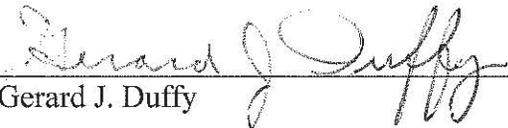




and Further Notice of Proposed Rulemaking, WC Docket Nos. 10-90 and 14-58 and CC Docket No. 01-92, FCC 16-33, released March 30, 2016, at paras. 71 and 124. At minimum, this requires Cherry to offer service with download speed of at least 10 Mbps. Cherry's 4, 6 and 8 Mbs download speed services do not meet this requirement, and therefore Cherry does not qualify as an unsubsidized competitor of MCBC in the ninety-seven specified census blocks.

MCBC therefore challenges the competitive status of the ninety-seven (97) census blocks listed in Attachment 1, and requests that it be allowed to receive ACAM support, and be given ACAM build-out obligations, within these ninety-seven census blocks.

Respectfully submitted,  
**MICHIGAN CENTRAL BROADBAND COMPANY, LLC**

By:   
Gerard J. Duffy

Its Attorney

Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP  
2120 L Street NW (Suite 300)  
Washington, DC 20037  
Telephone: (202) 659-0830  
Email: [gjd@bloostonlaw.com](mailto:gjd@bloostonlaw.com)

Dated: April 28, 2016

**Attachment I**

MCBC

Cherry Capital Connection, LLC

21 Day Challenge

Census	Blocks	Total Locations With	
		Competition	1st Competitive Company and Technology Code
26-039-960200-3048		15	Cherry Capital Connection, LLC 70
26-039-960500-1093		1	Cherry Capital Connection, LLC 70
26-039-960500-1133		8	Cherry Capital Connection, LLC 70
26-039-960500-1295		1	Cherry Capital Connection, LLC 70
26-079-950400-1041		1	Cherry Capital Connection, LLC 70
26-079-950400-1060		1	Cherry Capital Connection, LLC 70
26-079-950400-1119		11	Cherry Capital Connection, LLC 70
26-079-950400-1361		3	Cherry Capital Connection, LLC 70
26-079-950400-1362		5	Cherry Capital Connection, LLC 70
26-079-950400-1397		8	Cherry Capital Connection, LLC 70
26-079-950601-1205		2	Cherry Capital Connection, LLC 70
26-079-950602-1013		1	Cherry Capital Connection, LLC 70
26-079-950602-1068		4	Cherry Capital Connection, LLC 70
26-079-950602-1140		2	Cherry Capital Connection, LLC 70
26-079-950602-1155		1	Cherry Capital Connection, LLC 70
26-079-950602-2101		1	Cherry Capital Connection, LLC 70
26-079-950602-2135		4	Cherry Capital Connection, LLC 70
26-079-950602-2138		4	Cherry Capital Connection, LLC 70
26-079-950602-2157		5	Cherry Capital Connection, LLC 70
26-079-950602-2159		4	Cherry Capital Connection, LLC 70
26-079-950602-2171		1	Cherry Capital Connection, LLC 70
26-079-950602-2196		2	Cherry Capital Connection, LLC 70
26-079-950602-2198		9	Cherry Capital Connection, LLC 70
26-137-950400-1068		1	Cherry Capital Connection, LLC 70
26-137-950400-1070		2	Cherry Capital Connection, LLC 70
26-137-950400-1071		2	Cherry Capital Connection, LLC 70
26-137-950400-1072		14	Cherry Capital Connection, LLC 70
26-137-950400-1074		1	Cherry Capital Connection, LLC 70
26-137-950400-1079		1	Cherry Capital Connection, LLC 70
26-137-950400-1099		4	Cherry Capital Connection, LLC 70
26-137-950400-1134		1	Cherry Capital Connection, LLC 70
26-137-950400-2033		4	Cherry Capital Connection, LLC 70
26-137-950400-2054		3	Cherry Capital Connection, LLC 70
26-137-950400-2056		5	Cherry Capital Connection, LLC 70
26-137-950400-2058		1	Cherry Capital Connection, LLC 70
26-137-950400-2068		27	Cherry Capital Connection, LLC 70
26-137-950400-2071		4	Cherry Capital Connection, LLC 70

