadband to critical community anchor institutions including schools, rural health clinics, and public libraries. We are a full service provider of communications services and are able to bundle services offering discounts to our customers. Wilson Communications is a community based company, providing volunteerism, and other forms of support to each of the seven communities we serve.

-----**Service Area:** Kansas Haskell 23

Submitter: Pioneer Communications, Inc.

Comment: Pioneer Communications, a wireline telecommunications provider serving ten counties in western Kansas, has connected rural communities for more than five decades, and today delivers telephone, cable television and high-speed Internet service. Pioneer first became an Internet Service Provider (ISP) in 1995 by introducing educational Internet networking services for the schools located in its service area, and soon thereafter, made Internet access available commercially to Pioneer's telephone customers. Currently, Pioneer provides broadband internet access to 100% of its wireline service area using Digital Subscriber Line (DSL) over its telephony infrastructure, and data over cable modems via its cable television system.

The Proposed Service Area for the referenced application covers Haskell County, some of which falls within Pioneer Communications' wireline service area. The Proposed Service Area contains 455 households and 141 businesses. Roughly over 10% of these households are located in Pioneer's territory. Within its territory in Haskell County, Pioneer offers broadband not only to those customers located in towns, but also to those residing in more isolated parts.

Pioneer consistently and effectively advertises the availability of its broadband internet access service throughout its territory in Haskell County. For example, advertisements for Pioneer's broadband service can be found in local newspapers, on television, on billing inserts and on the radio. Pioneer also frequently advertises by providing sponsorship to area high school events and other community activities. The attached document is an example of ads that were distributed in the Proposed Service Area.

In conclusion, Pioneer Communications re-emphasizes the fact that it offers broadband internet access to any customer within its entire wireline service area. Therefore, Pioneer contends that there are no

unserved areas within its territory when viewed independently and the referenced application incorrectly classifies Pioneer's territory in Haskell County as unserved. To the extent demonstrated in this response, Pioneer asserts that its territory in Haskell County is well-served by broadband internet access.

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: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices,

wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Clark 39&40

Submitter: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Marion 77&78

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

Submitter: The Tri-County Telephone Association, Inc.

Comment: The Tri-County Telephone Association, Inc. (TCT) has been providing high-quality communications services to rural Kansas for over 46 years. During this time, there has been much technological advancement, providing new services. TCT is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work.

In 2001, TCT proved this commitment by making substantial investment in upgrading its core facilities including digital switches and a fiber fed network. This cutting-edge technology allowed TCT to offer advanced communication services, including broadband access to 100% of its service areas. TCT, in looking toward the future, has embarked on a Fiber-To-The-Home (FTTH) project that, by the time it is complete in 2013, will connect every home and business in its service areas to fiber-speed bandwidth.

TCT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. TCT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves

from a local perspective because TCT's owners, who are also its customers, have a personal stake in the communities where they work and live.

Recently, TCT committed to further serve our customers by creating the TCT Community Development Initiative. This initiative supports infrastructures to attract new residents and businesses to TCT communities. TCT, one of the largest employers in the area, provides assistance in business development for both new and existing businesses. TCT will also acts as a liaison between local, state, and national economic development groups and contributes in local Community Development Groups.

Submitter: Moundridge Telephone Company

Comment: For the portion of this application that overlaps the Moundridge Telephone Company serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Moundridge Telephone offers a 4Mbps downstream / 1 Mbps upstream service in this area. Lastly, Moundridge Telephone supplies broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

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: 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.

-----**Service Area:** Kansas Allen 111

Submitter: Craw-Kan Telephone Cooperative, Inc.

Comment: Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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: LaHarpe Telephone Co., Inc.

Comment: LaHarpe Telephone Company, Inc has expended more than \$2,500,000 of a loan from USDA to construct a fiber to the premises in LaHarpe, KS and the surrounding rural area. The fiber to the premises build is complete and the citizens in the area have one of the most advanced systems in the nation with internet capability in the range of 100M/sec. Overbuilding with grant money could put repayment of our loan in jeopardy.

-----**Service Area:** Kansas Miami

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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:** Kansas Marshall 83

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: Blue Valley Tele-Communications, Inc.

Comment: Blue Valley Tele-Communications, Inc. (BVTC) is a rural telephone cooperative that has been serving these remote and rural communities for over 50 years. BVTC was one of the first companies in the nation to offer High-Speed DSL to both in-town and rural customers no matter the distance from the central office. BVTC is also building for future applications and higher demands for broadband by investing in a fiber to the premise network that will reach 100% of its customers in their telephone exchanges, and was one of the first companies in the nation to attempt this type of network. On top of these offerings, BVTC offers Internet services via cable modems and wireless technologies to many communities that lie outside of their ILEC telephone exchanges.

As a cooperative, BVTC services are driven by customer need and demand and customers are represented by a Board of Directors to make sure those needs are being met. The company also employs a full-time economic development director to assist in growth of their service areas. BVTC is proud to be known as an industry leader in the broadband arena, and plans to continue leading the way in broadband development in the future.

-----**Service Area:** Nebraska Cass 144

Submitter: JagWIRELESS

Comment: To Whom It May Concern:

Hello, my name is Danny Olson and I am writing this on behalf of my employer, jagWIRELESS. jagWIRELESS specifically focuses on the delivery of broadband Internet services via wireless methods, using the unlicensed spectrums available from the FCC. Our organization has been in business for over 7 years and services the broadband needs of rural Southeastern Nebraska and Western Iowa. Through careful business management and investment we have built a network which now provides broadband services to nearly 1200 subscribers, in 2 states, 12 counties and from nearly 50 tower sites. In the areas we provide service we often compete with wired and other wireless service providers who may use license and license-exempt delivery methods. We differentiate our product through helpful technical

support and quality customer service. We grow our business as customer demand drives our revenues and retract in areas of significant competition.

We recently discovered that Pixius Communications, LLC has requested funds to build a network in Cass County Nebraska from the Broadband stimulus package. I wish to submit a dispute regarding the “underserved” designation of this area by Pixius Communications, LLC. I will carefully detail the evidence to show that the funds request is without merit and will likely damage the ability of both or organization to provide quality services.

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 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:** Kansas Hamilton 6

Submitter: Pioneer Communications, Inc.

Comment: Pioneer Communications, a wireline telecommunications provider serving ten counties in western Kansas, has connected rural communities for more than five decades, and today delivers telephone, cable television and high-speed Internet service. Pioneer first became an Internet Service Provider (ISP) in 1995 by introducing educational Internet networking services for the schools located in its service area, and soon thereafter, made Internet access available commercially to Pioneer's telephone customers. Currently, Pioneer provides broadband internet access to 100% of its wireline service area using both Digital Subscriber Line (DSL) over its telephony infrastructure, and data over cable modems via its cable television system.

The Proposed Service Area for the referenced application covers all of Hamilton County except the towns of Syracuse and Coolidge, all of which falls within Pioneer Communications’ wireline service area. Pioneer offers broadband not only to those customers living within towns, but also to those residing in the far reaches of Hamilton County. Additionally, Pioneer’s rate of broadband subscribership for the proposed service area is greater than 40 percent of households.

Pioneer consistently and effectively advertises the availability of its broadband internet access throughout the Hamilton County area. For example, advertisements for Pioneer’s broadband internet

access service can be found in the local newspaper, on television, on billing inserts and on the radio. Pioneer also frequently advertises by providing sponsorship to area high school events and other community activities. The attached document is an example of ads that were distributed in the Proposed Service Area.

In conclusion, Pioneer Communications re-emphasizes the fact that it offers broadband internet access to any customer within its wireline service area. Therefore, Pioneer contends that there are no unserved areas within its territory and the referenced application incorrectly classifies the entire area of Hamilton County as unserved. Furthermore, due to Pioneer's existing subscribership, this area is not underserved. To the extent demonstrated above, Pioneer asserts that Hamilton County is well-served by broadband internet access and the above referenced application does not meet the conditions set forth in the NOFA.

Submitter: United Telephone Assn.

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's wireless EVDO RevA network supports wireless broadband at speeds up to 3.1 Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Pratt 59

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: Haviland Telephone Co., Inc.

Comment: Haviland Telephone Co., Inc. provides Digital Subscriber Line service to Pratt County, KS towns of Cullison, Coats, and Sawyer, and their surrounding rural areas. This includes the regulated telephone exchanges of Haviland, Cullison, Sawyer, Coats, and Isabel. We offer DSL service beyond the definitions of the NOFA to every customer location we serve in these areas.

Submitter: South Central Telephone Association, SCTelcom

Comment: SCTA, established in 1953, is submitting a response to dispute service availability for a portion of the applicant's area. We would like to establish the fact that we are providing broadband

access exceeding the 768 Kbps minimum as defined by the NOFA. We have been advertising High speed Broadband service of 1.5, 3, and 6Mbps in our response 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:** Oklahoma Kay 121

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: Get LLC Real Cable

Comment: Funds are being provided to three other proviers in the same area. Also,this area is allready served and other providers exist. This summary responce has been provided by Get LLC Real Cable that services the community of Blackwell OK. The electric cooperative Kay electric provides service in the surrounding area of Blackwell. Four applicants are seeking money for an area allready served, thisis a waate of money and is injurious to existing providers. There are so few people in this geographic area that they will have no other choice but to try to pull customers from our service area.

Submitter: KanOkla Networks

Comment: KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

-----**Service Area:** Kansas Washington 82&152

Submitter: JBN Telephone Inc.

Comment: JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 11% of households. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not "Unserved" as defined by the ARRA NOFA.

Submitter: Blue Valley Tele-Communications, Inc.

Comment: Blue Valley Tele-Communications, Inc. (BVTC) is a rural telephone cooperative that has been serving these remote and rural communities for over 50 years. BVTC was one of the first companies in the nation to offer High-Speed DSL to both in-town and rural customers no matter the distance from the central office. BVTC is also building for future applications and higher demands for broadband by investing in a fiber to the premise network that will reach 100% of its customers in their telephone exchanges, and was one of the first companies in the nation to attempt this type of network. On top of

these offerings, BVTC offers Internet services via cable modems and wireless technologies to many communities that lie outside of their ILEC telephone exchanges.

As a cooperative, BVTC services are driven by customer need and demand and customers are represented by a Board of Directors to make sure those needs are being met. The company also employs a full-time economic development director to assist in growth of their service areas. BVTC is proud to be known as an industry leader in the broadband arena, and plans to continue leading the way in broadband development in the future.

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:** Oklahoma Rogers 127

Submitter: Cox Communications Inc.

Comment: Cox Communications, Inc. (Cox) is a broadband communications and entertainment company, providing advanced digital video, Internet, telephone and wireless services over its nationwide IP network. The third-largest U.S. cable TV company, Cox serves over 6.2 million residences and businesses.

Cox operates in hundreds of communities in 18 states and has invested over \$16 billion in private capital in its network over the last ten years. Cox provides its customers in Oklahoma with 21st century

infrastructure that provides advanced broadband, video and telephone services. More than 99.5 percent of the households in our service areas have access to Cox high-speed Internet, at some of the fastest broadband speeds available in the nation.

Cox supports the goals of the American Recovery and Reinvestment Act to extend broadband to parts of the country that are unserved or underserved. We appreciate the efforts of the Rural Utilities Service and the National Telecommunications and Information Administration in making sure that the limited amount of broadband stimulus funding available under the ARRA is targeted toward those consumers in greatest need, rather than to areas that already have access to broadband service.

