

Communications Daily

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FCC Facing Tough Timetable on Broadband Plan

FCC broadband coordinator Blair Levin laid out an ambitious schedule Thursday for development of an FCC broadband plan, due to be completed Feb. 17, 2010. The schedule includes more than 20 staff workshops at the agency starting Aug. 12, designed to take the place of traditional ex parte meetings that groups and companies hold with agency officials. The update was presented at an FCC agenda meeting that was Julius Genachowski's first as chairman.

Some key questions remain unresolved, including whether the report will be put out for comment and whether it must be approved by commissioners, agency and industry officials said. Levin, former FCC chief of staff, said he plans to coordinate other meetings between industry and staff through the Office of General Counsel. The meetings won't start until the week of July 20 so the FCC has time to get staff in place. The workshops start with three sessions on Aug. 12, ending with a "big ideas" workshop on Sept. 3. Comments in response to the workshops are due Sept. 11. The FCC also launched a broadband plan website Thursday, www.broadband.gov, to keep interested parties up to date on the latest developments.

The workshops are a new way of doing business for the FCC, Levin said. The workshops "are designed to provide the same benefits as the ex parte process, but in a more open and efficient manner," he said. "Traditionally, we have multiple meetings with multiple parties, often redundant, talking about the various issues raised by a proceeding. They're behind closed doors. ... We're going to take part of that process and put it in this room, open to the public, open on the Web." The FCC must ask many questions, Levin said: "What is the current situation? What's the state of deployment, affordability, utilization? What will be the near-term situation without a change in government policy?"

Levin said after the meeting that the FCC will provide more information later on who else at the FCC will be assigned to broadband plan and other details. Levin appeared on a panel by himself, in contrast to the four or five FCC staffers who present most issues.

“The last thing I’m focused on is my position,” he said. “The thing I’m focused on right now is how do we pull together an organization that for the most part involves resources that are here at the FCC ... along with resources that are not available at the FCC.”

Genachowski called the plan as Levin described “an aggressive, energetic, creative game plan” for the future. “Congress has entrusted the FCC with a matter of profound importance to the country,” he said. “They have given us the job of developing a national broadband plan for America. If we do our jobs right and enable universal broadband that’s fast, affordable, and open, we can unleash new waves of innovation that we can scarcely imagine today -- in the network and at the edge of the network.”

“There are many challenges and constraints such as time and budget and the statutory deadline,” Commissioner Robert McDowell said. He noted that Congress required submission of the report a year earlier than it requires a final broadband map. “One of the most critical inputs to decision making for the plan comes a year after the plan is due,” he said. “That’s the hand we have been dealt and that’s the hand we will play to the best of our ability.”

“Getting our broadband plan rolling was, right alongside DTV, top priority for me” over the past five months, said Commissioner Michael Copps, formerly the acting chairman. “Those were months we could not afford to waste in a country that wasted too many years by ignoring broadband planning. But, as Blair has shown, we’ve got a good process going and, with a full-court Commission press between now and February, we can -- we will -- get the job done.” -- *Howard Buskirk*

CDT: Google’s List Better

Groups Offer Behavioral Targeting Principles with Notice in Ads Themselves

Web advertisements may have a whole new look once self-regulatory principles from advertising groups are implemented. The Interactive Advertising Bureau, American Association of Advertising Agencies, Association of National Advertisers and Direct Marketing Association released rules for behavioral targeting Thursday. The Council of Better Business Bureaus (CBBB) and DMA have agreed to implement “accountability programs” so the targeting universe of advertisers, ad networks, ISPs and others adopt the seven principles.

The timing was somewhat odd, given the congressional recess last week. Companies have been promising leaders such as House Communications Subcommittee Chairman Rick Boucher, D-Va., they can get their own house in order. Boucher has said he’ll introduce legislation to require opt-in consent for consumers to be tracked online by third parties, due to the unenforceability of private standards.

Reaction Thursday was mixed. The Center for Democracy and Technology said it was difficult to evaluate the principles ahead of their scheduled implementation early next year. We couldn’t reach Boucher, his Congressional Internet Caucus co-chairman Rep. Bob Goodlatte, R-Va., or Rep. Ed Markey, D-Mass., Boucher’s subcommittee predecessor. Verizon, the communications company most involved in drafting the rules, and the IAB separately said participants scored a coup in getting application makers that collect clickstream data to abide by the same requirements as ISPs.

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“Many of the entities and practices to which they apply are covered by self-regulatory principles for the first time in this area,” the 48-page report said. Behavioral targeting providers will offer “enhanced notice” when data are actually collected, in the form of “common wording and a link/icon that consumers will come to recognize” in the ad itself. Clicking the icon will trigger “an expanded text scroll, disclosure window or separate Web page” that divulges the targeting and a chance to opt out or otherwise modify targeting preferences. Privacy notices linked from ads have long been discussed and occasionally implemented -- Yahoo put such notice in ads on eBay, and Google has tested a similar system. Web sites with targeted ads also will carry the wording and icon or link, either disclosing their targeting providers or linking to an industry-developed site that handles preferences across providers. The Network Advertising Initiative long has operated an all-in-one opt-out site, but critics have said Web users are largely unaware of it.

Service providers are broadly defined in the principles, including not only ISPs but browsers, toolbars and any “comparable desktop application” that collects and uses “substantially all” Web addresses to serve targeted ads. Third parties who target on non-affiliated sites and service providers must disclose what kind of data they collect, including personally identifiable information and whether it will be transferred to others. Service providers must get user consent before targeting and offer an easy way to opt out. They must “alter, anonymize or randomize” any personal information and ensure that others can’t “reconstruct” it to identify a person.

All participants are required to get user consent before enacting “material changes” to their data-collection policies, answering a longtime complaint from consumer groups. They can’t collect personal information from children they have “actual knowledge” are younger than 13, in line with the Children’s Online Privacy Protection Act. Financial account and Social Security numbers, prescriptions and medical records are off-limits for collection without user consent. Programs to be run by the DMA and CBBB will monitor for compliance and report “uncorrected violations” to government agencies, but the enforcers are instructed to coordinate with each other to avoid hassling companies.

The principles will be publicized with a massive advertising campaign, with participants having committed to run more than 500 million ad impressions through the end of 2010 touting the effort. Industry-developed sites will explain behavioral targeting and tell consumers how to control their privacy through existing browser tools.

