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***EX PARTE***

April 15, 2013

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Re: *Connect America Fund*, WC Docket No. 10-90; *High-Cost Universal Service Support*,  
WC Docket No. 05-337 - Amended CenturyLink Additional Census Block List and  
Response to Specific Census Block Challenges

Dear Ms. Dortch:

On January 9, 2013, CenturyLink filed comments in response to the Wireline Competition Bureau's Public Notice regarding its updated list of potentially unserved census blocks in price cap areas.<sup>1</sup> As part of those comments, CenturyLink identified 194,952 census blocks that should be added to the list of census blocks eligible for the next round of CAF Phase I incremental support. In identifying those census blocks CenturyLink used a process that examined data underlying the National Broadband Map (Map or NBM) that revealed those census blocks to be unserved or partially-served with 3Mbps/768kbps broadband. Subsequently, several companies filed comments disputing certain of the census blocks that CenturyLink had identified. CenturyLink hereby responds to those challenges.

***General Modifications to CenturyLink's Additional Eligible Census Blocks List.*** In reviewing the census blocks identified by the companies, CenturyLink found a string conversion error in its data, which resulted in mis-identifying certain census blocks as unserved or partially-served when they should have remained identified as served. Additionally, CenturyLink's original list was developed using ESRI's ArcMap software while the amended list was developed using Alteryx software to account for the string conversion error. Certain differences in the software also changed the categories in which CenturyLink had placed some of the census blocks including adding a few census blocks. CenturyLink is providing with this letter an amended complete list of the census blocks that should be added to the Bureau's list

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<sup>1</sup> Comments of CenturyLink on Areas Shown as Unserved on the National Broadband Map for Connect America Phase I Incremental Support, WC Docket No. 10-90, filed Jan. 9, 2013; Public Notice, Wireline Competition Bureau Updates the List of Potentially Unserved Census Blocks in Price Cap Areas and Extends the Deadline for Comment on the List, DA 12-2001, 27 FCC Rcd 15307 (2012).

of eligible census blocks for the second round of CAF Phase I incremental support.<sup>2</sup> It is also providing a list of the census blocks identified in the specific challenges addressed here with the re-evaluated status (SERVED, UNSERVED, PARTIALLY SERVED, etc.).<sup>3</sup> This list also identifies the challenged census blocks that CenturyLink has removed from its initial list as a result of its review of the census block challenges. Other than the changes to its prior list due to the conversion error in its original analysis including the change in software it used for the review, CenturyLink re-affirms its methodology for establishing its list of additional census blocks.<sup>4</sup>

***CenturyLink's Response to Specific Challenges to Its List.*** In its review of the specific challenges, CenturyLink noted two issues which underlie our continued disagreement with these challengers as to the appropriate status of most of the challenged census blocks. The first is the appropriate treatment of partially-served census blocks. CenturyLink views they should be eligible, but challengers view they should not be. The second is the appropriate data set to be used, which CenturyLink views is the National Broadband Map data as of December 2011, but certain challengers have provided alternative data as the basis for their challenges.

CenturyLink has correctly identified that any census block that is only partially-served by providers at broadband speeds of 3Mbps down and 768kbps up and that any census block that is shown as served by CenturyLink and only partially-served or unserved by providers with 3Mbps/768kbps broadband should be eligible for CAF Phase I incremental support.<sup>5</sup> The

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<sup>2</sup> See Appendix A, attached hereto.

<sup>3</sup> See Appendix B, attached hereto. The referenced categories are as explained in CenturyLink's prior filing of its review methodology. See CenturyLink Comments at Appendix A.

<sup>4</sup> See *id.*

<sup>5</sup> The eligibility of a census block was determined using the methodology previously described by CenturyLink in Appendix A of its comments filed on January 9, 2013. See CenturyLink Comments at Appendix A. Conservatively, in order to eliminate small slivers of overlap, CenturyLink categorized the census blocks, as it did previously, using the rules in the table below.