To assist your agencies in ensuring that ARRA funds are directed to truly unserved and underserved areas, Cox is providing supplemental information that demonstrates, for the above-referenced application, the following: the location of Cox's broadband infrastructure; broadband service levels provided; number of customers served; pricing for each service tier; and marketing materials which demonstrate service availability. Consistent with the statutory requirement to expend funds only for projects in eligible areas, we trust that your agencies will use this information -- along with information from other broadband providers -- to obtain a clear picture of service availability in the area covered by the application. We encourage the use of independent due diligence to determine the extent of other broadband service offerings in the proposed funded service area covered by this submission, if other providers fail to submit information prior to the submission deadline.

We request that this data be treated as confidential and proprietary. Much of the information provided with this letter constitutes trade secrets or commercial information that is privileged and confidential and therefore exempt from public disclosure under 5 U.S.C. § 552(b)(4). Cox does not disclose this information to the public, and release of this information could cause competitive harm, by enabling other broadband providers to tailor their business strategies to unfairly compete with Cox.

Thank you for the opportunity to submit this information. We trust that it will be helpful in your analysis, and will inform your final decision concerning the application.

Submitter: Totah Communications, Inc.

Comment: Totah Communications, Inc.

OMB Control Number: 0660-0031

OMB Control Number: 0572-0142

Pixius Communications, LLC (Pixius), is a wireless broadband provider with offices in Wichita, Kansas.

According to the Wichita Business Journal of July 8th, 2005, this is the same company that filed bankruptcy in 2004 which allowed it to forgo paying back 80% of a previous \$6.4 Million Rural Utilities Service (RUS) loan. Now they have inappropriately filed in their Rogers 127 filing for ARRA funding for an area that includes a portion of Totah Communications, Inc.'s (Totah) rural exchange area in Oklahoma. The area involving Totah in which Pixius has incorrectly filed is Talala. Pixius has wrongly identified this area as being unserved. Talala is currently being served with broadband by Totah Communications. In addition, portions of this area are also currently being served by a cable company and or at least one wireless provider.

We strongly oppose the Pixius filing and their request for funding on the basis that they have incorrectly identified the Totah service area of Talala as unserved and recommend that it be rejected on the grounds that the incumbent ILEC, Totah Communications, Inc. is already providing broadband access in this exchange area.

If you have any questions, or need additional information please do not hesitate to contact us.

Sincerely,

Keith E. Watson

Totah Communications, Inc.

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:** Kansas Comanche 41&57

Submitter: Haviland Telephone Co., Inc.

Comment: Haviland Telephone Co., Inc. provides Digital Subscriber Line service at all customer locations within Comanche County, Ks, inside its regulated service areas of the Mullinville and Wilmore exchanges, at the advertised speeds.

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: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it

offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Wilson 94

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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:** Kansas Labette 109

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: Craw-Kan Telephone Cooperative, Inc.

Comment: Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

Submitter: CenturyLink

Comment: 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.

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:** Kansas Neosho 110

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.

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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

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Comment: Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

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Comment: 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.

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CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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:** Kansas Atchison 116

Submitter: Rainbow Communications

Comment: Rainbow Telecommunications Association, Inc. dba Rainbow Communications is a phone, Internet, and cable TV service provider in rural northeast Kansas. The telecommunications company is headquartered in Everest, Kansas, and has been in existence since 1952. While Rainbow Telecommunications has offered high speed DSL- Internet for many years, the company has since expanded its service offerings in 2006 through a CLEC operation, Carson Communications dba Rainbow Communications. Rainbow Communications is able to provide high speed DSL, cable modem, and fiber-based Internet in many northeast Kansas rural communities. It is our goal to provide communication technology which rivals or surpasses those available in metro areas.

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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:** Kansas Doniphan

Submitter: Rainbow Communications

Comment: Rainbow Telecommunications Association, Inc. dba Rainbow Communications is a phone, Internet, and cable TV service provider in rural northeast Kansas. The telecommunications company is headquartered in Everest, Kansas, and has been in existence since 1952. While Rainbow Telecommunications has offered high speed DSL- Internet for many years, the company has since expanded its service offerings in 2006 through a CLEC operation, Carson Communications dba Rainbow

Communications. Rainbow Communications is able to provide high speed DSL, cable modem, and fiber-based Internet in many northeast Kansas rural communities. It is our goal to provide communication technology which rivals or surpasses those available in metro areas.

Submitter: CenturyLink

Comment: 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.

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:** Kansas Rooks 48

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

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:** Oklahoma Craig 128

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: 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:** Kansas Jewell 66

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or unserved as defined in the NOFA.

Submitter: Cunningham Communications

Comment: Cunningham Telephone Company, with its affiliate Cunningham Communications has been providing high-quality communications services to the residents of the rural communities of northwestern Kansas for more than 65 years. It was one of the first providers in this remote area to offer broadband services eleven years ago. Currently, almost 100% of Cunningham's service areas have broadband capability reaching speeds up to 10 Mbps.

In keeping with its long tradition of providing cutting-edge technologies, Cunningham has begun a Fiber To The Home (FTTH) project. Through this FTTH project, estimated to be completed in 2012, every customer in a majority of Cunningham's service areas, even in the most remote rural areas, will have a direct fiber feed from their home and business to the world.

Cunningham is a local company that helps anchor the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. Cunningham provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because Cunningham's owners and employees have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Graham 34

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

-----**Service Area:** Kansas Mitchell 65

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: Wilson Telephone Co Inc dba Wilson Communications

Comment: Wilson Communications has been providing high quality and leading technology telecommunications services to rural Kansans for more than sixty years. Wilson Communications began offering high speed internet access service to our customers in the late 1990's. We continued to expand our fiber network and now can provide broadband services to 100% of our customers. Wilson Communications continues to make investments in fiber optic facilities to ensure our customers have

access to the latest broadband technology. We provide broadband to critical community anchor institutions including schools, rural health clinics, and public libraries. We are a full service provider of communications services and are able to bundle services offering discounts to our customers. Wilson Communications is a community based company, providing volunteerism, and other forms of support to each of the seven communities we serve.

Submitter: Cunningham Communications

Comment: Cunningham Telephone Company, with its affiliate Cunningham Communications has been providing high-quality communications services to the residents of the rural communities of northwestern Kansas for more than 65 years. It was one of the first providers in this remote area to offer broadband services eleven years ago. Currently, almost 100% of Cunningham's service areas have broadband capability reaching speeds up to 10 Mbps.

In keeping with its long tradition of providing cutting-edge technologies, Cunningham has begun a Fiber To The Home (FTTH) project. Through this FTTH project, estimated to be completed in 2012, every customer in a majority of Cunningham's service areas, even in the most remote rural areas, will have a direct fiber feed from their home and business to the world.

Cunningham is a local company that helps anchor the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. Cunningham provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because Cunningham's owners and employees have a personal stake in the communities where they work and live.

-----**Service Area:** Nebraska Sarpy

Submitter: jagWIRELESS

Comment: To Whom It May Concern:

Hello, my name is Danny Olson and I am writing this on behalf of my employer, jagWIRELESS. jagWIRELESS specifically focuses on the delivery of broadband Internet services via wireless methods, using the unlicensed spectrums available from the FCC. Our organization has been in business for over 7 years and services the broadband needs of rural Southeastern Nebraska and Western Iowa. Through careful business management and investment we have built a network which now provides broadband services to nearly 1200 subscribers, in 2 states, 12 counties and from nearly 50 tower sites. In the areas we provide service we often compete with wired and other wireless service providers who may use license and license-exempt delivery methods. We differentiate our product through helpful technical support and quality customer service. We grow our business as customer demand drives our revenues and retract in areas of significant competition.

We recently discovered that Pixius Communications, LLC has requested funds to build a network in Cass County Nebraska from the Broadband stimulus package. I wish to submit a dispute regarding the “underserved” designation of this area by Pixius Communications, LLC. I will carefully detail the evidence to show that the funds request is without merit and will likely damage the ability of both or organization to provide quality services.

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:** Nebraska Lancaster 145

Submitter: Time Warner Cable

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: 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:** Oklahoma Grant 149

Submitter: Pioneer Telephone Cooperative

Comment: Pioneer Telephone Cooperative, Inc. through its subsidiary Pioneer Long Distance, Inc. (PLDI), has been offering broadband speed data service to subscribers for over 10 years. The area applied for by the ARRA applicant, which falls within the telephone exchange boundary is served with high speed internet broadband service. PLDI also offers IPTV service to its subscribers in the towns using the Pioneer’s broadband plant.

Submitter: KanOkla Networks

Comment: KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

-----**Service Area:** Kansas Kiowa 56

Submitter: Haviland Telephone Co., Inc.

Comment: Haviland Telephone Co. provides 2 broadband services in Kiowa County, KS. In the town and adjacent rural areas around Mullinville and Haviland, we offer Digital Subscriber Line service at advertised speeds to every location inside our regulated service area. In the Greensburg city area and in a radius of about 8 miles surrounding it, we offer Wi-Max service to each location.

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: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a

communications company to the residents of southwest Kansas – it is a important part of the local economy.

-----**Service Area:** Kansas Pottawatomie 100

Submitter: Wamego Telecommunications Co, Inc.

Comment: Wamego Telecommunications Company, Inc., provides Broadband service speeds up to 3.0Mb/s to all households and businesses within our local exchange area of service as shown on our service area map. This area is NOT an "underserved" area as defined by the federal government.

Submitter: CenturyLink

Comment: 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.

Submitter: JBN Telephone Inc.

Comment: JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 10% of households. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not “Unserved” as defined by the ARRA NOFA.

Submitter: Blue Valley Tele-Communications, Inc.

Comment: Blue Valley Tele-Communications, Inc. (BVTC) is a rural telephone cooperative that has been serving these remote and rural communities for over 50 years. BVTC was one of the first companies in the nation to offer High-Speed DSL to both in-town and rural customers no matter the distance from the central office. BVTC is also building for future applications and higher demands for broadband by investing in a fiber to the premise network that will reach 100% of its customers in their telephone exchanges, and was one of the first companies in the nation to attempt this type of network.

As a cooperative, BVTC services are driven by customer need and demand and customers are represented by a Board of Directors to make sure those needs are being met. The company also employs a full-time economic development director to assist in growth of their service areas. BVTC is proud to be known as an industry leader in the broadband arena, and plans to continue leading the way in broadband development in the future.

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: sci cable

Comment: Service is broadband HFC with Video, High Speed Data, VOIP (launch 12-1-09)

----**Service Area:** Kansas McPherson 72

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: Mutual Telephone Company

Comment: Mutual Telephone Company is a cooperative telephone company headquartered in Little River, KS. MTC has been in operation for 104 years. Through the organization and its subsidiary company, high-speed internet is available throughout western McPherson County, Kansas.

Submitter: Moundridge Telephone Company

Comment: For the portion of this application that overlaps the Moundridge Telephone Company serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of

households and 100% of businesses. Additionally, Moundridge Telephone offers a 4Mbps downstream / 1 Mbps upstream service in this area. Lastly, Moundridge Telephone supplies broadband service to over 45% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

Submitter: Home Communications, Inc.

Comment: For the portion of this application that overlaps the Home Communications, Inc. serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Home Communications, Inc. offers a 3Mbps downstream and 5Mbps downstream service in this area. Lastly, Home Communications, Inc. supplies broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

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: 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.

-----**Service Area:** Nebraska Fillmore 148

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:** Missouri Greene 132

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:** Kansas Stafford 55&60

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: South Central Telephone Association, SCTelcom

Comment: SCTA, established in 1953, is submitting a response to dispute service availability for a portion of the applicant's area. We would like to establish the fact that we are providing broadband access exceeding the 768 Kbps minimum as defined by the NOFA. We have been advertising High speed Broadband service of 1.5, 3, and 6Mbps in our response 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: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Kearny

Submitter: Pioneer Communications, Inc.