FTC Commissioner Pamela Harbour was among the heavy hitters lined up by participants to praise the principles. “I am gratified that a group of influential associations ... has responded to so many of the privacy concerns raised by my colleagues and myself,” she said in a written statement. She called the principles “an important first step.” NAI Executive Director Charles Curran said the new principles were a “broadening” of the long-awaited standards his group released just six months ago.

“In general this is definitely moving in the right direction,” Ari Schwartz, chief operating officer for the Center for Democracy and Technology, told us. But some principles aren’t clearly spelled out, and definitions may not work for future business models, he said. The biggest omission is giving Web users access to the categories for which they’re targeted and a chance to opt out by category, Schwartz said, as Google has done with its “interest-based advertising”. Principles must have the ability to “evolve,” the biggest drawback of the NAI principles, which remained static for eight years, he said. Harbour’s support for the principles should be understood through the context of her ongoing support for general privacy legislation, Schwartz said: “We need to set the baseline first here.”

The “meaningful informed consent” in the principles is a milestone for the industry, a Verizon spokesman told us. It shows the industry can govern itself better than a “bureaucrat” and has made a “genuine and serious effort” at policing itself. “Intelligently presented” advertising should be the goal of such efforts, he said. Verizon pressed hard for the same rules to apply to all applications collecting full clickstream data, the spokesman confirmed, and it expects other communications companies to join as the principles are implemented.

USTelecom said it was happy to see browser and toolbar makers covered by the same “meaningful affirmative consent” requirement as ISPs. The principles “importantly call on all advertising stakeholders to work collaboratively toward a solution,” the group said, alluding to the negative spotlight that ISPs have felt for their early targeting efforts. USTelecom noted that ISP targeting is still a rarity in the market. Pablo Chavez, managing policy counsel for Google, said the company was ahead of the principles in some features, such as its Ads Preferences Manager.

IAB Counsel Stu Ingis told us he showed the principles to congressional staff Wednesday: “They’re generally aware of the progress we’ve been making,” even though lawmakers were out of town. “Congress has been keeping us so busy” with hearings on privacy in advertising that participants couldn’t hammer out the principles earlier, he said. Boucher and other lawmakers have impressed upon participants that legislation is coming, but members understand the importance of targeted advertising to the economy and “they’re not looking to interfere with that,” Ingis said.

It can’t be overstated how significant the “service provider” provisions are, Ingis said, crediting Verizon’s advocacy. There was “polarization” among participants in September on how to treat applications that collect full clickstream data, as happens when ISPs practice targeting. Such collection isn’t common among toolbar and browser makers at the moment, but they have the capability to target and have been actively considering it, Ingis said. “The scope of this at some level is unprecedented,” with participation by newspaper groups, Internet companies, Verizon, Disney, advertising giant WPP and NAI among others.

The accountability provisions aren’t measly, Ingis said. The DMA requires members to follow its policies and regularly reports on its enforcement actions to the government, which has regulatory authority over some violations. The CBBB has a successful record with its programs on children’s advertising and ad substantiation, wielding the threat of bad publicity for noncompliant companies, Ingis said. “They get right in your pants.” -- *Greg Piper*

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Endowments Down 26 Percent

Policy Wins Don't Always Translate into Easy Money for Telecom, Media Nonprofits

Some nonprofits that push media and telecom policies at the FCC have found 2009 to be a difficult fundraising environment, despite a series of policy victories in Washington. "I've been doing this for 20 years and it's been pretty much 18 years of darkness and now we've actually had some significant things happen," said Gigi Sohn, executive director of Public Knowledge.

But those successes have coincided with a recession that wiped out billions of dollars in foundation wealth. Major foundations' endowments lost 26 percent of their value in 2008, according to a survey of 290 donors by the Commonfund Institute. With less money to go around, some organizations are making do with less and putting off expansion plans. Others said they're still having success finding grants despite the recession, and some, such as Consumers Union and the Minority in Media and Telecommunications Council, have other sources of revenue to fund their advocacy.

Free Press tabled plans to expand its budget to \$6.2 million from about \$5 million this year, said Josh Silver, its executive director. "We had to put those plans on hold," he said. "Funders are battering down the hatches and sticking to their current grantees," Silver said. "It is very, very difficult to get any funder or philanthropist to fund anything new. It's essentially almost not happening at all."

The Media Access Project has eliminated elective expenditures and is being very careful about costs as fundraising becomes more difficult, said Executive Director Andrew Schwartzman. "We currently have some vacancies and we've been slow in filling them -- not intentionally but it's had the effect of easing our budget crunch a little bit," he said. "While there are glimmers of light at the end of the tunnel for next year, we're really struggling to meet our targets for this year." The timing is frustrating, Schwartzman said. "We have been very successful programmatically in the last year or two, even in an adverse political climate, and this is a time of tremendous opportunity," Schwartzman said. "So it is frustrating and ironic therefore that like everybody else, this is a very difficult fundraising environment. We're not alone in having a very tough year."

Public Knowledge lost grants from two small foundations this year after the foundations saw their endowments shrink substantially, Sohn said. But Public Knowledge is well-funded for the next two years, she said. "I'm less worried about this year and next year than I am about 2011," Sohn said. "My focus right now is getting more foundations interested in our work and getting them to understand how the kind of policy issues we work on cut across all subject areas." Public Knowledge has also broadened its scope as a way of attracting more donors, she said: "That not only expands our visibility but also the number and types of people who might want to contribute to us."

Though funders are increasingly paying attention to policy groups because of the turnover in leadership in Washington, the drop in endowment wealth hurts, said Charles Benton, chairman of the Benton Foundation. His group's endowment is down 30 percent from last year, he said. The larger foundations are also suffering, he said. "Even huge foundations like Robert Wood Johnson and Ford are going for early buyouts of staff and trying to reduce staff so they can maintain their level of funding," he said.

But some groups are succeeding in locking down new funding. "We've got this harrowing economic environment and unprecedented opportunity to effect change. That tension is really very much at play in terms of fundraising," said Sascha Meinrath, director of the New America Foundation's Open Technology Institute. "We've had

a fairly banner year because the latter has really been winning out. People see the opportunities here and are willing to support that kind of work."

