



TEXAS DEPARTMENT OF AGRICULTURE  
COMMISSIONER TODD STAPLES

*And*

PUBLIC UTILITY COMMISSION OF TEXAS  
COMMISSIONER DONNA NELSON



October 14, 2009

Mr. Lawrence Strickling  
Assistant Secretary  
National Telecommunications and Information Administration  
United States Department of Commerce  
1400 Constitution Avenue, NW  
Washington, D.C. 20230

Assistant Secretary Strickling:

Thank you for the opportunity to offer comments regarding the grant applications that have been submitted to your agency under the Broadband Technology Opportunities Program (BTOP). Increasing access to broadband services is a priority for the State of Texas, and as you know, Governor Rick Perry has designated the Texas Department of Agriculture (TDA), in consultation with the Texas Public Safety Commission (PSC) and the Public Utility Commission of Texas (PUC), to lead the state's broadband deployment initiatives, specifically representing the interest of Texas to the National Telecommunications and Information Administration (NTIA).

Enclosed with this letter, you will find BTOP application recommendations that are based upon an extensive review process involving a diverse group of broadband and community experts, which was conducted in a very short period of time. Given our extensive process, we are confident in the projects we have recommended. Additionally, due to the short time frame allowed for this review, we ask that NTIA consider all applications proposing Texas service for funding as well.

Texas is a vast state, ranking second in the nation for population and landmass. More than 24 million Texans live on 261,797 square miles, with almost 15 percent of the population residing in rural areas. These population and geographic factors present significant challenges to our broadband deployment efforts, and they demand significant levels of investment to extend broadband service to unserved and underserved areas of our state. The grants NTIA approves for Texas projects should be commensurate with the state's size and the broadband needs of its unserved and underserved residents.

We have taken seriously the responsibility of providing recommendations to NTIA. TDA and PUC, in consultation with the Texas Department of Public Safety, developed a rigorous process for reviewing each grant application in an effort to make the best recommendations possible to assist NTIA. Our agencies collected copies of applications from grant applicants, established review teams and relied on NTIA-established criteria, as well as additional state priorities, in developing the following recommendations. We recruited almost 40 persons, who were screened for qualifications and conflicts of interest, to serve on the review teams - three scorers considering the infrastructure applications and teams of two reviewing the public computer center and sustainable adoption applications.

As you know, states have faced a monumental task in reviewing a large number of complex BTOP applications in a short time frame. Within four weeks, more than 150 applications that could potentially affect Texas were solicited and received. Proposed projects were screened for the ability to extend broadband service to unserved and underserved populations; the reasonableness of the proposed cost of service; sustainability; the level of service to be provided; and the ability to address the policy goals of BTOP and the American Recovery and Reinvestment Act. In addition to established NTIA program criteria, Texas prioritizes broadband expansion projects that support deployment in rural and remote areas, public safety connections and geographic diversity. We also included scalability as a criterion, recognizing that it may allow the strongest elements of a project to be funded, thereby achieving maximum deployment. We would prefer to see a large number of projects funded in many areas of the state, even if it means some proposals would not be fully funded in this grant cycle. We urge you to consider this preference for geographic diversity in evaluating projects that would provide broadband access in Texas.

Given the short time frame allowed for the review of applications, Texas was unable to conduct an in-depth analysis of critical components of the proposals, for example a thorough review of an applicant's financial stability, the technical and financial feasibility and sustainability of the proposals, and the administrative eligibility of the applications. In the absence of a broadband availability map, the state was also unable to confirm the proposals' true abilities to reach unserved and underserved populations. We recognize that a thorough review of these elements will be conducted by NTIA, and we share your interest in ensuring that the projects receiving grants are technically feasible and are proposed by organizations with the capability to carry out and sustain the projects.

In the recommendations enclosed, you will find a list of applications proposing service solely in Texas or in Texas and bordering states. Also, in the last mile and middle mile classifications, there is a list of projects that would provide service in a large number of states, which also scored high in our review process. Some of these projects appear to have significant value. We identify these projects on a separate list because their value would be felt nationwide, rather than primarily in Texas, and our greatest concern is for projects that benefit unserved and underserved Texans.

Again, we appreciate the opportunity to provide input on Texas-related BTOP applications. TDA and PUC would like to reiterate that there are likely many projects not included within the attached lists which would provide great benefit to our state, so please feel free to contact us as you move forward with your reviews and begin identifying fundable projects. We are available to answer any questions and provide all possible feedback to ensure the Broadband Technology Opportunities Program brings opportunity to all Texans.

Sincerely,



Todd Staples  
Commissioner of Agriculture  
Texas Department of Agriculture



Donna Nelson  
Commissioner  
Public Utility Commission of Texas

Enclosure

cc: The Honorable Rick Perry  
Allan Polunsky, Chairman, Texas Public Safety Commission