

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Technology Transitions)	GN Docket No. 13-5
)	
AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition)	GN Docket No. 12-353
)	
Connect America Fund)	WC Docket No. 10-90
)	
Structure and Practices of the Video Relay Service Program)	CG Docket No. 10-51
)	
Telecommunications Relay Services And Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities)	CG Docket No. 03-123
)	
Numbering Policies for Modern Communications)	WC Docket No. 13-97
)	

COMMENTS OF BEE LINE, INC.

Bee Line, Inc., d/b/a Bee Line Cable (Bee Line), through undersigned counsel, and pursuant to Sections 1.415 and 1.419 of the Commission's rules (47 C.F.R. §§ 1.415 & 1.419), respectfully submits these Comments in the above-referenced proceeding in response to the Order and Further Notice of Proposed Rulemaking (*IP Transitions Order*), released by the FCC on January 31, 2014.¹ Specifically, Bee Line objects to certain claims made in Expressions of Interests from the Town of Farmington (Maine), and Networkmaine in seeking Federal support for areas already served by Bee Line.

¹ *Order, Report and Order, Further Notice of Proposed Rulemaking in GN Docket No. 13-5*, FCC 14-5, released January 31, 2014. The *IP Transition Order* was published in the Federal Register on February 28, 2014, 40 Fed.Reg. 11366, setting the comment date to March 31, 2014. These Comments thus are timely filed.

Bee Line Cable is a second-generation family owned cable system that first began operations in the state of Maine in 1954. Owen Hannigan, the founder of Bee Line Cable, was inducted into the Cable TV Pioneer's Club in 1990, the same year as Ted Turner. Owen's son Paul is now the President of Bee Line Cable, which operates cable systems in highly rural areas of Maine in three clusters: Anson, Madison & Skowhegan; Farmington, Industry & Wilton; and East Millinocket & Millinocket. Since 2004, Bee Line has strung more than 300 miles of fiber optic cable as part of its system, and now offers broadband (12 mbps DS / 1 mbps US) and VoIP service throughout its franchised service areas. Bee Line is continuing to upgrade its facilities and plans on offering packages with even higher speeds by the end of 2014.

Bee Line Cable files these comments in response to the *IP Transitions Order*, and specifically to comments made in several "Expressions of Interest" filed by the Town of Farmington (Maine), and Networkmaine. Both seek government support to provide broadband service in areas served by Bee Line Cable, an unsubsidized carrier.

Farmington seeks \$4,000,000 to build "a fiber-to-the-premise (FTTP) project to connect all homes and businesses in Farmington."² The problem is that Bee Line already provides broadband service (up to 12 mbps DS / 1 mbps US) in Farmington. According to the FCC's list of eligible areas, Census Tract 9712, which the Town of Farmington's Expression of Interest acknowledges as the proper census tract, contains only one "Eligible High Cost Location," and zero "Extremely High Cost Locations."³ That is precisely because Bee Line has 95 miles of Hybrid Fiber Coaxial (HFC) plant within the City of Farmington. Contrary to Farmington's assertion that Bee Line has "extended high-speed broadband Internet service to limited areas within Farmington at their discretion," Bee Line offers broadband service to 97 percent of the

² Expression of Interest of the City of Farmington, filed March 6, 2014.

³ See *Public Notice*, DA 14-154, released February 6, 2014 (*Eligible Areas Public Notice*).

towns potential subscribers. Bee Line has extended its HFC system to extremely rural areas of Farmington, where town roads lack pavement. Bee Line also competes with other broadband service providers (OTT, GWI, FairPoint, Verizon Wireless, & US Cellular) within the Town of Farmington. Bee Line feels compelled to file these comments now to set the record straight as to its service area, and the services it offers.

Networkmaine seeks \$54,000,000 to serve 274 Libraries and 551 K-12 schools in Maine, including a number of schools within the service areas of Bee Line Cable. Rather than base its expression of interest on areas not able to be served, Networkmaine urges the FCC to adopt a radical new definition of unserved areas:

Networkmaine questions the use of residential broadband availability levels of 3M/768K to designate Community Anchor Institutions as unserved.

Networkmaine believes that public libraries and K12 schools are unserved when they lack the connectivity they require to meet their mission of serving their students and patrons. Networkmaine asks that the FCC reexamine its decision to qualify libraries and schools based on the availability of residential broadband.⁴

In other words, Networkmaine would deem all schools and libraries not currently receiving the connectivity “they require” as unserved, whether or not there is an unsubsidized carrier able to provide service, for a fee, of course. Networkmaine’s definition of unserved is directly contrary to the FCC’s historical definition of unserved, and flies in the face of the purpose of the Rural Experiments proposed in the current *IP Transition Order*:

We are focused on using this experiment to deploy robust, scalable networks in rural areas lacking Internet access that delivers 3 Mbps downstream/768 kbps upstream. In the USF/ICC transformation Order, the Commission adopted a policy that support not be provided to areas served by an unsubsidized competitor. We remain committed to ensuring that Connect America funding is not used in areas where other providers are offering voice and broadband meeting the

⁴ Networkmaine Expression of Interest, p. 2 (emphasis in original).

Commission's requirements.⁵

Bee Line urges the FCC to reject Networkmaine's approach and continue to offer support only to those areas that are unserved by an unsubsidized provider. Indeed, Networkmaine's desire to provide service to Maine's schools and libraries, certainly a laudable goal, is best served through the USF Schools and Libraries (E-rate) program, which can provide subsidies to rural schools and libraries. To fund a massive overbuild in Maine just for schools and libraries makes no sense, and runs counter to the IP Transition generally, where communications is transported not through dedicated point-to-point networks, but through the distributed network known as the Internet.

Bee Line has reviewed the *Eligible Areas Public Notice*, in the event that other entities seek support for areas currently served by Bee Line or other unsubsidized carriers. The Table below reflects those Census Tracts currently served by Bee Line Cable.

Census Tract	County/Town	Eligible High Cost Locations	Extremely High Cost Locations	Annual Support ⁶
	Somerset			
23025966400	Anson	39	1	\$60,635.23
23025966500	Madison	51	0	\$67,134.73
23025966600	Skowhegan	5	0	\$35,605.56
	Franklin			
23007971200	Farmington	1	0	\$47,792.61
23007971300	Wilton	19	0	\$41,682.26
	Penobscot			

⁵ *IP Transition Order*, ¶ 113.

⁶ "The 'Annual Support' column specifies the potential maximum amount of support that could be provided for the entire census tract, based on the number of eligible high cost locations." *Public Notice*, DA 14-154, released February 6, 2014, n.7.

23019013000	Millinocket	11	0	\$11,135.08
23019031000	East Millinocket	7	3	\$8,932.48

In short, none of these areas justify the spending of millions of new dollars in federal support because Bee Line already provides service there. Bee Line stands ready to work with any entity seeking service within Bee Line's franchised area but currently is without high speed broadband. Bee Line has a nearly 60 year history of meeting the needs of its subscribers in Maine, all through private investment in cable plant, not government subsidies. Bee Line therefore urges the Commission to continue its stated policy of only providing subsidies to areas where no unsubsidized carrier exists to provide service.

Respectfully submitted,

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