

STATE OF KANSAS
KANSAS CORPORATION COMMISSION

Skybeam, LLC)	
)	
)	Docket No.
Application for Designation as a Eligible)	
Telecommunications Carrier for Purposes of)	15-SKYT-262-ETC
Receiving Federal Universal Service Support)	
For the purpose of participating in the FCC's)	
Rural Broadband Experiment program)	
)	

**APPLICATION OF SKYBEAM, LLC
FOR DESIGNATION AS A ELIGIBLE TELECOMMUNICATIONS CARRIER**

Now comes Skybeam, LLC ("Skybeam") and pursuant to the Telecommunications Act of 1996, 47 U.S.C. §214(e)(2) (the "Act") and the rules of the Federal Communications Commission ("FCC") 47 C.F.R. §54.201, hereby requests that the Kansas Corporation Commission ("Commission") designate Skybeam as a telecommunications carrier eligible under the provisions of Section 54.201(d) to receive federal universal service support. Skybeam seeks ETC designation in order to receive support from the federal Universal Service Fund ("USF"), including support through the FCC's high-cost USF programs in order to receive funds pursuant to the FCC's Rural Broadband Experiment program.

I. Introduction

Company Background

Skybeam, based in Englewood, Colorado, is a wholly owned subsidiary of JAB Wireless, Inc. ("JAB"). A copy of JAB's Organizational Chart is included as Exhibit A. Skybeam is incorporated in Colorado and maintains a status of "active and in good

standing" with the Texas Secretary of State. Copies of Skybeam's incorporation documents are included as Exhibit B. Skybeam's principle place of business is 400 Inverness Parkway, Suite 330, Englewood CO 80112. Skybeam also maintains an in-state office location at 1416 Old Main Street, Newton, Kansas.

JAB is one of the largest providers of fixed wireless broadband in the U.S and provides high-speed broadband and digital telephone services to residential, commercial and enterprise customers utilizing a combination of unlicensed and licensed frequencies. JAB has deployed a next generation fixed wireless network and targets rural markets outside of metropolitan areas that are either unserved or underserved. JAB now serves approximately 175,000 wireless broadband subscribers and provides digital telephone service to 20,000 customers in 15 states (Colorado, Wyoming, Utah, Idaho, Nevada, Texas, Oklahoma, Nebraska, Iowa, South Dakota, Kansas, Minnesota, Illinois, Wisconsin and Indiana). JAB currently employs approximately 750 persons nationwide.

JAB Wireless is a facilities-based wireless telecommunications carrier with its own switching, cell sites, and associated telecommunications facilities throughout its Proposed Service Areas. Skybeam has a demonstrated record of providing high-speed, high-quality fixed wireless broadband and VoIP services to residential customers, private business and public institutions in Kansas. The company provides broadband and voice services that are critical to customers and promotes economic growth in rural Kansas communities by providing broadband and voice connections that are critical.

Skybeam intends, with needed support offered by the Connect America Fund, to extend broadband and digital voice services across select rural markets across five states: Texas, Kansas, Nebraska, Iowa, and Illinois. Through an FCC December 5, 2014 Public Notice, Skybeam was selected to participate in the Rural Broadband Experiment program.¹ One requirement of that program is that Skybeam obtain ETC authority in each state. Skybeam seeks an expeditious order from this Commission so that it may begin to provide service to eligible customers pursuant to the Rural Broadband Experiment program as quickly as possible.

Skybeam will use fixed wireless technology to offer VoIP and broadband service to residential and commercial locations with less than 100ms latency at speeds ranging from 5 Mbps downstream and 1 Mbps upstream to 25 Mbps downstream and 5 Mbps upstream. Commercial and Enterprise services are available to community anchor institutions and private enterprise. Enterprise data services deliver up to 1 gigabit per second.

Service offerings include voice service that will not exceed \$46.96 per month and a 10/1 Mbps broadband-only offering that will not exceed \$85.00 per month for up to 100 GB of monthly usage. Additionally, the network is designed to achieve 100/25Mbps service while offering a 25/5Mbps broadband service plan. Broadband service is designed for no greater than 100 millisecond roundtrip latency.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be addressed to:

¹ See DA 14-1772 (December 5, 2014).

Thomas H. Rowland
Rowland & Moore LLP
200 West Superior Street
Suite 400
Chicago, Illinois 60654
(312) 803-1000
tom@telecomreg.com

and

Jeff Kohler
JAB Wireless, Inc.
400 Inverness Parkway
Suite 330
Englewood, CO 80112

Rural Broadband Experiment Program

On July 14, 2014, the FCC adopted the *Rural Experiments Order*² and established a one-time program to award up to \$100 million to qualified applicants meeting certain criteria for the deployment of fixed broadband services in census blocks deemed by the FCC to be unserved by voice services and by broadband speeds of at least 4 Mbps downstream and 1 Mbps upstream. On November 10, 2014, Skybeam filed its application on FCC Form 5610. By *Public Notice* dated December 5, 2014 (attached as Exhibit C),³ the FCC provisionally selected Skybeam's application for 267 census blocks in Kansas. In so doing, the FCC determined that Skybeam proposed a cost-effective means of deploying broadband service to the designated census blocks. Skybeam's application pledged to deploy a network capable of delivering 100 Mbps downstream / 25 Mbps upstream with at least one service plan that provides 25 downstream / 5 upstream

² See *Connect America Fund; ETC Annual Reports and Certifications*, WC Docket Nos. 10-90, 14-58, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8769 (2014) ("*Rural Experiments Order*").

³ See *Public Notice*, DA 14-1772 (rel. Dec. 5, 2014) ("*Public Notice*").

to all locations within the subject census blocks. Funding will be paid out to Skybeam over ten years. Among other things, the *Rural Experiments Order* requires Skybeam to become an ETC as a condition to receiving the funding. Skybeam is therefore requesting that the ETC designation granted to it in this request be for the specific purpose of receiving funding under the *Rural Experiments Order*. The *Rural Experiments Order* provides an opportunity for the industry and regulators to provide broadband service to rural areas of the country. As the FCC has indicated, delivery of a combination of broadband services and voice telephony services can be accomplished through the use of different technologies, which include the fixed wireless technology used by Skybeam.

FCC Review

Pursuant to the *Rural Experiments Order*, the FCC will perform a technical and financial review of Skybeam. Among other things, Skybeam is required to provide to the FCC: its most recent three consecutive years of audited financial statements⁴; “a description of the technology and system design that would be used to deliver voice and broadband service meeting the requisite speeds to all locations in the funded census blocks, including a network diagram, which must be certified by a professional engineer⁵; and “a description of spectrum access in the areas for which the applicant seeks support.”⁶ Skybeam is also required to provide a Letter of Credit Commitment Letter (“LOC”) to the FCC pursuant to the terms and conditions of the FCC’s model LOC.⁷

⁴ *Rural Experiments Order*, 29 FCC Rcd 8769, 8787-88, para. 54.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* at 8805-06, App. A.

II. Federal Act

Pursuant to Section 214(e)(2) of the Act, a state commission may, upon its own motion, or upon request, designate a common carrier to be an “eligible telecommunications carrier” for purposes of receiving universal service support under the Act. Section 214(e)(2) also requires that the carrier designated meet the requirements of Section 214(e)(1). Section 214(e)(1) states:

A common carrier designated as an eligible telecommunications carrier... shall be eligible to receive universal service support in accordance with section 254 and shall, throughout the service area for which the designation is received -

(A) offer the services that are supported by the Federal universal service support mechanism under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier’s services (including the service offered by another eligible telecommunications carrier); and

(B) advertise the availability of such services and the charges therefore using a media of general distribution.

