

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	GN Docket Nos. 09-47, 09-51, 09-137
Comment Sought On Broadband)	
Deployment and Adoption on Tribal Lands)	DA 09-2093
)	
)	NBP PUBLIC NOTICE #5

Initial Comments

Nemont Telephone Cooperative, Inc.
and its subsidiaries
Project Telephone Company
Nemont Communications, Inc.
Sagebrush Cellular, Inc.

(Scobey, Montana)

November 9, 2009

COMMENTS - NBP PUBLIC NOTICE #5

GN Docket Nos. 09-47, 09-51, 09-137

**Comments of Nemont Telephone Cooperative, Inc.,
Project Telephone Company,
Nemont Communications, Inc,
and
Sagebrush Cellular, Inc.**

Nemont Telephone Cooperative, Inc. (Nemont) and its subsidiaries, Project Telephone Company, Nemont Communications, Inc. and Sagebrush Cellular, Inc., provide local exchange services, long distance services, broadband Internet access, and mobile wireless services to the Fort Peck and Crow Reservations in Montana. All companies do business as Nemont on both reservations for all services offered.

FORT PECK RESERVATION

The Fort Peck Reservation (FP Reservation) is home to the Assiniboine and Sioux Tribes, referred to as the Fort Peck Tribes (FP Tribes). The FP Reservation is 110 miles long and 40 miles wide, encompassing 2,093,000 acres (3,289 square miles). Of this, approximately 378,000 acres are tribally owned and 548,000 acres are individually allotted Indian lands. The total of Indian owned lands is about 926,000 acres. There are an estimated 10,000 enrolled tribal members, of whom approximately 6,000 reside on or near the FP Reservation. The population density is greatest along the southern border of the FP Reservation near the Missouri River and the major transportation routes, U.S. Highway 2 and the Amtrak routing on the tracks of the Burlington Northern Railroad. (Source: <http://www.fortpecktribes.org/>)

The majority of the population of the FP Reservation is in the communities of Wolf Point, Poplar, Brockton, and Frazer. According to the 2000 US Census, Wolf Point has a population of 5,027 and total households of 1,769; Poplar has a population of 3,708 and total households of 1,095; Brockton has a population of 855 and total households of 257; and Frazer

has a population of 707 and total households of 208. The total population of the Fort Peck Reservation is 10,321. The population density of the Fort Peck Reservation is 3.14 people per square mile.

Nemont Telephone Cooperative, Inc. is designated as an Eligible Telecommunications Carrier (ETC) and Sagebrush Cellular, Inc. is designated as a Competitive Eligible Telecommunications Carrier (CETC). Both participate in the Universal Service Fund. Nemont provides access to local exchange services to 98% of the households on the FP Reservation and mobile wireless coverage to 98% of the households on the FP Reservation. DSL service is available from all the Nemont central offices within the FP Reservation.

In the Frazer exchange, Nemont's broadband Internet service is available to 90% of the households via DSL and 700 MHz wireless spectrum. Nemont provides both interactive television service and broadband to the Frazer High School.

In the Wolf Point exchange, Nemont's broadband Internet service is available to 95% of the households via DSL and 700 MHz wireless spectrum. Nemont provides interactive video conferencing service and broadband to the Fort Peck Community College Wolf Point Campus, and the Northeast Montana Health Service. It provides Internet broadband and mobile wireless service to the Wolf Point School District.

In the Poplar exchange, Nemont's broadband Internet service is available to 95% of the households via DSL and 700 MHz wireless spectrum. Nemont provides interactive video conferencing service and broadband to the Fort Peck Community College Poplar Campus, the Northeast Montana Health Service, the Verne Gibbs Indian Health Service Clinic and the Bureau of Indian Affairs. It provides Internet broadband and mobile wireless service to the Poplar School District and the Fort Peck Tribes.

In the Brockton exchange, Nemont's broadband Internet service is available to 90% of the households via DSL and 700 MHz wireless spectrum. Nemont provides interactive video

conferencing service and broadband to the Brockton School.

