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Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

Comments on CenturyLink's application for waiver, WC Docket Nos. 10-90, 05-337

About Nikola Broadband:

Nikola has been providing internet service via wireless and fiber in the Sequim, WA area since 2006. We have 35 access points serving about 350 customers. Data to these access points is provided by direct fiber or fiber and backhaul. We operate on 900MHz, 2.4GHz, (Licensed)3.65GHz, & 5.8GHz.

We wish to address the following points in the docket specific to Nikola Broadband:

1. Installation charge:

Nikola does not require a contract and sells the equipment for under our cost. We also offer to buy back the equipment at 60% if the customer cancels. CenturyLink is using this initial cost of our most expensive equipment option to generate a first year cost for our services. They are comparing this to their cheapest equipment and installation option. After this initial expense the monthly cost for CenturyLink and Nikola Broadband are on par.

2. Datacap GB limit:

CenturyLink selected the lowest limit provided by our plans, which are as high as 80GB. If federal funds were to be distributed to this region, we could increase those caps without increasing costs to our customers.

3. Maximum bitrate:

CenturyLink selected the lowest limit provided by our plans, which are as high 5Mbps for wireless, 100mbps for fiber.

Note also, that our uploads are either as fast or at least 50% of our download rate. Furthermore, Nikola over-provisions to deliver the advertised rate s. By comparison, CenturyLink DSL speeds are often up to 12% slower for "TCP overhead".

4. Capacity:

The total capacity of Nikola's 35 access points is well over 500 Mbps. While this exceeds our 160 Mbps

capacity to the internet, it does provide good capacity, given that our aggregate to the internet seldom exceeds 70 Mbps.

5. Other price benefits:

We offer free customer assistance to configure their internal wireless routers, iPads, iPods, smartphones, TVs and other devices.

Nikola deploys BOTNET & virus detection tools, carefully monitoring the network. We offer free assistance for those that have been compromised.

Nikola often helps our customers diagnose internet problems completely unrelated to our service.

6. Claimed map coverage:

Nikola was very careful to provide accurate coverage data to Sanborn, mapping for the Washington State Broadband Office. We did not simply draw circles around access points as some WISPS may have done. We provided locations off of all existing customers such that the mapping agency could draw a polygon with these existing customers as polygon nodes. We acknowledge that due to terrain and trees, that some cannot yet be served by Nikola.

7. Missing provider coverage:

We note that two other providers in the area that provide wireless internet were not referenced in the docket:

Olypen (<http://olyphen.com>)

OlympicWi-Fi (<http://olympicwi-fi.com>)

For accurate coverage results, these provider's coverage should also be included.

Summary

As we know that the national broadband map for our region is not complete, we can assume that is true for many of the other regions CenturyLink is claiming are underserved. We feel that any waiver based on these supposed coverage holes be handled on a region by region basis. We have the feeling that CenturyLink, if granted this waiver, would most likely use it to provide internet service to areas underserved, but that those areas would be the areas where it is easier for CenturyLink to provide service. The flatter terrain which is easier to string some new phone lines on for DSL rather than the terrain that is in our region. It feels as if we are being used by CenturyLink to get some federal funds, but the local customers that we can't serve because of terrain, sill won't be served by the funds requested by this waiver. This is likely the same for many of the WISP's in exhibit B.

Nikola has gone to great expense without government subsidies to provide broadband to a large rural area for the last six years. While we would be pleased to see these customers get broadband internet, they are in sparse locations. It is our specialty to connect these people and would love to have Federal assistance doing so. We do not think it is likely CenturyLink will provide broadband to these customers, but will use Federal dollars to compete with Nikola and other WISPs in the more developed areas that do have full coverage. Having six years of experience in Clallam County, we know of several areas that have no coverage from any wireless or dsl provider, and we do not claim to cover these areas. Our experience comes from many years of signal testing in our area and would be happy to see Federal dollars assist anyone to provide internet to these areas. All it takes is a call.

Regards,

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