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April 3, 2009

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *GN Docket 09-29; Ex Parte Notice*

Dear Ms. Dortch:

On April 2, 2009, the undersigned and Mr. Walter Ebell, the CEO of Kodiak Kenai Cable Company ("KKCC"), met with Jennifer Schneider, Legal Adviser to Acting Chairman Michael J. Copps, to discuss KKCC's views regarding the issues raised in the above-referenced docket. The KKCC representatives addressed the issues discussed in KKCC's written comments filed on March 25, 2009. They also advised that KKCC will espouse a functional definition for the term "broadband" in the Commission's GN Docket 09-40, as requiring sufficient capacity to permit both downstream and upstream delivery of full-motion video to and from the end user. The KKCC representatives urged that this definition also be adopted by the Commission in Docket 09-29. The KKCC representatives provided Ms. Schneider copies of materials found on the company's Website at <http://www.icardllc.com/index.html>, including the attached map of the company's existing and planned submarine cable system.

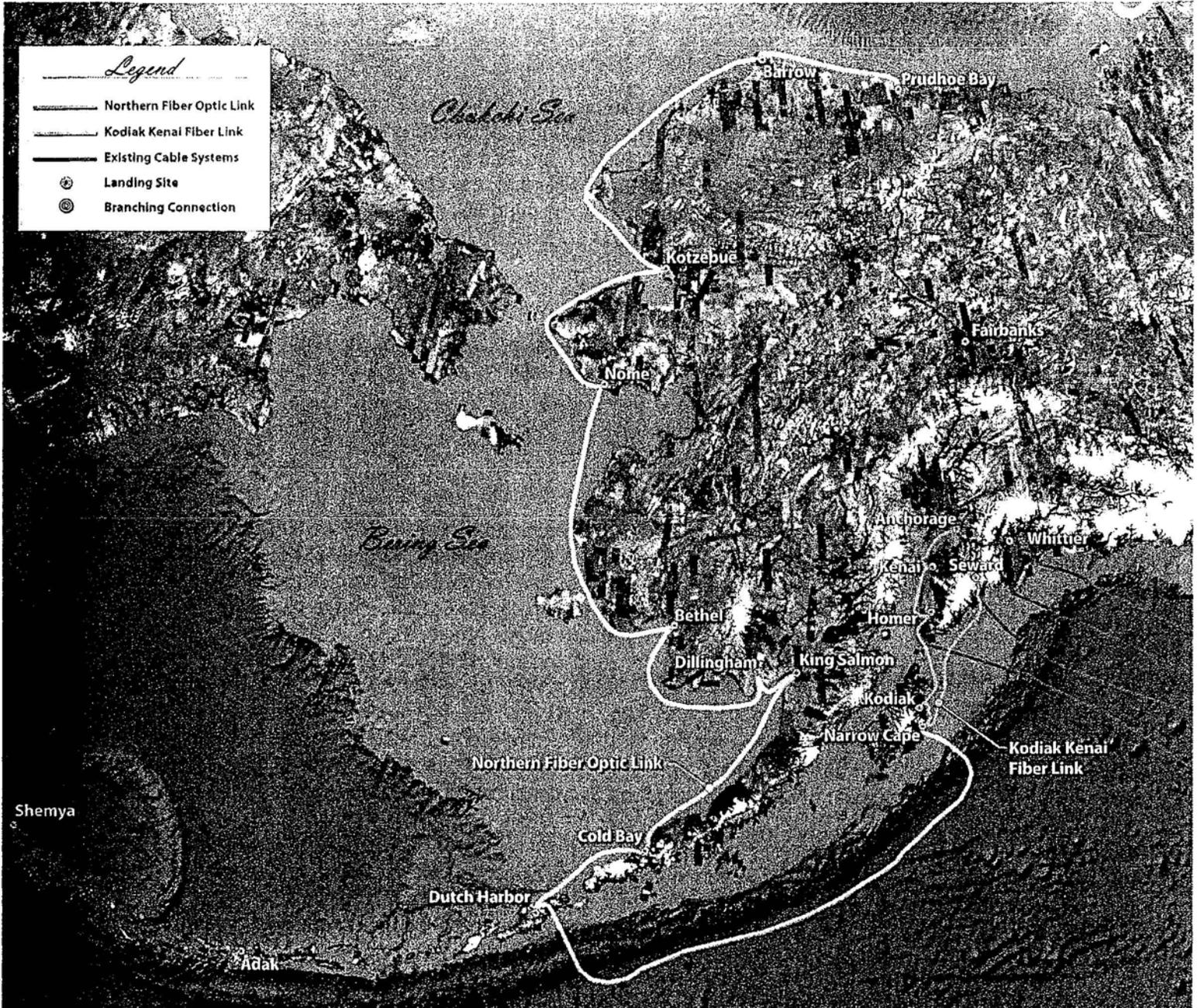
Pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this letter is being filed electronically with the Office of the Secretary. Please direct any questions regarding this matter to the undersigned.