Section 54.201(b) of the FCC’s Rules states that the Commission shall, on its own motion or upon request, designate a common carrier an ETC so long as the carrier meets the requirements of Section 54.201(d), which restates the requirements found in Section 214(e)(1) of the Act. Section 214(e)(2) of the Act and Section 54.201(c) of the FCC’s Rules state that the Commission may, in the case of an area serviced by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an ETC for a service area the Commission designates, provided each additional requesting carrier satisfies Section 214(e)(1) of the Act and Section 54.201(d) of the FCC’s Rules. Before designating an additional ETC for an area serviced by a rural

telephone company, the Commission shall find that such designation is in the public interest.

III. Designated Service Area

In its *Rural Experiments Order*, the FCC adopted a census block methodology for designating a service area for the Rural Broadband Experiment program:

By accepting proposals at the census block level, we hope to provide greater flexibility to parties and encourage a greater number of entities to participate in the rural broadband experiments. For example, smaller entities may not be able to serve areas as large as census tracts, but would be interested in submitting proposals for smaller neighborhoods that they may already be well positioned to serve. Permitting applicants to aggregate census blocks themselves, rather than having to work within the pre-defined framework of census tracts, will encourage greater participation among these entities. Moreover, this approach provides an opportunity for entities to engage in an incremental expansion into neighboring areas, allowing parties to leverage economies of scale to provide broadband in an efficient manner that benefits consumers.⁸

Further, in the *Public Notice*, the FCC stated:

The identified bidders must provide appropriate documentation of their eligible telecommunications carrier (ETC) designation in each census block for which they are provisionally selected to receive support and certify that the information submitted is accurate.⁹

Skybeam therefore requests ETC designation for a service area that includes the census block areas of Kansas listed on the CONFIDENTIAL attached Exhibit D. Attached as CONFIDENTIAL Exhibit E is a map of the census block area of Kansas comprising Skybeam's designated service area.

⁸ Id.

⁹ Public Notice, DA 14-1772 at Attachment B (Rel. Dec. 5, 2014).

IV. Requirements for ETC Designation

A. Skybeam will offer the services that are supported by federal universal service support mechanisms throughout the service area for which ETC designation is received.

Skybeam commits to provide (i) voice grade access to the public switched telephone network (“PSTN”) or its functional equivalent; (ii) minutes of use for local service provided at no additional charge to end users; (iii) access to emergency services; and (iv) toll limitation services to qualifying low-income consumers as provided in accordance with 47 C.F.R. §§54.400 *et seq.*

i. Voice grade access to the public switched telephone network

In its *USF/ICC Transformation Order*, the FCC modified the definition of a supported service to a technologically neutral approach, allowing companies to provision voice service over any platform, including the PSTN and IP networks.¹⁰ Thus, the FCC amended Section 54.101 to specify that the functionalities of eligible voice telephony services include voice grade access to the public switched network or its functional equivalent.¹¹ The FCC further explained that increasingly “consumers are obtaining voice services not through traditional means but instead through interconnected VoIP providers offering service over broadband networks.”¹² Interconnected VoIP services “allow customers to make real-time voice calls to, and receive calls from, the PSTN, and increasingly appear to be viewed by consumers as

¹⁰ *In the Matter of Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing an Unified Intercarrier Compensation Regime; Federal State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform – Mobility Fund*, 26 FCC Rcd 17663, 17692-93 (2011) (“*USF/ICC Transformation Order*”).

¹¹ *Id.*; See also 47 C.F.R. §54.101(a).

¹² *USF/ICC Transformation Order* at ¶63.

substitutes for traditional voice telephone services.”¹³ Thus, the FCC concluded that its authority to promote universal services in this context “does not depend on whether interconnected VoIP services are telecommunications services or information services under the Communications Act.”¹⁴ Skybeam will therefore provide voice-grade access to the PSTN by providing interconnected VoIP service throughout the designated service area.

ii. Minutes of Use

“Local usage” means an amount of minutes of use of exchange services, prescribed by the FCC, provided free of charge to end users.”¹⁵ The FCC has not specified a minimum amount of local usage that an ETC must offer. Skybeam will meet the local usage requirement by including local usage in its rate plans. The Company will comply with any minimum local usage requirements adopted by the FCC or this Commission.

iii. Access to emergency services

ETCs are required to provide access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911(“E 911”), to the extent the local government in an ETC's service area has implemented 911 or enhanced 911 systems. Skybeam will provide access to emergency services by providing 911 and E911 for all of its customers to the extent that the local governments in its designated service areas have implemented 911 and E911.

¹³ Id.

¹⁴ Id.

¹⁵ 47 C.F.R. § 54.101(a)(2).

iv. Toll limitation for Qualifying Low-Income Consumers

Skybeam does not distinguish between toll and non-toll for its voice offering. To the extent Skybeam offers a service that distinguishes between toll and non-toll calls, it will offer toll limitation to qualifying low-income consumers at no additional charge.

B. Skybeam will comply with the requirements of 47 USC 214(e)(1).

Skybeam commits to, throughout its service area: (A) offer supported services “either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier)” and (B) advertise the availability of such services and the charges therefor using media of general distribution

i. Skybeam will use its own facilities to provide the supported services

Skybeam provides high-speed broadband and digital telephone services to residential, commercial and enterprise customers utilizing a combination of unlicensed and licensed frequencies. JAB has deployed a next generation fixed wireless network and targets rural markets outside of metropolitan areas that are either unserved or underserved. Skybeam, along with its affiliate JAB Wireless, leases 2.5 GHz EBS spectrum in certain markets and has FCC microwave licenses in additional markets. The Company maintains one of the largest fixed wireless broadband networks in the U.S, providing high-speed broadband and digital telephone services to residential, commercial and enterprise customers utilizing a combination of unlicensed and licensed frequencies. JAB has deployed a next generation fixed wireless network and targets rural markets outside of metropolitan areas that are either unserved or underserved.

- ii. Skybeam will advertise the availability of its service throughout its service area.

Skybeam will advertise the availability of the Supported Services throughout its designated service areas using media of general distribution in a manner that is designed to reach those likely to qualify for such services. Skybeam agrees to comply with all form and content requirements, if any, promulgated by the FCC and this Commission in the future and required of all designated ETCs. A sample copy of Skybeam's advertising material is attached hereto as Exhibit F.

C. Designation of Skybeam as an ETC is within the public interest.

Designation of Skybeam as an ETC will serve the public interest by facilitating the FCC's goal of developing voice and broadband networks in rural, high-cost areas. Under the 1996 Act, "upon request and consistent with the public interest, convenience and necessity" the Commission shall "designate more than one common carrier as an eligible telecommunications carrier for a service area designated" by the Commission.¹⁶ Before such a designation, the Commission shall find that the designation is in the public interest.¹⁷ In its *2005 ETC Order*, the FCC determined that the benefits of increased consumer choice, and the unique advantages of the applicant's service offering are components of a public interest analysis.¹⁸

Expedited designation of Skybeam will serve the public interest by ensuring that the company is eligible to receive federal USF support, including through the

¹⁶ 47 C.F.R. 54.201(c).