26-137-950400-2076	3	Cherry Capital Connection, LLC	70
26-137-950400-2093	4	Cherry Capital Connection, LLC	70
26-137-950400-2111	1	Cherry Capital Connection, LLC	70
26-137-950400-2112	24	Cherry Capital Connection, LLC	70
26-137-950400-2113	1	Cherry Capital Connection, LLC	70
26-137-950400-2131	21	Cherry Capital Connection, LLC	70
26-137-950400-2135	3	Cherry Capital Connection, LLC	70
26-137-950400-2138	10	Cherry Capital Connection, LLC	70
26-137-950400-2139	1	Cherry Capital Connection, LLC	70
26-137-950500-1021	6	Cherry Capital Connection, LLC	70
26-137-950500-1026	37	Cherry Capital Connection, LLC	70
26-137-950500-1027	65	Cherry Capital Connection, LLC	70
26-137-950500-1028	11	Cherry Capital Connection, LLC	70
26-137-950500-1029	2	Cherry Capital Connection, LLC	70
26-137-950500-1030	4	Cherry Capital Connection, LLC	70
26-137-950500-1031	23	Cherry Capital Connection, LLC	70
26-137-950500-1040	49	Cherry Capital Connection, LLC	70
26-137-950500-1041	21	Cherry Capital Connection, LLC	70
26-137-950500-1042	5	Cherry Capital Connection, LLC	70
26-137-950500-1043	33	Cherry Capital Connection, LLC	70
26-137-950500-1049	3	Cherry Capital Connection, LLC	70
26-137-950500-1051	17	Cherry Capital Connection, LLC	70
26-137-950500-1056	180	Cherry Capital Connection, LLC	70
26-137-950500-1058	29	Cherry Capital Connection, LLC	70
26-137-950500-1059	17	Cherry Capital Connection, LLC	70
26-137-950500-1060	75	Cherry Capital Connection, LLC	70
26-137-950500-1061	13	Cherry Capital Connection, LLC	70
26-137-950500-1062	28	Cherry Capital Connection, LLC	70
26-137-950500-1063	16	Cherry Capital Connection, LLC	70
26-137-950500-1066	11	Cherry Capital Connection, LLC	70
26-137-950500-1067	7	Cherry Capital Connection, LLC	70
26-137-950500-1068	8	Cherry Capital Connection, LLC	70
26-137-950500-1069	8	Cherry Capital Connection, LLC	70
26-137-950500-1070	1	Cherry Capital Connection, LLC	70
26-137-950500-1071	27	Cherry Capital Connection, LLC	70
26-137-950500-1072	5	Cherry Capital Connection, LLC	70
26-137-950500-1073	9	Cherry Capital Connection, LLC	70
26-137-950500-1075	30	Cherry Capital Connection, LLC	70
26-137-950500-1078	22	Cherry Capital Connection, LLC	70
26-137-950500-1079	1	Cherry Capital Connection, LLC	70
26-137-950500-1080	2	Cherry Capital Connection, LLC	70
26-137-950500-1083	1	Cherry Capital Connection, LLC	70
26-137-950500-2003	13	Cherry Capital Connection, LLC	70
26-137-950500-2005	3	Cherry Capital Connection, LLC	70