Comment: Pioneer Communications, a wireline telecommunications provider serving ten counties in western Kansas, has connected rural communities for more than five decades, and today delivers telephone, cable television and high-speed Internet service. Pioneer first became an Internet Service Provider (ISP) in 1995 by introducing educational Internet networking services for the schools located in its service area, and soon thereafter, made Internet access available commercially to Pioneer's telephone customers. Currently, Pioneer provides broadband internet access to 100% of its wireline service area using Digital Subscriber Line (DSL) over its telephony infrastructure, and data over cable modems via its cable television system.

The Proposed Service Area for the referenced application covers nearly all of Kearny County, much of which falls within Pioneer Communications' wireline service area. Within its territory in Kearny County, Pioneer offers broadband not only to those customers located in towns, but also to those residing in more isolated parts. Additionally, Pioneer's rate of broadband subscribership for its territory within the Proposed Service Area is greater than 40 percent of households.

Pioneer consistently and effectively advertises the availability of its broadband internet access service throughout its territory in Kearny County. For example, advertisements for Pioneer's broadband service can be found in local newspapers, on television, on billing inserts and on the radio. Pioneer also frequently advertises by providing sponsorship to area high school events and other community activities. The attached document is an example of ads that were distributed in the Proposed Service Area.

In conclusion, Pioneer Communications re-emphasizes the fact that it offers broadband internet access to any customer within its entire wireline service area. Therefore, Pioneer contends that there are no unserved areas within its territory and the referenced application incorrectly classifies its territory in Kearny County as unserved. Furthermore, due to Pioneer's existing subscribership, this area is mislabeled as underserved. To the extent demonstrated in this response, Pioneer asserts that Kearny

County is well-served by broadband internet access and the above referenced application does not meet the conditions set forth in the NOFA.

Submitter: United Telephone Assn.

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's wireless EVDO RevA network supports wireless broadband at speeds up to 3.1 Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Seward 24

Submitter: Pioneer Communications, Inc.

Comment: Pioneer Communications, a wireline telecommunications provider serving ten counties in western Kansas, has connected rural communities for more than five decades, and today delivers telephone, cable television and high-speed Internet service. Pioneer first became an Internet Service

Provider (ISP) in 1995 by introducing educational Internet networking services for the schools located in its service area, and soon thereafter, made Internet access available commercially to Pioneer's telephone customers. Currently, Pioneer provides broadband internet access to 100% of its wireline service area using both Digital Subscriber Line (DSL) over its telephony infrastructure, and data over cable modems via its cable television system.

The Proposed Service Area for the referenced application covers a portion of Pioneer Communications' territory in the northwest corner of Seward County and erroneously classifies the it as unserved. Pioneer offers broadband not only to those customers living within towns, but also to those residing far from city limits, places such as northwest Seward County.

Pioneer consistently and effectively advertises the availability of its broadband internet access throughout the Seward County area. For example, advertisements for Pioneer's broadband internet access service can be found in the local newspaper, on television, on billing inserts and on the radio. Pioneer also frequently advertises by providing sponsorship to area high school events and other community activities. The attached document is an example of ads that were distributed in the Seward County area.

In conclusion, Pioneer Communications re-emphasizes the fact that it offers broadband internet access to any customer within its wireline service area. Therefore, Pioneer contends that there are no unserved areas within its territory and the referenced application incorrectly characterizes a portion of Pioneer's service area in Seward County. To this extent, Pioneer asserts that its territory in Seward County is well-served by broadband internet access and the above referenced application does not meet the conditions of "unserved" as set forth in the NOFA.

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: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Dickinson 79&80

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises,

cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

Submitter: The Tri-County Telephone Association, Inc.

Comment: The Tri-County Telephone Association, Inc. (TCT) has been providing high-quality communications services to rural Kansas for over 46 years. During this time, there has been much technological advancement, providing new services. TCT is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work.

In 2001, TCT proved this commitment by making substantial investment in upgrading its core facilities including digital switches and a fiber fed network. This cutting-edge technology allowed TCT to offer advanced communication services, including broadband access to 100% of its service areas. TCT, in looking toward the future, has embarked on a Fiber-To-The-Home (FTTH) project that, by the time it is complete in 2013, will connect every home and business in its service areas to fiber-speed bandwidth.

TCT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. TCT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because TCT's owners, who are also its customers, have a personal stake in the communities where they work and live.

Recently, TCT committed to further serve our customers by creating the TCT Community Development Initiative. This initiative supports infrastructures to attract new residents and businesses to TCT communities. TCT, one of the largest employers in the area, provides assistance in business development for both new and existing businesses. TCT will also acts as a liaison between local, state, and national economic development groups and contributes in local Community Development Groups.

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:** Kansas Wabaunsee

Submitter: Wamego Telecommunications Co, Inc.

Comment: Wamego Telecommunications Company, Inc., provides Broadband service speeds up to 3.0Mb/s to all households and businesses within our local exchange area of service as shown on our service area map. This area is NOT an "underserved" area as defined by the federal government.

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: The Tri-County Telephone Association, Inc.

Comment: The Tri-County Telephone Association, Inc. (TCT) has been providing high-quality communications services to rural Kansas for over 46 years. During this time, there has been much technological advancement, providing new services. TCT is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work.

In 2001, TCT proved this commitment by making substantial investment in upgrading its core facilities including digital switches and a fiber fed network. This cutting-edge technology allowed TCT to offer advanced communication services, including broadband access to 100% of its service areas. TCT, in looking toward the future, has embarked on a Fiber-To-The-Home (FTTH) project that, by the time it is complete in 2013, will connect every home and business in its service areas to fiber-speed bandwidth.

TCT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. TCT provides necessary broadband services to community anchor

institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because TCT's owners, who are also its customers, have a personal stake in the communities where they work and live.

Recently, TCT committed to further serve our customers by creating the TCT Community Development Initiative. This initiative supports infrastructures to attract new residents and businesses to TCT communities. TCT, one of the largest employers in the area, provides assistance in business development for both new and existing businesses. TCT will also acts as a liaison between local, state, and national economic development groups and contributes in local Community Development Groups.

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: Mercury Wireless, LLC

Comment: Mercury Wireless currently provides up to 3 mbps wireless Internet access to sections of the applicant's proposed service area.

-----**Service Area:** Kansas Ellsworth 63&70

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

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: Wilson Telephone Co Inc dba Wilson Communications

Comment: Wilson Communications has been providing high quality and leading technology telecommunications services to rural Kansans for more than sixty years. Wilson Communications began offering high speed internet access service to our customers in the late 1990's. We continued to expand our fiber network and now can provide broadband services to 100% of our customers. Wilson Communications continues to make investments in fiber optic facilities to ensure our customers have access to the latest broadband technology. We provide broadband to critical community anchor institutions including schools, rural health clinics, and public libraries. We are a full service provider of communications services and are able to bundle services offering discounts to our customers. Wilson Communications is a community based company, providing volunteerism, and other forms of support to each of the seven communities we serve.

-----**Service Area:** Kansas Montgomery 107&198

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: Totah Communications, Inc.

Comment: Totah Communications, Inc.

OMB Control Number: 0660-0031

OMB Control Number: 0572-0142

Pixius Communications, LLC (Pixius) is a wireless broadband provider with offices in Wichita, Kansas.

According to the Wichita Business Journal of July 8th, 2005, this is the same company that filed bankruptcy in 2004 which allowed it to forgo paying back 80% of a previous \$6.4 Million Rural Utilities Service (RUS) loan. Now they have inappropriately filed in their Montgomery 107 & 198 filing for ARRA funding for an area that include a portion of Totah Communications, Inc.'s (Totah) rural exchange area in Kansas. The area involving Totah in which Pixius has incorrectly filed is Tyro City. Pixius has wrongly identified this area as being unserved. Tyro is already being served with broadband by Totah (Incumbent ILEC) at speeds equal to or greater than 768 kbps. In addition, this area is also currently being served by a cable company and at least one wireless provider.

We strongly oppose the Pixius filing and their request for funding on the basis that they have incorrectly identified the Totah service area of Tyro as unserved and recommend that it be rejected on the grounds that the incumbent ILEC, Totah Communications, Inc. is already providing broadband access in this exchange at speeds equal to or in excess of 768 kbps.

If you have any questions, or need additional information please do not hesitate to contact us.

Sincerely,

Keith E. Watson

Totah Communications, Inc.

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:** Kansas Bourbon 120

Submitter: Craw-Kan Telephone Cooperative, Inc.

Comment: Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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:** Kansas Stanton 7

Submitter: Pioneer Communications, Inc.

Comment: Pioneer Communications, a wireline telecommunications provider serving ten counties in western Kansas, has connected rural communities for more than five decades, and today delivers telephone, cable television and high-speed Internet service. Pioneer first became an Internet Service Provider (ISP) in 1995 by introducing educational Internet networking services for the schools located in its service area, and soon thereafter, made Internet access available commercially to Pioneer's telephone customers. Currently, Pioneer provides broadband internet access to 100% of its wireline service area using both Digital Subscriber Line (DSL) over its telephony infrastructure, and data over cable modems via its cable television system.

The Proposed Service Area for the referenced application covers nearly the entire area of Stanton County, all of which falls within Pioneer Communications' wireline service area. Pioneer offers broadband internet access to any household and business within this area and the application erroneously labels it as unserved. Additionally, Pioneer's rate of existing broadband subscribership for the proposed service area is greater than 40 percent.

Pioneer consistently and effectively advertises the availability of its broadband internet access throughout the Stanton County area. For example, advertisements for Pioneer's broadband internet access service can be found in local newspapers, on television, on billing inserts and on the radio. Pioneer also frequently advertises by providing sponsorship to area high school events and other community activities. The attached document is an example of ads that were distributed in the Stanton County Area.

In conclusion, Pioneer Communications re-emphasizes the fact that it offers broadband internet access to any customer within its wireline service area. Therefore, Pioneer contends that there are no unserved areas within its wireline service area and the referenced application incorrectly classifies the entire area of Stanton County as unserved. To this extent, Pioneer asserts that Stanton County is well-served by broadband internet access and the above referenced application does not meet the conditions set forth in the NOFA.

Submitter: United Telephone Assn

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's wireless EVDO RevA network supports wireless broadband at speeds up to 3.1 Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Franklin 112

Submitter: CenturyLink

Comment: 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.

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: Mercury Wireless, LLC

Comment: Mercury Wireless currently provides up to 3 mbps wireless Internet access to sections of the applicant's proposed service area.

-----**Service Area:** Oklahoma Logan 123

Submitter: @link Services LLC

Comment: @Link Services LLC is an Oklahoma LLC that has been providing broadband services in Central Oklahoma since 2005. @Link provides high speed internet service with speeds of up to 6Mbps by utilizing fixed wireless technology in both licensed and unlicensed frequencies. @Link provides service in forty four rural, Oklahoma communities and four urban areas in Central Oklahoma through a network of more than 60 tower sites.

The proposed funded service areas overlaps the @Link service area. The overlapping service area has been documented with the use of the mapping tool.

@Link has included copies of advertisements for service within the proposed funded service area.

@Link has determined, at the census block level, the number of residential households currently capable of receiving @Link service. @Link has determined the total number of business establishments within the zip codes included in the polygon. Totals have been provided as requested and supporting documents are available if requested.

@Link has determined, at the census block level, the number of residences and businesses currently subscribing to @Link services as well as the advertised download and upload speeds. Totals have been provided as requested and supporting documentation is available as is necessary.

Submitter: Pioneer Telephone Cooperative

Comment: Pioneer Telephone Cooperative, Inc. through its subsidiary Pioneer Long Distance, Inc. (PLDI), has been offering broadband speed data service to subscribers for over 10 years. The area applied for by the ARRA applicant, which falls within the telephone exchange boundary is served with high speed internet broadband service. PLDI also offers IPTV service to its subscribers in the towns using the Pioneer's broadband plant.

