

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

In the Matter of)	
)	
Inquiry Concerning the Deployment of)	
Advanced Telecommunications)	
Capability to All Americans in a)	GN Docket No. 07-45
Reasonable and Timely Fashion, and)	
Possible Steps to Accelerate Such)	
Deployment Pursuant to Section 706 of)	
the Telecommunications Act of 1996)	

**REPLY COMMENTS OF THE
NATIONAL RURAL TELECOMMUNICATIONS COOPERATIVE**

The National Rural Telecommunications Cooperative (NRTC) submits the following Reply Comments in response to comments filed regarding the Federal Communications Commission’s (FCC) April 16, 2007 Notice of Inquiry requesting information regarding the state of deployment of “advanced telecommunications services,” including comment on the definition of “advanced telecommunications services” and “high-speed” service.¹

I. INTRODUCTION

NRTC is a nonprofit cooperative organized under the laws of the District of Columbia. NRTC supports more than 1,400 members in 47 states. Its members are principally rural utilities, including electric and telephone companies, most of which are locally operated cooperatives. NRTC procures, develops and delivers advanced

¹ *In re*: Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All American in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, *Notice of Inquiry*, GN Docket No. 07-45 (Apr. 16, 2007) (NOI).

telecommunications and information technology solutions that strengthen member businesses and support rural communities. NRTC is driven by its members' commitment to provide their communities with innovative telecommunications solutions. NRTC identifies, develops and invests in business solutions for its members to expand their service offerings to rural America. NRTC helps ensure its members' success by aggregating their individual buying power, negotiating national contracts, coordinating with suppliers and providing turnkey training, marketing, sales and comprehensive support services. NRTC remains focused on bringing advanced telecommunications solutions to rural America.

In April 2003, NRTC joined Liberty Satellite, LLC and Intelsat USA Sales Corporation in investing in WildBlue Communications, Inc. (WildBlue), a Ka-band satellite licensee offering two-way, high-speed Internet access services targeted to unserved rural areas. Using capacity on Anik F2, WildBlue became the first Ka-band satellite licensee to commence commercial service in the United States on June 2, 2005, and NRTC's members were the first to offer WildBlue Internet access via satellite to consumers. In December 2006, WildBlue successfully launched its own satellite, WildBlue-1, which was placed into service in early 2007 and is now fully operational. Today, the two satellites are providing high-speed Internet access to approximately 175,000 American households and businesses that would otherwise have no alternative to dial-up modem service.

One of NRTC's principal goals has been to ensure that rural Americans receive access to the same services and content that are available to consumers in more populated urban areas, including broadband Internet access. Through WildBlue, NRTC has been

able to provide Internet access to consumers where dial-up was the only existing alternative. Now, Americans, wherever they live, can access the Internet at speeds significantly faster than those of a dial-up modem. In addition, since WildBlue owns its own satellite, it can deliver more affordable broadband in unserved markets in the United States.

NRTC recognizes that satellite delivered Internet service via WildBlue does not generally match the speeds of DSL or cable modem. However, WildBlue's service is primarily intended for consumers not served by other high-speed access methods. When no alternative to dial-up exists, the service provided by WildBlue makes a significant difference. Hence, we encourage the Commission to take that factor into consideration when establishing a definition of broadband and to do so in a way that does not exclude satellite Internet services.

II. COMMENTS

NRTC concurs with CTIA's comments that:

[g]iven the growing diversity of the United States telecommunications marketplace, the Commission should aim for over-, not under-, inclusiveness in defining "high-speed," "advanced telecommunications capability," and "advanced services." The FCC should maintain the current 200 Kbps threshold, but should add additional tiers as the state-of-the-art progresses. Given significant differences in wireless and wireline broadband services currently available in the marketplace, it may be appropriate for the Commission to consider different minimum speeds for different technologies.²

NRTC, in partnership with WildBlue, offers high-speed Internet access via two satellites to almost every corner of the United States³. Customers reach speeds up to 30 times faster than a dial-up connection without the need of a phone or cable line to a customer's

² CTIA – The Wireless Association's comments dated May 16, 2007.

³ WildBlue Communications, Inc. was established to provide broadband access to consumers and small offices in rural areas and small cities. Service is available in the contiguous United States.

home or business. WildBlue provides high-speed Internet access via satellite to homes and small businesses in communities not currently served by other high speed providers and outlying areas in markets serviced by broadband service providers where terrestrial solutions are not economically feasible. WildBlue's two-way satellite service provides high-speed data in both directions, upstream and downstream. WildBlue offers three competitively priced high-speed plans with the following download/upload speeds⁴: (1) 512 Kbps/128 Kbps, (2) 1 Mbps/200 Kbps and (3) 1.5 Mbps/256 Kbps. For millions of Americans, satellite broadband service is the only option available to serve their homes or businesses. Reaching speeds up to thirty times faster than dial-up is "lighting fast," particularly when a landline alternative is not available.

In considering a change in the definitions of "high-speed," "advanced telecommunications capability," and "advanced services" to refer to speeds surpassing 200 Kbps, the Commission must note the contribution of satellite and other wireless broadband providers that are delivering advanced telecommunications capabilities and take care not to exclude such providers from any benefits that might be derived from a definition that encompasses such lower speeds.

Furthermore, as AT&T notes in its comments:

...the Commission should use a tiered approach -- as it currently does on the existing Form 477 -- that leaves 200 Kbps as the beginning point for the range of speeds that fit within the established definitions. Under this tiered approach, the Commission currently collects data on a range of speeds from 200 Kbps to 100 Mbps, which gives it the ability to track trends in consumers' broadband speed preferences, as they migrate from dial-up to entry-level broadband services, and then onto higher-speed broadband services. Indeed, in determining what speeds to use in defining "high-speed services," "advanced services," and any other

⁴ Plan speeds reference current maximum download/upload speeds customers may experience utilizing WildBlue's services.

classification(s) the Commission may employ, the Commission should be guided principally by the choices that consumers are making in the marketplace for Internet access services. Consumers – not the Commission – are in the best position to gauge the value proposition of the different offerings available today, based not only on speed, but also pricing, reliability, and other factors.⁵

NRTC agrees that 200 Kbps is an appropriate threshold for establishing the definition of broadband. Consumers are in the best position to select the service that best meets their business and personal needs. Changing the definition of broadband may also prejudice a consumer against a technology that can more than adequately meet their needs.

The FCC asks whether technology or the marketplace has evolved such that it should redefine the term “advanced services.” TIA notes in its comments that “a direct comparison of wireline broadband services to wireless broadband services is inappropriate.”⁶ NRTC agrees and submits that the state-of-the-art of satellite broadband Internet service should not be grouped together with terrestrial, fixed wireless and other broadband technologies. Different technologies serve different needs, and satellite broadband providers are serving the needs of isolated, unserved rural and underserved communities. Access to a broadband Internet connection increasingly means access to education, health care, business and government services. The FCC must consider the ramifications of changing the threshold speed of broadband on technologies that are reaching unserved communities.

CONCLUSION

The Commission is urged to give careful consideration to the value and importance of satellite Internet service and to recognize that while such service has

⁵ Comments by AT&T Inc. dated May 16, 2007.

⁶ Telecommunications Industry Association’s comments dated May 16, 2007.