Sincerely yours,


Stefan M. Lopatkiewicz
Counsel to Kodiak Kenai Cable Company

Attachment

cc: Jennifer Schneider



Northern Fiber Optic Link

Building Networks. Creating Opportunities.

Education Healthcare Public Safety
 Environmental Research Economic Diversification
 Sustainable Communities

Project Summary

The Project

The Northern Fiber Optic Link (Northern Fiber Link) will extend the Kodiak Kenai Fiber Link system via submarine fiber optic cable from Narrow Cape on Kodiak Island to the Aleutian Islands and Western Alaska with landing points at Unalaska (Dutch Harbor), Cold Bay (or Sand Point), Naknek (King Salmon), Dillingham, Bethel, Nome, Kotzebue, Barrow and Prudhoe Bay (Deadhorse). When fully built out it will provide access for the first time to robust broadband services, which by now are available to the majority of Alaska's population, to hospitals, schools, remote university campuses, public safety offices, U.S. Coast Guard communications sites, commerce and industry with real-time telecommunications and internet services.

The System

The Northern Fiber Link will be configured as follows: (1) Cable Length: 5432 Km; (2) Ten Cable Landings as indicated above; (3) Optical fibers - two fiber pairs; (4) Initial Operating Capacity: 16 Wavelengths, each with 10 dbps data rate, on a single fiber pair for a capacity of 160 dbps; (5) Full Operating Capacity: 64 Wavelengths, each with 10 dbps data rate, on two fiber pairs for an ultimate capacity of 640 dbps; (6) Design Lifetime of System: 25 years.

* Broadband Grant Proposal

The Kodiak Kenai Cable Company (KKCC) proposes to fund the construction of the Northern Fiber Link by utilizing a NTIA Broadband grant. Upon completion of the new system, KKCC proposes to convey at no charge, other than O&M expenses, a twenty-year IOU for a 10dbps wavelength for each of the following public entities: (1) University of Alaska (two wavelengths, one for instruction and one for research); (2) State of Alaska (Department of Public Safety, Department of Education, Department of Military and Veterans Affairs, and other state uses); (3) Health and Welfare non-profit corporations; (4) Department of Homeland Security (USCG and other federal uses); and (5) the Department of Defense.

The remaining ten wavelengths will be made available by KKCC to telecommunications carriers for purchase on a competitively neutral basis, and upon the sale of an IOU to a carrier, KKCC proposes to repay the cost of the wavelength to the Broadband grant Program to help fund additional broadband build out projects.

The Result

The Northern Fiber Link will greatly improve communications reliability and will offer access to affordable, high-speed broadband capacity to the largest un-served geographic area of the United States. Improved internet and telecommunication services will enhance sustainable educational and economic opportunities for the rural communities connected by the System and will enable real time remote sensing and other advanced capabilities for environmental research.

The System design more than meets current requirements and provides significant additional capacity to accommodate future growth. In addition, over the life of the System, it is projected to repay a significant portion of the cost of construction to the Department of Commerce for future use in building out broadband capacity.

The Company

The Kodiak Kenai Cable Company was formed in 2001 by Old Harbor Native Corporation and Ouzinkie Native Corporation to design and construct the Kodiak Kenai Fiber Link. This 600-mile marine fiber optic system was successfully completed on-time and on-budget and was placed in service January 2007. The Company offers high-speed broadband capacity and services to telecommunications carriers and connectivity for the rural communities of the Kenai Peninsula and Kodiak Island. KKCC is a socially and economically disadvantaged small business concern as defined under Section 8(a) of the Small Business Act.