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: Cox Communications

Comment: Cox Communications, Inc.(Cox) is a broadband communications and entertainment company, providing advanced digital video, Internet, telephone and wireless services over its nationwide IP network. The third-largest U.S. cable TV company, Cox serves over 6.2 million residences and businesses.

Cox operates in hundreds of communities in 18 states and has invested over \$16 billion in private capital in its network over the last ten years. Cox provides its customers in Oklahoma with 21st century infrastructure that provides advanced broadband, video and telephone services. More than 99.5 percent of the households in our service areas have access to Cox high-speed Internet, at some of the fastest broadband speeds available in the nation.

Cox supports the goals of the American Recovery and Reinvestment Act to extend broadband to parts of the country that are unserved or underserved. We appreciate the efforts of the Rural Utilities Service and the National Telecommunications and Information Administration in making sure that the limited amount of broadband stimulus funding available under the ARRA is targeted toward those consumers in greatest need, rather than to areas that already have access to broadband service.

To assist your agencies in ensuring that ARRA funds are directed to truly unserved and underserved areas, Cox is providing supplemental information that demonstrates, for the above-referenced application, the following: the location of Cox's broadband infrastructure; broadband service levels provided; number of customers served; pricing for each service tier; and marketing materials which demonstrate service availability. Consistent with the statutory requirement to expend funds only for projects in eligible areas, we trust that your agencies will use this information -- along with information from other broadband providers -- to obtain a clear picture of service availability in the area covered by the application. We encourage the use of independent due diligence to determine the extent of other broadband service offerings in the proposed funded service area covered by this submission, if other providers fail to submit information prior to the submission deadline.

We request that this data be treated as confidential and proprietary. Much of the information provided with this letter constitutes trade secrets or commercial information that is privileged and confidential and therefore exempt from public disclosure under 5 U.S.C. § 552(b)(4). Cox does not disclose this information to the public, and release of this information could cause competitive harm, by enabling other broadband providers to tailor their business strategies to unfairly compete with Cox.

Thank you for the opportunity to submit this information. We trust that it will be helpful in your analysis, and will inform your final decision concerning the application.

-----**Service Area:** Kansas Ness 36

Submitter: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of "Unserved"

Submitter: United Telephone Assn.

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's wireless EVDO RevA network supports wireless broadband at speeds up to 3.1 Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

Submitter: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Geary

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: The Tri-County Telephone Association, Inc.

Comment: The Tri-County Telephone Association, Inc. (TCT) has been providing high-quality communications services to rural Kansas for over 46 years. During this time, there has been much technological advancement, providing new services. TCT is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work.

In 2001, TCT proved this commitment by making substantial investment in upgrading its core facilities including digital switches and a fiber fed network. This cutting-edge technology allowed TCT to offer advanced communication services, including broadband access to 100% of its service areas. TCT, in looking toward the future, has embarked on a Fiber-To-The-Home (FTTH) project that, by the time it is complete in 2013, will connect every home and business in its service areas to fiber-speed bandwidth.

TCT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. TCT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because TCT's owners, who are also its customers, have a personal stake in the communities where they work and live.

Recently, TCT committed to further serve our customers by creating the TCT Community Development Initiative. This initiative supports infrastructures to attract new residents and businesses to TCT communities. TCT, one of the largest employers in the area, provides assistance in business

development for both new and existing businesses. TCT will also acts as a liaison between local, state, and national economic development groups and contributes in local Community Development Groups.

-----**Service Area:** Kansas Barton 53&54

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or unserved as defined in the NOFA.

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Jefferson 115

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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: sci cable

Comment: Service area is broadband HFC with video, High Speed Data, VOIP (launch 12-1-09) 60% of service area is last mile construction

Submitter: Mercury Wireless, LLC

Comment: Mercury Wireless currently provides up to 3 mbps wireless Internet access to sections of the applicant's proposed service area.

-----**Service Area:** Kansas Cowley 75&76&92

Submitter: The Southern Kansas Telephone Co., Inc.

Comment: The Southern Kansas Telephone Co., Inc. (SKT) has been providing service to rural Kansas communities for 70 years. SKT is committed to providing rural Kansans broadband service that helps both increase the quality of life and allows them to conduct business in a much more productive manner. As an example of this commitment, SKT began offering broadband service in 2001. SKT has continuously upgraded its fiber network over the years to meet the service needs of its customers. SKT currently offers broadband service up to and exceeding 12.0 M downloads and 1.0 M uploads. SKT customers benefit from local customer care, 24/7 support, multiple service discounts, free hardware and installation options that make broadband service more affordable and easier to get connected. SKT's owners and 54 employees are local Kansans who understand the needs of their customers and the importance of supporting the rural communities they serve. To help these communities flourish in the future, SKT provides complimentary broadband service to all local municipalities, including city, police, fire, and EMS locations, as well as libraries and senior centers. SKT will continue to focus on providing vital broadband services for rural Kansans.

Submitter: KanOkla Networks

Comment: KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of

our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

Submitter: Wheat State Telephone, Inc

Comment: Wheat state Telephone has been serving these two South Central rural communities for almost 60 years. We are committed to delivering high speed broadband service to all of our customers. Wheat state Telephone was the first i the area to provide broadband service as early as July 2000. Since then we have continually upgraded our network to bring higher speeds to more and more of our subscribers. Wheat State Telephone continues to be a leader in delivering broadband services. Based on the NOFA definition of broadband these two communities are neither unserved nor underserved.

Submitter: BWTelcom

Comment: Benkelman, Wauneta and Hartman Telephone Companies, dba BWTelcom, currently provides service in the application area that meets or exceeds all ARRA NOFA requirements to be classified as a "Served" area. 100% of the households have access to Broadband services at a speed of at least 768/200 Kbps. The current residential take rate of Broadband services at a speed of 768/200 Kbps or higher is 40% of households. BWTelcom offers a 5 Mbps service.

-----**Service Area:** Kansas Rice 62

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include

other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: Mutual Telephone Company

Comment: Mutual Telephone Company is a cooperative telephone company headquartered in Little River, KS. MTC has been in operation for 104 years. Through the organization and its subsidiary company, high-speed internet is available throughout all of Rice County, Kansas.

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: 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.

-----**Service Area:** Kansas Brown 117

Submitter: Rainbow Communications

Comment: Rainbow Telecommunications Association, Inc. dba Rainbow Communications is a phone, Internet, and cable TV service provider in rural northeast Kansas. The telecommunications company is headquartered in Everest, Kansas, and has been in existence since 1952. While Rainbow Telecommunications has offered high speed DSL- Internet for many years, the company has since expanded its service offerings in 2006 through a CLEC operation, Carson Communications dba Rainbow Communications. Rainbow Communications is able to provide high speed DSL, cable modem, and fiber-based Internet in many northeast Kansas rural communities. It is our goal to provide communication technology which rivals or surpasses those available in metro areas.

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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: JBN Telephone Company Inc.

Comment: JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 5% of households. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not "Unserved" as defined by the ARRA NOFA.

-----**Service Area:** Kansas Clay 81

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications

serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

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:** Kansas Linn 119

Submitter: Peoples Telecommunications, LLC

Comment: For the portion of this application that overlaps the Peoples Telecommunications, LLC serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Per the criteria defined for the stimulus program, this area is classified as underserved. The applicant has stated that this area is unserved which is clearly incorrect.

Submitter: Craw-Kan Telephone Cooperative, Inc.

Comment: Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

Submitter: CenturyLink

Comment: 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.

-----**Service Area:** Missouri Clinton

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:** Kansas Riley 84&85

Submitter: JBN Telephone Inc

Comment: JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. There are no households in this area, but Broadband service is available in this area at a speed of 768/200 Kbps or higher. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not "Unserved" as defined by the ARRA NOFA.

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:** Missouri Vernon 133

Submitter: Craw-Kan Telephone Cooperative, Inc.

Comment: Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

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: 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:** Kansas Cherokee

Submitter: Craw-Kan Telephone Cooperative, Inc.

Comment: Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality

communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

Submitter: CenturyLink

Comment: 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.

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:** Kansas Woodson 106

Submitter: CenturyLink

Comment: 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.

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:** Kansas Osborne 51

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

Submitter: Gorham Telephone Company

Comment: For the portion of this application that overlaps the Gorham Telephone Company serving area, broadband of at least 768kbps downstream and 200kbps upstream is accessible to 100% of households and 100% of businesses. Additionally, Gorham Telephone Company offers a 3Mbps downstream service in this area. Lastly, Gorham Telephone Company supplies broadband service to over 40% of the households in this area. Per the criteria defined for the stimulus program, this area is classified as served.

-----**Service Area:** Oklahoma Mayes

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:** Nebraska York 147

Submitter: Henderson Cooperative Telephone Company

Comment: Henderson Cooperative Telephone Company, dba Mainstay Communications, provides service in its certificated exchange area that meets or exceeds all ARRA NOFA requirements to be classified as a "Served" area. 100% of the households have access to Broadband service of at least 768/200 Kbps. The current residential penetration rate of Broadband service at a speed of at least 768/200 Kbps or higher is 64%. Henderson Cooperative Telephone offers a 5 Mbps Broadband service.

Submitter: Time Warner Cable

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: 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: Hamilton.net, Inc.

Comment: All residents and businesses within this service area have had access to broadband DSL services for several years.

-----**Service Area:** Oklahoma Ottawa 129

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: 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: Seneca Goodman and Ozark Telephone Companies

Comment: Seneca, Goodman, and Ozark Telephone Companies, an RUS/RDUP telecom loan program borrower, currently provides broadband internet service access to all establishments located within their certificated service areas. The lowest advertised broadband internet service package is 1 Mb downstream with 3 Mb internet service also being advertised. I.P. Video services are available throughout all exchange areas, further demonstrating and utilizing the capacity of the established broadband facilities. The Seneca Goodman and Ozark Telephone Companies have provided dedicated fiber access for broadband service transmission to schools located within their exchange areas, and in 2004 began providing broadband internet access in their certificated exchange areas of rural southwest Missouri, Northwest Arkansas, and Northeast Oklahoma. Currently several fixed broadband facility and nationwide wireless providers are competing for broadband services within the exchange areas of Seneca, Goodman, and Ozark Telephone Companies.

-----**Service Area:** Missouri Platte 138

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:** Kansas Grant 10

Submitter: Pioneer Communications, Inc.

Comment: Pioneer Communications is a wireline telecommunications provider serving 10 counties in western Kansas. Headquartered in Ulysses, Kansas, Pioneer has connected rural communities for more than five decades, and today delivers telephone, cable television and high-speed Internet service. Pioneer first became an Internet Service Provider (ISP) in 1995 by introducing educational Internet networking services for the schools located in its service area, and soon thereafter, made Internet access available commercially to Pioneer's telephone customers. Currently, Pioneer offers broadband internet access to 100% of its wireline service area using both Digital Subscriber Line (DSL) over its telephony infrastructure, and data over cable modems via its cable television system.

The Proposed Service Area for the referenced application covers the entire area of Grant County except for the town of Ulysses and mistakenly categorizes the area as unserved. Pioneer offers broadband not only to those customers living within the town of Ulysses, but also to those residing in the far reaches of the county. Additionally, Pioneer's rate of broadband subscribership for the proposed service area is greater than 40 percent of households.

Pioneer consistently and effectively advertises the availability of its broadband internet access throughout the Grant County area. For example, advertisements for Pioneer's broadband internet access service can be found in local newspapers, on television, on billing inserts and on the radio. Pioneer also frequently advertises by providing sponsorship to area high school events and other community activities. The attached document is an example of ads that were distributed throughout Grant County.