Other groups have been insulated from the foundations' woes because they have other revenue streams to help them. For instance, Consumers Union's *Consumer Reports* magazine continues to thrive. At the MMTC, its TV and radio station brokerage has contributed 40-60 percent of its budget every year, Executive Director David Honig said. Even though the broker business isn't great this year, a large deal it put together last year is still paying commissions, he said. MMTC also hasn't sought money from the big foundations such as Ford, he said. "We have not had to lay people off, but neither have we had to hire new people. We're probably the most insulated of any of the organizations because of the way we decided to structure ourselves." -- *Josh Wein*

Reception Issues Remain

FCC Claims Success for DTV Work So Far

The FCC did a great job managing the DTV transition between February and June after Congress delayed the switchover, agency officials said during the commission's first meeting since the June 12 analog cutoff. "Where consumer disruption did occur ... we were able to respond more quickly and comprehensively than would have been possible" in February, said Commissioner Michael Copps. Still, some consumer and industry-related issues remain and the agency's work on the transition is ongoing, Chairman Julius Genachowski said.

The FCC's call center has fielded more than 1 million calls since July 12, though it's receiving fewer and fewer now, said Chief Information Officer Andrew Martin. The call center is expecting another wave of calls as people who ordered converter box coupons June 12 begin buying the boxes and installing them, he said.

Poor reception for VHF stations in some urban markets is among the issues that the Media Bureau has been dealing with in the weeks after the transition, said Robert Ratcliffe, acting chief of the bureau. The FCC has let some stations boost power to fix reception, but viewers in certain markets are still calling the FCC's hotline to complain about reception of VHF stations, he said. "We do look at the call data for specific stations and that is trending downward, but it has not disappeared."

Some digital stations in the VHF band are considering switching to UHF channels to improve their signal propagation (CD July 2 p2), said several industry executives. A client of Don Everist, president of Cohen, Dippell and Everist, has been talking about asking the FCC for such a channel move after the station increased power three times since February, the engineer said. Another station boosted power 36 percent to 30 kW and its signal improved so much that no antenna change was needed and "it really helped a lot," said a broadcast executive. For most, "the VHF 'problem' is largely related to the lower, conservative power levels which were authorized" by the FCC, and the issue can be resolved by boosting power, said lawyer Frank Jazzo, who represents TV stations.

Most of Gray TV's VHF stations lost coverage after the DTV switch, said James Ocon, vice president of technology. "In some markets we are looking to change channels to UHF because of some coverage that is perceived to be lost," he added. "The problem is, some folks can put an antenna up and they can't always see our Vs - there probably is not an easy answer for that." Gray, like other chains of TV stations, is recommending viewers use outdoor antennas, or "at least suggesting they go with an attic antenna," Ocon said.

Media General stations "worked with some consumers to get antennas replaced or added to their sets and most have improved greatly" reception-wise, said a spokesman. They advised a "small" number of

viewers to get UHF-VHF antennas, he added. The switch went “very well” at two of Scripps’ three VHF, a spokesman said. The broadcaster has been adjusting the antenna and “evaluating our coverage” at its third station in that band, WCPO Cincinnati, he added. The tweaks were set to have been finished by Monday, the spokesman said.

Ion Media isn’t “hearing complaints or having problems,” said Executive Vice President John Lawson. “We are very happy with the DTV transition.” For low-power stations, they’ve “almost uniformly found digital better than analog on any channel” regardless of their channel slot, said lawyer Peter Tannenwald, who represents some.

There are several possible solutions for VHF reception problems, including boosting power, filling in with a distributed transmission system or translator, or moving to a higher frequency channel, Ratcliffe said. Some stations still have not turned on their digital facilities and are not broadcasting at all, he said. “A very small number of stations are still dark.”

The agency should create a “lessons learned” document about the transition so it can have a blueprint for how to handle outreach efforts in the future, Copps said. Such a document about how the government handled Y2K would have been useful in planning DTV efforts, he said. -- *Josh Wein, Jonathan Make*

Customers Keep DVRs

Court Stay Not Victory for EchoStar, TiVo Says

The U.S. Court of Appeals for the Federal Circuit granted EchoStar’s request to stay the contempt order imposed by a U.S. District Court in Texarkana, Texas, pending the outcome of EchoStar's appeal, TiVo and Dish Network said. Analysts said that’s good for Dish, and said some sort of out-of-court agreement is likely. “At the end of the day, we still believe that Dish will be forced to enter into a licensing agreement with TiVo,” said Wachovia analyst Marci Ryvicker. Colleagues from Collins Stewart and Hudson Square generally agreed.

Earlier this month, a federal judge ordered EchoStar to pay TiVo \$103 million (CD June 4 p6) damages plus interest. The loss also would have meant the immediate disabling of at least 4 million DVRs, as well as legally prohibiting Dish from offering the service to new subscribers. Dish had already reported significant subscriber loss in Q1. TiVo stock fell 16 percent Thursday.

Dish said it was thrilled with the stay ruling. “The Federal Circuit found that EchoStar ‘met its burden of demonstrating the requisites for a stay,’ including, at a minimum, that we have a substantial case on the merits,” a spokesman said. “As a result of the stay, our customers can continue using their Dish DVRs.”

TiVo said previous litigation history with Dish shows that the stay ultimately will not mean a victory for the satellite provider. “The Court of Appeals stayed the District Court’s order the previous time this case was heard on appeal and ultimately affirmed the judgment against EchoStar,” a spokesman said. “We are pleased that the court recognizes the urgency of ruling on this appeal and has ordered an expedited briefing.”

Opening briefs from Dish for the case are due by July 17, with TiVo's brief due Aug. 25, Ryvicker said. Dish's reply is due Sept.4, with oral argument November if practicable, she said. -- *Virgil Dickson*

Satellite Differentiates Itself

Satellite Is DTV Leader in Europe, Regulator Says

Satellite is seen as a major benefactor as the digital TV transition sweeps the European continent, said satellite companies, analysts and government agencies. By late 2007, when the digital initiative was formally under way, most satellite companies had already finished converting their signals from analog, experts said. As a result, satellite “has played a leading role in the introduction of digital transmission in Europe,” said Martin Selmayr, European Commission spokesman for telecom and media.

In Western European countries, many citizens are receiving their TV signals via a Freesat box, which gives customers non-premium channels via satellite after paying a one time fee for dish installation and a set-top box. “People get the basic four or five channels, plus nearly 200 other ones, that’s a big step up,” said Jon Steel, spokesman for Digital UK, formed by U.K. broadcasters to oversee the digital transition.

France has also seen significant growth in its Freesat viewership. In late 2007, TNTSAT, which receives its signal from an SES Astra satellite, was introduced. By the end of 2008, it was reaching more than 1 million households. On June 29, Eutelsat announced its own free offering called Fransat (CD June 30 p10).