CROW RESERVATION

Located in south central Montana and headquartered in Crow Agency, the Crow Reservation is the largest tribal land in Montana encompassing 2.2 million acres or 3,602 square miles. The reservation is home to 8,143 (71.7%) of the 11,357 enrolled tribal members. According to Tribal Enrollment officials, 4,258 (37.49%) of enrolled members are below the age of 18. (Source: <http://www.crowtribe.com>)

The majority of the population of the Crow Reservation is in the communities of Crow Agency, Lodge Grass, Wyola, Fort Smith, served by Project Telephone, and Pryor, served by Qwest Communications. According to the 2000 US Census, Crow Agency has a population of 2,290 and total households of 540; Lodge Grass has a population of 1,731 and total households of 471; Wyola has a population of 491 and total households of 140; and Fort Smith/St. Xavier has a population of 581 and total households of 184. Total population of the Crow Reservation is 6,894. The population density of the Crow Reservation is 1.91 persons per square mile.

In the Crow Agency exchange, Nemont's broadband Internet service is available to 95% of the households via DSL service. Nemont provides interactive video conferencing service and broadband to the Little Big Horn College. It provides broadband Internet service to the Crow Tribal Administration facilities and the Crow Agency School.

In the Lodge Grass exchange, Nemont's broadband Internet is available to 85% of the households via DSL and 700 MHz wireless spectrum. Nemont provides interactive video conferencing service and broadband to the Lodge Grass School. It provides broadband Internet service to the Lodge Grass Indian Health Service Clinic.

In the Fort Smith/St. Xavier exchange, Nemont's broadband Internet is available to 80% of the households via DSL and 700 MHz wireless spectrum. Nemont provides broadband

Internet service to the Fort Smith School and to the Corp of Engineers Big Horn Dam.

In the Wyola exchange, Nemont’s broadband Internet is available to 90% of the households via DSL service. Nemont provides broadband Internet service to the Wyola School.

Request for Quantitative Data

The Commission requests any quantitative data, studies or analysis regarding the current extent of broadband deployment and adoption on Tribal lands. To collect that data, Nemont conducted a door to door survey of two Tribal communities on barriers to broadband deployment.

Nemont elected to survey the community of Brockton as this community is characteristic of the other communities on the Fort Peck Reservation. There is a high percentage of Native American population; it is a rural community with a local high school and a community center.

Nemont randomly surveyed 32% of the eligible households. Please note that not all surveyed answered every question. The results were:

	Yes	No			
Are you aware Internet service is available to you?	34	4			
	89%	11%			
	Yes	No			
If we provided Internet training or usage would you be interested?	32	6			
	84%	16%			
	Local School College	In-home classes	Community Center	Senior Center	
Where would you go for training?	16	14	4	1	
	46%	40%	11%	3%	
	No computer	Can't get service			
Why don't you have Internet?	16	4			
	80%	20%			

What is the reason you don't have a computer?

Unaffordable	No Training	Not interested
18	1	1
90%	5%	5%

How much would you be willing to pay to have a computer?

<\$100	\$150-100	\$250-150	\$500-250	\$750-500
18	4	4	3	1
60%	13%	13%	10%	3%

Is anyone in your household taking classes or in school now?

Yes	No
26	12
68%	32%

Do you have a wireless product?

Yes	No
9	29
24%	76%

What services would you find helpful on an Internet site?

Health Care	Rx Drugs	Make Medical Appts	School	Tribal Gov't	Tribal Council Proceedings
4	5	4	17	4	4
11%	13%	11%	45%	11%	11%

Does price play a role in your decision to have Internet?

Yes	No
30	8
79%	21%

What is a reasonable price to pay for Internet service?

\$100-\$75	\$75-\$50	\$50-\$25	\$25-\$15	\$15-\$10	<\$10
	1	8	10	8	11
	3%	21%	26%	21%	29%

How many people are in your household?

1	2	3	4	5	6	7
1	3	8	7	5	6	6
3%	8%	22%	19%	14%	17%	17%

How many adults are in your household?

1	2	3	4	5	6	7
4	17	10	4	2		
11%	46%	27%	11%	5%		

How many school age children are in the household?

1	2	3	4	5
11	9	4	5	2
35%	29%	13%	16%	6%

What is the number of

1	2	3	4
18	9	1	1

household members who are self-employed?	62%	31%	3%	3%
What is your household income?	\$35,000 - \$50,000	Did not comment		
	2	36		
	5%	95%		
Are you or members in your household computer literate?	Yes	No		
	17	18		
	49%	51%		
If a pkg of Internet service & a computer were available on a monthly rate would you be interested?	Yes	No		
	38	0		
	100%	0%		
At what price?	\$100-75	\$75-50	\$50-25	<\$25
		3	13	20
		8%	36%	56%

Based on this survey, 84% of the responding households would use Internet but over 90% have no computer. 66% of households have three or more people with 68% having a member of the household in school. 78% of households say price is an important factor and 75% feel that Internet price should be less than \$25 per month. 100% of households would be interested in a service of computer rental and Internet service on a monthly basis.

