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Greenbelt, Maryland 20770
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April 28, 2016

Via Hand Delivery

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: WC Docket No. 10-90
Taylor Telephone Cooperative, Inc. Challenge to A-CAM V2.2
Competitive Coverage of TransWorld Network, Corp**

Dear Ms. Dortch:

On behalf of Taylor Telephone Cooperative, Inc. (“TTC”), JSI files the attached confidential version of the TTC comments to challenge the competitive coverage contained in Alternative Connect America Cost Model (“A-CAM”) version 2.2 pursuant to the streamlined challenge process established by Public Notice.¹ A redacted version has been filed this date via the Electronic Comment Filing System. TTC seeks confidential treatment as a Reviewing Party licensed under the Third Supplemental Protective Order for protection of Connect America Cost Model derived data.²

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall
JSI Vice President
301-459-7590
jkuykendall@jsitel.com

cc: Katie King, Telecommunications Access Policy Division (two copies, confidential)
Margaret Avril Lawson, CostQuest Counsel, (via email)

¹ See Wireline Competition Bureau Releases Alternative Connect America Cost Model Version 2.2 and Illustrative Results and Commences Challenge Process to Competitive Coverage, WC Docket No. 10-90, Public Notice (rel. Apr. 7, 2016) (“Public Notice”).

² In the Matter of Connect America Fund, Third Supplemental Protective Order, DA 12-1995, rel. Dec. 11, 2012.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
) WC Docket No. 10-90
Connect America Fund)

A-CAM COMPETITIVE CHALLENGE

**COMMENTS OF TAYLOR TELEPHONE COOPERATIVE, INC.
CHALLENGING A-CAM COMPETITORS PURSUANT TO PUBLIC NOTICE**

Taylor Telephone Cooperative, Inc. (“TTC” or “Cooperative”) hereby submits these comments regarding the Federal Communications Commission’s (“FCC” or “Commission”) April 7, 2016 Public Notice which published the preliminary determination of unsubsidized competitive coverage for rate-of-return Incumbent Local Exchange Carrier (“ILEC”) study areas.¹

Pursuant to the *Public Notice* and paragraph 71 the Report and Order, Order and Order on Reconsideration, and Further Notice of Proposed Rulemaking released on March 30, 2016 in the above-reference proceedings by the Federal Communications Commission,² TTC hereby challenges the competitive coverage in certain census blocks contained in the latest version of the A-CAM model (ver. 2.2).

I. BACKGROUND

TTC is a small rural, rate-of-return incumbent local exchange carrier offering voice and broadband service to customers within the approximately 1,978 square miles within the exchanges of Bradshaw, Buffalo Gap, Crews, Hamby, Hawley, Lawn, Lueders, Nolan, Noodle, Norton, Nubia, Potosi, Tuscola, and Wingate, partially within the counties of Fisher, Jones, Shackelford,

¹ See Wireline Competition Bureau Releases Alternative Connect America Cost Model Version 2.2 and Illustrative Results and Commences Challenge Process to Competitive Coverage, WC Docket No. 10-90, Public Notice (rel. Apr. 7, 2016) (“*Public Notice*”).

² See *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Order, FCC 16-33 (rel. Mar. 30, 2016) (“*USF Reform Order*”).

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Nolan, Taylor, Callahan, Coke, Runnels and Coleman in north central Texas. The Cooperative's Study Area Code ("SAC") is 442151 and its FCC Registration Number ("FRN") is 0004924478.

As further outlined below, TTC maintains that the latest version of the A-CAM contains errors that are significantly impacting the total number of locations eligible for support by excluding census blocks that are purportedly served by unsubsidized competitive providers based on erroneous FCC Form 477s. As noted in the *Public Notice*, some of the unsubsidized competitors identified in the Cooperative's study area do not comply with the 2016 urban rate benchmarks established by the FCC, which is identified as a requirement to be considered an unsubsidized competitor. These errors in the A-CAM model, along with those identified within those joint comments filed by TTC's consulting firm, JSI, relating to "split blocks" served jointly by two subsidized providers, significantly reduce TTC's potential model-based support by approximately [REDACTED] such that model-based support is not a viable option, absent correction. However, if the model were corrected to accurately reflect competitive overlap of unsubsidized providers offering service in compliance with the FCC's requirements, it is possible that TTC would elect model-based support, depending on future model runs. The latest version of the A-CAM eliminates [REDACTED] of the [REDACTED] total eligible locations (after applying the \$52.50 cap) within TTC's study area.

Through these comments, TTC is not challenging all competitive overlap information within the A-CAM for its study area, as the Cooperative currently has limited basis upon which to challenge some unsubsidized competitors operating in a few of the Cooperative's census blocks during the abbreviated time period allowed for A-CAM challenges. However, there are a significant number of census blocks that contain erroneous competitive overlap findings, which TTC is seeking to have corrected in the next release of the A-CAM.

