

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

In the Matter of )  
)  
A National Broadband Plan for Our Future ) GN Docket No. 09-51  
)  
High-Cost Universal Service Support ) WC Docket No. 05-337  
)  
National Cable and Telecommunications Association, ) RM-11584  
Reducing Universal Service Support in Geographic )  
Areas that are Experiencing Unsupported Facilities-Based )  
Competition )

TO: The Commission

**REPLY COMMENTS**

The Western Telecommunications Alliance (“WTA”) hereby submits its reply comments with respect to the petition for rulemaking of the National Cable and Telecommunications Association (“NCTA”) referenced in the Commission’s Public Notice (*Comment Sought on the National Cable and Tele-communications Association Petition for Rulemaking to Reduce Universal Service High-Cost Support Provided to Carriers in Areas Where There Is Extensive Unsubsidized Facilities-Based Voice Competition*), GN Docket No. 09-51, WC Docket No. 05-337 and RM-11584, DA 09-2558, released December 8, 2009 (“*Public Notice*”).

Contrary to the assertions in the initial comments of Charter Communications, Inc. and Time Warner Cable, Inc. as well as those in the initial NCTA petition, CATV operators are not presently providing significant (much less “robust” or “flourishing” or “extensive”) voice or video service competition in rural local exchange carrier (“RLEC”) study areas. Rather, the predominant providers of cable television services in the rural Western study areas of WTA members are the RLECs themselves (or their video affiliates) and satellite video providers.

Where unrelated CATV operators are present, they have confined their rural CATV operations to towns and similar population centers, and offer competitive voice services in only a fraction of such population centers.

Attachment A summarizes the results of a survey that WTA recently conducted to determine the extent of unaffiliated CATV video service and CATV voice competition within the study areas of its members. Of the thirty-seven (37) members responding, fourteen (14) had no unaffiliated CATV video service and no competitive CATV voice service whatsoever in any of the aggregate ninety-eight (98) rural Western exchanges they serve. The other twenty-three (23) members had unaffiliated CATV video service in only forty-nine (49) of the aggregate 325 rural Western exchanges they serve, and all such unaffiliated CATV video service was limited to the towns, villages or other population centers of such exchanges. These twenty-three (23) members had competitive CATV voice service in only twenty (20) of the aggregate 325 rural Western exchanges they serve, and all such competitive CATV voice service was again limited to the towns, villages or other population centers of such exchanges.

Put another way, the responding 37 WTA members have unaffiliated CATV video service in only 11.58 percent of the 423 rural Western exchanges they serve, and then only in the principal population centers of such exchanges. They have competitive CATV voice service in only 4.73 percent of the 423 rural Western exchanges they serve, and again only in the principal population centers of such exchanges. WTA reiterates that there is no substantial presence of unrelated CATV operators in the rural Western study areas of most of its members, much less the “robust” or “flourishing” or “extensive” wireline voice competition asserted by NCTA as the primary factual predicate for its proposal. For this reason alone, the NCTA petition should be rejected.

In addition, the WTA survey highlights the difference between RLECs that are subject to Carrier of Last Resort (“COLR”) obligations and non-RLEC-affiliated CATV operators that are not. The essence of COLR regulation is that RLECs are required to serve virtually every customer requesting service within their rural exchanges, regardless of whether the customer is located inside, outside or far outside the boundaries of a population center and regardless of whether the customer is likely to be profitable or unprofitable. Unlike cable operators that possess and exercise the option to confine their operations to profitable population centers, WTA members and other RLECs have constructed integrated networks that serve both the customers residing in the population centers and the customers residing in the often spacious, rugged and/or sparsely populated outlying portions of their rural exchanges.

WTA understands that the public switched telecommunications network is evolving into the public broadband network. However, “change” like that proposed by NCTA that is based upon erroneous premises and assumptions will impair rather than advance the Obama Administration’s and the Commission’s goal of ubiquitous broadband deployment in Rural America. If the Commission desires to maintain quality, affordable and reasonably comparable telecommunications and information services in those portions of Rural America served by RLECs, as well as to encourage the continued extension and upgrade of broadband infrastructure and services therein, it needs to recognize the long and successful record of RLECs as the only

entities dedicated to serving the entirety of these areas and the critical role of sufficient federal high-cost support (which constitutes 30-to-40 percent of RLEC revenue streams) in that success.