Eutelsat said it didn’t introduce Fransat as a means of breaking into the consumer market or to directly compete with TNTSAT. For the past 20 years, 1.5 million households have been receiving analog signals from a Eutelsat satellite via receivers purchased from a now-defunct French telecom company, Eutelsat said. The new service provides these viewers with a decoder that will switch the signals they already receive to digital. Eutelsat said if it didn’t introduce the service, the customers would have had to move their satellite receivers to receive service from TNTSAT. “It is natural for Eutelsat to propose a solution which enables these homes to switch to digital without any need to adjust their dish,” said Giuliano Berretta, CEO of Eutelsat, in a statement.

Paid subscriber growth is also on the rise, despite the availability of free satellite services, telecom companies and regulatory officials said. In the U.K., BSkyB saw its paid subscriber base jump 28 percent in Q1 2009, far surpassing cable and other terrestrial offerings, Ofcom said in its quarterly digital switch-over report. Orange France, said its satellite subscription totals jumped 75 percent from Q1 2008.

The satellite industry’s drive to be technologically innovative is also expected to result in customer growth, said Kurt Scherf, vice president of Parks Associates, a digital market research firm. Because of European regulations that strictly require that broadband access lines be available to all platforms, “satellite TV providers are more actively exploring interactive services as a means to differentiate their service offerings,” Scherf said in a European digital switch-over report. As a result, satellite providers are credited as innovators when it comes to the introduction of DVRs and HD offerings, said Laurence Meyer, a France-based TV analyst for Forrester Research. “These are prized promotions for potential customers,” she said.

The current economic crisis, and other factors, such as terrain in Eastern and Southern Europe could also work in satellites’ favor, Selmayr and others said. Poland for example, is expected to generate millions of new satellite customers as terrestrial providers have yet to allocate significant funding to switch their signals to digital, said Guy Bisson, a senior analyst at Screen Digest in the UK.

Considered less established than their Western European counterparts, Eastern European broadcasters have found it hard to get the money to go digital, said Angela Balakrishnan, a researcher and writer for New Media Markets, a research publication that focuses on Europe’s multichannel TV sector. For example, she

said, a slump in the Lithuanian advertising market has resulted in broadcasters offering fewer digital channels or shorter hours of programming.

Satellite companies have hit some speed bumps in their quests to expand their subscriber base during the transition, said Aarti Holla-Maini, secretary general for the European Satellite Operators Association. She said some satellite operators have lodged complaints with the European Commission against some countries, alleging that they were using subsidies as a way of getting consumers to pick terrestrial digital providers over satellite.

Sky Italia won a case in 2007, after it complained that the Italian government paid out a €200 million (U.S. \$280 million) subsidy to consumers in order for them to buy or rent digital decoders. Sky Italia alleged the move appeared to favor broadcasters, according to a European Commission ruling document. The Commission ruled that the subsidy was illegal and “created an undue distortion of competition by excluding satellite,” and they ordered the broadcasters who benefited most for the subsidies to return the money. Holla-Maini called the ruling “positive” but said “once given, the benefit is effectively already conferred and cannot really be undone.”

The European Commission has issued a 2012 deadline for all of its member countries to switch to digital. While satellite companies said they've made great strides to make this a reality, with most if not all of their signals being digital, SES Astra spokesman Markus Payer is worried about those customers who chose to stick with cable. He said many cable operators have reported that only 30 percent of their signals are digital. “At the end of the day, switching from analog is not so easy when there are still millions of cable customers with operators broadcasting in analog.” -- *Virgil Dickson*

'Very Difficult Situation'

Verizon Deal Has FairPoint Staggering, SEC Filing Shows

Wariness is the watchword regarding FairPoint among state regulators in New England, where the telecom acquired Verizon operations, assuming a debt load FairPoint now is trying to restructure. In a June 24 filing to the SEC, FairPoint listed bankruptcy among options it could consider if a proposed debt exchange doesn't succeed (CD July 1 p10). The exchange offer involves about \$500 million in bonds at 13-1/8 percent interest.

"It's obviously a very difficult situation," said a representative of Vermont's Department of Public Service. For months, that office subjected the FairPoint/Verizon deal to extensive scrutiny, as did its counterparts in Maine and New Hampshire. The acquisition also was challenged by unions representing Verizon workers. When the deal went through, Verizon had 1.6 million landline customers and 230,000 Internet customers in the three states. "Our department wants to work with FairPoint and help get them back on track," the Vermonter said. "We are consulting legal experts on the details of bankruptcy. We want to be sure that Vermont consumers are protected, and we will do whatever we can to ensure that the company delivers the reliability, the service and the buildout that it guaranteed in the talks that led to the department's approval of the acquisition."

FairPoint Chairman David Hauser hopes to avoid the bankruptcy route, he has told the media. Hauser began his new job at FairPoint Wednesday. His compensation package includes options to buy 1.6 million shares of FairPoint common stock and nearly 524,000 restricted shares of common stock at \$0.95 per share. Hauser also stands to get \$1.75 million in restricted stock on July 1, 2010, and July 1, 2011. Based on how the company does between his start date and Dec. 31, 2011, he also is in line for awards of common shares. The bonuses are targeted at between 200 percent and 400 percent of Hauser's \$800,000 annual salary, the company said in a release.

In last week's submission to the SEC, FairPoint said it is collecting less cash than expected. According to the filing and an accompanying news release, the company's \$2.3 billion acquisition of Verizon phone lines and Internet operations in Maine, New Hampshire and Vermont has it struggling.

A spokesman for Maine's Public Utility Commission stressed the pro forma nature of FairPoint's invocation of bankruptcy as an option in its debt restructuring effort. "It is serious, obviously," he said. "It [bankruptcy] is identified as a possibility, as the SEC requires. Maine's commission is prepared to participate in any federal bankruptcy court action that may arise," he told us. "We will engage in the process as a participant or in another pertinent capacity, as appropriate, to secure the regulatory obligations described in our approval."

FairPoint is being advised by Rothschild, the Maine official noted. "The company had explained in previous communications with the Maine, New Hampshire and Vermont commissions that it would be seeking advice on restructuring its debt," he said. "This latest announcement seems to be a step in that process."