¹⁷ *Id.*

¹⁸ *In the Matter of Federal-State Joint Board on Universal Service*, Report and Order, CC Docket No. 96-45, FCC 05-46, 20 *FCC Rcd* 6371, 6389 (rel. Mar. 15, 2005) ("*2005 ETC Order*").

FCC's high-cost programs. Skybeam will use this funding to directly advance the FCC's goal of deploying voice and broadband-capable networks in rural, high-cost areas while ensuring that rural consumers and anchor institutions benefit from innovations in communications technology. In particular, Skybeam will use federal USF support to expand access to high-speed, high-quality broadband and voice provided through interconnected VoIP and fixed wireless for residents of rural Kansas. These advanced communications services will provide important connectivity to consumers, businesses, and community anchor institutions, including rural schools, libraries and medical facilities and are a unique alternative to services provided by traditional wireline carriers within the Company's designated service area.

Designation of Skybeam as an ETC is also in the public interest because it will promote increased competitive choice, thereby increasing innovation and incenting other carriers to improve their existing networks in order to remain competitive. This will result in greater access to high-speed broadband and voice services, as well as improved service quality for residents of underserved communities in rural Kansas. Skybeam's services will provide consumers with additional choices in communications service providers, as well as a variety of service offerings at competitive rates.

Having invested significant resources in rural Kansas to provide consumers with high-quality, high-speed broadband and voice services, Skybeam is well positioned to efficiently use federal *Rural Broadband Experiment* funding to

expand its communications infrastructure and service offerings. The company currently is experienced and familiar with the Kansas markets for which it seeks ETC designation and will be able to use federal *Rural Broadband Experiment* funding to effectively expand the company's broadband and voice--enabled networks for the benefit of the residents, businesses, and community anchor institutions in rural areas of Kansas.

V. Relief Requested

In the *Rural Experiments Order*, the FCC stated:

for purposes of this [Rural Broadband] experiment, if after 90 days a state has failed to act on a pending ETC application, an entity may request that the Commission designate it as an ETC, pursuant to section 214(e)(6). Although we are confident that states share our desire to work cooperatively to advance broadband, and we expect states to expeditiously designate qualified entities that have expressed an interest in providing voice and broadband to consumers in price cap areas within their states, we also recognize the need to adopt measures that will provide a pathway to obtaining ETC designation in situations where there is a lack of action by the state.¹⁹

For the reasons set forth above, Skybeam respectfully requests (i) an expeditious Order designating the Company as an ETC in Kansas for the specific purpose of being eligible to receive federal funding pursuant to the Rural Broadband Experiment program; and (ii) such other relief as this Commission deems to be just and equitable.

¹⁹ *Rural Experiments Order*, 29 FCC Rcd 8769, ¶23. (internal footnotes omitted).

Respectfully submitted,



Jack Koo, CEO
Skybeam, LLC.
400 Inverness Parkway
Suite 330
Englewood, CO 80112

Director, Skybeam, LLC

s/ Thomas H. Rowland

Thomas H. Rowland
Kevin D. Rhoda
Rowland & Moore LLP
200 West Superior Street
Suite 400
Chicago, Illinois 60653

Counsel for Skybeam, LLC

STATE OF Colorado)

COUNTY OF Denver)

Verification

I, Jeff Kohler, being first duly sworn, depose and state that I am Chief Development Officer for JAB Wireless, Inc. and that I have read the foregoing Petition of Skybeam, LLC and know the contents thereof and the statements therein contained are true, to the best of my knowledge, information and belief.



Jeff Kohler, Chief Development Officer

JAB Wireless, Inc.

Subscribed and Sworn
to before me this 17th
day of December 2014.



My Commission Expires May 31, 2016

Exhibit A

ORGANIZATIONAL CHART

The organizational chart of JAB Wireless, Inc. is as follows:

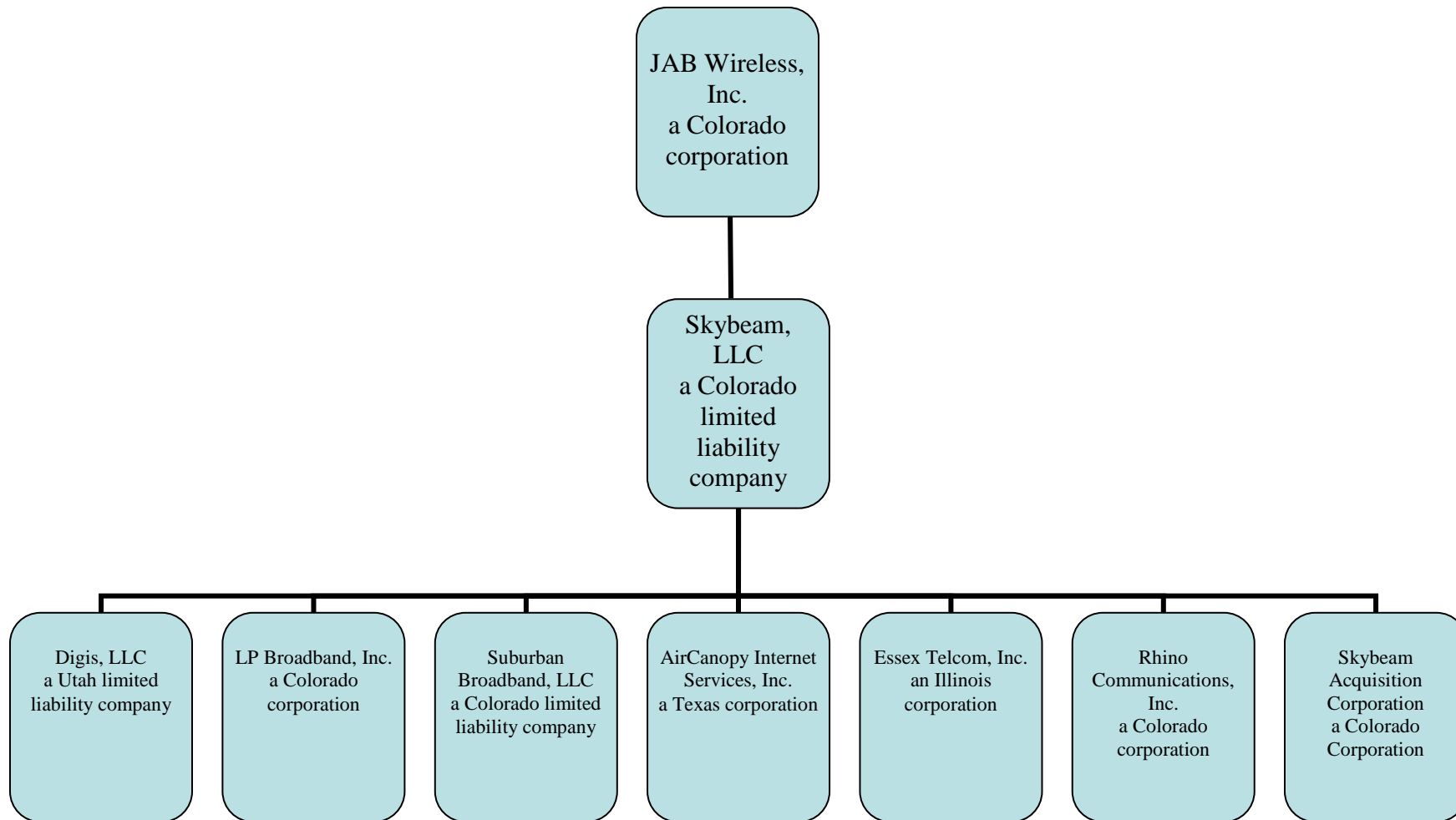


Exhibit B

Exhibit B-1

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

JAB Wireless, Inc.

is a **Corporation** formed or registered on 10/28/2005 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20051401289.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 12/11/2014 that have been posted, and by documents delivered to this office electronically through 12/12/2014 @ 13:22:19.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 12/12/2014 @ 13:22:19 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9035211.