26-137-950500-2006	1	Cherry Capital Connection, LLC 70
26-137-950500-2007	2	Cherry Capital Connection, LLC 70
26-137-950500-2008	3	Cherry Capital Connection, LLC 70
26-137-950600-1058	33	Cherry Capital Connection, LLC 70
26-137-950600-1085	3	Cherry Capital Connection, LLC 70
26-137-950600-1086	3	Cherry Capital Connection, LLC 70
26-137-950600-1090	15	Cherry Capital Connection, LLC 70
26-137-950600-1124	3	Cherry Capital Connection, LLC 70
26-137-950600-2000	79	Cherry Capital Connection, LLC 70
26-137-950600-2004	7	Cherry Capital Connection, LLC 70
26-137-950600-2006	2	Cherry Capital Connection, LLC 70
26-137-950600-2007	3	Cherry Capital Connection, LLC 70
26-137-950600-2011	19	Cherry Capital Connection, LLC 70
26-137-950600-2013	7	Cherry Capital Connection, LLC 70
26-137-950600-2016	2	Cherry Capital Connection, LLC 70
26-137-950600-2148	1	Cherry Capital Connection, LLC 70

**Attachment 2**

(<http://cherrycapitalconnection.com/>)

HOME ([HTTP://CHERRYCAPITALCONNECTION.COM/](http://cherrycapitalconnection.com/))

SERVICES ([HTTP://CHERRYCAPITALCONNECTION.COM/SERVICES/](http://cherrycapitalconnection.com/services/))

GENERAL ([HTTP://CHERRYCAPITALCONNECTION.COM/NEWS/](http://cherrycapitalconnection.com/news/))

EMAIL ([HTTP://CHERRYCAPITALCONNECTION.COM/CUSTOMERPORTAL/CCC-WEB-EMAIL-ACCESS/](http://cherrycapitalconnection.com/customerportal/cc-web-email-access/))

GALLERY ([HTTP://CHERRYCAPITALCONNECTION.COM/GALLERY/](http://cherrycapitalconnection.com/gallery/))

CONTACT ([HTTP://CHERRYCAPITALCONNECTION.COM/CONTACT/](http://cherrycapitalconnection.com/contact/))

TESTIMONIAL ([HTTP://CHERRYCAPITALCONNECTION.COM/TESTIMONIAL/](http://cherrycapitalconnection.com/testimonial/))

## RESIDENTIAL

### RESIDENTIAL INTERNET ACCESS

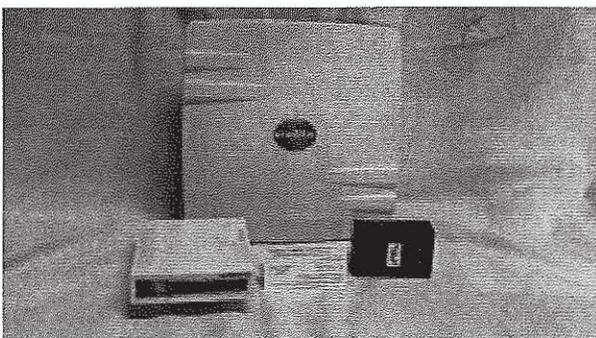
**We offer High Speed Internet access to your location starting at \$45 per month for annual prepayment.**

**Most popular is \$50 per month with a 12 month commitment**

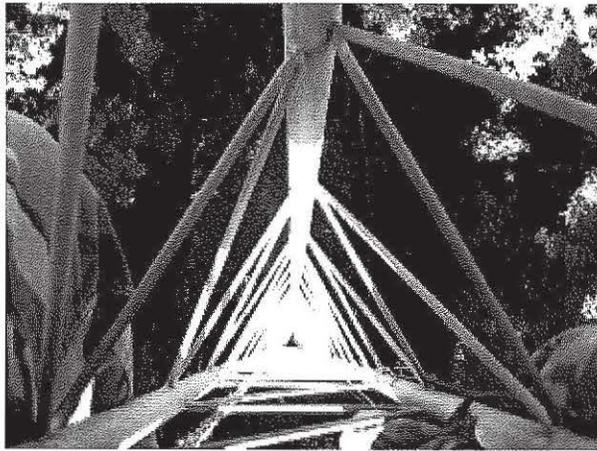
To bring you service Cherry Capital Connection (C.C.C.) must install a radio receiver at your location to communicate with a C.C.C. (5G) enabled tower. Once you are connected we redistribute the internet wireless in your home using our managed wireless access point switch.