Category	CenturyLink Percent Area Overlap	Unsubsidized Competitor Percent Area Overlap
Served	N/A	Greater Than 95%
Unserved	Less Than 5%	Less Than 5%
CTL Only Served	Greater Than 95%	Less Than 5%
Both Partially Served	Greater Than 5%	Greater Than 5%
CTL Partially Served	Less Than 95%	Less Than 5%
Partially Served	Less Than 5%	Less Than 95%

Commission has been consistent in stating that the purpose of CAF Phase I incremental support is to enable immediate deployment of broadband service to unserved areas. Not including partially-served census blocks as eligible for CAF Phase I incremental support disenfranchises locations within those census blocks that could benefit from that support. Conversely, including those census blocks is fully consistent with the Commission's purpose for this support. Second, the Commission has been clear that unserved locations within a census block that is only partially-served are eligible for CAF Phase I incremental support.<sup>6</sup> The Commission has explicitly clarified that "if the data underlying the [National Broadband] Map show that a location is not served by a particular provider, then, for the purposes of this rule, the location is "shown as unserved" by that provider."<sup>7</sup> CenturyLink's analysis identified census blocks where further analysis of the data underlying the NBM may reflect that there are unserved locations in these blocks that would benefit from CAF support. As such, these census blocks should be eligible for CAF Phase I incremental support, and should be included in the Bureau's list of eligible census blocks for that support.

CenturyLink has also correctly relied on the NBM data as of December 2011, the same data the Bureau relied upon in creating its census block list.<sup>8</sup> The Bureau has acknowledged that it may incorporate any revisions to the NBM that are published prior to its issuing a final rule regarding additional rounds of CAF Phase I incremental support or other relevant information that commenters provided in response to the Public Notice into a final list of eligible census blocks.<sup>9</sup> And, CenturyLink recognizes that NTIA released an updated version of the NBM earlier this year based on mid-2012 data.<sup>10</sup> Nevertheless, at this time, in the absence of any affirmative adoption of that data by the Bureau for determining the next round of CAF Phase I incremental support, CenturyLink's analysis continues to rely on the same data used by the Bureau in creating its proposed eligible census block list.

**ACA.** The American Cable Association (ACA) filed comments that included challenges from six member companies: Atlantic Telephone Membership Corporation; Armstrong Utilities Inc.; Massillon Cable TV, Inc.; H&B Cable Service, Inc.; Cable One, Inc.; and Nittany Media, Inc.

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<sup>6</sup> *Connect America Fund, Second Order on Reconsideration*, FCC 12-47, 27 FCC Rcd 4648, 4651 ¶¶ 10-11 (2012).

<sup>7</sup> *Id.* at 4651 ¶ 11.

<sup>8</sup> Public Notice, Wireline Competition Bureau Seeks Comments on Areas Shown as Unserved on the National Broadband Map for Connect America Phase I Incremental Support, DA 12-1961, 27 FCC Rcd 15165 (2012).

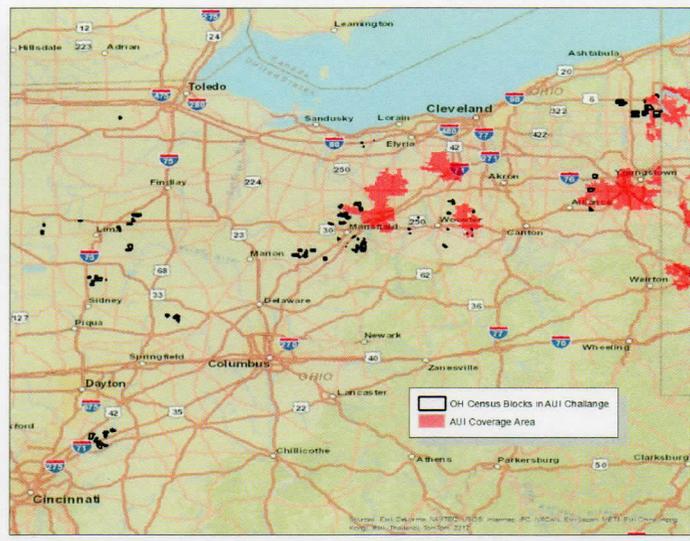
<sup>9</sup> *Id.*

<sup>10</sup> See <http://www.ntia.doc.gov/blog/2013/two-years-and-five-updates-national-broadband-map>.