II. UNSUBSIDIZED COMPETITORS

In regard to unsubsidized competitors identified in certain census blocks within TTC's study area in the latest A-CAM, TTC submits challenges to the following provider based primarily on grounds that their broadband service offerings do not meet the FCC's criteria to be considered an unsubsidized competitor, including broadband speeds and prices.

TTC challenges this provider based on the provider's failure to comply with the FCC's published broadband rate benchmarks based on the latest urban rate survey. It is TTC's position

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that this provider has provided erroneous information in their FCC Form 477s, which significantly and negatively impacts the Cooperative’s potential model-based support under the latest A-CAM version. Once corrected, model-based support may be a viable option for TTC, and the Cooperative therefore seeks to have this provider removed from the list of unsubsidized competitors within the identified census blocks such that the affected census blocks become eligible for model-based support.

TransWorld Network, Corp (FRN: 0007566961)

TransWorld Network Corp (“TWN”) is identified as a fixed wireless provider (technology code 70) offering wireless broadband service within wide portions of TTC’s study area. According to the latest A-CAM, which is based on TWN’s FCC Form 477 filings, TWN provides fixed wireless broadband service within 102 census blocks within TTC’s study area. TWN provides fixed wireless broadband service under the name Wi-Power.³

TWN’s retail broadband pricing is not in compliance with the FCC’s broadband public interest obligations as they all exceed the FCC’s established broadband reasonably comparable benchmark rates.⁴ Attached in exhibit TWN 1-2 is a copy of TWN’s current retail pricing for residential broadband services.⁵ Following is a comparison of TWN’s retail residential broadband services and rates to the established FCC benchmarks, utilizing the FCC’s latest broadband benchmark rate calculator. As identified in TWN’s Additional Policies and Disclosures for Internet Services document, TWN’s lower speed offering limit upload speeds to 128 kbps, while the “Extreme” packages and higher offer upload speeds up to 1 Mbps.⁶

Download Speed	Upload Speed	Usage Allowed	TWN Rates	Benchmark Rate
Up to 2 Mbps	128 kbps	Unlimited	\$43.95	Out of Range
Up to 4 Mbps	128 kbps	Unlimited	\$59.95	Out of Range
Up to 6 Mbps	128 kbps	Unlimited	\$75.95	Out of Range

³ See Exhibit TWN 1-1. <http://wi-power.com/overview.html>

⁴ See <https://www.fcc.gov/general/urban-rate-survey-data-resources>.

⁵ See Exhibit TWN 1-2. <http://wi-power.com/media-rates.html>

⁶ See TWN 1-3. http://wi-power.com/pdfs/Net_Neutrality_Web_Disclosures_-_2011_1116.pdf

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Up to 6 Mbps	1 Mbps	Unlimited	\$86.95	\$73.54
Up to 8 Mbps	1 Mbps	Unlimited	\$92.95	\$74.27
Up to 10 Mbps	1 Mbps	Unlimited	\$99.95	\$75.20

Under A-CAM Ver. 2.2, TWN is eliminating a large number of census blocks from TTC's study area. Attached as exhibit TWN 1-4 is a list of census blocks that TWN's erroneous FCC Form 477 reports are impacting within TTC's study area.⁷ Through these comments, TTC requests that TWN be removed from the list of unsubsidized competitors affecting the Cooperative's support under the A-CAM.

IV. CONCLUSION

For the reasons stated above, the Cooperative respectfully requests, pursuant to the *Public Notice* and paragraph 71 of the *USF Reform Order*, that the Commission find the evidence submitted herein to be sufficient to correct the erroneous exclusion of certain census blocks in the latest A-CAM such that TTC can make an informed decision as to whether or not it wishes to opt for model-based support and to such other relief, as the Cooperative may be justly entitled.

Respectfully submitted,



Steve Singletary
Chief Executive Officer
Taylor Telephone Cooperative, Inc.
9796 Interstate 20
Merkel, Texas 79536
Phone: 325-846-4111
Fax: 325-928-4558

Filed April 27, 2016

Attachments

⁷ See TWN 1-4.

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**COMMENTS OF TAYLOR TELEPHONE COOPERATIVE, INC.
CHALLENGING A-CAM COMPETITORS PURSUANT TO PUBLIC NOTICE AND
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EXHIBIT TWN 1-1



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Company Overview

TransWorld Network Corp. (TWN) partners with rural electric cooperatives to provide cooperative branded communications programs for their members. Our product offerings include long distance, Internet access and pre-paid/post-paid cooperative branded calling cards.