Installation labor and radio parts range from \$475 – \$560 based on the level of equipment we must use to connect you to the C.C.C. enabled tower. Factors we use to determine best fit include distance from tower and the density of the trees.

We have additional internet access plans and installation options.



([http://cherrycapitalconnection.com/wp-content/uploads/2012/02/2012-02-24\\_14-51-](http://cherrycapitalconnection.com/wp-content/uploads/2012/02/2012-02-24_14-51-)



<http://cherrycapitalconnection.com/wp-content/uploads/2013/02/DSCF0020.jpg>

*Network Neighborhood in Kalkaska*

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Most common description of our service from the customer is:

- **Fast download and upload speeds** – Download and upload speeds over several test periods were 3-7 Mbs. This is up to 10 times faster on download speeds and up to 20 times faster on upload speeds as compared to Hughes satellite service.
- **Improved latency** – Latency is the amount of time data travels to a website and back. Latency for this service has been consistently in between 30-40 milliseconds. Latency speed with satellite service is consistently 700-800 milliseconds. Improved latency will allow VPN use (corporate network communication), streaming video (no more pausing, buffering, etc.), and the ability to use VOIP (voice over IP – internet phone service).
- **No Fair Access Policy** – Satellite service has what is called a Fair Access Policy, which significantly limits the amount of bandwidth that is used in a 24 hour period. This is a hindrance to many users. With the proposed wireless service, there is no FAP. Customers have an unlimited amount of bandwidth, making software updates, transferring of large files, video download, etc. now possible.
- **Local tech support** – Should you have problems, you will not be calling the Phillipines, India, or even Fort Lauderdale. You will be calling a help line where a person in Northern Michigan actually answers the other end of the phone 7 days/week.
- **Service costs for residential service:**
  - Installation and equipment costs are approximately \$475 to \$560 with discounts of approximately \$200 if two neighbors can share a receiver.
  - Monthly service fees run approximately:
    - 4 Mbs download 2 Mbs upload speeds for \$50 per month
    - 6 Mbs download 4 Mbs upload speeds for \$85 per month
    - 8 Mbs download 6 Mbs upload speeds for \$135 per month (available for certain installations)
  - No contracts. Unlike satellite, there are no contracts involved
- As a comparison, the Hughes satellite pro package has top speeds of 1.5Mbs download and 0.250 Mbs upload for \$80 per month – and users are limited to the

amount of service they use within each 24 hour period.

- **Reduced off season rate** – For seasonal users, C.C.C. will allow use on weekends and holidays during November to April for a \$25 off season rate (something not available with Hughes).

The service does require a direct line of sight to one of the network transmitters; however the system will penetrate tree leaves and does not need a blue sky line of sight like the satellite dishes.

Please download the Printer friendly form: [Residential – Service – March 2013 \(http://cherrycapitalconnection.com/?attachment\\_id=1151\)](http://cherrycapitalconnection.com/?attachment_id=1151) for more details.

Date

Customer Name

**Thank you for the opportunity to bring High Speed Internet Access service to your home.** Below is an estimate of the most common installation and service offerings for the residential customer ±. We also offer Home networking support, Home Based Business, and Small Business service packages. Additional quotes are available upon request.

Each package includes the hardware required to bring you service and redistribute within your home or business. We offer a 100% managed solution with a hardware firewall\*. The **multiple computer** or **private hotspot** includes an internal access point for wired and wireless access inside the home. Our **common antenna** or shared installation includes a wireless access point for each locale with individual service plans.

