



September 27, 2013

Via Hand Filing

ACCEPTED/FILED

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

SEP 27 2013  
Federal Communications Commission  
Office of the Secretary

Re: *Connect America Fund*, WC Docket No. 10-90

Dear Ms. Dortch:

On behalf of Atlantic Broadband Finance, LLC, the undersigned counsel submits this challenge pursuant to the *Third Protective Order*.<sup>1</sup> Pursuant to the *Order*, we submit (a) one copy of the filing containing Confidential Information to the Secretary's Office along with the confidential cover letter; and (b) two copies of the filing in redacted form to the Secretary's Office along with this cover letter. We will also file a redacted copy of this letter via ECFS.

Please contact me if you have any questions.

Sincerely,

John T. Nakahata  
Counsel to Atlantic Broadband Finance,  
LLC

<sup>1</sup> See *Connect America Fund, A National Broadband Plan for Our Future, Establishing Just and Reasonable Rates for Local Exchange Carriers, High-Cost Universal Service Support, Developing an Unified Intercarrier Compensation Regime, Federal-State Joint Board on Universal Service, Lifeline and Link-Up, Universal Service Reform-Mobility Fund, Third Protective Order*, DA 12-1418, 27 FCC Rcd. 10,276 (2012).

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

In the Matter of )  
 )  
Connect America Fund )  
 )

WC Docket No. 10-90

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SEP 27 2013

Federal Communications Commission  
Office of the Secretary

**CONNECT AMERICA FUND PHASE I – ROUND 2  
CHALLENGES OF ATLANTIC BROADBAND, LLC**

Atlantic Broadband, LLC (“Atlantic Broadband”) hereby challenges the designations by Windstream, Frontier, CenturyLink, and AT&T of certain Census blocks for Connect America Fund (“CAF”) Phase I – Round 2 support. Pursuant to the Commission’s Report and Order of May 22, 2013,<sup>1</sup> Atlantic Broadband offers and provides fixed, facilities-based broadband Internet access services of at least 3 Mbps downlink and 768 Kbps uplink in the Census blocks reflected in Exhibit A. These Census blocks are located in the states of Pennsylvania, West Virginia, Maryland and South Carolina. In support, Atlantic Broadband provides the number of locations to which it has provided such services in each Census block (by FIPS Block code), drawn from Atlantic Broadband’s billing records, supported by the declarations under penalty of perjury of Edward Holleran, Chief Executive Officer,<sup>2</sup> and Mohan Rao, Senior Director of Management Information Systems.<sup>3</sup>

Accordingly, the Commission should remove these Census blocks from the list of blocks

<sup>1</sup> See *Connect America Fund*, Public Notice, FCC 13-73, 28 FCC Rcd. 7766 (2013).

<sup>2</sup> See Exhibit B.

<sup>3</sup> See Exhibit C.

REDACTED—FOR PUBLIC INSPECTION

eligible for CAF Phase I – Round 2 support or, where appropriate, it should deny the incumbent LEC's challenges that seek to permit the incumbent LEC to use CAF Phase I – Round 2 support to upgrade or serve locations within that Census block.

Respectfully submitted,



John T. Nakahata  
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Washington, DC 20036  
(202) 730-1300

*Counsel for Atlantic Broadband Finance, LLC*

Date: September 27, 2013

REDACTED—FOR PUBLIC INSPECTION

**EXHIBIT A**

**REDACTED—FOR PUBLIC INSPECTION**

**REDACTED—FOR PUBLIC INSPECTION**

REDACTED—FOR PUBLIC INSPECTION

**EXHIBIT B**



1 Battery March Park  
Suite 405  
Quincy, MA 02169

617.786.8800 PHONE  
617.786.8803 FAX

### DECLARATION OF EDWARD T. HOLLERAN

I, Edward T. Holleran, hereby state as follows, under penalty of perjury:

1. My name is Edward T. Holleran. I am Chief Executive Officer of Atlantic Broadband Finance, LLC, a wholly-owned subsidiary of Cogeco, Inc. Atlantic Broadband operates cable systems that provide high-speed Internet access service in portions of the following states: Delaware, Florida, Maryland, New York, Pennsylvania, South Carolina, and West Virginia.

2. To the best of my knowledge, Atlantic Broadband provides high-speed Internet access service of at least 3 Mbps downlink and 768 Kbps uplink in each of the areas designated by the FIPS Census Block codes listed in Exhibit A. Exhibit A indicates the number of customer locations in which Atlantic Broadband has had a customer in that FIPS Block code area.

3. The data in Exhibit A was compiled by Mohan Rao, Senior Director of Management Information Systems, as described in his attached declaration. I am relying on Mr. Rao's declaration in completing this declaration.

A handwritten signature in black ink, appearing to read 'Edward T. Holleran', written over a horizontal line.

Edward T. Holleran

Date: September 27, 2013

**EXHIBIT C**



1 Battery March Park  
Suite 405  
Quincy, MA 02169

617.786.8800  
617.786.8803

**DECLARATION OF MOHAN RAO**

I, Mohan Rao, declare as follows, under penalty of perjury:

1. I am Mohan Rao. I am the Senior Director of Management Information Systems for Atlantic Broadband Finance, LLC.
2. I was asked to determine whether Atlantic Broadband offers and provides broadband Internet access services of at least either 768 kbps downlink and 256 kbps uplink or 3 Mbps downlink and 768 kbps uplink in any of the Census blocks, identified by FIPS Block Code, contained in the excel spreadsheet released by the Federal Communications Commission ("FCC") on August 28, 2013 (linked to Public Notice DA 13-1832)(FCC CAF Phase I FIPS List").
3. To do so, I queried the Atlantic Broadband billing system to obtain the address, city, state, zip code and latitude/longitude coordinates for each customer that has been served. This billing system is the same system used to generate our customer bills.
4. I then used the API provided by the FCC on its website at <http://www.fcc.gov/developers/census-block-conversions-api> to determine the appropriate FIPS Block Code associated with each address.
5. I then matched those FIPS codes against the FIPS codes on the FCC CAF Phase I FIPS list. I obtained a list of carriers associated with FIPS codes from the American Cable Association, and associated carriers with specific FIPS codes.
6. From that list, I was able to determine the number of customer locations at which Atlantic Broadband has served a customer within that FIPS Block code, which indicates that Atlantic Broadband has network that passes customer locations in that FIPS Block code.
7. To determine the available speeds, I used the zip code for the customer record within those FIPS codes that were on the FCC CAF Phase I FIPS List in which Atlantic Broadband had served a customer and compared that to the Internet services offered by Atlantic Broadband in that zip code, if available. If a service level of 3 Mbps download and 768 kbps upload was available, I noted that. There were no areas where Atlantic Broadband offers Internet access service that do not have a broadband Internet access service available of at least 3 Mbps download and 768 kbps upload. This is consistent with Atlantic Broadband's technical deployment, which is either DOCSIS 2 or DOCSIS 3 in all of these areas.
8. The resulting data is presented in Exhibit A.

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Mohan Rao

Date: September 27, 2013