A handwritten signature in blue ink, appearing to read "Scott Gessler", is written over a horizontal line.

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."

Exhibit B-2

Exhibit B-2

STATE OF KANSAS
OFFICE OF
SECRETARY OF STATE
KRIS W. KOBACH

I, KRIS W. KOBACH, Secretary of State of the state of Kansas, do hereby certify, that according to the records of this office.

Business Entity ID Number: 4621074

Entity Name: SKYBEAM ACQUISITION CORPORATION

Entity Type: FOREIGN FOR PROFIT

State of Organization: CO

Resident Agent: PARACORP INCORPORATED

Registered Office: 13910 S BROUGHAM DR, OLATHE, KS 66062

was filed in this office on June 05, 2012, and is in good standing, having fully complied with all requirements of this office.

No information is available from this office regarding the financial condition, business activity or practices of this entity.



In testimony whereof I execute this certificate and affix the seal of the Secretary of State of the state of Kansas on this day of December 12, 2014

KRIS W. KOBACH
SECRETARY OF STATE

Certificate ID: 626352 - To verify the validity of this certificate please visit <https://www.kansas.gov/bess/flow/validate> and enter the certificate ID number.



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 14-1772

Released: December 5, 2014

**WIRELINE COMPETITION BUREAU ANNOUNCES ENTITIES PROVISIONALLY
SELECTED FOR RURAL BROADBAND EXPERIMENTS; SETS DEADLINES FOR
SUBMISSION OF ADDITIONAL INFORMATION**

WC Docket No. 10-90

On November 7, 2014, the Federal Communications Commission closed the application window for the rural broadband experiments. By this date, applicants were required to complete FCC Form 5610 and attach project bid forms, a descriptive data form listing all of their proposed projects, and certain other project information.¹ Subsequently, the FCC Auction System ranked the submitted bids meeting requirements for the rural broadband experiments from the most cost-effective to the least cost-effective within each funding category.

This Public Notice announces the bidders that have been provisionally selected for funding in each category, subject to the post-selection review process. Each identified bidder must complete certain steps in order to be authorized to receive Connect America Fund support for its rural broadband experiment.

Attachment A provides summary information concerning the provisionally selected bidders, including the number of project bids, the states in which these proposed projects are located, the total amount of support requested for these projects, and the total number of census blocks covered by these projects.² These bidders are seeking support to serve diverse geographic areas with different cost characteristics. Collectively, they have bid on support to cover 26,867 census blocks in 25 states and Puerto Rico³:

¹ *Wireline Competition Bureau Announces Application Process for Entities Interested in Participating in the Rural Broadband Experiments*, WC Docket No. 10-90, Public Notice, 29 FCC Rcd 10016, 10020, 10028-29, paras. 16-17, 36 (Wireline Comp. Bur. 2014).

² Additional information about the proposals of the provisionally selected bidders will be released at a future date.

³ A number of the census blocks that provisionally selected bidders seek to serve are the subject of a pending challenge in the Phase II challenge process. *See id.* at 10035-36, paras. 64-66. The Wireline Competition Bureau is currently reviewing the challenges and responses received in the Phase II challenge process to determine whether a census block or blocks that a selected bidder proposed to serve should be deemed ineligible for rural broadband experiment funding. In the event that census blocks are deemed ineligible for rural broadband experiment funding, support for any project selected for funding that includes such census blocks will be adjusted proportionally. *See Connect America Fund; ETC Annual Reports and Certifications*, WC Docket Nos. 10-90, 14-58, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8769, 8786-87, para. 51 (2014) (*Rural Broadband Experiments Order*).

- 19 entities seeking support to build networks that are capable of delivering 100 Mbps downstream and 25 Mbps upstream to all locations⁴ in the project census blocks in Arkansas, California, Colorado, Delaware, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Puerto Rico, and Texas.⁵
- 12 entities seeking support to build networks capable of delivering 10 Mbps downstream and 1 Mbps upstream to all locations in the project census blocks in Colorado, Idaho, Iowa, Kansas, Kentucky, Michigan, North Carolina, Ohio, Tennessee, Texas, Virginia, and Washington.
- 9 entities seeking support to build networks capable of delivering 10 Mbps downstream and 1 Mbps upstream to all locations in project census blocks that are extremely costly to serve in California, Illinois, Maryland, Michigan, North Dakota, Kansas, South Dakota, and Texas.

With the release of this Public Notice, the post-selection review process for these bidders now begins. The Bureau is required to determine whether each selected applicant has demonstrated that it has the technical and financial qualifications to successfully complete the proposed project within the required timeframes and is in compliance with all statutory and regulatory requirements for the universal service support that the applicant seeks.⁶ We emphasize that selected bidders are required to deliver the required minimum speeds to all locations within the funded census blocks.⁷

Attachment B provides instructions for these entities on how to complete FCC Form 5620 and upload their post-selection review attachments. The identified bidders are required, within 10 business days of this Public Notice, to submit the most recent three consecutive years of audited financial statements, including balance sheets, net income, and cash flow, and to submit a description of the technology and system design used to deliver voice and broadband service, including a network diagram, which must be certified by a professional engineer.⁸ Entities proposing to use wireless technologies also must provide a description of spectrum access in the areas for which the applicant seeks support.⁹ The bidders identified in Attachment A are required to submit these materials by **Friday, December 19, 2014 at 11:59p.m. EST**. Failure to submit the requested materials by this deadline will constitute a default, and the bidder will no longer be considered for the identified rural broadband experiment.

Finally, we note that three bidders that initially appeared on the provisionally selected bidders list for funding category one submitted project bids that were facially non-compliant with the requirements

⁴ For purposes of this Public Notice and the associated attachments, “all locations” refers to all price cap locations in each census block.

⁵ Bidders in this category must offer at least one service plan that provides 25 Mbps downstream/5 Mbps upstream to all locations within the selected census blocks. *See Rural Broadband Experiments Order*, 29 FCC Rcd at 8779-80, para. 26.

⁶ *Id.* at 8787, para. 52.

⁷ Under the Commission’s rules, recipients of support are required annually to provide the results of network performance tests pursuant to the methodology and in the format determined by the Wireline Competition Bureau, Wireless Telecommunications Bureau, and Office of Engineering and Technology. 47 C.F.R. § 54.313(a)(11). The Wireline Competition Bureau, Wireless Telecommunications Bureau, and the Office of Engineering and Technology (together, the Bureaus) recently sought comment to further develop the record on a proposed methodology for high-cost recipients to measure and report speed and latency performance to fixed locations. The Bureaus have proposed that recipients be required to perform tests at least once an hour during peak period over a four-week period, with 95% of the observations at or above the required minimum speed. *See Wireline Competition Bureau, Wireless Telecommunications Bureau, and the Office of Engineering and Technology Seek Comment on Proposed Methodology for Connect America High-Cost Universal Service Support Recipients to Measure and Report Speed and Latency Performance to Fixed Locations*, WC Docket No. 10-90, Public Notice, DA 14-1499 (rel. Oct. 16, 2014).