**There are three basic options for the hardware installation (these units are the router and hardware firewall):**

**Option LP5:** This option is ideal for customers with one or more computers as well as customers who wish to connect to the Internet without wires. Our lower power 5G (5Ghz) configuration is available for \$376 for hardware plus \$99 for installation. Total \$475.00. **(Requires a clear line of site from installation to CCC tower up to 6 miles)**

**Option HP5:** This option is ideal for customers with one or more computers as well as customers who wish to connect to the Internet without wires. Our high power 5G (5Ghz) configuration is available for \$431 for hardware plus \$99 for installation. Total \$530.00. **(Requires a clear line of site from installation to CCC tower up to 21 miles)**

**Option HP9:** This option is ideal for customers with one or more computers as well as customers who wish to connect to the Internet without wires. Our high power 900Mhz configuration is available for \$461 for hardware plus \$99 for installation. Total \$560.00. **(Can tolerate in the trees install near line of site within 3.5 miles of a CCC tower)**

**Optional Package Private Hotspot plus Option LP5, HP5 or HP9:** CCC can deploy an installation that will deliver service to the home and develop a HotSpot style Wi-Fi network for your personal secured use. Our "**private hotspot**" is ideal for customers looking to use one or more computers, connect without wires, and utilize the internet on their deck or dock. Add \$270.00 to the basic package process

**Optional Package Shared or Common plus Option LP5, HP5 or HP9:** We also offer a package that provides service to two (2) homes with a single antenna. This connection will require wiring from the antenna to each of the homes. Each home must be within 250 feet of the antenna installation point (1 location will be primary and supply the power). Our **common antenna** package is limited to basic residential customers only. Add \$ 250.00 to the basic package. Installation cost is divided equally between the two homes. Each would be charged for monthly basic residential internet access.

**Our basic residential monthly Internet Access package per location is offered at a minimum of \$50 per month with a 12 month commitment. We also offer a discounted annual payment option of \$550 if paid by check (This saves the consumer \$50).** Month to month is available at \$85.00 per month and requires a reconnection fee of \$200. Residential premium and residential premium plus plans may be available once your installation is completed. On site visit prior to installation is \$150 non-refundable fee (covers labor and transportation) Cherry Capital Connection supplies a managed wireless access point switch for all installations. Speeds and service levels are associated with wired connections ONLY. If you choose to use your own wireless access point switch there is a \$50 connection configuration fee and we do not support the installation beyond the POE Ethernet pass off.

### **Installation restrictions/conditions**

- All installations include drilling through 1 easy to access outside wall only. Extra or Difficult to access areas will be assessed additional labor fees. A wired connection within 10 feet of the CCC installed POE will be included at no additional fee and will be completed with standard Cat5E wire. Due to restrictions, CCC does not bury Cat5E wiring of any kind. To connect wirelessly to the internal access point, we assume computer(s) are already wireless-enabled.
- All outside Cat5E away from the home may be installed in conduit by the installer. This is done to prevent wire damage. We do not bury the conduit. The land owner may bury the conduit and the depth is minimal.
- J shaped mount or pole in ground (standard for each install)
- Installation point must enable CCC service access and must focus on best location for best service
- If we are unable to provide you service no fees are assessed. If however the location we choose is unacceptable and you decline installation you will be assessed a \$150.00 cancellation fee.
- Installation scheduling targets morning or afternoon. Weather may cause delays or rescheduling up to seven days. Our field installer will try to call if a delay is eminent however, with varying cell service this may not be possible. The home owner is requested to be present during installation.

### **Common extras**

#### **Mounts**

Tripod (roof installs only)      Add \$27

Non-penetrating roof mount      Add \$150

4 by 4 post      Add \$20 – Install point must be within 200 to 250 ft of the home to supply power.