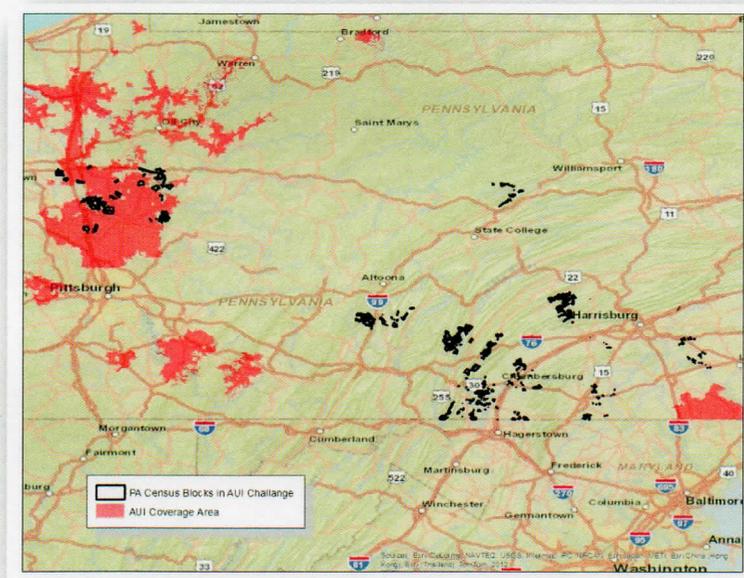


**Armstrong Utilities Inc. (AUI).** AUI challenged 831 census blocks in Ohio and Pennsylvania. AUI claims to serve all the census blocks with cable broadband at speeds of 50 Mbps downstream and 5 Mbps upstream. CenturyLink's re-analysis shows that five census blocks are unserved and the remaining 826 are served (either wholly or partially) by CenturyLink and/or partially served by any other provider. All 831 census blocks challenged by AUI should be eligible for CAF Phase I incremental support.

Ohio map:



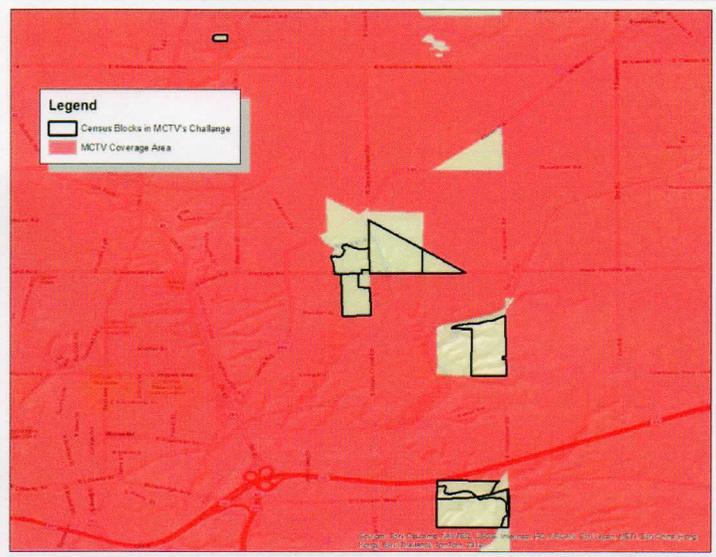
Pennsylvania map:



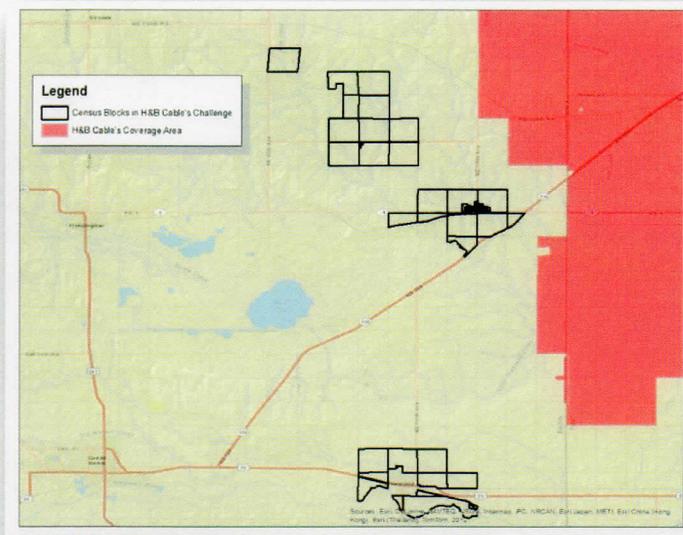
Ms. Marlene H. Dortch  
April 15, 2013

Page 6 of 11

**Massillon Cable TV, Inc. (MCTV).** MCTV challenged 11 census blocks in Ohio. They claim to provide complete cable broadband coverage at speeds of 20 Mbps down and 1.5 Mbps up in 10 of the census blocks and to partially serve 1. CenturyLink's re-analysis shows all 11 census blocks as unserved by any provider other than CenturyLink. As such all 11 census blocks should be eligible for CAF Phase I incremental support.



**H&B Cable Service, Inc.** H&B Cable challenged 75 census blocks claiming that they serve these blocks with fiber-to-the-home at speeds of 25 Mbps down and 5 Mbps up. They do not specify if they serve the census blocks completely or partially. CenturyLink's review shows 2 of the census blocks as unserved and the remaining census blocks as served (either wholly or partially) by CenturyLink and/or partially served by any other provider. All 75 census blocks challenged by H&B Cable should be eligible for CAF Phase I incremental support.



**Cable One, Inc.** Cable One challenged 338 of CenturyLink's census blocks in Arizona, Idaho, Iowa, Missouri, Nebraska, New Mexico, North Dakota, Oregon, and Washington. Cable One claims they serve at speeds of 50 Mbps down and 2 Mbps up. They do not specify if they partially serve or fully serve the census blocks. CenturyLink's review identified five of the census blocks as completely served by Cable One. CenturyLink has removed those census blocks from its modified list of census blocks that should be added as eligible for CAF Phase I incremental support.<sup>11</sup> The analysis of the remaining 333 census blocks showed 15 as unserved and 318 as served (either wholly or partially) by CenturyLink and/or partially served by any other provider.<sup>12</sup> These 333 census blocks should be eligible for CAF Phase I incremental support.

**Nittany Media, Inc.** CenturyLink has not been able to identify any data about Nittany's provision of broadband service in Pennsylvania in the NBM based on December 2011 data. In turn, we are unable to verify their coverage area.

Nittany challenged 203 blocks in Pennsylvania. They claim to serve the blocks with cable broadband at speeds of 10 Mbps downstream and 1 Mbps upstream, but make no mention

<sup>11</sup> See Appendix B for the specific census blocks.

<sup>12</sup> Due to the large geographic area encompassing the challenge area, maps are not included here but are available upon request.

of partially versus completely served. CenturyLink's updated analysis shows that based on NTIA end-of-year 2011 data all the census blocks in Nittany's challenge are served (either wholly or partially) by CenturyLink and/or partially served by any other provider. Based on this information, all 203 census blocks challenged by Nittany should be eligible for CAF Phase I incremental support.

**Mediacom.** Mediacom filed reply comments and then a supplement to its reply comments in which Mediacom challenged CenturyLink's determination with respect to 1,759 census blocks in several states.<sup>13</sup> Mediacom states that those census blocks should be counted as fully-served and not eligible for CAF Phase I incremental support because "Mediacom advertises and provides service to at least one customer with a fixed terrestrial internet access service operating speeds in excess of the 3 Mbps downstream and 768 kbps upstream minimum standard."<sup>14</sup> Mediacom does not assert that it offers broadband service ubiquitously in any of the identified census blocks. Instead, it notes that in 429 of the census blocks it serves dozens or hundreds of residents.<sup>15</sup> In the remaining 1,330 census blocks, Mediacom's service at or above 3Mbps/768kbps is to fewer than dozens of residents. Given its partial coverage in each of these census blocks, Mediacom asserts that these census blocks should not be eligible for CAF Phase I incremental support.