⁸ *See Rural Broadband Experiments Order*, 29 FCC Rcd at 8787-88, para. 54.

⁹ *Id.*

for this category.¹⁰ Those three bidders were removed from consideration, and the FCC Auction System produced the provisionally selected bidders shown on Attachment A.

One of these bidders, ViaSat, Inc., sought a waiver of the Commission's 100 millisecond (ms) latency standard for categories one and two. We deny ViaSat's waiver request for the rural broadband experiments, without prejudice to ViaSat's submission of this request into the docket for further consideration for the Phase II competitive bidding process that will occur to the extent price cap carriers decline the offer of Phase II model-based support. We are not convinced that ViaSat has demonstrated that special circumstances warrant a deviation of the rural broadband experiment rules established for categories one and two, and that waiving the rules for categories one and two would serve the public interest.¹¹ ViaSat's petition raises issues that warrant further consideration with public input for the Phase II competitive bidding process, which remains pending, but we conclude that waiving one of the core requirements for one bidder in the rural broadband experiments without public input after the close of the filing window would be prejudicial to the integrity of the competitive bidding process.¹²

For additional information on this proceeding, contact Ian Forbes (Ian.Forbes@fcc.gov) of the Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418-7400.

– FCC –

¹⁰ Two of these bidders proposed to offer service not meeting the required speeds for category one.

¹¹ See 47 C.F.R. § 1.3; *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

¹² Because ViaSat submitted its waiver request in its FCC Form 5610 submitted into the FCC Auction System, rather than separately in the docket, other bidders and the general public have not had the opportunity to provide input on the request.

ATTACHMENT A
PROVISIONALLY SELECTED BIDDERS

Category One

Bidder Name	State(s)	Selected Bids	Support Requested for Selected Bids	Census Blocks Covered by Selected Bids	Selected Bid Project IDs
Airnorth Communications, Inc.	MI	16	\$1,990,400.00	1,187	1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18
Brainstorm Internet Inc.	CO	1	\$1,737,648.00	332	3
Broad Valley Micro Fiber Networks Inc.	DE	1	\$110,000.00	33	1
Cricelli, Inc.	CA	3	\$522,300.00	666	1, 2, 3
Donnell, Michael D. (d/b/a San Joaquin Broadband)	CA	4	\$14,833,187.00	2,585	1, 3, 4, 5
Halstad Telephone Company	ND	1	\$303,760.00	72	2
Lake County d/b/a Lake Connections	MN	1	\$3,499,965.00	847	1
Liberty Cablevision of Puerto Rico, LLC	PR	2	\$41,831.15	3	3, 15
LTD Broadband LLC	IA, MN	1	\$20,000,000.00	10,122	1
NCRESA	MI	1	\$500,000.00	328	1
New Lisbon Telephone Company	IN	1	\$37,695.60	7	3
Northeast Rural Services, Inc.	OK	6	\$1,029,274.00	107	1, 4, 6, 8, 10, 12
Rural Broadband Services Corporation, Inc.	OK	1	\$17,500,648.00	2,829	1
Skybeam, LLC	IA, NE, IL, KS, TX	7	\$8,839,194.00	2,839	2, 3, 4, 7, 8, 10, 11
Southwest Arkansas Telephone Cooperative	AR	2	\$17,420.00	2	1, 2
Terastream Broadband (USA), Inc.	NM	1	\$1.00	149	1
Tower Communications LLC	AR	1	\$3,191,090.40	727	1
Valley Electric Association, Inc.	NV	2	\$527,326.00	35	1, 2
Wichita Online, Inc.	OK	1	\$314,633.00	55	1
	Totals	53	\$74,996,373.15	22,925	

Category Two

Bidder Name	State(s)	Selected Bids	Support Requested for Selected Bids	Census Blocks Covered by Selected Bids	Selected Bid Project IDs
Agile Network Builders, LLC	OH	1	\$3,224,400.00	687	3
Airnorth Communications, Inc.	MI	2	\$420,000.00	199	8, 9
Allamakee-Clayton Electric Cooperative, Inc.	IA	4	\$1,453,593.00	209	1, 2, 3, 4
Big Bend Telecom, LTD	TX	1	\$14,800.00	2	8
Chaffee County Telecom, LLC	CO	2	\$2,586,882.00	563	3, 4
Cloudwyze Inc.	NC	1	\$23,000.00	1	1
Crystal Broadband Networks, Inc.	KY	1	\$427,361.00	34	1
Declaration Networks Group, Inc.	VA	3	\$1,246,052.00	470	1, 2, 3
First Step Internet, LLC	ID, WA	1	\$415,855.00	116	1
Giant Communications, Inc.	KS	1	\$650,000.00	85	1
Mercury Wireless, Inc.	KS	1	\$4,450,000.00	910	1
Meriweather Lewis Electric Cooperative	TN	1	\$41,600.00	5	3
	Totals	19	\$14,953,543.00	3,281	

Category Three

Bidder Name	State(s)	Selected Bids	Support Requested for Selected Bids	Census Blocks Covered by Selected Bids	Selected Bid Project IDs
Big Bend Telecom, LTD	TX	4	\$163,625.00	13	7, 9, 11, 13
Consolidated Communications Networks, Inc.	ND	1	\$3,096,810.00	103	2
De Novo Group	CA	2	\$609,600.00	24	2
Delta Communications LLC	IL	1	\$2,196,000.00	78	108, 109
Last Mile Broadband LLC	MD	2	\$260,000.00	8	3, 4
Lennon Telephone Company	MI	1	\$60,000.00	2	3
Mercury Wireless Inc.	KS	1	\$250,000.00	141	2
Northern Valley Communications, LLC	SD	1	\$2,022,120.00	258	2
Worldcall Interconnect Inc.	TX	1	\$850,000.00	34	9
	Totals	14	\$9,508,155.00	661	

ATTACHMENT B FORM 5620 FILING INSTRUCTIONS

This attachment provides instructions for the identified selected bidders to complete and file materials for the rural broadband experiments post-selection review process using FCC Form 5620.

I. APPLICATION PREPARATION

The identified bidders are reminded that they must submit certain information by specific deadlines, discussed in greater detail below. Failure to meet any of these deadlines or provide the requisite information to enable the Bureau to fully and thoroughly conduct its post-selection review will result in default, with those bidders no longer under consideration for rural broadband experiments support.

A. Logging On

To submit attachments for the post-selection review process using the electronic FCC Form 5620, the identified bidder should open its web browser and navigate to either <http://auctions.fcc.gov/> or <http://auctions2.fcc.gov/>. Once on the FCC Auction System page, the bidder must log in using the same applicant FCC Registration Number (FRN) and password that was used in creating and filing the applicant's FCC Form 5610 application. On the "My Auctions" page, select the link titled "Click here to file FCC Form 5620" under the Rural Broadband Experiments section. This produces the Auction Application Manager page. Select the link titled "Auction 501" under Create New Form 5620 Application. Only an entity that has been identified as a provisionally selected bidder in this Public Notice will be able to create a submit attachments for the post-selection review process.

