BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

In the Matter of	
Connect America Fund	WC Docket No. 10-90
A National Broadband Plan for Our Future	GN Docket No. 09-51
Establishing Just and Reasonable Rates for Local Exchange Carriers	WC Docket No. 07-135
High-Cost Universal Service Support	WC Docket No. 05-337
Developing a Unified Intercarrier Compensation Regime	CC Docket No. 01-92
Federal-State Joint Board on Universal Service	CC Docket No. 96-45
Lifeline and Link-Up	WC Docket No. 03-109
Universal Service Reform - Mobility Fund	WT Docket No. 10-208

EASTERN OREGON TELECOM, LLC COMMENTS ON CENTURYLINK'S PETITION FOR WAIVER

July 12, 2012

EXECUTIVE SUMMARY

In these comments, Eastern Oregon Telecom, LLC (EOT) is addressing the Petition for Waiver filed by CenturyLink as that Petition applies to EOT's service area in North Central Oregon. EOT serves the Hermiston, Umatilla, Irrigon, Boardman and Stanfield areas and surrounding environs in the State of Oregon. Part of that service is as a Wireless Internet Service Provider ("WISP").

CenturyLink has filed a Petition for Waiver claiming, in part, that according to CenturyLink's data, WISPs cannot fully serve the areas that they claim to serve on the National Broadband Map or that the service offered by WISPs is deficient because of capacity limitations, line-of-sight restrictions, high monthly rates, and stringent data caps. While CenturyLink might be correct in describing some of the areas that it covers with its Petition for Waiver (and EOT has no evidence whether that is true or not for other areas), CenturyLink's allegations as they reflect the service offered by EOT are factually incorrect in almost every respect.

For example, CenturyLink lists the download speed offered by EOT as 786 kilobits. In fact, EOT offers download speed service up to 40 megabits through much of the service territory and at speeds of 10 megabits download in many other areas. Further EOTs service is offered over multiple frequencies throughout the EOT service area, with more towers than CenturyLink assumes. Finally, in direct contrast to CenturyLink's arguments, EOT's service is reasonably priced when viewed in direct comparison to CenturyLink's pricing. And, despite CenturyLinks implication to the contrary, EOT imposes NO data limitations. EOT requests that if the Commission is inclined to grant CenturyLinks Petition for Waiver, it exclude the EOT service area for at least two

reasons. The first is because the EOT service area is not underserved or unserved. The second is because CenturyLink's allegations are simply not true for EOT's service area.

COMMENTS

CenturyLink's waiver request is to waive 47 CFR § 54.312(b) which requires CAF I recipients to deploy broadband service to locations "shown as unserved by fixed broadband on the then-current version of the national broadband map." CenturyLink contends that "in some cases, the WISP coverage area shown on the NBM are facially implausible, and the communities that CenturyLink wishes to serve may receive no WISP service at all."[1] CenturyLink goes to argue that in other cases WISPs have so many service problems that makes them look more like satellite broadband service than terrestrial broadband service. Specifically, CenturyLink alleges as follows that WISPs:

- confront *capacity* constraints that limit widespread simultaneous use of their spectrum at the speeds necessary to run bandwidth-intensive applications;
- suffer from *line-of-sight* restrictions that keep these WISPs from providing any service at all to countless locations even within their actual coverage areas;
- charge *higher monthly rates* than wireline broadband providers, even though their service is slower and less reliable;
- charge high up-front *installation and equipments fees*; and/or
- subject users to far more stringent *data caps* than wireline broadband providers do, allocating to each user only a tiny fraction of the usage bucket provided under a typical wireline broadband plan. (Emphasis on original)[2]

None of these allegations by CenturyLink is true for EOT.

In Exhibit B to its Petition for Waiver, CenturyLink lists EOT as providing broadband service at a $910.68 estimated annual rate with a rate per month of $69.90 and with an advertised download speed of 786 kilobits per second. In fact, EOT offers a variety of service choices, including download speeds of up to 40 megabits per second.

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[1] Petition for Waiver at p.1, 5-6.
[2] Petition for Waiver at p.1 See, also, Petition for Waiver at p.7-14.

Even outlying area customers consistently receive download speeds of 10 plus megabits per second from EOTs wireless broadband service. Specifically as to pricing, EOT offers wireless broadband service at a variety of prices. For example, EOT offers 1.5 megabit download speed for $34.60 per month. This compares to CenturyLink's advertised rate of $40.00 per month for the same download speed. EOTs rate for 3.0 megabit download speed is slightly higher at $49.90 per month compared to CenturyLink's $40.00 per month, but still competitive. EOT offers 10 and 20 megabit download speeds at $89.90 and $109.60, respectively. These are download speeds CenturyLink does not currently offer. As to installation charges that CenturyLink alleges are excessive, EOT has waived all installation fees so far this year and expects to continue to do so in an effort to gain market share in a challenging market. Obviously, free installation is not an excessive fee. In summary, EOT's wireless broadband service is robust and it is reasonably priced.

CenturyLink argues WISPs have capacity constraints and line-of-sight coverage limitations. For EOT, those arguments are not accurate. To avoid capacity problems EOT offers services over multiple frequencies, including the licensed 3.65 GHz spectrum. In addition to this licensed spectrum, EOT offers service over the 900 megahertz, 2.4 GHz and 5.8 Ghz frequencies. By offering service with multiple frequencies, there are very few, if any, capacity issues in the coverage areas served by EOT.

CenturyLinks analysis of EOTs coverage implies that there is a single tower per radius. That is not the case. In EOTs service area, there are multiple towers per service area radius. By using multiple towers, line-of-sight restrictions are eliminated and

capacity is available at the speeds EOT has identified, including much of the area being covered by the availability of up to a 40 megabit per second download speed.

Typical customers served by EOT include residential, small and home businesses, churches, and even a Bible College that conducts many of its classes virtually with an interactive video classroom. Customers appreciate the service levels of EOT's wireless broadband service and the first-class customer responsiveness that comes with the service offered by EOT.

Not only are CenturyLink's arguments completely false as they apply to EOT, CenturyLink fails to point out that there are two other wireless broadband service providers in the same general area. This area -- Hermiston, Umatilla, Irrigon, Boardman and Stanfield -- is a relatively rural part of Oregon. However there are two other competitors, Easy Wireless and Mach Media, offering wireless broadband service. With three wireless providers of wireless broadband internet service in this limited rural area, competition is robust.

CONCLUSION

The allegations made by CenturyLink in its Petition for Waiver do not apply to EOT. The allegations that imply that EOT does not fully cover its service area are incorrect. EOT has deployed multiple towers per radius area to be sure that it can provide service in the area that it claims to provide service.

The allegations contained in CenturyLink's Petition for Waiver that imply that EOT is faced with capacity constraints or line-of-sight restrictions are incorrect as they apply to EOT. As stated above, EOT uses multiple frequencies to provide service so that

it can provide sufficient capacity to meet broadband needs of customers within EOTs service area. This includes download service of up to 40 megabits per second.

The allegations made by CenturyLink that WISPs charge higher monthly rates, high installation equipment fee rates and subject customers to far more stringent data caps than wireline broadband providers do are not true as they apply to EOT. EOT's rates are reasonable. EOT's rates are competitive with CenturyLink's rates. EOT's wireless broadband service comes with NO download capacity limits.

There may be areas where CenturyLink's Petition for Waiver may be appropriate. EOT has no known information and takes no position on other areas. However, it is clearly not the case for the areas serviced by EOT. CenturyLink's Petition for Waiver should be denied as it applies to EOT's service area.

Respectfully submitted this 12 day of July, 2012.

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