CenturyLink's review revealed that 347 of these census blocks should not be added to the potentially eligible census block list.<sup>16</sup> CenturyLink has removed those census blocks from its modified list of census blocks that should be added as eligible for CAF Phase I incremental support. With respect to the remaining 1,412 census blocks identified by Mediacom, however, CenturyLink disagrees with Mediacom and continues to view that it has correctly identified those blocks as ones that should be added to the eligible census block list.<sup>17</sup>

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<sup>13</sup> Reply Comments of Mediacom Communications Corporation on the Further Notice of Proposed Rulemaking for Phase I Incremental Support of the Connect America Fund, WC Docket No. 10-90, filed Feb. 11, 2013; Mediacom Supplement to Reply Comments, WC Docket No. 10-90, filed Mar. 4, 2013 (Mediacom Supplement).

<sup>14</sup> Mediacom Supplement.

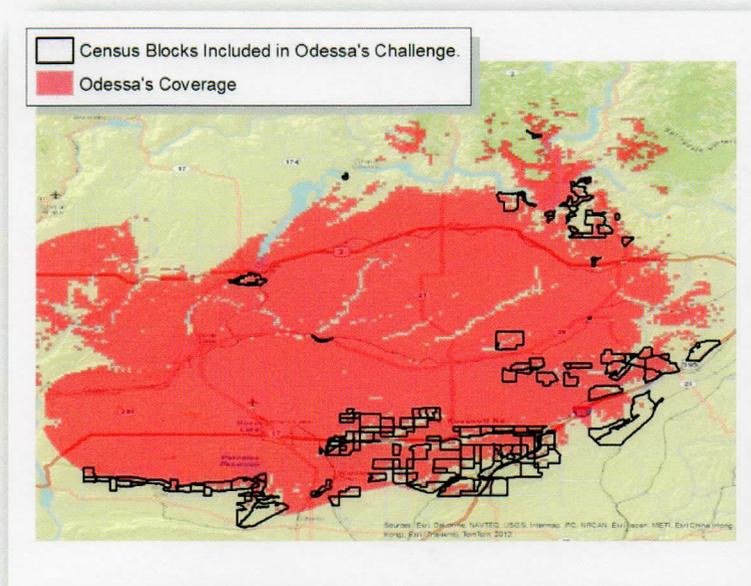
<sup>15</sup> *Id.* at 2.

<sup>16</sup> See Appendix B for the specific census blocks.

<sup>17</sup> Due to the large geographic area encompassing the challenge area, maps are not included here but are available upon request.



**Odessa Office Equipment.** Odessa challenges 163 census blocks from the list submitted by CenturyLink for which they claim their fixed wireless coverage area encompasses “all or a portion of the Census block.” Odessa does not, however, distinguish which census blocks are only partially served by Odessa and which are completely served. CenturyLink’s analysis of these census blocks was significantly impacted by its string conversion error. CenturyLink agrees that 139 of these census blocks are served and should not be added to the eligible census block list.<sup>18</sup> CenturyLink has removed those census blocks from its modified list of census blocks that should be added as eligible for CAF Phase I incremental support. Nevertheless, CenturyLink’s re-analysis confirmed that the remaining 24 census blocks in Odessa’s challenge are served (either wholly or partially) by CenturyLink and/or partially served by any other provider, and should be added to the eligible census block list.



**West Carolina Rural Telephone Cooperative, Inc. (WCRTC).** WCRTC did not challenge CenturyLink’s list but instead provided an update to the Commission’s original list. WCRTC updated six census blocks in South Carolina, only one of which (450019505002032) spans both CenturyLink and WCRTC territory. WCRTC claims the portion of this census block which they cover is served. This census block is already on the Commission’s list as partially served so it was not included in CenturyLink’s petition. WCRTC makes no claim regarding the portion of the census block in CenturyLink’s territory. This census block, 450019505002032, should remain on the Commission’s list.

Sincerely,

/s/ Melissa E. Newman

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<sup>18</sup> See Appendix B for the specific census blocks.

Ms. Marlene H. Dortch  
April 15, 2013

Page 11 of 11

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