The TWN program benefits cooperatives and the members they serve. Our products and services enhance member relationships while creating an additional revenue stream that can be used to support the cooperative and the community, TWN currently has partnerships with over 115 rural electric cooperatives throughout the United States. We offer complete internal support for our customers through our premier call center, technical help desk, in-house billing infrastructure and complete marketing support services.

[Click here for more information on TWN.](#)

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EXHIBIT TWN 1-2



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Plans	Speeds	Pricing	Best Plan if You:
Power	up to 2 Mbps	\$43.95*	Send & receive email, surf the net & download medium size files.
Turbo	up to 4 Mbps	\$59.95*	Download videos, photos and music.
Mega	up to 6 Mbps	\$75.95*	Email larger files, download videos, photos and music.
Xtreme	up to 6 Mbps	\$86.95*	Upload larger files and play online games.
Media 8	up to 8 Mbps	\$92.95*	Stream your favorite TV shows and movies.
Media 10	up to 10 Mbps	\$99.95	Stream video on multiple devices with greater bandwidth.

Residential Phone Plans

Plans	Monthly Fee
Wi-Power Digital Phone Plan (with Wi-Power Internet Bundle Discount)	\$25.05 [†]
Wi-Power Digital Phone Plan (with Affinity Discount)	\$30.05*

* Services provided by TransWorld Network, Corp. Service not available in all areas and not all plans available in all areas. With approved credit. Restrictions, terms, and conditions apply. Taxes, regulatory, installation/activation, surcharges and other charges not included. Call for details or visit us at www.wi-power.com or www.twncorp.com for additional information and for terms and conditions of services. 1. Includes monthly maintenance fee. Customers on qualifying plans may receive maximum download speeds ranging from 1.5 Mbps to 10.0 Mbps. Actual download speeds will vary. 2. Not available with satellite Internet. Minimum 512 Kbps Internet connection speed required. International call rates apply. Unlimited calling applies to local and long distance calls within the contiguous United States. Digital Phone 911 Service operates differently than traditional 911. See <http://www.wi-power.com/911.html> for information. Unlimited usage subject to "fair and normal" usage limitations as described in terms and conditions. 3. † Wi-Power Xtreme and Wi-Power Media Plans deliver higher upload speeds. Please call for more details.

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4/19/2016

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EXHIBIT TWN 1-3

Additional Policies and Disclosures for Internet Services

Network Practices

Network Management

TransWorld Network, Corp's ("TWN") primary focus is to provide its customers with the best possible online experience. As high-speed bandwidth and network resources are not unlimited, effective network management is essential in providing customers with a high level of service.

We use reasonable network management practices, consistent with industry standards, and also maintain an Acceptable Use Policy located within our [Terms and Conditions](#) for the safety and protection of our network and our Wi-Power® Internet Service customers.

By engaging in reasonable and responsible network management, TWN can help prevent the negative effects of spam, viruses, security attacks, network congestion, and other risks which may at times lead to degradation of service levels..

TWN's network management procedures and tools are dynamic, like the network and its usage, meaning they can and do change frequently. As the Internet and related technologies continue to evolve and advance, TWN's network management tools are intended to evolve and keep pace so that we can endeavor to provide the best possible, most reliable, and safest online experience available to all of our customers. To keep our customers and interested edge providers up to date with our procedures, TWN is committed to providing updates here and in other appropriate locations if we make important or significant changes to our network management techniques.

Congestion Management

TWN's network management protocols are designed to ensure, to the greatest extent possible, that all of our high-speed Internet customers have fair and equal access to the Internet and to bandwidth resources by identifying and addressing network congestion issues in a timely and effective manner. TWN provides the same congestion management techniques to business and residential accounts.

Current congestion management protocols are called into play when an area of the network nears a state of congestion to ensure that all customers have a fair share of access to the network. Customer accounts using the greatest amounts of bandwidth and their Internet traffic will be temporarily managed until the period of congestion passes. Customers will still be able to proceed as they were, and many activities will be unaffected, but affected customers can expect to experience longer download or upload times, and activities such as web-surfing and on-line gaming may seem slower or sluggish.

TWN's congestion management method is not conditional on the online activities, protocols or applications a customer uses; it focuses only on the heaviest users in real time, resulting in periods of congestion that typically tend to be fleeting and sporadic. TWN's method is dynamic in nature and based on then current prevailing network conditions as well as customer specific data usage over a very recent period of time.

Based on TWN's experience using the current methodology, we have determined that select portions of the network tend to be in a congested state only for relatively small portions of the day, if at all.

TWN constantly monitors how user traffic is affected by our congestion management and overall network management techniques and makes adjustments as necessary to ensure that our Wi-Power Internet customers have a high-quality online experience. TWN also routinely evaluates overall demands on its network for identifying capacity enhancement needs and expansion opportunities.