Maine Consumer Advocate Richard Davies voiced guarded optimism about prospects for FairPoint's efforts to shed high-interest debt. "We've been aware of the company's struggle with its debt load, which increased with the purchase of the Verizon territories," Davies told us. "Unfortunately, it came when the economy was looking good, and a few months later the bottom fell out."

Authorities in Maine and the other states have been working for some time with FairPoint to resolve the situation, Davies said. As the deal with Verizon was being completed, FairPoint proposed a debt restructuring similar to but smaller than described June 24 to the SEC, he noted. "They had some small financing at high interest on which they sought permission to waive the quarterly payments. They wanted to use the cash to buy down other securities and lower their debt level," Davies said. "We didn't buy their original proposal, but working together we were able to hammer out an agreement that let the company save some money."

FairPoint's course of action "seems to be a reasonable approach to getting their finances under control," Davies said. "It's a short-term solution. The hope is that, as the economy stabilizes, we won't be looking at 13 percent bonds, and FairPoint can refinance the whole group. They're buying time."

FairPoint has the potential to be "a good, stable company if it gets past these problems," the advocate said. "We're waiting to see how they pull it off with the bond markets. If they can't do that, they'll have much more significant trouble, in the serious-to-critical range. But there's time. The October debt payment has a 30-day grace period, so the soonest that we'd be talking about default would be early November. As to what might happen after that, we'd just as soon not find out." -- *Michael Dolan*

Comm Daily® Notebook

FCC Chairman Julius Genachowski opened Thursday's meeting with a decisive clap of his gavel, then swore in Commissioner Robert McDowell to a new term as commissioner, as McDowell's family looked on and he held a family Bible. The reconstituted FCC got to work on a bipartisan note, with McDowell praising Genachowski, Commissioner Michael Copps for his service as acting chairman, and former Commissioner Jonathan Adelstein. Copps and Genachowski had similar good things to say about their fellow commissioners. Genachowski declined to take questions after the meeting, choosing instead to hold an off-the-record coffee with reporters.

Wireless

The State of New York asked the FCC for a waiver of its 700 MHz public safety early deployment rules so that it can build and operate an interoperable public safety broadband network using 700 MHz spectrum. "The requested waiver will serve the public interest by improving communications for first responders today without sacrificing any of the policy goals the Commission is seeking to achieve in its 700 MHz rulemaking," the state said. "The State regards the establishment of an interoperable public safety broadband network as a critical need for its first responders and, pending approval of the instant request for waiver and the availability of American Recovery and Reinvestment Act funding, is planning for the deployment of such a network as quickly as possible in the 700 MHz public safety broadband spectrum."

Sprint Nextel reported slow but steady progress on 800 MHz rebanding, in an update filed Wednesday at the FCC. In Phase I, Sprint has completed the retuning of all non-Sprint Nextel, non-Southern LINC Channel 1-120 incumbent licensees in 49 NPSPAC regions, adding Georgia in June, the company said. "More than 98 percent of the nearly 1200 Channel 1-120 licensees that must be retuned during Phase I of 800 MHz band reconfiguration have been retuned." In Phase II, 371 non-border area public safety licensees have completed retuning to their new channel, a 40 percent completion rate, and more than 80 percent of non-border licensees have signed frequency reconfiguration agreements. Sprint also reported on its progress retuning licensees along the Canadian border. "In the short time that the public safety and business/industrial land transportation community has had the new 800 MHz band plans available, a significant amount of progress has occurred," the carrier said. More than "300 ... licensees in each of the border regions have received their replacement frequency proposals from the [Transition Administrator] and negotiations and planning efforts are well underway." Some 63 planning frequency agreements have already been signed.

Tracfone's new \$45 unlimited nationwide prepaid plan undercuts Sprint Nextel's Boost Unlimited and some other prepaid unlimited plans by 10 percent, or \$5 per month, Bernstein Research analysts said. In the near term, the biggest losers would appear to be Sprint and some lower-end prepaid players, for whom prepaid growth is central, the analysts said. The latest round of price cuts hints at the growing difficulty of eking out growth in the wireless market, they said, predicting new price points will also bleed into the postpaid market. The analysts also noted Comcast's newly launched pricing plan for Clearwire's 4G data service in Portland, Ore. Comcast's \$50 rate for its "Fast Pack" unlimited 4G data comes with \$42.95 worth of 13 Mbps wired cable modem service included. "Comcast has, in effect, set an opening salvo for wireless data at just \$7 per month," the Bernstein report said. The majority of anticipated prices for Long Term Evolution service for Verizon Wireless and AT&T Mobility will remain in the \$40 per month range, it said.

Sprint Nextel's newly launched smartphone Palm Pre sales have slowed over the past week to under 40,000 from 50,000 - 60,000 last week, Pali Research analysts said. It isn't a result of short supply, based on Pali's store checks, they said. The marketing budget behind the product has been somewhat limited compared to the marketing push from Apple. If sales continue to moderate, Sprint would increase its marketing budget for the product, Pali said.

Handset-based navigation is boosted by the rapidly growing smartphone segment, said ABI Research. The research firm expects the number of handset-based navigation users to increase to 26 million by the end of 2010, with the Asia-Pacific region experiencing the strongest growth. Navigation software developers are rushing to port their solutions to as many new platforms as possible, like Android and the new Palm. Yet the most significant driver for the uptake of handset navigation is expected to come from the iPhone, following Apple's decision to enable navigation on its latest 3.0 platform version, ABI said. While it expects application stores to become an important channel for the distribution of navigation software, many carriers

and handset manufacturers prefer to pre-install or bundle navigation software with their phones and offer plans based on partnerships with navigation developers. However, several barriers remain, including high monthly subscription fees and data roaming costs, ABI said.

Cell phone trader RCS warned cellular operators, distributors and wholesalers of fraudulent trading: Over the last quarter, RCS's network of cell phone traders, spanning 128 countries, has reported an increase in fraudulent trading on the open market. Among the more common cases are a fictitious sales representative posing as an employee of an established company, RCS said. Another variation involves a former employee of a cellular trader posing as a legitimate representative of the company, which RCS claimed to be a criminal act. RCS urged the industry to share information on fraudulent activities.

Piper Jaffray analyst Michael Walkley said he remains cautious about the increase in WiMAX provider Alvarion's overall 2009 WiMAX sales due to "macro factors and valuation concerns." Alvarion has been racking up the WiMAX contracts, including a recent \$100 million contract with Open Range Communications. Operators are likely to conserve capital in the second half of the year, Walkley said, noting existing technologies, primarily CDMA EV-DO and WCDMA, are being expanded aggressively in emerging markets like China. "We believe these incumbent technologies have economies of scale and a diverse product portfolio for handsets which are essential for carriers to attract customers and recoup capital expenditure spent on the network upgrades," Walkley said. WiMAX might remain only in niche markets, he said.