Nemont selected the community of Wyola, which is located on the Crow Reservation. Wyola is similar to Brockton as it is characteristic of the other communities on the Crow Reservation. There is a high percentage of Native American population; it is rural in nature with a local high school and a community center.

We randomly surveyed 26% of the households. Please note that not all surveyed answered every question. The results were:

Are you aware Internet service is available to you?	Yes	No	Declined Comment		
	13	9	3		
	52%	36%	12%		
If we provided Internet training or usage would you be interested?	Yes	No	Declined Comment		
	16	7	2		
	64%	28%	8%		
Where would you go for training?	Local School College	In-home classes	No Answer		
	15	1	3		
	79%	5%	16%		
Why don't you have Internet?	No computer	Can't get service	No Need	Already Have it	
	6	6	9	1	
	27%	27%	41%	5%	
What is the reason you don't have a computer?	Can't Afford	No Training	Not interested	Other	
	5	3	1	6	
	33%	20%	7%	40%	
How much would you be willing to pay to have a computer?	<\$100	\$500-250	\$750-500	\$1000+	
	4	5	2	3	
	44%	56%	22%	33%	
Is anyone in your household taking classes or in school now?	Yes	No			
	12	11			
	52%	48%			
Do you have a wireless product?	Yes	No			
	13	10			
	57%	43%			
What services would you find helpful on an Internet site?	Health Care	Rx Drugs	School	Tribal Gov't	
	2	2	9	1	
	11%	13%	11%	45%	
Does price play a role in your decision to have Internet?	Yes	No			
	13	7			
	65%	35%			
What is a reasonable	\$100-\$75	\$75-\$50	\$50-\$25	\$25-\$15	\$15-\$10

price to pay for Internet service?	1 6%	4 24%	6 35%	5 29%	1 6%			
How many people are in your household?	<u>1</u> 3 3%	<u>2</u> 5 8%	<u>3</u> 2 22%	<u>4</u> 5 19%	<u>5</u> 2 14%	<u>6</u> 3 17%	<u>7</u> 0	<u>>8</u> 2 9%
How many adults are in your household?	<u>1</u> 2 15%	<u>2</u> 7 54%	<u>3</u> 4 31%					
How many school age children are in the household?	<u>1</u> 1 11%	<u>2</u> 5 56%	<u>3</u> 2 22%	<u>4</u> 1 11%				
What is the number of household members who are self-employed?	<u>1</u> 13 59%	<u>2</u> 7 32%	<u>3</u> 1 5%	<u>4</u> 0	<u>5</u> 0	<u>6</u> 1 5%		
What is your household income?	<u><\$20,000</u> 5 22%	<u>\$20,000 - \$35,000</u> 1 4%	<u>\$35,000 - \$50,000</u> 1 4%	<u>>\$50,000</u> 2 9%	<u>Did not comment</u> 14 61%			
Are you or members in your household computer literate?	<u>Yes</u> 15 75%	<u>No</u> 5 25%						
If a pkg of Internet service & a computer were available on a monthly rate would you be interested?	<u>Yes</u> 17 81%	<u>No</u> 4 19%						
At what price?	<u>\$100-75</u> 2 12%	<u>\$75-50</u> 4 24%	<u>\$50-25</u> 7 41%	<u><\$25</u> 4 24%				

Based on this survey, 64% of responding households would use Internet, but 64% have no computer or feel they have no need for the service. Over 50% of households have three or more people with 52% in school. 65% stated price was an important factor, 35% feel that the Internet price should be less than \$25 per month and 80% would be interested in a computer lease with Internet on a monthly basis.

The questions from the Commission were:

Broadband Deployment in Indian Country

Are there specific lessons that can be learned from the build-out of telephone lines to particular Tribal areas that can be applied to the deployment of broadband in Tribal lands?

Our Response: The build-out of telephone lines to rural residents was made possible with the assistance of the Universal Service fund and associated cost recovery mechanisms.

Currently, Nemont's services are available to nearly 90% of all residents and businesses on the Fort Peck and Crow Reservations. To encourage Nemont and other service providers to deploy and expand the availability of broadband on Tribal lands, the costs associated with broadband build outs must also qualify for cost recovery.

