

From: [Dave Spencer](#)
To: [BOCrfc2015](#); [Jean Rice](#)
Subject: Fwd: BTOP Tribal Affinity Group- Comments on barriers to broadband due June 10th
Date: Wednesday, June 10, 2015 4:07:46 PM
Importance: High

Dear BOC,
Please accept the following comments in response to your request. Thanks,
Dave

Dave Spencer, COO NoaNet
208.343.6477
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----- Original Message -----

Subject: RE: BTOP Tribal Affinity Group- Comments on barriers to broadband due June 10th

From: Jean Rice <JRice@ntia.doc.gov>

To: Dave Spencer <dave.spencer@noanet.net>

CC:

Hi Dave, Great to hear from you too. Your comments will be very informative for the BOC. However, thought you were copying me on content-- but I can't submit the comments. Please send to the BOC comments email BOCrfc2015@ntia.doc.gov today as this is the deadline. Left you a vm and in case you were out, left one for Rob and Chantel too.

Emy Tseng is going to the NY workshop from our office. Have fun speaking there. Hope to talk to you soon. Best, Jean

From: Dave Spencer [dave.spencer@noanet.net]

Sent: Monday, June 08, 2015 8:07 PM

To: Jean Rice

Subject: Re: BTOP Tribal Affinity Group- Comments on barriers to broadband due June 10th

Hi Jean,

It is good to hear from you and I hope the new organization is treating you well.

Out in Washington we have a number of tribes in unserved and underserved areas. Right now we are trying to figure out expansion on the Olympic Peninsula to serve multiple tribes (Makah, Quinalt, Quiliyute, etc.). Interestingly we have a tribal service provider J-Net (Jamestown S'Kallam) on our network that is interested in pursuing CAF and other funding to build to remote tribal areas and cell sites on the peninsula. These are very expensive builds with little return, making private investment seemingly impossible to justify. Some of these areas are so expensive

that even our public utility districts (municipal corps that own NoaNet) have trouble justifying the builds. Any help you can muster to pursue funding options now is most welcome!

Meanwhile, we see some barriers to getting CAF and other funding. The price cap carriers have first right of refusal (CenturyLink in our case). If and when they do not accept the funds then remaining competitors for the funding must be eligible telecom carriers (ETC's). Of course this is challenging for us since WA is one of the states with rules restricting municipal broadband. In our case, we are restricted to wholesale only which prevents us from meeting the CAF requirements. We understand that we could team with a retail service provider like J-Net to meet the ETC requirements but obviously it makes it more challenging to get funding.

Also, in the Makah, Quilcene, Poulsbo and other areas broadband is advertised by the incumbent as being available but it can't actually be purchased. In some cases the areas are in permanent exhausted status, which means while broadband is supposedly available it can't be ordered and provisioned. This has the unfortunate effect of removing these areas from funding consideration even though very few are getting broadband.

Related to this permanent exhausted status is the ability to advertise a census block or tract as having service if only a few premises close to the central offices can get speeds which quality as broadband. In rural areas the census blocks/tracts can be quite large and many are not able to receive broadband.

Perhaps the unserved or underserved designation should require the incumbent to demonstrate that the broadband services can be provisioned to a significant sample of premises in the census block/tract before being passed over for funding due to being "served".

Related specifically to tribes: the Yakama Tribe was part of our BTOP build out. Important to them were the jobs created in the community, especially technical jobs that required training and certification in order to operate and maintain the networks. Grants or loans that recognized both an infrastructure and training component are important to these communities.

Thanks for the opportunity to comment. Good luck on all your efforts!

Dave

208.343.6477

From: Jean Rice <JRice@ntia.doc.gov>

Sent: Tuesday, June 2, 2015 10:46 AM

Subject: BTOP Tribal Affinity Group- Comments on barriers to broadband due June 10th

Hi All, As you know, the President has recently set up a Broadband Opportunity Council (BOC) composed of 25 Federal agencies and they are asking for input: to identify regulations and other barriers that are hampering the deployment of broadband; on recommendations on ways to promote public and private investment; and on challenges facing areas that lack access to broadband. The deadline for response is June 10th and you can e-mail in your response. (See below for additional information on the Request for Comments.) This is a great opportunity to let the BOC know what the needs for broadband are in Indian Country and give them information on the challenges you face. I hope you will take the time to comment. Best Regards, Jean

PS Please keep me posted on your activities!

Request for Comments

How can the federal government best promote coordination and use of federally-funded broadband assets? What regulatory barriers exist within the agencies of the Executive Branch to the deployment of broadband infrastructure? Are there specific regulations within the agencies of the Executive Branch that impede or restrict competition for broadband service? How can communities and regions incentivize service providers to offer broadband services, either wired or wireless, in rural and remote areas? What can the federal government do to make it easier for state, local, and tribal governments or organizations to access funding for broadband?

The deadline for submitting comments is June 10, 2015. Written comments can be submitted by email to BOCrfc2015@ntia.doc.gov or by mail to the National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 4626, Attn: Broadband Opportunity Council, Washington, DC 20230.

<http://www2.ntia.doc.gov/>