B. Application Filing Instructions

The FCC Auction System will prefill certain categories of information from the identified bidder's FCC Form 5610 application into its FCC Form 5620. Information will prefill in the following sections of each bidder's Form 5620: Applicant Information, Agreements and Ownership. Bidders should be aware, however, that the bidder is solely responsible for ensuring that all information contained in a submitted application is accurate, updated and complete.

Please note that while certain categories of information are prefilled, any attachments that an applicant may have submitted with the Form 5610 **WILL NOT** be carried over to the Form 5620. For example, if an entity indicated on its Form 5610 that it has an indirect ownership interest and uploaded an attachment describing that interest, the information regarding the indirect ownership interest will be prefilled but the attachment describing that interest **WILL NOT** be attached. Therefore, the bidder must attach the indirect ownership description to the Form 5620 in order for the FCC Auction System to accept the submission.

Because certain information is prefilled into the FCC Form 5620, the identified bidders should ensure the accuracy of this information and make any minor modifications or updates as necessary. Minor modifications include correcting typographical errors and supplying non-material information that was inadvertently omitted or was not available at the time the FCC Form 5610 was submitted. If an applicant makes a major modification to the prefilled information, however, it will no longer be considered for rural broadband experiment support. Major modifications include, but are not limited to, any changes in the ownership of the applicant that constitute an assignment or transfer of control, any changes in the identity of the applicant, or any changes in the required certifications.

1. Applicant Information Section

Each provisionally selected bidder should carefully review its applicant information, including its name, address, legal classification and contact information, which will have been prefilled from its Form 5610.

This information should be reviewed carefully to confirm that it is complete and accurate. If there have been any changes to the information or corrections are needed, make the appropriate changes and verify the information before continuing to the next section.

2. Agreements Section

In the Agreements section, the agreement information that was provided on the provisionally selected bidder's FCC Form 5610 will be prefilled into its FCC Form 5620. Any updates or changes should be made to ensure that the bidder's agreement information remains complete and accurate.

3. Ownership Information Section

Similarly, the ownership disclosure information that was provided on the identified bidder's FCC Form 5610 will be prefilled into its FCC Form 5620. Any minor modifications should be made to ensure that the bidder's ownership information remains complete and accurate. As mentioned above, any attachments submitted in connection with the ownership disclosures on the FCC Form 5610 will not be carried over automatically to the FCC Form 5620, and must be uploaded again before submitting the FCC Form 5620.

4. Summary Section

The Summary screens summarize information that applicants have provided in previous screens, offering an overview of an applicant's FCC Form 5620 to help locate specific information. These screens will appear prior to the "Certify and Submit" screens, in order to permit the applicant to review all the information entered in previous screens and to provide an opportunity to check for certain inconsistencies or omissions in the information within the FCC Form 5620.

The first *Summary* screen, the *Summary Overview* screen, lists the first four series of screens in the application and provides a **VIEW/EDIT** button to access each one.

- Clicking **VIEW/EDIT** for Applicant Information produces a *Detail for Applicant Information* screen showing the information entered for each data entry field. To change any data item, the applicant should click the **Edit** icon for the relevant data field.
- Clicking **VIEW/EDIT** for Agreements takes the applicant to the *Agreements* screen discussed above in the Agreements section.
- Clicking **VIEW/EDIT** for Ownership takes the applicant to the *View/Edit Ownership Disclosure Information* screen discussed above in the Ownership section.

Clicking on the CHECK ERRORS button initiates an automated check of the application. If the automated check encounters certain inconsistencies or omissions in information within the FCC Form 5620 that must be corrected before submitting the application, the inconsistency or omission will be listed in an Error box at the top of the screen. To correct one of these errors, click its corresponding EDIT button. In addition, if the automated check encounters certain apparent inconsistencies or omissions that might render the application incomplete or deficient if the application is submitted with current information, the apparent error will be listed in a Warning box. To revise the information related to the apparent inconsistency or omission, click its corresponding EDIT button.

II. POST-SELECTION REVIEW PROCESS: REQUIRED INFORMATION AND DEADLINES

Following the review outlined above and prior to certifying and submitting the FCC Form 5620, the identified bidders should navigate to the "Attachments" link to upload the required attachments for the post-selection review process. We outline the requirements for these attachments below, as well as the deadlines for bidders to submit these materials.

A. Technical and Financial Review

The identified bidders are required to provide the most recent three consecutive years of audited financial statements, including balance sheets, net income, and cash flow, in order to enable a thorough financial review.¹ Bidders must provide this required information in an attachment to the FCC Form 5620 using the attachment type “Audited Financial Statements.”

The identified bidders also are required to submit a description of the technology and system design that would be used to deliver voice and broadband service meeting the requisite speeds to all locations in the funded census blocks, including a network diagram, which must be certified by a professional engineer.² Selected bidders are required to deliver the required minimum speeds to all locations within the funded census blocks.³ As part of that description, bidders should identify the network components that will need to be deployed, the type of technology that will be deployed, and the type of spectrum (e.g., 700 MHz, Cellular, Broadband PCS, AWS, fixed wireless bands, etc.) to be used with the technology, if applicable. Bidders should explain how the use of this particular technology will allow them to meet the service obligations for the particular rural broadband experiments category for which they are seeking support. Bidders must provide this required information in an attachment to the FCC Form 5620 using the attachment type “Technology Description.”

Finally, the identified bidders proposing to use wireless technologies are required to provide a description of spectrum access in the areas for which the applicant seeks support.⁴ This should include whether the bidder currently holds a license for or leases the spectrum or otherwise has contracted for access to the spectrum consistent with Commission rules. The description should identify the license applicable to the spectrum to be accessed and must include the type of service (e.g., AWS, 700 MHz, BRS, PCS, or pertinent microwave frequency bands), the particular frequency bands, and the call sign. If the licensee is a different party than the bidder, the licensee name and the relationship between the bidder and the licensee that provides the applicant with the required access should be described. If the bidder is leasing spectrum, the lease number should be provided along with the license information. Bidders must provide this required information in an attachment to the FCC Form 5620 using the attachment type “Spectrum Description.”

¹ See *Connect America Fund; ETC Annual Reports and Certifications*, WC Docket Nos. 10-90, 14-58, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8769, 8787-88, para. 54 (2014) (*Rural Broadband Experiments Order*).

² *Id.*

³ Under the Commission’s rules, recipients of support are required annually to provide the results of network performance tests pursuant to the methodology and in the format determined by the Wireline Competition Bureau, Wireless Telecommunications Bureau, and Office of Engineering and Technology (together, the Bureaus). 47 C.F.R. § 54.313(a)(11). The Bureaus recently sought comment to further develop the record on a proposed methodology for high-cost recipients to measure and report speed and latency performance to fixed locations. The Bureaus have proposed that recipients be required to perform tests for a specified number of customers at least once an hour during peak period over a four-week period, with 95% of the observations at or above the required minimum speed. See *Wireline Competition Bureau, Wireless Telecommunications Bureau, and the Office of Engineering and Technology Seek Comment on Proposed Methodology for Connect America High-Cost Universal Service Support Recipients to Measure and Report Speed and Latency Performance to Fixed Locations*, WC Docket No. 10-90, Public Notice, DA 14-1499 (rel. Oct. 16, 2014).

⁴ *Rural Broadband Experiments Order*, 29 FCC Rcd at 8787-88, para. 54. Selected bidders should include as part of this description an exhibit specifying the frequency band, required bandwidth, channelization plan, applicable licensed geographical area and any required frequency coordination exhibits or applicable Commission Rules. If a selected bidder is proposing to use unlicensed bands, it should provide the frequency bands, required bandwidth and exhibits in meeting all the pertinent Commission requirements in deploying such spectrum in addition to demonstrating that the deployment of applicable network is not constrained by unlicensed band interference.