Are there specific examples of coordination or cooperation among Tribal, state and local governments in the build-out of telecommunications infrastructure on Tribal lands that could serve as models for the deployment of broadband?

We have no response.

What specific actions can the FCC and /or other federal agencies take to encourage or facilitate greater coordination and collaboration between the FCC, other federal agencies and Tribal, state and local government to promote broadband deployment?

We have no response.

Deployment and Mapping

We have no response.

Adoption and Digital Literacy/Education

What specific tools can the Commission and/or the Tribes utilize to promote digital literacy and education on Tribal lands?

We have no response.

Are there specific Tribal facilities which are serving or could serve as training locations, e.g. computing centers, tribe “chapter houses,” schools or libraries?

Our Response: Some Tribes have taken the initiative to establish institutions of learning in their communities such as the Tribally Controlled Community Colleges and Universities (TCCU). The Fort Peck Community College located on the Fort Peck Reservation and Little Big Horn College on the Crow Reservation are controlled by the Tribe and provide education geared to residents of the Tribal communities. There are 37 TCCU’s which may be the best candidates for broadband training and education. A consortium called the American Indian Higher Education Consortium has been formed to share information and exchange ideas and could be tasked with organizing this training.

What percent of Tribal community centers, schools, and households are passed today by: a) fixed telephony; b) mobile telephony; c) cable services?

Our Response:

- a) Fort Peck Reservation 98%; Crow Reservation 98%
- b) Fort Peck Reservation 98%; Crow Reservation 70%
- c) The city of Wolf Point is the only community served by Nemont cable service on the Fort Peck Reservation. 100% of the city is served. The city of Poplar is served by another provider, Bulldog Cable; we can not comment on their coverage.

Adoption and Affordability

What can public and private entities do to promote broadband adoption? Should they consider programs such as making computers available at a discount to qualifying households or discounting monthly service to at-need consumers on Tribal lands?

Our Response: Based on the surveys conducted on the Fort Peck and Crow Reservations, 100% and 81% of the responding households, respectively, would be interested in a computer/Internet service if made available on a monthly lease.

Should programs such as Lifeline/Link Up be made available to assist in reducing the cost of broadband connectivity and service to homes in Indian Country, and if so, how should they be implemented and funded?

Our Response: Yes. Enhanced Lifeline/Link Up is a successful program that increased the penetration of wireline and wireless services on the tribal lands. Perhaps a Lifeline/Link Up bundle that includes broadband service could be an option.

The Role of Broadband Service Providers

The practical utility of establishing and promoting pilot programs to support broadband services such as the one proposed by Qwest? What role can or should the Commission play in establishing such a pilot or would the pilot be better administered by industry, some other non-governmental entity or via some type of industry/consumer advocacy partnership?

Our Response: Pilot programs are fine if the programs can be replicated to other areas. Due to the diversity of Tribal lands and cultures, the pilot program should be tailored to the individual reservation. Grants awarded to implement a pilot program must be awarded in a transparent and fair process and include all current service providers. The grant process must include active participation by the Tribal governments to ensure Tribal cultural values

are maintained.

What actions, if any, can the FCC and/or the Tribes take to facilitate carrier entry into Tribal areas for the purpose of providing affordable and sustainable broadband service?

Our Response: The FCC should consider establishing appropriate cost recovery mechanisms as described above.

SUMMARY

The data presented here clearly indicates there is a demand for broadband on the reservations served by Nemont. The data further suggests that the cost of the service is an important factor, but that there are other underlying economic circumstances such as the acquisition of the necessary computer equipment that pose a barrier to those who wish to utilize broadband service.

The build-out of telephone lines to rural subscribers was encouraged through the Universal Service Fund and associated cost recovery mechanisms. Nemont has been able to make services available to nearly all the residents and businesses on the Fort Peck and Crow Reservations. To encourage Nemont and other service providers to deploy and expand the availability of broadband on Tribal lands, the costs associated with broadband build outs must also qualify for cost recovery.

The Enhanced Lifeline/Link Up is a successful program that helped increase the penetration of wireline and wireless services on the Tribal lands. The Commission should consider modifying the existing Enhanced Lifeline/Link Up program to include broadband.

**All data provided is as of October 2009.*

Respectfully Submitted:

// Mike Kilgore
General Manager/CEO
Nemont Telephone Cooperative, Inc.
and its subsidiaries

61 Highway 13 South
Scobey, MT 59263

(406) 783-2302