

**Factual Statement of Forbes Mercy, President
Washington Broadband, Inc.**

My name is **Forbes Mercy**, and I am the President of **Washington Broadband, Inc.** ("**Washington Broadband**"). This written statement is being provided with **Washington Broadband's** FCC Form 505 as part of the Federal Communications Commission's Challenge Process for Connect America Phase II. I have knowledge of the facts set forth in this written statement due to my position with the company and my participation in the preparation and analysis of the underlying data.

Washington Broadband provides residential terrestrial fixed voice and broadband service to at least one location each of in the census blocks identified in the "Unserved-to-served" sheet of **Washington Broadband's** FCC Form 505 (the "Served Census Blocks"). Washington Broadband, Inc. recently began offering voice through reselling services of its affiliated CLEC Washington Telco, LLC using VoIP Innovations DID management, and Ipifony-purchased local VoIP switches housed on multi-homed Gigabit pipe with physically divergent paths to the Internet. Washington Broadband maintains the support and billing relationship with the voice customers and maintains quality of service. Broadband is delivered via fiber head-end, licensed radio middle mile to towers, licensed lite 3.65 GHz to brick and mortar businesses, rural stock traders, home telemedicine, and home businesses. Fixed Wireless Unlicensed in the 900 MHz, 2.4 GHz, 5 GHz, and 24 GHz ranges are used for network delivery with speeds upward to 1Gbps. We also build personal networks for a number of farmers to tie their growing and packing operations together. We will begin deploying rural hybrid FTTX this fall, mostly in high cost areas and without subsidy.

- **Washington Broadband's** voice and broadband service meets the FCC's performance and pricing criteria. **Washington Broadband:**
 - offers broadband service across its entire service area with speeds of at least 4 Mbps downstream and 1 Mbps upstream;
 - Imposes no limits on data usage;
 - has a round-trip provider latency of 100 ms or less. One of our vendors has helped to optimize our network to assure that we can deliver VoIP services, which require meeting latency standards that are superior to normal broadband requirements, and we rely on monitoring software to assure appropriate latency levels;
 - Has non-promotional price for voice service that is below \$46.96 and a non-promotional price for broadband is below the interim benchmark of \$60, and is offering fixed services meeting the FCC's voice and broadband requirements for the same or lower prices in rural areas as the prices for fixed wireline services in urban areas;
 - provides voice grade access to the public switched network or its functional equivalent;
 - provides minutes of use for local service at no additional charge to end users in that our voice pricing plans do not charge differently for local and long distance. We sell a 90 minutes/month package for \$14.95 and a 2,000 minutes package for \$19.95;

- provides access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911; and
- does not distinguish between toll and non-toll calls in its voice pricing plans, so no toll limitation services are required.

Supporting evidence included with this Form 505 includes a screenshot from the National Broadband Map that identifies broadband speeds, as well as kmz (Google Earth) mapping prepared by our outside consultant that identifies the census blocks within our service area based on service reported to state broadband mapping authorities. In addition, we've attached screenshots from our company's website, and updated plans and pricing can be found at <http://wabroadband.com/services.html>.

Washington Broadband offers voice and/or broadband service to at least one location in all of the Served Census Blocks. **Washington Broadband** also has voice and broadband-capable physical assets in or adjacent to the Served Census Blocks. In addition, **Washington Broadband** already has, or previously had, customers in each of the Served Census Blocks. Supporting evidence provided with this Form 505 includes includes a kmz file that depicts the Served Census Blocks on Google Earth. The map is based on service area data that Washington Broadband provided to the state of Washington's mapping contractor in the last round of state broadband mapping, which also appears in a separately submitted map. On that map, areas marked in grey represent the service area, and the areas marked in red represent recent expansions to the service area where we soon expect to add customers.

In those instances where **Washington Broadband** has no current customers, but previously had customers, **Washington Broadband** is willing to provision voice and broadband service to customers in each Served Census Block within 7-10 business days without an extraordinary commitment of resources and without any special construction charge or construction fee to customers in that block.

All evidence presented herein is true and accurate to the best of my knowledge. Additional supporting documentation for this factual statement can be provided to the Wireline Competition Bureau upon request.