In conclusion, Pioneer Communications re-emphasizes the fact that it offers broadband internet access to any customer within its wireline service area. Therefore, Pioneer contends that there are no unserved areas within its wireline service area and the referenced application incorrectly classifies the entire area of Grant County as unserved. As demonstrated above, Pioneer asserts that Grant County is well-served by broadband internet access and the above referenced application does not meet the conditions set forth in the NOFA.

Submitter: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

Submitter: Stelera Wireless, LLC

Comment: The applicant's proposed service area does not qualify as unserved or underserved as defined by the BIP or BTOP programs. Stelera Broadband will provide broadband access to the service area with peak speeds of 9-10 mbps in the next 6 months. The town of Ulysses will be served by Stelera Broadband, a broadband service provider under the RUS Broadband Loan program. Stelera plans to advertise and deliver broadband transmission speeds in excess of 3 mbps downstream. Over 50% of the households in the proposed service area will soon have access to terrestrial broadband service at greater than the minimum broadband transmission speed. The area does not qualify as unserved because the number of households lacking access to broadband is less than 90% based on Stelera research.

-----**Service Area:** Oklahoma Garfield 150

Submitter: Pioneer Telephone Cooperative

Comment: Pioneer Telephone Cooperative, Inc. through its subsidiary Pioneer Long Distance, Inc. (PLDI), has been offering broadband speed data service to subscribers for over 10 years. The area applied for by the ARRA applicant, which falls within the telephone exchange boundary is served with high speed internet broadband service. PLDI also offers IPTV service to its subscribers in the towns using the Pioneer's broadband plant.

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: KanOkla Networks

Comment: KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

-----**Service Area:** Kansas Cheyenne 1

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Nex-Tech, Inc., an RUS Broadband Loan borrower and wholly owned subsidiary of Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service within the Proposed Funded Service Area as shown on the map. This area meets the definition of an underserved area as defined in the NOFA.

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on

Commerce, Science and Transportation presents the risks of “awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act”. The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

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: S&T Telephone Cooperative Associatin

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of “Unserved

Submitter: BWTelcom

Comment: Benkelman, Wauneta and Hartman Telephone Companies, dba BWTelcom, current provide service in its certificated exchange areas that meets or exceeds all ARRA NOFA requirements to be classified as a "Served" area. 100% of households have access to Broadband service of at least 768/200 Kbs. The current residential take rate in the application area of Broadband service at a speed of 768/200 Kbps or higher is 48% of households. BWTelcom offers a 5 Mbps service.

-----**Service Area:** Missouri Bates 136

Submitter: Craw-Kan Telephone Cooperative, Inc.

Comment: Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

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:** Kansas Ottawa

Submitter: Eagle Communications Inc.

Comment: Eagle Communications, Inc. is a strong supporter of the federal government's program to assist in delivering broadband to rural unserved and underserved areas. But Pixius Communications' proposed Service Areas are not such areas. In fact, Eagle Communications, Inc. provides broadband services within the areas proposed that far exceed the levels sought after by RUS and NTIA.

Specifically the proposal includes the counties of Cheyenne, Rawlins, Ellis, Rooks Ellsworth, Dickinson, Ottawa, Marion, Clay, Sherman and Saline counties – all in the State of Kansas. Within these counties listed, Eagle Communications provides broadband service of up to 100 Mbps via fiber to the premises, cable modem, and wireless technologies. Along with residential customers, Eagle Communications serves business, medical-care facilities, and key public infrastructure entities (schools and government) throughout the area

To support our response, attached is a mapping of Eagle Communications, Inc.'s service offerings across the Service Areas. Said map was created by Connect Kansas, a group funded by the state of Kansas to provide broadband mapping services for use in determining truly unserved and underserved areas.

Eagle Communications, Inc. believes that delivering broadband service to unserved areas, as well as truly underserved areas, is an important task in maintaining rural America. However, in the case of this particular application, the supporting documentation of Connect Kansas shows, without question, that the majority of the homes in the Service Areas are well served.

The number of entities already providing broadband in the Service Areas also raises concerns regarding the applicant's ability to attract enough customers to create a sustainable project. The Government Accountability Office, in their October 27, 2009 testimony before the U.S. Senate's Committee on Commerce, Science and Transportation presents the risks of "awarding funds to projects that are not sustainable or do not meet the priorities of the Recovery Act". The data provided herein supports that within the Service Areas, access to broadband service does exist at such levels that question the areas meeting the requirements of an underserved area and thus the financial viability of a project of this level of taxpayer supported funding.

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: Cunningham Communications

Comment: Cunningham Telephone Company, with its affiliate Cunningham Communications has been providing high-quality communications services to the residents of the rural communities of northwestern Kansas for more than 65 years. It was one of the first providers in this remote area to offer broadband services eleven years ago. Currently, almost 100% of Cunningham's service areas have broadband capability reaching speeds up to 10 Mbps.

In keeping with its long tradition of providing cutting-edge technologies, Cunningham has begun a Fiber To The Home (FTTH) project. Through this FTTH project, estimated to be completed in 2012, every customer in a majority of Cunningham's service areas, even in the most remote rural areas, will have a direct fiber feed from their home and business to the world.

Cunningham is a local company that helps anchor the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. Cunningham provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because Cunningham's owners and employees have a personal stake in the communities where they work and live.

-----**Service Area:** Oklahoma Payne

Submitter: Pioneer Telephone Cooperative

Comment: Pioneer Telephone Cooperative, Inc. through its subsidiary Pioneer Long Distance, Inc. (PLDI), has been offering broadband speed data service to subscribers for over 10 years. The area applied for by the ARRA applicant, which falls within the telephone exchange boundary is served with high speed internet broadband service. PLDI also offers IPTV service to its subscribers in the towns using the Pioneer's broadband plant.

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:** Missouri Newton 130

Submitter: Granby Telephone Company

Comment:

Granby Telephone Company (GTC) has been serving this area since 1904 and Stouffer Communications, a partner company, has been providing Internet access service since 1995. Broadband services at speeds up to 1 Mbps has been available since 2005 and 3 Mbps have been available since April 2009. We were the first in the area to provide broadband service to rural Americans. We continue to be a leader in providing advanced communications to 99% of our service areas. Being a full service provider, GTC offers our customers the opportunity for consolidated packaging of communication services with competitive discounts. GTC is one of the top employers in the area. Because GTC's employees are hometown people, our community benefits from GTC's local customer service where customers always receive personal attention.

In keeping with our long tradition of providing cutting-edge technologies in communities that large providers ignore, GTC has begun a Fiber To The Home (FTTH) project. The first section of our FTTH project will be completed by the first quarter 2010. Additionally, the entire project is estimated to be completed in 2014, and every customer in GTC's service areas, even in the most remote rural areas, will have a direct fiber feed from their home and business to the world.

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: Seneca Goodman and Ozark Telephone Companies

Comment: Seneca, Goodman, and Ozark Telephone Companies, an RUS/RDUP telecom loan program borrower, currently provides broadband internet service access to all establishments located within their certificated service areas. The lowest advertised broadband internet service package is 1 Mb downstream with 3 Mb internet service also being advertised. I.P. Video services are available throughout all exchange areas, further demonstrating and utilizing the capacity of the established broadband facilities. The Seneca Goodman and Ozark Telephone Companies have provided dedicated fiber access for broadband service transmission to schools located within their exchange areas, and in 2004 began providing broadband internet access in their certificated exchange areas of rural southwest Missouri, Northwest Arkansas, and Northeast Oklahoma. Currently several fixed broadband facility and nationwide wireless providers are competing for broadband services within the exchange areas of Seneca, Goodman, and Ozark Telephone Companies.

-----**Service Area:** Kansas Ford 38&42

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: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Osage 104

Submitter: CenturyLink

Comment: 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.

Submitter: S&A Telephone Company

Comment: This grant proposes to bring wireless broadband internet service to all of 98 counties in Kansas and 37 counties in nearby states. The grant covers nearly 91,000 square miles. The vast majority of the locations covered by this grant already have broadband today and this grant doesn't pay the slightest bit of attention to the grant rules. This grant asks to cover huge areas with no analysis of whether these areas already have broadband today. It characterizes these areas as underserved when in fact, most of the homes, businesses and anchor institutions within the proposed footprint are already served with broadband today. This grant seems to assume that rural automatically means unserved and underserved, when in fact most of the proposed service area already has broadband.

For example, this grant request proposes to cover a lot of the rural the service territory of S&A Telephone Company. The two census block clusters of the grant labeled as Lyon County and Osage County cover large portions of S&A's existing service territory where there is already broadband today. Interestingly, the service maps show that Pixius would somehow not cover the towns, but only the rural areas. This is somewhat of a fantasy and is a deception by Pixius since wireless signals from a tower will not arbitrarily stop at town borders. Thus, the actual area that this grant will cover is much larger than what is shown on the maps.

S&A Telephone Company is an incumbent rural telephone company that has been serving this area for over 80 years. S&A has been granted a franchised area to serve, and since it has been willing to serve a very poor and rural area also has been given a federal exemption against competition. Small rural areas like the one served by S&A need a barrier against competition to ensure that people in the area can continue to get service for the next century. S&A has kept rates low and has brought advanced services and broadband to this rural area when nobody else was willing to make investments in such an impoverished area.

The S&A service territory is 'served' today using the definitions of the NOFA since the company has 1) more than a 40% broadband penetration, and 2) advertises broadband speeds of 3 Mbps.

Our local knowledge of the area tells us that this grant also proposes to bring broadband to many areas where AT&T and other small telephone companies already provide broadband today.

This grant should be rejected in its entirety for not adhering to the grant guidelines for serving mostly unserved and underserved areas. We believe that the vast majority of residences and businesses covered by this proposed grant are 'served' with broadband using the definitions defined in the NOFA. Certainly all of the customers in the S&A area have access to broadband today. This grant seems to think that rural equates to 'underserved' and 'unserved' as defined in the NOFA. This is not the case and the county seats, other towns and most census designated areas within these many counties already have broadband today and are not eligible for grant funding. The NOFA allows using only a small portion of any grant to cover served areas, but this grant seeks to use grant money to bring broadband mostly to places that are defined as 'served' under the NOFA. Again, this grant request should be rejected.

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: Mercury Wireless, LLC

Comment: Mercury Wireless currently provides up to 3 mbps wireless Internet access to sections of the applicant's proposed service area.

-----**Service Area:** Missouri Holt 141

Submitter: Oregon Farmers Mutual Telephone Company

Comment: This grant proposes to bring wireless broadband internet service to all of 135 counties in Missouri, Kansas and other nearby states. The grant covers nearly 91,000 square miles. The vast majority of the locations covered by this grant already have broadband today and this grant doesn't pay the slightest bit of attention to the grant rules. This grant asks to cover huge areas with no analysis of whether these areas already have broadband today. It characterizes these areas as underserved when, in fact, most of the homes, businesses and anchor institutions within the proposed footprint are already served with broadband today. This grant seems to assume that rural automatically means unserved and underserved, when in fact most of the proposed service area already has broadband.

For example, this grant request proposes to cover a lot of the rural service territory of Oregon Farmers Mutual Telephone Company where there is already broadband today. Interestingly, the service maps show that Pixius would somehow not cover the towns, but only the rural areas. This is somewhat of a fantasy and is a deception by Pixius since wireless signals from a tower will not arbitrarily stop at town borders. Thus, the actual area that this grant will cover is much larger than what is shown on the maps.

Oregon Farmers Telephone Company is an incumbent rural telephone company that has been serving this area for over 100 years. Oregon Farmers has been granted a franchised area to serve, and since it has been willing to serve a very poor and rural area also has been given a federal exemption against competition. Small rural areas like the one served by Oregon Farmers need a barrier against competition to ensure that people in the area can continue to get service for the next century. Oregon Farmers has kept rates low and has brought advanced services and broadband to this rural area when nobody else was willing to make investments in such an impoverished area.