The number of Advanced Wireless Service spectrum subscribers will reach 177.8 million by the end of 2013 across the U.S., Canada and Latin America, said GSMA, which represents mobile communications companies. The group urged regulators to not delay in making AWS spectrum available. The licensing of AWS band will put the Americas on a par with Asia and Europe in terms of 3G reach, it said. It forecast about one half of the operators' subscriber base would be using HSPA-enabled devices capable of operating in the AWS band within two years, with more than 90 percent using them within five years. AWS spectrum is vital for the growth of mobile broadband because it will accelerate the launch of new services, driving new mobile broadband devices and applications, GSMA said.

State Telecom Activities

Utah officials are buying a converged voice and data network from Qwest to boost state service bandwidth speed, the company said Wednesday. Under the 3-year, \$7.2 million contract, Qwest has connected 30 of 300 sites using its scaleable Metro Optical Ethernet platform.

International Telecom

The European Commission finalized new rules for taxpayer financing of public service broadcasters. The new policy, which replaces the 2001 Broadcasting Communication: (1) Requires evaluation in advance of proposed new media service offerings by public broadcasters in order to weigh their market impact against their public value. (2) Clarifies rules about including pay services in public service broadcasting services. (3) Places more effective controls on overcompensation of public broadcasters and on supervision of the public service mission at the national level. (4) Gives public service broadcasters more financial flexibility. European public service broadcasters receive more than €2 billion (\$31 billion) each year from license fees or direct government aid, putting them in third place after agriculture and transport companies for receipt of state aid, the EC said. Representatives of

Europe's business media welcomed the new rules, saying rigorous application will ensure that private broadcasters aren't unfairly disadvantaged, particularly in the rocky economic climate. However, "the real work will now begin" as EU states put the new rules into place, said Association of Commercial Television in Europe Director General Ross Biggam. Other organizations on the joint statement were the European Publishers Council, Association of European Radios, European Newspaper Publishers' Association and German Association of Commercial Broadcasters and Audiovisual Services.

ITU member countries will approve new work on mobile wireless access systems providing telecommunications for sensors and actuators in wide areas, unless objections are raised by Sept. 30, a letter from the Radiocommunication Bureau said. Key targets for the work are mobility and to identify typical operational characteristics for the mobile wireless access systems used. Japan proposed studying networked low-capability, low-performance terminals deployed widely and in larger numbers than personal computers and cellular phones, in its October 2008 proposal. One of Japan's key interests is investigating what kind of wireless network should be offered by operators to support a large number of low-end terminals over wide areas. New wireless network concepts should be considered, Japan said. It referred to existing trends toward higher transmission rates and broadband, large cells in cellular networks, small cells in local networks and low-speed, narrowband wireless access systems such as ZigBee and RFID.

Telecom Notes

Standard & Poor's assigned a 'B+' rating to rural telecom services provider Iowa Telecom's \$75 million Series A incremental loan. The recovery rating on the loan is '3', indicating expectations for meaningful recovery in the event of a payment default, S&P said. The ratings reflect an aggressive financial policy and a weak business position as the company faces increased competition, S&P said.

Consolidations in the media, information and marketing services sector suffered a "dramatic drop" in the first half of 2009, said research firm the Jordan Edmiston Group. Just 300 deals valued at \$5.3 billion were reported during the last six months, while 426 deals valued at \$22.4 billion were brokered during the same period last year. But an exception is the mobile media and technology segment, which saw 16 deals in the first half of the year, valued at \$148 million. That was a 45.5 percent year-over-year increase in deal volume and a 38.4 percent leap in financial growth. Mobile social networking and mobile content are also key areas of investment, it said.

Broadcast

Boosting power levels isn't always the right fix for DTV signal propagation problems, though it helps sometimes, FCC officials said late Wednesday. (See separate report in this issue.) Cities including Philadelphia, with WPVI-TV, and Chicago with WLS-TV have unique situations, said an agency spokesman. WLS poses a "tricky situation because they are somewhat lower on the power scale but they'll interfere if they go up in power," he added. "We want to make sure we identify what the issues are." The FCC is "working to find better solutions" in a few markets, said another spokesman. Because "some pretty strenuous things happen to those signals" between the broadcast transmitter and the viewer's TV or set-top box, "sometimes power helps, and sometimes it doesn't," said an industry engineer who works with DTV stations. "It's certainly the case that you need more power inside buildings than if you're using an outdoor antenna." -- **JM**

The FCC approved a broadcaster's request to change its DTV channel to improve coverage and boost power, said a Media Bureau order released Wednesday. Twin Cities Public Television can operate KTCI-TV

St. Paul, Minn., on channel 23 instead of 26, where it was limited to below 50 kW, “compared with other UHF stations that are operating with power approaching 1000 kW,” it added. Noncommercial station WDSE-DT Duluth supported the change.

Nine of 15 comments in the FCC’s inquiry on Arbitron devices (CD July 2 p11) to measure radio audiences said Portable People Meter methodology was flawed and/or that the commission should examine the methods, our review of docket 08-187 found. Four filings said no investigation was called for and/or that PPMs were OK. Two filings, one from the Media Ratings Council and another supporting that organization’s work, took no stance on those core issues. “Arbitron, the monopoly provider of radio audience measurement, has stopped measuring representative samples of minority audiences,” said the PPM Coalition, a group of minority radio organizations and broadcasters that sought the commission inquiry. “In its headlong rush to deploy its lucrative new product,” the company found “that accurately measuring minority audiences is too expensive,” it said. Even if the FCC had authority over PPMs, which Arbitron said it doesn’t, the devices “more reliably” measure listeners’ exposure to stations than paper-and-pencil diaries, the company said. “Congress has considered on multiple occasions whether to put media audience measurement services under federal government regulation, and just as often has rejected doing so,” Arbitron added. “The Commission itself has concluded that it lacks jurisdiction over services such as Arbitron’s.” Though the PPM system “can and should be improved,” Emmis said it believes rollout without delay is “vital” for the radio industry to compete with digital media. In any case, the commission lacks authority, the radio broadcaster added. Entercom, another owner of radio stations, said PPMs are the “best electronic radio audience measurement system” available and necessary to use because “many of our important customers” are “demanding” it. Section 403 of the Communications Act gives the regulator authority over PPMs, said the Media Access Project: “Were it necessary, the Commission has the power to compel Arbitron to submit information essential to the inquiry.” -- *JM*

Cable

Viacom “has the resilience to weather the current recession and restore its leverage to an appropriate level for the 'BBB' rating by the end of 2009,” Standard & Poor's analyst Deborah Kinzer wrote. S&P kept that investment grade rating on the owner of cable channels after considering a downgrade. Moody’s may raise Viacom’s rating (CD July 2 p12).