This information must be submitted with the appropriate certification within 10 business days of release of this Public Notice.⁵ Consequently, this information must be attached to the FCC Form 5620 and submitted no later than **Friday, December 19, 2014 at 11:59p.m. EST.**

B. Letter of Credit Commitment Letter

The identified bidders must submit a written commitment letter from an acceptable bank to issue a Letter of Credit (“LOC”) for each selected project bid. The commitment letter must, at a minimum, provide the dollar amount of the LOC and the issuing bank’s agreement to follow the terms and conditions of the Commission’s model LOC.⁶ The commitment letter must be from an acceptable bank, as defined in the *Rural Broadband Experiments Order*.⁷

The LOC commitment letter must be submitted with the appropriate certification within 60 days of the release of this Public Notice.⁸ Consequently, this information must be attached to the FCC Form 5620 and submitted no later than **Tuesday, February 3, 2015 at 11:59p.m. EST.**

C. Eligible Telecommunications Carrier Designation

The identified bidders must provide appropriate documentation of their eligible telecommunications carrier (ETC) designation in each census block for which they are provisionally selected to receive support and certify that the information submitted is accurate. Appropriate documentation should include the original designation order and any relevant modifications, e.g., expansion of service area, along with any name change orders. An ETC designation attachment must be provided for each selected project bid. Any relevant information should be provided as an attachment to the FCC Form 5620 using the attachment type “ETC Designation.”

The ETC designation documentation must be submitted with the appropriate certification within 90 days of the release of this Public Notice.⁹ Consequently, this information must be attached to the FCC Form 5620 and submitted no later than **Thursday, March 5, 2015 at 11:59p.m. EST.**

D. Conditions for Funding Authorization

Once the Bureau has determined that the entity is financially and technically qualified to receive Connect America support for specific census blocks, the LOC commitment letter is sufficient, and the required documentation of ETC designation has been submitted, the Bureau will release a public notice stating that the entity is ready to be authorized for support. Within 10 business days of that public notice, the bidder is required to submit an irrevocable stand-by original LOC that has been issued and signed by the issuing bank along with the opinion letter from legal counsel that we describe below. Once the Universal Service Administrative Company (USAC) has verified the sufficiency of the LOC and the opinion letter, the Bureau will issue a public notice authorizing the entity to receive its first disbursement.

If a bidder is unable to meet all of these requirements, it must file a request for a waiver and meet the requisite standards for waiver in order to be authorized to receive support. To the extent any bidder believes it must seek a waiver, it should contact Bureau staff in advance of filing to determine the procedures for submitting such a request consistent with the Commission’s rules. Parties should file this

⁵ *Id.*

⁶ *Id.* at 8805-06, App. A.

⁷ *Id.* at 8790-91, paras. 59-61

⁸ *Id.* at 8787-88, para. 54.

⁹ *Id.*

information in the Commission's Electronic Comment Filing System (ECFS) in WC Docket No. 10-90, seeking confidential treatment to the extent they deem that necessary.

III. APPLICATION SUBMISSION

The *Certify and Submit* screen lists the certifications required of all provisionally selected bidders in the rural broadband experiments and requests that the applicant's certifying official be identified and sign the application. Once the provisionally selected bidder has attached the required post-selection review materials for each step in the process, it must certify and submit its FCC Form 5620. Bidders must certify and submit their FCC Form 5620 no later than **each** of the deadlines specified above. For example, no later than December 19, bidders must upload the required technical and financial materials and certify and submit their FCC Form 5620; no later than February 3, bidders must upload the required LOC commitment letter and certify and submit their FCC Form 5620; and no later than March 5, bidders must upload the required ETC documentation and certify and submit their FCC Form 5620. Identified bidders may file the requisite information at any time and are encouraged not to wait until the end of the day to do so, as failure to submit the information in a timely manner will constitute default.

Bidders are reminded that submission of the FCC Form 5620 constitutes a representation by the certifying official that he or she is an authorized representative of the applicant and has read the form's instructions and certifications, and that the contents of the application, its certifications and any attachments are true, complete and correct. Submission of a false certification to the Commission is grounds for denial of Connect America support for a rural broadband experiment. A change of certifying official between the FCC Form 5610 and the FCC Form 5620 is considered a major change and will not be permitted.

Once the Certify and Submit screen has been filled out, the application may be submitted by clicking on the **SUBMIT** button.

After the application has been submitted, a confirmation screen will be displayed that states the submission time and date, along with a unique file number. Applicants should print a copy of the confirmation page for their records. They may then view and print copies of their submitted applications by clicking on the **PRINT PREVIEW** button.

IV. TECHNICAL SUPPORT

For technical assistance with using FCC software, contact the FCC Technical Support Hotline at (877) 480-3201, option nine; (202) 414-1250; or (202) 414-1255 (TTY). The FCC Technical Support Hotline is available Monday through Friday from 8 a.m. to 6 p.m. ET. All calls to the FCC Technical Support Hotline are recorded.

For questions regarding potential waiver requests or other non-technical issues, contact Alexander Minard (Alexander.Minard@fcc.gov) or Ian Forbes (Ian.Forbes@fcc.gov) of the Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418-7400.

Paperwork Reduction Act Approval: The FCC Form 5620 was assigned control number 3060-1200 and was approved by the Office of Management and Budget on September 18, 2014.

Pricing Plans – Colorado/Wyoming

Our friendly and knowledgeable Customer Support Team can help you select the right plan for your specific lifestyle. Call us seven days a week (Monday through Friday 6AM to Midnight, Saturday and Sunday 9AM to 7PM) at **1-888-759-2326** (1-888-SKYBEAM) or [have us call you back](#).

\$39⁹⁵
/ month

5 Mbps

- › Up to **5 Mbps** Download
- › Up to **1 Mbps** Upload
- › Great for web browsing, social networking, email, shopping, music and video streaming, chat and video chat.

Add ActivePhone™ for
\$19.95 per month.

SIGN UP

No contract required

\$49⁹⁵
/ month

10 Mbps

- › Up to **10 Mbps** Download
- › Up to **2 Mbps** Upload
- › Great for web browsing, social networking, email, shopping, music, HD video streaming, online gaming, chat and video chat.

Add ActivePhone™ for
\$19.95 per month.

SIGN UP

No contract required

\$59⁹⁵
/ month

20 Mbps

- › Up to **20 Mbps** Download
- › Up to **4 Mbps** Upload
- › Does everything the 5 Mbps package will do plus HD movie streaming, online gaming. Best choice for multiple users.

Add ActivePhone™ for
\$19.95 per month.

SIGN UP

No contract required

Small Business

The Best Broadband Internet and Telephone Choice for Small Office and Home Office Customers.