Application-Specific Behavior

Digital Phone Service ("VoIP")

Wi-Power Digital Phone Service is a separate facilities-based IP phone service that is not affected by TWN's congestion management technique. TWN customers who use VoIP providers that rely on delivering calls over the public Internet who are also using a disproportionate amount of bandwidth during a period when this congestion management technique goes into effect may experience a degradation of their call quality at times of network congestion. It is important to note, however, that VoIP calling, in and of itself, does not use a significant amount of bandwidth. Further, TWN's experience with our current congestion management technique does not indicate significant changes in the quality of VoIP calls, even for managed customer traffic during periods of congestion.

Streaming video and/or video downloads

During periods of congestion, any customers who are using a disproportionate amount of bandwidth may be affected by this technique, without regard to the type or content of the online activity. Our technique does not include the determination of applications or protocols are being used or the content, source or destination of the affected online activity.

P2P traffic and/or applications like BitTorrent, Gnutella, and others

TWN does not block P2P traffic or applications like BitTorrent, Gnutella, or others as part of its current network congestion management technique. Our network congestion management technique is "protocol-agnostic," meaning that the system does not manage congestion based on the applications being used by customers. It is also content neutral, so it is not dependent on the type of content that is generating traffic congestion. In other words, customer traffic is congestion-managed not based on the applications or content being used, but based on current network conditions and recent amounts of data transferred by users.

TWN provides its customers with full access to all the lawful content, services, and applications available on the Internet. However, we are focused on protecting our customers from spam, phishing, and other unwanted or harmful online content and activities. TWN uses industry standard tools and generally accepted best practices and policies to help us meet this continued goal. In cases where these tools and policies identify certain online content as harmful and unwanted, such as spam or phishing Web sites, this content is usually prevented from reaching customers. In other cases, our tools and policies may permit customers to identify certain content that is not

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clearly harmful or unwanted, such as bulk email or Web sites with questionable security ratings, and enable those customers to inspect the content further if they want to do so.

Device Attachment Rules

As part of the initial service installation, TWN provides customers with all the necessary and approved equipment to connect to our network. The customer may then connect their computer equipment to TWN's router to access the network.

Security

TWN employs various practices in our endeavor to help prevent unwanted communications (including spam), and protect our customers' security and that of our network. TWN has limits in place for the number of login, SMTP, DNS, and DHCP transactions per second (at levels far exceeding 'normal' usage) that can be sent to TWN's servers. This is done in order to protect our servers against Denial of Service (DoS) attacks. To maintain the effectiveness of these measures, and ensure that these critical services are available for all of our customers, TWN does not disclose these limits. In order to further protect our customers, TWN blocks a limited number of ports that are commonly used to send spam, launch malicious attacks, or steal customer information.

Performance Characteristics

Service Description

TransWorld Network, Corp. ("TWN") offers broadband Internet service and Digital Phone service to both residential and business customers over its Wi-Power fixed wireless broadband network, where available.

TWN has designed the Wi-Power network to operate without reliance on network infrastructure owned by other carriers or telephone companies. TWN deploys and maintains its own fixed wireless network to achieve last-mile connectivity.

TWN provides residential and commercial customers with a variety of high speed Internet plans from which to choose. These options range from a basic plan, with download speeds up to 200 kilobits per second ("kbps"), and upload speeds up to 128 kbps, to our Xtreme package, featuring download speeds up to 5 Megabits per second ("Mbps"), and upload speeds to 1 Mbps. Our customer premise equipment and network are engineered to ensure our customers are able to experience the speeds to which they subscribe, however, TWN can not guarantee that a customer will actually achieve those speeds at all times. Without the purchase of an expensive, dedicated Internet connection, no Internet service provider ("ISP") can guarantee a particular speed at all times to a customer. We advertise our speeds as "up to" a specific level based on the plan to which the customer subscribes.

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Commercial Terms

Pricing

[Residential pricing](#)

[Business pricing](#)

[Wi-Power Internet Terms & Conditions](#)

[Wi-Power Digital Phone Service Terms & Conditions](#)

Privacy Policies

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Inquiries

Please direct policy/disclosure inquiries, comments, and complaints to TWN as follows:

Toll-free by calling: 1-877-877-6861
Via email at: customersvc@twncorp.com
In writing at: TRANSWORLD NETWORK, CORP
ATTN: CUSTOMER SERVICE – WI-POWER
255 Pine Ave N
Oldsmar, FL 34677

TWN will typically respond within five business days.

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EXHIBIT TWN 1-4

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Census Blocks	Total Locations With Competition	Competitive Company and Technology Code
		