Blooston, Mordkofsky, Dickens,  
Duffy & Prendergast, LLP  
2120 L Street, NW (Suite 300)  
Washington, DC 20037  
Phone: (202) 659-0830  
Email: [gjd@bloostonlaw.com](mailto:gjd@bloostonlaw.com)

Dated: January 22, 2010

Respectfully submitted,  
**WESTERN TELECOMMUNICATIONS  
ALLIANCE**

By \_\_\_\_\_  
Gerard J. Duffy

Its Attorney

**WESTERN TELECOMMUNICATIONS ALLIANCE  
CATV COMPETITION SURVEY**

**I. WTA Members With No Competition From Unrelated CATV Operators**

*Pioneer Telephone Association d/b/a Pioneer Communications (SAC 411817)*

15 exchanges in Kansas (approximately 13,000 access lines)

Offers CATV service to customers in all 15 exchanges

*Cambridge Telephone Company (SAC 472215)*

5 exchanges in Idaho (approximately 1,800 access lines)

Offers CATV service to customers in 2 exchanges; other customers use satellite services

*Pine Telephone System, Inc. (SAC 532392)*

2 exchanges in Oregon (approximately 900 access lines)

Does not offer CATV service; customers use satellite services

*Southern Kansas Telephone Company, Inc. (SAC 411833)*

19 exchanges in Kansas (approximately 5,225 access lines)

Offers CATV service to customers in 12 exchanges; other customers use satellite services

*Southwest Telephone Exchange (SAC 351301)*

3 exchanges in Iowa (approximately 525 access lines)

Offers CATV service to customers in 1 exchange; other customers use satellite services

*Albion Telephone Company (SAC 472213)*

11 exchanges in Idaho (approximately 4,300 access lines)

Offers CATV service to customers in 3 exchanges; other customers use satellite services

*Volcano Telephone Company (SAC 542343)*

4 exchanges in California (approximately 10,100 access lines)

Offers CATV service to customers in portions of all 4 exchanges; other customers use satellite services

*Oregon Farmers Mutual Telephone Co. (SAC 421935)*

1 exchange in Missouri (approximately 1,040 access lines)

Offers CATV service to customers in the exchange

*Central Utah Telephone (SAC 502277)*

6 exchanges in Utah (approximately 3,700 access lines)

Offers CATV service to customers in 3 exchanges; other customers use satellite services

## **I. WTA Members With No Competition From Unrelated CATV Operators (cont'd)**

*Siskiyou Telephone Company (SAC 542339)*

7 exchanges in California (approximately 4,200 access lines)

Does not offer CATV service; customers use satellite services

*Sacred Wind Communications (SAC 493403)*

2 exchanges in New Mexico (approximately 2,600 access lines)

Does not offer CATV service; customers use satellite service

*Blue Valley Tele-Communications, Inc. (SAC 411746)*

12 exchanges in Kansas (approximately 4,500 access lines)

Offers CATV service to customers in all 12 exchanges

*Monroe Telephone Company (SAC 532385)*

1 exchange in Oregon (approximately 860 access lines)

Offers CATV and IPTV services to customers in exchange

*Midstate Communications (SAC 391670)*

10 exchanges in South Dakota (approximately 4,400 access lines)

Offers CATV service to customers in 7 exchanges

## **II. WTA Members With Competition From Unrelated CATV Operators, But Only in Population Centers**

*South Central Telephone Association, Inc. (SAC 411831 and 431831)*

7 exchanges in Kansas and 2 exchanges in Oklahoma (approximately 1,900 access lines)

Does not offer CATV service

Competition from Allegiance Cable in one exchange (approximately 220 access lines); CATV service in town only; CATV does not offer voice service

*S & A Telephone Company (SAC 411829)*

2 exchanges in Kansas (approximately 800 access lines)

Does not offer CATV service

Competition from MediaCom Cable in one exchange (approximately 450 access lines); CATV service in city only; CATV does not offer voice service

*Great Plains Communications, Inc. (SAC 371577)*

63 exchanges in Nebraska (approximately 26,500 access lines)

Offers CATV service in 40 of exchanges

Competition from Cable Nebraska in 4 exchanges (approximately 2,150 access lines); CATV service in towns only; CATV offers voice service under Sprint "business model"

Competition from Pinpoint Cable in one exchange (approximately 375 access lines); CATV service in town only; CATV does not offer voice service

## II. WTA Members With Competition From Unrelated CATV Operators, But Only in Population Centers (cont'd)

### *Twin Valley Telephone (SAC 411840)*

19 exchanges in Kansas (approximately 7,000 access lines)

Offers CATV service in all 19 exchanges

Competition from Eagle Communications in 4 exchanges (approximately 1,900 access lines); CATV service in towns only; CATV offers voice service in one of towns

### *Rural Telephone Service Company (SAC 411826)*

39 exchanges in Kansas (approximately 13,250 access lines)

Offers CATV service in all 39 exchanges

Competition from Eagle Communications in 2 exchanges (approximately 3,650 access lines); CATV service in towns only; CATV offers voice service in towns

Competition from Cunningham Cable in one exchange (approximately 470 access lines); CATV service in town only; CATV offers voice service in town

### *Golden Belt Telephone Association, Inc. (SAC 411777)*

18 exchanges in Kansas (approximately 4,900 access lines)

Offers CATV service in all 18 exchanges

Competition from Eagle Communications in one exchange (approximately 1,030 access lines); CATV service in town only; CATV offers voice service in the town

### *Northeast Nebraska Telephone Co. (SAC 371576)*

21 exchanges in Nebraska (approximately 6,150 access lines)

Offers CATV service in all 21 exchanges

Competition from Three Rivers Telecommunications in one exchange (approximately 280 access lines); CATV service in village only; CATV offers voice service in village

### *Range Telephone Cooperative (SAC 482251)*

12 exchanges in Montana (approximately 4,375 access lines)

Does not offer CATV service

Competition from Mid-River Communications in one exchange (approximately 475 access lines); CATV service in town only; CATV does not offer voice service

### *Range Telephone Cooperative and RT Communications (SAC 512251)*

22 exchanges in Wyoming (approximately 15,950 access lines)

Does not offer CATV service

Competition from Bresnan Communications in 3 exchanges (approximately 8,247 access lines); CATV service in towns only; CATV does not yet offer voice service

Competition from Tongue River Communications in 3 exchanges (approximately 2,850 access lines); CATV service in towns only; CATV does not yet offer voice service

## II. WTA Members With Competition From Unrelated CATV Operators, But Only in Population Centers (cont'd)

### *Valley Telephone Cooperative (SAC 452176)*

10 exchanges in Arizona (approximately 6,325 access lines)

Offers CATV service in all 10 exchanges

Competition from Cox Cable in one exchange (approximately 1,250 access lines); CATV service in village only; CATV does not offer voice service

Competition from Cable One in one exchange (approximately 1,450 access lines); CATV service in town only; CATV does not offer voice service

### *Diversicom Melrose Telephone Co. (SAC 361430)*

8 exchanges in Minnesota (approximately 9,300 access lines)

Offers CATV service in 7 exchanges

Competition from Charter Communications in one exchange (approximately 2,170 access lines); CATV service in town only; CATV does not offer voice service

### *Western New Mexico Telephone Company (SAC 492268)*

9 exchanges in New Mexico (approximately 6,400 access lines)

Does not offer CATV service

Competition from City TV Cable Service in one exchange (approximately 1,350 access lines); CATV service in town only; CATV does not offer voice service

### *Tri County Telephone Association, Inc. (SAC 512296)*

9 exchanges in Wyoming (approximately 5,700 access lines)

Offers CATV service in 8 exchanges

Competition from Bresnan Communications in 2 exchanges (approximately 2,160 access lines); CATV service in villages only; CATV offers voice service in villages

### *3 Rivers Telephone Cooperative (SAC 482255)*

27 exchanges in Montana (approximately 18,100 access lines)

Offers CATV service in 2 exchanges

Competition from Bulldog Cable in one exchange (approximately 3,200 access lines); CATV service in half of exchange; CATV does not offer voice service

Competition from Ruby Valley Cable in one exchange (approximately 1,135 access lines); CATV service in one-fourth of exchange; CATV does not offer voice service

Competition from Starlink Cable in one exchange (approximately 2,850 access lines); CATV service in 15 percent of exchange; CATV does not offer voice service

## II. WTA Members With Competition From Unrelated CATV Operators, But Only in Population Centers (cont'd)

### *Table Top Telephone Company, Inc. (SAC 453334)*

6 exchanges in Arizona (approximately 4,525 access lines)

Does not offer CATV service

Competition from MediaCom Cable in one exchange (approximately 1,960 access lines); CATV service in town only; CATV does not offer voice service

Competition from Eagle West in one exchange (approximately 460 access lines); CATV service in town only; CATV does not offer voice service

Competition from Cable One in one exchange (approximately 100 access lines); CATV service in town only; CATV offers voice service in town

### *Manti Telephone Company (SAC 502282)*

2 exchanges in Utah (approximately 3,000 access lines)

Offers CATV service in both exchanges

Competition from CentraCom Cable in both exchanges (approximately 3,000 access lines); CATV service in towns only; CATV does not offer voice service

### *Tularosa Basin Telephone Company, Inc. (SAC 492265)*

3 exchanges in New Mexico (approximately 4,300 access lines)

Does not offer CATV service

Competition from Baja Broadband in one exchange (approximately 1,960 access lines); CATV service in approximately 40 percent of area of exchange; CATV voice service in village only

Competition from Penasco Valley Telecommunications in one exchange (approximately 1,550 access lines); CATV service in approximately 10 percent of area of exchange; CATV voice service in village only

### *Totah Communications, Inc. (SAC 432030 and 412030)*

8 exchanges in Oklahoma and 6 exchanges in Kansas (approximately 2,800 access lines)

Does not offer CATV service

Competition from Community Cablevision in one Oklahoma exchange; CATV service in part of exchange only; CATV does not offer voice service

Competition from Cox Communications in one Kansas exchange; CATV service in part of exchange only; CATV does not offer voice service

### *The Ponderosa Telephone Co. (SAC 542332)*

8 exchanges in California (approximately 8,600 access lines)

Offers CATV service in one exchange

Competition from Comcast in one exchange; CATV service in town and some outlying subdivisions only (about 4 percent of exchange area); CATV offers voice service

Competition from SuddenLink in one exchange; CATV service in town and some outlying subdivisions only (about 2 percent of exchange area); CATV does not offer voice service

## **II. WTA Members With Competition From Unrelated CATV Operators, But Only in Population Centers (cont'd)**

### *CC Communications (SAC 552349)*

1 exchange in Nevada (approximately 11,000 access lines)

Offers CATV service in exchange

Competition from Charter Communications in exchange; CATV service in population centers only (approximately 30 percent of exchange area); CATV does not offer voice service

### *Northern Arkansas Telephone Company (SAC 401713)*

6 exchanges in Arkansas (approximately 6,350 access lines)

Does not offer CATV service

Competition from SuddenLink in two exchanges; CATV service in towns only (one of exchanges consists entirely of a town); CATV offers voice service behind Sprint CLEC

Competition from Indco Internet in one exchange; CATV service in town that constitutes entire exchange; CATV does not offer voice service

### *TelAlaska, Inc. d/b/a Mukluk Telephone (SAC 613016)*

12 exchanges in Alaska (approximately 3,100 access lines)

Does not offer CATV service

Competition from GCI Communications in one exchange; CATV service in regional population center only; CATV offers voice service

### *TelAlaska, Inc. d/b/a Interior Telephone (SAC 613011)*

11 exchanges in Alaska (approximately 7,125 access lines)

Offers CATV service in 2 exchanges

Competition from GCI Communications in one exchange; CATV service in regional population center only; CATV offers voice service

## **III. WTA Members With Competition From Unrelated CATV Operators Throughout Entire Study Area**

None