Rogers Cable recently began carrying 18 more HD channels, for 72 total, the Canadian cable operator said. Among digital cable subscribers, 34 percent subscribe to HDTV, and viewership of HD VoD titles has doubled in the past year, it added.

The Sci Fi cable channel will change its name on Tuesday to Syfy, with a new Web site at Syfy.com, owner NBC Universal said.

Satellite

Inmarsat completed its distribution agreement with SkyWave Mobile, it said, acquiring 19 percent of the privately held company. The companies also signed a direct distribution agreement for the supply of satellite capacity to SkyWave on a global basis. SkyWave also made a parallel investment, acquiring assets relating to the GlobalWave satellite low-data-rate products and services business from TransCore and formed a sales distribution relationship with TransCore focusing on the North American trucking and rail segments of the SLDR market.

Space Systems/Loral said TerreStar-1 is successfully performing post-launch maneuvers. It deployed its solar arrays late Wednesday, following its launch hours earlier. The satellite's first thruster firing began Thursday, to propel it toward its final geosynchronous orbit. Arianespace, who launched the satellite, called the mission "record-setting" as it was the largest satellite it had ever lifted, with a launch mass of nearly 6,910 kilograms.

Moody's upgraded DirecTV's rating to Ba1 from Ba2. It said the upgrade reflects the company's continuing strong performance and its ability to continue to "meaningfully grow" its subscriber base and cash flow despite strong competition from product offerings of terrestrial based operators who offer bundled services.

Communications Personals

Martin Gausvik resigns as Cumulus Media executive vice president-chief financial officer; **J.P. Hannan** fills in in interim ... **Brian Bell**, ex-British Telecom and Verizon, becomes Orbcomm executive vice president, sales and marketing ... Cox promotions: **Mark Kaish** to senior vice president, technology operations; **Steve Marsh** to vice president, technology customer operations; **Sung Yang** to vice president, technology product development; **Guy McCormick** to vice president, technology business operations ... **Lori Sofianek**, ex-Cassara Management Group, becomes WorldGate Communications senior vice president-customer operations ... VoIP provider Single-Pipe Communications promotes **Jeff Carr** to CEO, NTT America promotes **Michael Wheeler** to vice president of the Global IP Network Business Unit, succeeding **Kazuhiro Gomo**, recently named chief operating officer, replacing **Matt Phillips**, moving to vice chairman.

Communications Daily Calendar

- July 7 Senate Agriculture Committee confirmation hearing for Jonathan Adelstein for Rural Utilities Service administrator, 10 a.m., Room 328, Russell Building -- <http://agriculture.senate.gov>
- July 8 Senate Commerce Committee markup of Radio Spectrum Inventory Act, 2 p.m., Room 253, Russell Building -- http://commerce.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing_ID=4ec21de5-67ff-4657-8677-72c3db00c797
- July 9 House Judiciary Subcommittee on Competition Policy hearing on minority broadcast ownership, 10 a.m., Room 2141, Rayburn Building -- http://judiciary.house.gov/hearings/hear_090709.html
- July 9 House Agriculture Subcommittee on Rural Development hearing on rural broadband, 10 a.m., Room 1300, Longworth Building -- <http://agriculture.house.gov/hearings/schedule.html>
- July 13 Technology Policy Institute talk on broadband competition policy, noon, Room 340, Rayburn Building -- www.techpolicyinstitute.org/events/register/78.html
- July 17 North American Numbering Council meeting, 9:30 a.m., FCC, 445 12th St. SW, Washington -- http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-09-1393A1.doc
- July 17 Media Access Project talk on broadband stimulus and the national broadband plan, 10 a.m., Dickstein Shapiro Conference Center, 1825 I St. NW, Washington -- www.mediaaccess.org/mapping-change/mapping-change/

- July 17 Memorial service for communications lawyer Rudy Baca, 11 a.m., Catholic Church of the Annunciation, 3810 Massachusetts Ave. NW, Washington -- RSVP by July 10 to Edward Kelly, kellye@verizon.net
- July 20-21 Minority Media and Telecommunications Council Access to Capital and Telecom Policy conference, Westin Grand Hotel, 2350 M St. NW, Washington -- www.mmtconline.org/access

Broadband Stimulus Today

More Study Needed

Broadband Grant Rules Likely to Draw 'Serious' Applicants

The administration's broadband grant rules are likely to attract a sizable number of qualified applicants, said lawyers, analysts and advocacy groups Thursday. But many held off on commenting on the rules until they could study the detailed notice of funding availability released Wednesday (CD July 2 p13) in more depth. Several praised the rules for setting criteria that will ensure projects are financially viable, and will funnel services to areas most in need of broadband.

"We are still reviewing the rules, which as expected, track the legislative language," including a mandate that applicants show projects could not be done without federal money, said a Stifel Nicolaus report. That requirement helps ensure serious applicants will apply for the grants, said attorney Andy Lipman, who represents competitive and rural phone companies that may be interested in applying for grants: "I think the rules will attract a diversity of players." Stifel analyst David Kaut agreed.

USTelecom also was still reviewing the requirements, but is "concerned that some of the new mandates seem to go well beyond current laws and FCC rules, and may lead to the kind of continuing uncertainty and delay that is antithetical to the President's primary goals of economic stimulus and job creation," said President Walter McCormick. With record high unemployment, McCormick said, "it is troubling that those who do not intend to invest a single penny in broadband deployment are calling for broad new mandates, while those who want to move forward with shovel-ready projects are faced with ambiguity as to what they may or may not be allowed to offer under the terms of the new federal grants and loans."