Small Office / Home Office

A great choice for small or home offices

- > 1 to 5 light users.
- > Great for basic business internet needs such as web browsing and email.
 - > 5x2mbps
 - > Static IP address

\$ 59⁹⁵
/ month

SIGN UP

Small Business

A better choice for small offices

- > Up to 10 users with medium internet use
- > Files and emails download faster
- > A good choice for businesses with streaming media needs
 - > 10x2mbps
 - > Static IP address

\$ 89⁹⁵
/ month

SIGN UP

Small Business Plus

For small businesses with large internet needs

- > The best choice for 10 or more users or for frequent internet use.
 - > Larger files download faster
- > Faster upload for sending larger email attachments or files
- > Faster access for cloud based services
 - > Higher quality video streaming
- > The right choice for larger offices with multiple connected devices per user.
 - > 15x3mbps
 - > Static IP address

\$ 109⁹⁵
/ month

SIGN UP

Enterprise CoreVoice Trunks™



Connect and extend the life of your on-premise PBX with Enterprise CoreVoice Trunks™. The features of this service include:

- SIP, ISDN/PRI, or POTS interface connects to most on-premise PBX equipment
- Custom hunt groups
- Busy and no answer call handling
- Unlimited calling to landlines and mobile phones in the US
- Free international calling to landlines in 64 countries and mobile phones in 13 countries*
- 100% Service Level Agreement
- End-to-End Quality of Service (QoS) when combined with JAB Broadband Enterprise Connect

Enterprise and Public Sector Enterprise Connect



JAB Broadband Enterprise Connect is available as either a dedicated internet connection, or Ethernet private line service between two or more locations. Enterprise Connect is based on advanced microwave fixed-wireless technology, which provides the fastest (lowest latency) broadband connection commercially available today. It is an excellent choice for primary connectivity or as a technologically diverse, redundant solution to T1, Ethernet, and fiber-optic circuits.

- Dedicated Internet Access
- Ethernet Private Line
- From 5 megabits to multiple gigabits per second
- Secure and reliable
- 100% Service Level Agreement (SLA)
- A dedicated Enterprise Support Team
- Proactive 24/7 service monitoring
- Fast service delivery
- Low start-up cost
- Competitive pricing
- Extended coverage area

ActivePhone™



Our exclusive ActivePhone™ service give you the power to connect AND save. It is the next generation in personal communications and provides all of the features of traditional home phone service (including your current phone number) plus all of the latest features and functions you need to make your life easier.

ActivePhone™ is about half the price of a traditional home phone line and can also help you reduce the cost of your mobile phone service with:

- **Unlimited Domestic Long Distance** – Call anywhere in the US at no additional cost. Save your mobile plan minutes for when you really need them
- **Free International Long Distance** – Call to landlines in 64 countries and mobile phones in 13 countries at no additional cost*
- **Free Multi-Ring** – rings the phones in your home as well as your mobile device with a single phone number, allowing you to reduce mobile minute usage when you are home
- **ActivePhone™ Messaging** – automatically have your voicemail messages delivered to you via email, or set the service to notify you of new voicemail messages via text message so you can choose how and when to respond to messages
- **You Control Web Administration Tools** – view your past calls, find a lost phone number, and configure your service options to meet your specific needs
- ActivePhone™ also comes with all the standard phone features including **call waiting, caller ID with name, 3-way calling, call transfer, last call return, auto redial, and many more**
- Active Phone™ includes 911 services and free number porting, so you can keep your existing phone number.*

Skybeam ActivePhone™ Service and Platform Description

Skybeam ActivePhone™ Service

The Skybeam ActivePhone™ Service is an Interconnected Voice over Internet Protocol (VoIP) service which is designed to replace circuit switched Plain Old Telephone Service (POTS) lines with a more modern and feature rich packet switched voice service utilizing the Session Initiation Protocol (SIP).

The service requires an Internet Protocol (IP) connection to the Skybeam network or public Internet and 120VAC power to function. In the event of a failure of the IP connection or the local AC power, the service, including the e911 feature, will not function.

The service is not offered on a standalone basis except in the cases where lifeline service provisioning may be required by rule or law.

Through the use of an Analog Terminal Adapter (ATA), the service emulates POTS and is compatible with existing analog telephones and twisted pair copper in-building telephone wiring.

A 10 digit telephone number is assigned to a subscriber's service, and may be ported in our out from or to other providers of interconnected voice services.

The ActivePhone™ local calling area includes 100% of the lower 48 United States. There are no intrastate or interstate long distance fees when calling within this area.

For regulatory purposes, the measured mix of use of the service is 82% intrastate, 18% interstate. The base Skybeam ActivePhone™ service is billed at a flat rate rather than in interstate and intrastate components, and as such, the actual traffic mix is used to determine what percentage of the flat rate billed service charge is subject to Federal Universal Service Fund (FUSF) contributions, and where enabled by law applicable to Interconnected VoIP Service, state USF and state and local taxes.

Calls to locations outside of the 48 state local calling area are billed on a per minute basis at rates published to subscribers at <https://voice.skybeam.com/InternationalRates.aspx> and are subject to FUSF contribution recovery fees.

Skybeam ActivePhone™ service is not intended to be a nomadic or mobile service. The end users registered service address is the only location at which the subscriber is authorized to use the service. The service will work if the ATA is moved to another location within the US and connected to a public internet connection, however this is only authorized when the subscriber updates their service address prior to using the service at the new location by calling Skybeam Customer Care.

Skybeam ActivePhone™ service includes enhanced 911 services (e911). When service is initially provisioned, and any time the subscribers service address is updated, the service location is automatically transmitted to a third party e911 provider who geocodes the address, associates it with a local Public Safety Answering Point (PSAP), provides an electronic positive affirmation that the address

was properly geocoded, and stores the record on our behalf. When a subscriber dials 911, the call is routed to the third party 911 provider and then from there to the local PSAP. The location information is transmitted in the call signaling to the local PSAP, and is visible to the operator in e911 enabled PSAPs. In jurisdictions where an e911 service fee is imposed on Interconnected VoIP Services by law, the fee is passed through to the end user and remitted to the local authority in accordance with applicable policy. In addition to local fee pass through, Skybeam charges a recovery fee of \$1 to subscribers to offset the cost of providing the e911 service.

The charges and fees applicable to Skybeam ActivePhone™ service varies by market, and is composed of the following individual charges:

- A base monthly service fee
- An equipment rental charge for the ATA
- An e911 service recovery fee
- Charges for calls outside of the 48 state calling area
- FUSF recovery fee
- State USF recovery fee where applicable to Interconnected VoIP
- State and Local Taxes where applicable to Interconnected VoIP
- State and local e911 service fees where applicable to Interconnected VoIP

Skybeam ActivePhone™ service includes many standard features

- 48 state local calling area
- Voicemail
- Voicemail message delivery to email (recorded sound file attachment)
- Caller ID with Name
- Call Waiting
- 3 Way Calling
- Call Forwarding Always
- Call Forwarding Conditional
- Call Forwarding No Answer
- Simultaneous ringing on up to two additional telephone numbers
- Last Call Return
- Auto Redial

Skybeam ActivePhone™ Platform

The Skybeam ActivePhone™ service platform is a fully geo-redundant Class 5 VoIP feature server designed with a no single point of failure architecture with 1:1 component redundancy. The platform is distributed between well connected commercial data centers in Englewood Colorado, Dallas Texas, and Rockford Illinois. The platform has achieved 99.999% annual service availability since deployment in 2006.

Interconnection to the Public Switched Telephone Network is accomplished via peering and interconnection agreements with top tier wholesale SIP call origination and termination service providers. The majority of the interconnection is via SIP, and in a minority of cases, interconnection is achieved through circuit switched dedicated circuits and an interconnection agreement with the Local Exchange Carrier (LEC).

The following diagram illustrates the Skybeam ActivePhone™ Platform:

