

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

In the Matter of)	
)	
International Comparisons and Consumer Survey Requirements in the Broadband Data Improvement Act)	GN Docket No. 09-47
)	
A National Broadband Plan for Our Future)	GN Docket No. 09-51
)	
Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans In a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act)	GN Docket No. 09-137
)	
)	

**REPLY COMMENTS OF THE ALASKA TELEPHONE ASSOCIATION --
NBP PUBLIC NOTICE #5**

The Alaska Telephone Association, whose combined membership serves most of the state, all of which is included in the Commission’s definition of Tribal Lands, is well experienced in dealing with specific barriers to entry to broadband deployment. In initial comments in this docket, accurate descriptions of conditions and challenges were presented by General Communication, Inc.¹ and Kodiak-Kenai Cable Company, LLC². Formidable terrain, lack of road access, sparse populations and satellite for middle mile transport are among the hurdles.

¹ Comments of General Communication, Inc. – NBP Public Notice #5, *In the Matters of A National Broadband Plan for Our Future*, GN Docket No. 09-51, November 9, 2009.

² Comments of Kodiak-Kenai Cable Company, LLC – NBP Public Notice #5, *In the Matter of A National Broadband Plan for Our Future*, GN Docket No. 09-51, November 9, 2009.

In the National Broadband Plan Public Notice #5 the Commission cites Native Public Media and the National Congress of American Indians stating that “lower population density equates to higher cost to deploy broadband.”³ That certainly is one aspect of cost per capita. Another significant aspect is distance from a population center and a third is the impediments to deployment of infrastructure between the population center and the community with the “lower population density.” Essentially what we are describing is a rural environment!

The Commission asks if there are lessons that can be learned from the build-out of telephone lines to Tribal areas. We believe that there might be some basis for believing that the same distant location and the “low population density” that provided little incentive for Tier 1 commercial carriers to target Tribal areas, i.e. low return on investment, is a continuing impediment to the deployment of broadband. In light of today’s technology and its costs, broadband will only be available in most Tribal areas, indeed, in most rural areas, with ongoing federal support. Construction of infrastructure without ongoing operational support would be ineffective as those expenses must also be supported for affordable broadband to be sustainable and ubiquitous.

The Commission seeks comment regarding the use of pilot programs to deliver broadband in Tribal areas.⁴ We believe that there is no pilot program that will increase population density to distribute construction and operational costs among a larger number of subscribers. Neither is there a pilot program that will increase the discretionary income of low-income consumers. When new lower-cost technology is available, it will not need a pilot program to cause it to be embraced in impoverished communities. Government funded pilot

³ *Comment Sought on Broadband Deployment and Adoption on Tribal Lands, NBP Public Notice #5*, GN Docket Nos. 09-47, 09-51, 09-137, released September 23, 2009, p.3.

⁴ *Id.*, p. 6.

programs – “experiments” – would not prove a fruitful use of public dollars. Affordable broadband access in low-income, rural and most Tribal Lands will only be available through a federal commitment to support national ubiquity. When service is available and prices are affordable, adoption will take place.

We agree with the Kodiak-Kenai Cable Company that last-mile providers need access to supported middle-mile facilities.⁵ We concur that it would provide opportunities for competition among last-mile providers of broadband services.

Additionally, recipients of grants, loans and federal support to deliver broadband should be required to provide network interconnection on a non-discriminatory basis. Legislative intent – actually, legislative direction – to this end is clear as the Assistant Secretary of Commerce for Communications and Information is directed to coordinate with the FCC to establish non-discrimination and network interconnection obligations as contractual conditions of grant recipients.⁶ Again, by legislative directive, those contractual conditions, at a minimum, must include adherence to the principles contained in the Commission’s broadband policy statement adopted August 5, 2005. One of those principles states “consumers are entitled to competition among network providers, application and service providers, and content providers.”⁷

The American Recovery and Reinvestment Act directed the Commission to create a plan to ensure that every citizen has access to broadband capability. Every Alaskan welcomes the successful implementation of that plan.

⁵ Comments of Kodiak-Kenai Cable Company, LLC, p. 5.

⁶ American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009), Sec. 6001(j).

⁷ Policy Statement Regarding Network Neutrality, FCC 05-15, adopted August 5, 2005.

Dated this 9th day of December 2009.

ALASKA TELEPHONE ASSOCIATION

A handwritten signature in cursive script that reads "Jim Rowe". The signature is written in black ink and has a long horizontal flourish extending to the right.

By: _____

James Rowe
Executive Director