Coordinating the rulemaking between two different agencies was a challenge, especially since each had different requirements imposed upon them in the Recovery Act. NTIA was ordered to impose network nondiscrimination requirements on its grants, following at a minimum the FCC's existing broadband policy principles. RUS had no such mandate. But the NOFA imposes nondiscrimination rules on both agency grant programs. One of the five nondiscrimination requirements directs applicants to offer interconnection "on reasonable rates and terms," including the ability to connect to the public Internet and physical interconnections for the exchange of traffic.

The interconnection requirement is "very significant", said Public Knowledge Legal Director Harold Feld. It's the first time in many years that interconnection has been raised in the regulatory arena, he said. Other countries that have imposed some type of interconnection requirements have "leapfrogged" over the U.S. in broadband

deployment, he said. Lipman said the nondiscrimination principles provide a “window into the FCC’s thinking about where network neutrality is headed.” Essentially the NOFA takes the terms imposed upon AT&T in its merger with BellSouth and applies them across the board to the broadband grant program, he said.

Overall, Feld said he was pleased with the NOFA: “It’s important to recognize that this isn’t perfect and there is no way it could be.” Feld had no qualms about the NOFA’s setting broadband speed at the existing FCC standard of 768 kbps, saying it reflects the realities of the marketplace where it could be impractical to build out higher speeds in the extremely rural areas the government wants to reach. Feld also praised the NOFA’s point system for evaluating applications, which will work to give incentives to companies that offer more than the minimum requirements. “There is an incentive to get applicants to put their best offers on the table,” he said.

Stifel said the speed requirement was “low,” but noted that the grant requirements give preference to projects offering higher speeds. The minimum connection speed “is easily attainable,” said Washington Research Group analyst Paul Gallant. “Applicants get bonus points for committing to higher speeds, but RLECs clearly won’t be disqualified for proposing somewhat lower speeds than are available in large metro areas.”

Gallant said rural telcos like Windstream, Frontier, CenturyLink, Iowa Telecom, Fairpoint and Consolidated Communications could be positioned well to “capture a share of the broadband funding.” Wireless Internet service providers “could win some of these funds, but we think RLECs’ relative financial soundness and deep management expertise will give them a clear advantage in final funding decisions,” he said.

The NOFA creates a new broadband infrastructure program at RUS that will award grants, loans and loan/grant combinations. The BIP is funded initially with \$2.4 billion, of which \$1.2 billion is dedicated to last-mile projects, which can include both remote and nonremote projects, and \$800 million is available for middle-mile projects. The middle-mile projects would cover interoffice transport, backhaul and special access. It sets aside \$325 million in a special reserve fund.

NTIA’s Broadband Technologies Opportunity Program gets \$1.6 billion in budget authority. But it will spend initially \$1.4 billion, with \$200 million set aside in a national reserve. The law requires the agency to make at least one grant in every state “to the extent practical” by the Sept. 30, 2010, deadline for completing the program. Of the \$1.4 billion, \$1.2 billion will be spent on broadband projects, \$50 million for public computer centers and \$150 million for projects to encourage broadband adoption.

Both for-profit and non-profit entities may apply for BTOP grants. Those applying for last-mile projects must provide service to the entire territory of each census block included in the service area unless a waiver is granted. RUS projects must serve areas where at least 75 percent of the population lacks sufficient broadband access, whether they are deemed unserved or underserved.

BTOP applicants must provide 20 percent in matching funds for each project, and must prove that projects would not have been built without federal assistance. BTOP grants for middle-mile projects can include “interoffice transport, backhaul, Internet connectivity, or special access.” NTIA said it will announce finalists in the first round of funding Sept. 15, and then gather input from states on potential projects while the government studies the financial viability of the finalists. Funding is expected to flow by Nov. 7.

The “biggest unknown” is how NTIA will screen applications, and who it will hire to do the work, Feld said. The agency has yet to announce its contractor for the job, and agency officials did not have an answer by our deadline on the timing for contractor selection. Feld said he would be concerned if NTIA selected a firm that has long-standing ties to incumbent providers. -- *Anne Veigle*

Up to \$350 Million

Broadband Mapping Grants to Require Confidentiality, Matching Funds

NTIA will begin on July 14 reviewing and evaluating grant applications for the \$350 million set aside for broadband mapping, the agency said in a notice of funds availability released Wednesday. The mapping requirements, known as the Broadband Data Improvement Act (BDIA), are to help develop a national broadband map by 2011 and were outlined in a NOFA separate from that detailing the \$7.2 billion broadband program application.

The agency expects total initial grant awards to range between \$2.4 and \$4.3 million per state, with up to \$500,000 per grant going to the planning of mapping projects, according to the NOFA. None of the BDIA money will go toward construction, it said. Unlike the applications for the larger broadband stimulus, which will be assessed by NTIA and RUS, the broadband mapping applications will be evaluated by the states and ultimately by NTIA.

The BDIA requires grantees to keep trade secrets and financial information of providers confidential unless agreed otherwise by the provider and the grantee, the NOFA said. NTIA agrees not to give out confidential information “except as required by applicable law or judicial or administrative action.” A footnote in the NOFA said all information submitted to NTIA will be subject to Freedom of Information Act requirements, which makes it available to the media and others. Confidentiality requirements have been a major roadblock for past mapping efforts, largely due to providers' concerned about giving out detailed data on their footprints and customers.

Applicants must provide details for five major categories: Data gathering and accuracy, project feasibility, project speed, the ability to update maps and planning. Data gathering and project feasibility will be given the most weight when the applications are evaluated, the NOFA said. Additionally, applicants are required to put up 20 percent of the “total eligible project cost,” though some pre-grant costs can count towards the matching requirement. NTIA said it will announce the award winners beginning Sept. 15.

Connected Nation, a broadband mapping company, was “encouraged by the fact that there is so much emphasis to use mapping as a tool to prioritize investments and track progress over time,” said CEO Brian Mefford. Mefford said he had analysts going over the NOFA throughout the night, but the group still has a lot more to go through: “There is a detail on every line.”

As of Thursday, many with a vested interest were still parsing the 45-page document. Some, including Sharon Gillet, director of the Broadband Institute, and Andy Laudick, chief operating officer of Afterimage GIS, another broadband mapping company, did not want to comment on the mapping NOFA until they had more time to go through it carefully. -- *Tim Warren*

Broadband Stimulus Notes

The first of 10 workshops detailing the application process for federal broadband stimulus funds will be at National Harbor, Md., on Tuesday, NTIA said. The workshops will also provide for individual meetings with RUS staff. The workshops will take place around the country from rural Billings, Mont., to urban Los Angeles.