The Oregon Farmers service territory is 'served' today using the definitions of the NOFA since the company has 1) more than a 40% broadband penetration, and 2) advertises broadband speeds of 3 Mbps.

Our local knowledge of the area tells us that this grant also proposes to bring broadband to many areas where AT&T and other small telephone companies already provide broadband today.

This grant should be rejected in its entirety for not adhering to the grant guidelines for serving mostly unserved and underserved areas. We believe that the vast majority of residences and businesses

covered by this proposed grant are 'served' with broadband using the definitions defined in the NOFA. Certainly all of the customers in the Oregon Farmers area have access to broadband today. This grant seems to think that rural equates to 'underserved' and 'unserved' as defined in the NOFA. This is not the case and the county seats, other towns and most census designated areas within these many counties already have broadband today and are not eligible for grant funding. The NOFA allows using only a small portion of any grant to cover served areas, but this grant seeks to use grant money to bring broadband mostly to places that are defined as 'served' under the NOFA. Again, this grant request should be rejected.

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:** Iowa Mills 143

Submitter: jagWIRELESS

Comment: To Whom It May Concern:

Hello, my name is Danny Olson and I am writing this on behalf of my employer, jagWIRELESS. jagWIRELESS specifically focuses on the delivery of broadband Internet services via wireless methods, using the unlicensed spectrums available from the FCC. Our organization has been in business for over 7 years and services the broadband needs of rural Southeastern Nebraska and Western Iowa. Through careful business management and investment we have built a network which now provides broadband

services to nearly 1200 subscribers, in 2 states, 12 counties and from nearly 50 tower sites. In the areas we provide service we often compete with wired and other wireless service providers who may use license and license-exempt delivery methods. We differentiate our product through helpful technical support and quality customer service. We grow our business as customer demand drives our revenues and retract in areas of significant competition.

We recently discovered that Pixius Communications, LLC has requested funds to build a network in Mills County Nebraska from the Broadband stimulus package. I wish to submit a dispute regarding the “underserved” designation of this area by Pixius Communications, LLC. I will carefully detail the evidence to show that the funds request is without merit and will likely damage the ability of both or organization to provide quality services.

Submitter: Prairie Telephone Co.,Inc dbaWestern Iowa Networks

Comment: Pixius Communications, LLC's proposed Middle Mile project covers the Pacific Junction exchange served by Prairie Telephone Co., Inc dba Western Iowa Networks. We currently serve the exchange by an existing Copper - ADSL2+ network that extends from our corporate headquarters in Breda, IA, and also a high-voltage subscriber carrier at the exchange Central Office. In the public notice response Prairie Telephone Co., Inc dba Western Iowa Networks (Prairie) is providing; 1) a map of the overlapping area Prairie provides broadband services, 2) Prairie's DSL high speed internet advertising 3) the number of residential households and business establishments capable of receiving broadband services, 4) the number of residential households and business establishments subscribing to our broadband, 5) the advertised download and upload speeds and service rates, and 6) comments addressing the existing services offered within the proposed funded 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 Pixius Communications LLC - Iowa Mills 143 for funding for an area represented as “unserved” that is located, in whole or in part, in Qwest’s broadband service area.

-----**Service Area:** Kansas Morris 87

Submitter: The Tri-County Telephone Association, Inc.

Comment: The Tri-County Telephone Association, Inc. (TCT) has been providing high-quality communications services to rural Kansas for over 46 years. During this time, there has been much technological advancement, providing new services. TCT is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work.

In 2001, TCT proved this commitment by making substantial investment in upgrading its core facilities including digital switches and a fiber fed network. This cutting-edge technology allowed TCT to offer advanced communication services, including broadband access to 100% of its service areas. TCT, in looking toward the future, has embarked on a Fiber-To-The-Home (FTTH) project that, by the time it is complete in 2013, will connect every home and business in its service areas to fiber-speed bandwidth.

TCT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. TCT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because TCT’s owners, who are also its customers, have a personal stake in the communities where they work and live.

Recently, TCT committed to further serve our customers by creating the TCT Community Development Initiative. This initiative supports infrastructures to attract new residents and businesses to TCT communities. TCT, one of the largest employers in the area, provides assistance in business development for both new and existing businesses. TCT will also acts as a liaison between local, state, and national economic development groups and contributes in local Community Development Groups.

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:** Kansas Wallace 3

Submitter: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of "Unserved"

-----**Service Area:** Kansas Greenwood 90&95

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: The Southern Kansas Telephone Co., Inc.

Comment: The Southern Kansas Telephone Co., Inc. (SKT) has been providing service to rural Kansas communities for 70 years. SKT is committed to providing rural Kansans broadband service that helps both increase the quality of life and allows them to conduct business in a much more productive manner. As an example of this commitment, SKT began offering broadband service in 2001. SKT has continuously upgraded its fiber network over the years to meet the service needs of its customers. SKT currently offers broadband service up to and exceeding 12.0 M downloads and 1.0 M uploads. SKT customers benefit from local customer care, 24/7 support, multiple service discounts, free hardware and installation options that make broadband service more affordable and easier to get connected. SKT's owners and 54 employees are local Kansans who understand the needs of their customers and the importance of supporting the rural communities they serve. To help these communities flourish in the future, SKT provides complimentary broadband service to all local municipalities, including city, police,

fire, and EMS locations, as well as libraries and senior centers. SKT will continue to focus on providing vital broadband services for rural Kansans.

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:** Kansas Phillips 49

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

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:** Kansas Meade 25

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: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest

consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Scott 20&21

Submitter: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of “Unserved”

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:** Kansas Sheridan 31

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

Submitter: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of "Unserved"

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:** Kansas Jackson 102

Submitter: Rainbow Communications

Comment: Rainbow Telecommunications Association, Inc. dba Rainbow Communications is a phone, Internet, and cable TV service provider in rural northeast Kansas. The telecommunications company is

headquartered in Everest, Kansas, and has been in existence since 1952. While Rainbow Telecommunications has offered high speed DSL- Internet for many years, the company has since expanded its service offerings in 2006 through a CLEC operation, Carson Communications dba Rainbow Communications. Rainbow Communications is able to provide high speed DSL, cable modem, and fiber-based Internet in many northeast Kansas rural communities. It is our goal to provide communication technology which rivals or surpasses those available in metro areas.

Submitter: CenturyLink

Comment: CenturyLink is challenging this application because the area for which the applicant is applying is not truly underserved/ unserved, as validated by the enclosed data, and therefore does not qualify for the requested funding. With the limited funding that's available relative to the large number of applicants and the associated financial requests, it is imperative that the grants/ loans are provided to support markets that are truly underserved or unserved. CenturyLink serves only a portion of the market included in the application so our data won't provide a complete picture of the entire market of the applicant; it is only for the portion that we serve. Consideration should also be given to the broadband services offered by other ILECs and existing competitors in the applicant's market.

CenturyLink has proven industry-leading experience in the deployment of broadband networks and the provision of broadband services, with a strong commitment to rural areas. The company delivers advanced communications with a personal touch to customers in 33 states with nearly 8 million access lines which are 87% broadband capable, with 2 million broadband customers and 400,000 video subscribers. CenturyLink agreed to make new investments in broadband service as part of its merger commitments to the Federal Communications Commission and expressly made broadband commitments for at least three years, effective July 1, 2009, in areas then served by any CenturyTel or Embarq local operating companies. The commitment covers ADSL transmission service relying on ATM transport from the DSLAM (or equivalent device) to the interface with the Internet service provider and providing a maximum asymmetrical downstream speed of up to 3.0 Mbps, where available. The commitment covers areas served by any CenturyTel or Embarq local operating companies offering such service as of July 1, 2009.

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: JBN Telephone Company Inc.

Comment: JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 16% of households. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not "Unserved" as defined by the ARRA NOFA.

-----**Service Area:** Kansas Chase 88&89

Submitter: The Tri-County Telephone Association, Inc.

Comment: The Tri-County Telephone Association, Inc. (TCT) has been providing high-quality communications services to rural Kansas for over 46 years. During this time, there has been much technological advancement, providing new services. TCT is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work.

In 2001, TCT proved this commitment by making substantial investment in upgrading its core facilities including digital switches and a fiber fed network. This cutting-edge technology allowed TCT to offer advanced communication services, including broadband access to 100% of its service areas. TCT, in looking toward the future, has embarked on a Fiber-To-The-Home (FTTH) project that, by the time it is complete in 2013, will connect every home and business in its service areas to fiber-speed bandwidth.

TCT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. TCT provides necessary broadband services to community anchor

institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because TCT's owners, who are also its customers, have a personal stake in the communities where they work and live.

Recently, TCT committed to further serve our customers by creating the TCT Community Development Initiative. This initiative supports infrastructures to attract new residents and businesses to TCT communities. TCT, one of the largest employers in the area, provides assistance in business development for both new and existing businesses. TCT will also acts as a liaison between local, state, and national economic development groups and contributes in local Community Development Groups.

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: Wheat State Telephone, Inc

Comment: Wheat State Telephone has been serving this rural South central community for almost 60 years. We are committed to delivering high speed broadband service to all of our customers. Wheat State Telephone was the first provider of broadband service in the area as early as July, 2000. Since then we have continually upgraded our network to bring higher speeds to more and more of our subscribers. Wheat State Telephone continues to be a leader in in broadband services. Based on the NOFA definition of broadband, this community is neither unserved nor underserved.

Wheat State Telephone is a community based company with just under 50% of its staff being residents of the communities we serve. Our employees are active in the communities, volunteering for numerous community events and serving on various local boards or committees.

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.

-----**Service Area:** Kansas Lincoln 64

Submitter: Cunningham Communications

Comment: Cunningham Telephone Company, with its affiliate Cunningham Communications has been providing high-quality communications services to the residents of the rural communities of northwestern Kansas for more than 65 years. It was one of the first providers in this remote area to offer broadband services eleven years ago. Currently, almost 100% of Cunningham's service areas have broadband capability reaching speeds up to 10 Mbps.

In keeping with its long tradition of providing cutting-edge technologies, Cunningham has begun a Fiber To The Home (FTTH) project. Through this FTTH project, estimated to be completed in 2012, every customer in a majority of Cunningham's service areas, even in the most remote rural areas, will have a direct fiber feed from their home and business to the world.

Cunningham is a local company that helps anchor the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. Cunningham provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because Cunningham's owners and employees have a personal stake in the communities where they work and live.

Submitter: Wilson Telephone Co Inc dba Wilson Communications

Comment: Wilson Communications has been providing high quality and leading technology telecommunications services to rural Kansans for more than sixty years. Wilson Communications began offering high speed internet access service to our customers in the late 1990's. We continued to expand

our fiber network and now can provide broadband services to 100% of our customers. Wilson Communications continues to make investments in fiber optic facilities to ensure our customers have access to the latest broadband technology. We provide broadband to critical community anchor institutions including schools, rural health clinics, and public libraries. We are a full service provider of communications services and are able to bundle services offering discounts to our customers. Wilson Communications is a community based company, providing volunteerism, and other forms of support to each of the seven communities we serve.

-----**Service Area:** Kansas Gray 26&27

Submitter: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

-----**Service Area:** Kansas Rush 45

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: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Gove 19&30

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

Submitter: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of "Unserved"

Submitter: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of

bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Missouri Buchanan 139

Submitter: NPG CABLE INC.,

Comment: NPG Cable, Inc. currently provides sufficient broadband access and broadband services to end users and/or end user devices in the Service Area identified by the applicant below." These services provide data rates that far exceed the underserved requirements set forth by BTOP/NITA, in addition NPG's current wire solution scales to provide data rates that are unachievable through wireless solutions.

