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VIAECFS
August 14, 2014

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S. W.
Washington, D.C. 20554
Attn: Wireline Competition Bureau

Re: RE: ET Docket No. 13-49; Revision of Part 15 of the Commission's Rules To Permit
Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band
SHELBY BROADBAND

Dear Ms. Dortch:

Avolutia, LLC dba Shelby Broadband is a fixed wireless internet service provider (WISP) operating in rural Kentucky. We provide service to the majority of the rural residents along the I-64 corridor between Louisville and Lexington. We serve residents and businesses that have no cost-effective alternative to high speed broadband, primarily in markets unserved by cable or DSL. Much of our last mile and nearly all of our middle mile network is built out using the unlicensed 5.725 – 5.85GHz band. In order to provide these services, we operate from approximately 140 sites across a 3,000 square mile area. We have over 150 existing middle mile wireless point to point links in service that will be impacted by this rule and will increase our cost by a minimum of five thousand dollars per link.

As currently adopted, this rule will likely result in the loss of broadband access for a large portion of our network. It will cause an undue hardship on our company by applying these rules on already cost-effective equipment, effectively driving prices for the equipment up by as much as 200%. Many of our 3,500+ customers rely on us because they have no other alternative for service. Shelby Broadband is currently spending over a one million dollars to upgrade our existing network using equipment that has recently been certified. To be forced to replace this equipment in less than 2 years as existing equipment today will no longer be allowed to be installed is a difficult burden on our small business.

Additionally, we will no longer be able to provide service to customers who receive service from a long distance from one of our towers unless we build approximately 50 additional tower sites, at a cost of over seven hundred fifty thousand dollars. We will be forced to place this burden on the customer in the form of higher monthly fees and higher installation costs. Fees that may be too cost prohibitive for the average rural customer.

It has been our focus to continue to grow and provide service to rural residents in Kentucky that have no other option. These rules will prevent us from growing, prevent Americans from being able to receive cost effective high speed internet, stifle job growth, hamper educational and distance learning, and overall limiting communications with the rest of the connected world.

Lastly, we have consulted with many local governments, state agencies, federal agencies, municipal built networks, water companies, farms, public safety networks, schools, WISPs, and a large variety of corporations that are currently unaware of the new rules they will be forced to abide by. Billions of federal dollars has been spent in the past 4 years to build broadband infrastructure, much of which will not comply with the new rules. This creates a huge financial burden that ultimately the American taxpayer will have to pay for, twice.

In conclusion, I appreciate your consideration in this matter and I urge the FCC to reconsider this proposed ruling.

Sincerely,

Charles T. Hogg Jr
President, Shelby Broadband