- Tripod with non-penetrating roof mount or post mounts will be necessary for locations with a metal roof

#### **Wiring**

Standard Cat5 wire (each install – up to 100 feet)      Add \$0.25 per foot after 100 feet

Conduit      Add \$2.50 per 10 foot section, Add \$1.00 per extra connector

#### **Antenna size & shape**

14 inch by 14 inch panel antenna white 1.5 inches thick

900Mhz may be a yagi based on distance. Yagi is up to 3 feet horizontal black antenna with multiple 6 inch long bars.

### **Fees/warranty**

All equipment warranted for 12 months labor extra. Our **support and dispatch rates** beginning at \$65 per hour plus travel time (add \$0.35 cents per mile from dispatch office). Hardware will be charged at market rates. Average service call is \$200.

Locations that will serve as a Business or Home Based Business may be charged an alternative monthly fee, beginning at \$65 per month or a global IP charge of \$20 per month. This includes service for remote education or tele-medical type home based businesses. There is a 12 month warranty on equipment but labor and travel fees will apply to site visit to replace warranted parts. Items that could affect warranty: If the equipment is not under power or is not connected to a battery backup.

All potential customers can view our acceptable use, service, late fee and termination policies at our website [www.cherrycapitalconnection.com](http://www.cherrycapitalconnection.com) (<http://www.cherrycapitalconnection.com/>). Use of the CCC service implies acceptance of these policies. Residential service outage response time up to 72 hours. ±Speeds download up to 4M upload up to 2M. \*A hardware firewall is less susceptible to attack & is more effective than a software firewall.

We look forward to bringing high speed to your location.

Cherry Capital Connection, LLC (CCC)

Email: [sales@cherrycapitalconnection.co](mailto:sales@cherrycapitalconnection.co) (<mailto:sales@cherrycapitalconnection.com>)m

Toll Free: 855-674-4159 Fax: 231-264-9945

If this is not your primary residence what months of the year do **you not occupy** the home (discounts may apply after the first year of service):

Jan \_\_, Feb \_\_, Mar \_\_, Apr \_\_, May \_\_, Jun \_\_, Jul \_\_, Aug \_\_, Sep \_\_, Oct \_\_, Nov \_\_, Dec \_\_

To secure an installation date your credit card or e-check information must be on file. Installation fees will be charged up to 14 days prior to installation. Monthly payment for access by credit card or e-check on file, unless done annually. If access payment is mailed by check all payments due prior to the first of the month. Late fees assessed 10 days after the first of the month. Service will be queued to 64k x 64k if payment not received promptly. Min reconnection fee \$125.00.

Basic Installation requires 2.5 – 3.5 hours on site.

[Credit card form included in printer friendly version \(http://cherrycapitalconnection.com/?attachment\\_id=1151\)](http://cherrycapitalconnection.com/?attachment_id=1151)

[ShareThis \(javascript:void\(0\)\)](#)

## LEAVE A REPLY

You must be [logged in \(http://cherrycapitalconnection.com/wp-login.php?redirect\\_to=http%3A%2F%2Fcherrycapitalconnection.com%2Fservices%2Fresidential%2F\)](http://cherrycapitalconnection.com/wp-login.php?redirect_to=http%3A%2F%2Fcherrycapitalconnection.com%2Fservices%2Fresidential%2F) to post a comment.

### Promote

(<http://cherrycapitalconnection.com/promote/>)

#### Sign Up

(<http://cherrycapitalconnection.com/promote/psign-up/>)

#### List

(<http://cherrycapitalconnection.com/promote/plist/>)

855-674-4159

(<http://cherrycapitalconnection.com/promote/855-674-4159/>)

### Customer Portal

(<http://cherrycapitalconnection.com/customerportal/>)

#### Tickets

(<http://cherrycapitalconnection.com/customerportal/tickets/>)

#### Online Billing

(<http://cherrycapitalconnection.com/customerportal/billin/>)

#### Tools

(<http://cherrycapitalconnection.com/customerportal/tools/>)

#### Archive Newsletters

(<http://cherrycapitalconnection.com/newsletter/archive/>)