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:** Kansas Lyon 96

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: The Tri-County Telephone Association, Inc.

Comment: The Tri-County Telephone Association, Inc. (TCT) has been providing high-quality communications services to rural Kansas for over 46 years. During this time, there has been much technological advancement, providing new services. TCT is committed to providing our customers with advanced, reliable communications service, regardless of where they live and work.

In 2001, TCT proved this commitment by making substantial investment in upgrading its core facilities including digital switches and a fiber fed network. This cutting-edge technology allowed TCT to offer advanced communication services, including broadband access to 100% of its service areas. TCT, in looking toward the future, has embarked on a Fiber-To-The-Home (FTTH) project that, by the time it is complete in 2013, will connect every home and business in its service areas to fiber-speed bandwidth.

TCT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. TCT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because TCT's owners, who are also its customers, have a personal stake in the communities where they work and live.

Recently, TCT committed to further serve our customers by creating the TCT Community Development Initiative. This initiative supports infrastructures to attract new residents and businesses to TCT communities. TCT, one of the largest employers in the area, provides assistance in business development for both new and existing businesses. TCT will also act as a liaison between local, state, and national economic development groups and contributes in local Community Development Groups.

Submitter: S&A Telephone Company

Comment: This grant proposes to bring wireless broadband internet service to all of 98 counties in Kansas and 37 counties in nearby states. The grant covers nearly 91,000 square miles. The vast majority of the locations covered by this grant already have broadband today and this grant doesn't pay the slightest bit of attention to the grant rules. This grant asks to cover huge areas with no analysis of whether these areas already have broadband today. It characterizes these areas as underserved when in fact, most of the homes, businesses and anchor institutions within the proposed footprint are already served with broadband today. This grant seems to assume that rural automatically means unserved and underserved, when in fact most of the proposed service area already has broadband.

For example, this grant request proposes to cover a lot of the rural service territory of S&A Telephone Company. The two census block clusters of the grant labeled as Lyon County and Osage County cover large portions of S&A's existing service territory where there is already broadband today. Interestingly, the service maps show that Pixius would somehow not cover the towns, but only the rural areas. This is somewhat of a fantasy and is a deception by Pixius since wireless signals from a tower will not arbitrarily stop at town borders. Thus, the actual area that this grant will cover is much larger than what is shown on the maps.

S&A Telephone Company is an incumbent rural telephone company that has been serving this area for over 80 years. S&A has been granted a franchised area to serve, and since it has been willing to serve a very poor and rural area also has been given a federal exemption against competition. Small rural areas like the one served by S&A need a barrier against competition to ensure that people in the area can continue to get service for the next century. S&A has kept rates low and has brought advanced services and broadband to this rural area when nobody else was willing to make investments in such an impoverished area.

The S&A service territory is 'served' today using the definitions of the NOFA since the company has 1) more than a 40% broadband penetration, and 2) advertises broadband speeds of 3 Mbps.

Our local knowledge of the area tells us that this grant also proposes to bring broadband to many areas where AT&T and other small telephone companies already provide broadband today.

This grant should be rejected in its entirety for not adhering to the grant guidelines for serving mostly unserved and underserved areas. We believe that the vast majority of residences and businesses

covered by this proposed grant are 'served' with broadband using the definitions defined in the NOFA. Certainly all of the customers in the S&A area have access to broadband today. This grant seems to think that rural equates to 'underserved' and 'unserved' as defined in the NOFA. This is not the case and the county seats, other towns and most census designated areas within these many counties already have broadband today and are not eligible for grant funding. The NOFA allows using only a small portion of any grant to cover served areas, but this grant seeks to use grant money to bring broadband mostly to places that are defined as 'served' under the NOFA. Again, this grant request should be rejected.

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: Wheat State Telephone, Inc

Comment: Wheat state Telephone has been serving this rural community for almost 60 years. Some of this service area is in the heart of some sparsely populated cattle country, yet we are committed to delivering high speed broadband service to all of our customers. Wheat State Telephone was the first provider of broadband service in the area as early as July 2000. Since then we have continually upgraded our network to bring higher speeds to more and more of our customers. Wheat State Telephone continues to be a leader in broadband service. Based on the NOFA definition of broadband this community is neither unserved nor underserved.

-----**Service Area:** Kansas Barber 58

Submitter: Haviland Telephone Co., Inc.

Comment: Haviland Telephone Co., Inc. provides Digital Subscriber Line service in portions of Barber County, KS. In the telephone exchanges of Nashville, Sawyer, Isabel, and Coats inside Barber County, we provide DSL to all households at the advertised speeds.

Submitter: South Central Telephone Association, SCTelcom

Comment: SCTA, established in 1953, is submitting a response to dispute service availability for a portion of the applicant's area. We would like to establish the fact that we are providing broadband access exceeding the 768 Kbps minimum as defined by the NOFA. We have been advertising High speed Broadband service of 1.5, 3, and 6Mbps in our response 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: KanOkla Networks

Comment: KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

-----**Service Area:** Kansas Sumner 74

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: Haviland Telephone Co., Inc.

Comment: Haviland Telephone Co., Inc. provides Digital Subscriber Line broadband service in Sumner County, KS, in the towns of Conway Springs, Argonia, Milton, and Milan, and in the communities of Riverdale and Anson, and in the adjacent rural areas. This service is provided at speeds exceeding the NOFA definition of broadband, and is offered to every customer location inside the regulated telephone exchange boundaries. In Sumner County this includes the telephone exchanges of Conway Springs, Argonia, and Riverdale, and a portion of the Norwich exchange area.

Submitter: The Southern Kansas Telephone Co., Inc.

Comment: The Southern Kansas Telephone Co., Inc. (SKT) has been providing service to rural Kansas communities for 70 years. SKT is committed to providing rural Kansas broadband service that helps both increase the quality of life and allows them to conduct business in a much more productive manner. As an example of this commitment, SKT began offering broadband service in 2001. SKT has

continuously upgraded its fiber network over the years to meet the service needs of its customers. SKT currently offers broadband service up to and exceeding 12.0 M downloads and 1.0 M uploads. SKT customers benefit from local customer care, 24/7 support, multiple service discounts, free hardware and installation options that make broadband service more affordable and easier to get connected. SKT's owners and 54 employees are local Kansans who understand the needs of their customers and the importance of supporting the rural communities they serve. To help these communities flourish in the future, SKT provides complimentary broadband service to all local municipalities, including city, police, fire, and EMS locations, as well as libraries and senior centers. SKT will continue to focus on providing vital broadband services for rural Kansans.

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: KanOkla Networks

Comment: KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

-----**Service Area:** Iowa Fremont 142

Submitter: Prairie Telephone Co.,Inc dbaWestern Iowa Networks

Comment: Pixius Communications, LLC's proposed Middle Mile project covers the Farragut exchange served by Prairie Telephone Co., Inc. dba Western Iowa Networks. We currently serve the exchange by an existing Copper - ADSL2+ network that extends from our corporate headquarters in Breda, IA, and also a high-voltage subscriber carrier at the exchange Central Office. In the public notice response Prairie Telephone Co., Inc dba Western Iowa Networks (Prairie) is providing; 1) a map of the overlapping area Prairie provides broadband services, 2) Prairie's DSL high speed internet advertising 3) the number of residential households and business establishments capable of receiving broadband services, 4) the number of residential households and business establishments subscribing to our broadband, 5) the advertised download and upload speeds and service rates, and 6) comments addressing the existing services offered within the proposed funded service area.

Submitter: Iowa Telecom

Comment: Applicant proposes wireless last-mile services in Fremont County, IA. Iowa Telecom serves 6 exchanges as the incumbent local exchange carrier in the service area proposed by the applicant. Iowa Telecom offers 1.5 mbps broadband service to approximately 80% of all households in these exchanges. In addition, Qwest and several small rural incumbent LECs, rural CLECs and rural CATV companies provide comparable services in each of their certificated areas. Each of these entities already has built or leased middle-mile facilities. Based on the variety of broadband services already available in this county, Iowa Telecom asks that this application be rejected.

-----**Service Area:** Kansas Trego 35

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

Submitter: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger

providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Anderson

Submitter: Craw-Kan Telephone Cooperative, Inc.

Comment: Craw-Kan Telephone Cooperative, Inc. (CKT) is a telecommunications company serving rural areas of Southeast Kansas, Southwest Missouri and Northeast Oklahoma with high quality communication services for more than 55 years. As a full service provider, CKT was among the first in the area to provide broadband service to rural customers. CKT has diligently worked to extend broadband services to over 97% of our customer base. CKT counts among its broadband service customers community anchor institutions including public safety agencies, schools, libraries and healthcare providers. CKT is in the midst of a Fiber to the Home project to provide additional broadband capability in an ever evolving industry.

Submitter: CenturyLink

Comment: CenturyLink is challenging this application because the area for which the applicant is applying is not truly underserved/ unserved, as validated by the enclosed data, and therefore does not qualify for the requested funding. With the limited funding that's available relative to the large number of applicants and the associated financial requests, it is imperative that the grants/ loans are provided to support markets that are truly underserved or unserved. CenturyLink serves only a portion of the market included in the application so our data won't provide a complete picture of the entire market of the applicant; it is only for the portion that we serve. Consideration should also be given to the broadband services offered by other ILECs and existing competitors in the applicant's market.

CenturyLink has proven industry-leading experience in the deployment of broadband networks and the provision of broadband services, with a strong commitment to rural areas. The company delivers advanced communications with a personal touch to customers in 33 states with nearly 8 million access lines which are 87% broadband capable, with 2 million broadband customers and 400,000 video subscribers. CenturyLink agreed to make new investments in broadband service as part of its merger commitments to the Federal Communications Commission and expressly made broadband commitments for at least three years, effective July 1, 2009, in areas then served by any CenturyTel or Embarq local operating companies. The commitment covers ADSL transmission service relying on ATM transport from the DSLAM (or equivalent device) to the interface with the Internet service provider and providing a maximum asymmetrical downstream speed of up to 3.0 Mbps, where available. The commitment covers areas served by any CenturyTel or Embarq local operating companies offering such service as of July 1, 2009.

Submitter: LaHarpe Telephone Co., Inc.

Comment: LaHarpe Telephone Company, Inc has expended more than \$2,500,000 of a loan from USDA to construct a fiber to the premises in LaHarpe, KS and the surrounding rural area. The fiber to the premises build is complete and the citizens in the area have one of the most advanced systems in the nation with internet capability in the range of 100M/sec. Overbuilding with grant money could put repayment of our loan in jeopardy.

-----**Service Area:** Kansas Thomas

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, offers broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

Submitter: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of "Unserved"

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:** Kansas Republic 67

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

Submitter: JBN Telephone Company, Inc.

Comment: JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 12% of households. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not “Unserved” as defined by the ARRA NOFA.

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: Cunningham Communications

Comment: Cunningham Telephone Company, with its affiliate Cunningham Communications has been providing high-quality communications services to the residents of the rural communities of northwestern Kansas for more than 65 years. It was one of the first providers in this remote area to offer broadband services eleven years ago. Currently, almost 100% of Cunningham’s service areas have broadband capability reaching speeds up to 10 Mbps.

In keeping with its long tradition of providing cutting-edge technologies, Cunningham has begun a Fiber To The Home (FTTH) project. Through this FTTH project, estimated to be completed in 2012, every

customer in a majority of Cunningham's service areas, even in the most remote rural areas, will have a direct fiber feed from their home and business to the world.

Cunningham is a local company that helps anchor the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. Cunningham provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because Cunningham's owners and employees have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Hodgeman 37

Submitter: United Telephone Association

Comment: United Telephone Association, with its affiliate United Wireless, has been providing high-quality communications services to the residents of the rural communities of southwestern Kansas for more than 58 years. It was the first provider of Internet access services in this remote area when it offered dial-up in 1997, wireline broadband in 2000 and wireless broadband in 2005. Currently, 100% of United's service areas have broadband capability reaching speeds up to 5 Mbps for both wireline and wireless broadband services. United's EVDO RevA network supports wireless broadband at speeds of 1.5Mbps. United is proud to provide broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies.

United is a local cooperative that helps anchor the communities it serves. It serves from a local perspective because United's owners, who are also its customers, have a personal stake in the communities where they work and live. United provides much-needed jobs, 24-7 customer service and local offices. Due to the geographical remoteness of its service areas, United makes every effort to ensure that its customers have access to not only the latest network technology but also the latest consumer equipment and support services. This necessary equipment and service includes a wide selection of wireless phones including smartphones, broadband-capable aircards, metering devices, wireless routers, netbooks, computer support and website design. United is more than a communications company to the residents of southwest Kansas – it is an important part of the local economy.

Submitter: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Shawnee 103

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

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: Mercury Wireless, LLC

Comment: Mercury Wireless currently provides up to 3 mbps wireless Internet access to sections of the applicant's proposed service area.

-----**Service Area:** Kansas Leavenworth 114

Submitter: CenturyLink

Comment: 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.

Submitter: Sunflower Broadband

Comment: Sunflower Broadband is commenting to the stimulus application of Pixius Communications, LLC for the proposed funded service area identified in the application as "Kansas Leavenworth 114". Within the proposed service area, Sunflower Broadband provides broadband services that meet and exceed the speeds defined in the NOFA. Sunflower Broadband's full facilities-based broadband service is provided through an HFC network. The current functionality and future capability exceeds the technology proposed by Pixius Communications, LLC. Sunflower Broadband is also providing wireless service in portions of the proposed service area of "Kansas Leavenworth 114". Because the wireless product has been available for 4 years, Sunflower Broadband has experience with the topographic challenges as there are areas where terrain is not conducive to a wireless option and in our experience at least 50% of homes in the area cannot be reached with a wireless option. In addition to Sunflower Broadband, there are at least two other existing wireless Internet options in the 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:** Kansas Harper 61

Submitter: Haviland Telephone Co., Inc.

Comment: Haviland Telephone Co., Inc. provides Digital Subscriber Line service inside Harper County, KS, within its regulated service areas of Norwich and Argonia. The service is provided to all customer locations at advertised speeds.

Submitter: South Central Telephone Association, SCTelcom

Comment: SCTA, established in 1953, is submitting a response to dispute service availability for a portion of the applicant's area. We would like to establish the fact that we are providing broadband access exceeding the 768 Kbps minimum as defined by the NOFA. We have been advertising High speed Broadband service of 1.5, 3, and 6Mbps in our response area.

Submitter: KanOkla Networks

Comment: KanOkla Networks has been providing our customers the best in telecommunications/data technology for almost 60 years. We are the leader in our service areas for rolling out new and innovative services to our subscribers. We currently offer broadband service, at speeds up to 6 Mbps, to 100% of our current and potential customers. KanOkla is in the midst of installing Fiber To The Home (FTTH) to

all of our exchange areas, bringing the capability of 100 Mbps to all homes and businesses throughout our areas. This project, with its wealth of bandwidth for our subscribers, will position our communities for the future.

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:** Kansas Chautauqua 93

Submitter: Totah Communications, Inc.

Comment: Totah Communications, Inc.

OMB Control Number: 0660-0031

OMB Control Number: 0572-0142

Pixius Communications, LLC (Pixius) is a wireless broadband provider with offices in Wichita, Kansas. According to the Wichita Business Journal of July 8th, 2005, this is the same company that filed bankruptcy in 2004 which allowed it to forgo paying back 80% of a previous \$6.4 Million Rural Utilities Service (RUS) loan. Now they have inappropriately filed in their Chautauqua 93 filing for ARRA funding for an area that includes a portion of Totah Communications, Inc.'s (Totah) rural exchange area in Kansas. The areas involving Totah in which Pixius has incorrectly filed include Oglesby and part of Ochelata. Pixius has wrongly identified these Totah service areas as being unserved. Both of these areas are already being served with broadband by Totah. In addition, these areas are also currently

being served by a cable company and/or a combination of a cable company and at least one wireless provider.

We strongly oppose the Pixius filing and their request for funding on the basis that they have incorrectly identified the Totah service areas of Oglesby, and that portions of Ochelata as unserved and recommend that it be rejected on the grounds that the incumbent ILEC, Totah Communications, Inc. is already providing broadband access in these areas.

If you have any questions, or need additional information please do not hesitate to contact us.

Sincerely,

Keith E. Watson

Totah Communications, Inc.

Submitter: The Southern Kansas Telephone Co., Inc.

Comment: The Southern Kansas Telephone Co., Inc. (SKT) has been providing service to rural Kansas communities for 70 years. SKT is committed to providing rural Kansans broadband service that helps both increase the quality of life and allows them to conduct business in a much more productive manner. As an example of this commitment, SKT began offering broadband service in 2001. SKT has continuously upgraded its fiber network over the years to meet the service needs of its customers. SKT currently offers broadband service up to and exceeding 12.0 M downloads and 1.0 M uploads. SKT customers benefit from local customer care, 24/7 support, multiple service discounts, free hardware and installation options that make broadband service more affordable and easier to get connected. SKT's owners and 54 employees are local Kansans who understand the needs of their customers and the importance of supporting the rural communities they serve. To help these communities flourish in the future, SKT provides complimentary broadband service to all local municipalities, including city, police, fire, and EMS locations, as well as libraries and senior centers. SKT will continue to focus on providing vital broadband services for rural Kansans.

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:** Kansas Smith 50

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

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:** Kansas Lane 29

Submitter: S&T Telephone Cooperative Association

Comment: S&T Telephone Cooperative Assn. currently provides Broadband service in its certificated exchange areas. 100% of the households have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 30% of households. S&T Telephone Cooperative Assn. offers a 3 Mbps service. Therefore, S&T Telephone Cooperative Assn. service areas do not meet the ARRA NOFA classification of "Unserved"

Submitter: GBT Communications

Comment: Golden Belt Telephone and its affiliate, GBT Communications (GBT) have been providing high-quality communications services to rural and remote communities in Western Kansas for over 56 years. GBT is committed to bringing cutting-edge technologies to residents of areas that larger providers ignore. As a result, GBT has pioneered many services in this part of the country including providing broadband services for over 12 years and now has over 3,000 broadband customers throughout its service areas that can access the Internet at speeds up to 6 Mbps. To ensure that its customers' traffic had the best possible backbone, GBT began laying fiber to connect its remote service areas in 1989. Twenty years later, GBT's customers enjoy advanced services due to over 1000 miles of fiber within GBT's service areas. Looking to the future when customers will need large amounts of bandwidth at high speeds, GBT has begun a Fiber-To-The-Home (FTTH) project. Upon completion, 100% of customers in regulated service areas will have broadband access at fiber-speeds.

Currently, GBT customers can access broadband services through a variety of technologies, including FTTH, traditional copper, fixed wireless, unlicensed wireless (Wi-Fi) and cable modem. GBT employs multiple broadband technologies based on its knowledge of the specific needs of the communities it serves coupled with its half-century of experience providing advanced communication services in difficult to serve areas.

GBT is a local company that anchors the communities it serves. It provides much-needed jobs, 24-7 customer service and local offices. GBT provides necessary broadband services to community anchor institutions including schools, libraries, local government offices and public safety agencies. It serves from a local perspective because GBT's owners, who are also its customers, have a personal stake in the communities where they work and live.

-----**Service Area:** Kansas Elk 91

Submitter: CenturyLink

Comment: 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. We attach a representative sample of areas where the application overlaps our existing broadband deployment. This data is not exhaustive; the application may include other areas also currently served with broadband by CenturyLink or other providers. We will provide additional information on request if that will further assist the agency's review.

CenturyLink also provides data showing broadband availability in local telephone exchanges within the proposed service areas. This includes areas served by CenturyLink and/or other broadband providers. This data further shows the applicant would duplicate and overlap existing broadband services in the proposed service areas.

Submitter: The Southern Kansas Telephone Co., Inc.

Comment: The Southern Kansas Telephone Co., Inc. (SKT) has been providing service to rural Kansas communities for 70 years. SKT is committed to providing rural Kansans broadband service that helps both increase the quality of life and allows them to conduct business in a much more productive manner. As an example of this commitment, SKT began offering broadband service in 2001. SKT has continuously upgraded its fiber network over the years to meet the service needs of its customers. SKT currently offers broadband service up to and exceeding 12.0 M downloads and 1.0 M uploads. SKT customers benefit from local customer care, 24/7 support, multiple service discounts, free hardware and installation options that make broadband service more affordable and easier to get connected. SKT's owners and 54 employees are local Kansans who understand the needs of their customers and the

importance of supporting the rural communities they serve. To help these communities flourish in the future, SKT provides complimentary broadband service to all local municipalities, including city, police, fire, and EMS locations, as well as libraries and senior centers. SKT will continue to focus on providing vital broadband services for rural Kansans.

-----**Service Area:** Oklahoma Creek 125

Submitter: Cimmaron Telephone Co.

Comment: Cimarron Telephone Company through its subsidiary Cim-Tel Cable, LLC, has been offering broadband speed data service to subscribers for over 5 years. The area applied for by the ARRA applicant, which falls within the telephone exchange boundary is served with high speed internet broadband service. Cim-Tel Cable, LLC also offers IPTV service to its subscribers within the communities Cimarron Telephone Company serves.

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:** Missouri Andrew

Submitter: NPG CABLE INC.,

Comment: NPG Cable, Inc. currently provides sufficient broadband access and broadband services to end users and/or end user devices in the Service Area identified by the applicant below.” These services provide data rates that far exceed the underserved requirements set forth by BTOP/NITA, in addition NPG’s current wire solution scales to provide data rates that are unachievable through wireless solutions.

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:** Kansas Nemaha 101

Submitter: Blue Valley Tele-Communications, Inc.

Comment: Blue Valley Tele-Communications, Inc. (BVTC) is a rural telephone cooperative that has been serving these remote and rural communities for over 50 years. BVTC was one of the first companies in the nation to offer High-Speed DSL to both in-town and rural customers no matter the distance from the central office. BVTC is also building for future applications and higher demands for broadband by investing in a fiber to the premise network that will reach 100% of its customers in their telephone exchanges, and was one of the first companies in the nation to attempt this type of network.

As a cooperative, BVTC services are driven by customer need and demand and customers are represented by a Board of Directors to make sure those needs are being met. The company also employs a full-time economic development director to assist in growth of their service areas. BVTC is

proud to be known as an industry leader in the broadband arena, and plans to continue leading the way in broadband development in the future.

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: JBN Telephone Company Inc.

Comment: JBN Telephone Company Inc., currently provides Broadband service in its certificated exchange areas. Over 50% of the households in the town and rural serving areas have access to Broadband service at a rate of 768/200 Kbps or higher. The current residential take rate of Broadband services in the application area at a speed of 768/200 Kbps or higher is 12% of households. JBN Telephone Company Inc. offers a 1.5 Mbps service. Therefore, JBN Telephone Company Inc. exchange areas are not "Unserved" as defined by the ARRA NOFA.

-----**Service Area:** Nebraska Thayer

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:** Kansas Norton 33

Submitter: Rural Telephone Service Co., Inc./Nex-Tech, Inc.

Comment: Rural Telephone Service Co., Inc., an RUS borrower since 1952, and our wholly owned subsidiary Nex-Tech, Inc., offer broadband service within the Proposed Funded Service Area as shown on the map. Portions of this area are underserved and/or served as defined in the NOFA.

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.