## RECENT POSTS

FTTH Survey version 2.0  
(<http://cherrycapitalconnection.com/ftth-survey-version-2-0/>)

Bay Township new High Speed Internet Access towers  
(<http://cherrycapitalconnection.com/bay-township-new-high-speed-internet-access-towers/>)

Otsego County Presentation  
(<http://cherrycapitalconnection.com/otsego-county-presentation/>)

FCC Chairperson reactions to POTUS broadband announcement  
(<http://cherrycapitalconnection.com/fcc-chairperson-reactions-to-potus-broadband-announcement/>)

FCC continues to review changes that effect WISPs  
(<http://cherrycapitalconnection.com/fcc-continues-to-review-changes-that-effect-wisps/>)

Petoskey News and Review Article on Emmet county regarding progress  
(<http://cherrycapitalconnection.com/petoskey-news-and-review-article-on-emmet-county-regarding-progress/>)

FCC Rep Waxman comments  
(<http://cherrycapitalconnection.com/fcc-rep-waxman-comments/>)

## CATEGORIES

100%-Projects  
(<http://cherrycapitalconnection.com/projects/>)

Antrim County  
(<http://cherrycapitalconnection.com/antrim/>)

Charlevoix County  
(<http://cherrycapitalconnection.com/charlevoix/>)

Clearly Compare Costs  
(<http://cherrycapitalconnection.com/clearlycc/>)

Community  
(<http://cherrycapitalconnection.com/community/>)

Connected  
(<http://cherrycapitalconnection.com/connected/>)

Crawford – Otsego  
(<http://cherrycapitalconnection.com/crawford/>)

Emmet County  
(<http://cherrycapitalconnection.com/emmet/>)

FCC News  
(<http://cherrycapitalconnection.com/fccnews/>)

General News  
(<http://cherrycapitalconnection.com/generalnews/>)

Grand Traverse County  
(<http://cherrycapitalconnection.com/grand/>)

Installers  
(<http://cherrycapitalconnection.com/installers/>)

ion.com/fcc-rep-waxman-comments/)

FCC Oct 2 suggested rule changes to stream line cellular applications  
(http://cherrycapitalconnection.com/fcc-oct-2-suggested-rule-stream-line-cellular-applications/)

Regional Fiber maintenance to take place Oct 13th  
(http://cherrycapitalconnection.com/regional-fiber-place-oct-13th/)

Charlevoix County based company provides a big Thank You  
(http://cherrycapitalconnection.com/charlevoix-county-based-company-big/)

Emmet County discussion on Essential Services – CAF  
(http://cherrycapitalconnection.com/emmet-county-discussion-essential-services-caf/)

Antrim Review – FTTH – Elk Rapids and Emmet County  
(http://cherrycapitalconnection.com/antrim-review-ftth-elk-rapids-emmet-county/)

Leelanau County  
(http://cherrycapitalconnection.com/leelanau/)

Neighborhoods  
(http://cherrycapitalconnection.com/neighborhoods/)

Otsego County  
(http://cherrycapitalconnection.com/otsego-county/)

Product  
(http://cherrycapitalconnection.com/product/)

Roscommon  
(http://cherrycapitalconnection.com/roscommon/)

Support FAQ  
(http://cherrycapitalconnection.com/supportposts/)

 My Page  
(http://www.facebook.com/110234049013060)  
Like 

**CERTIFICATION**

I, Becky Schetter, hereby declare and certify under penalty of perjury:

1. I am the Controller, Secretary, Assistant Treasurer of Michigan Central Broadband Company.

2. I have read the document entitled "Challenge by Michigan Central Broadband Company, LLC to Alleged Competitive Coverage in Study Area 310785," and declare that the statements and representations set forth therein are true and correct to the best of my knowledge, information and belief.

  
Signature

Becky L Schetter  
Printed Name

April 28, 2016  
Date