



By Electronic Mail

January 15, 2019

Tamarah Holmes, Ph.D.
Associate Director
Virginia Department of Housing and Community Development
600 E Main Street
#300
Richmond, VA 23219

RE: 2019 VATI Applications – Consistency with Guidelines

Dear Ms. Holmes,

In the 2019 Virginia Telecommunications Initiative (“VATI”) Program Guidelines and Criteria (2019 Guidelines), the Department of Housing and Community Development (“DHCD”) emphasized the statutory objective of the program: to provide financial assistance for broadband construction to areas unserved by any broadband provider. DHCD also amended the 2018 Program Guidelines and Criteria to allow grant funds to be used where there is an incidental overbuild of a served area. Under the 2019 Guidelines, DHCD will consider a proposed project that overbuilds broadband infrastructure, provided that less than 10% of the serviceable units included in the proposed project are served from any other service provider.

In order to ensure that the program objective is met, DHCD again included in the 2019 Guidelines a process by which providers could review submitted applications to determine whether the proposed project would overlap a served area. The review process occurs prior to DHCD’s determination of any grant award. By reducing the chance that VATI grants will support construction in areas that already have access to broadband, DHCD has established a more efficient use of public funds and increased the efficacy of the program.

Comcast has reviewed the pending VATI applications with the goal of assisting DHCD in meeting its statutory objective. Upon review of several applications, we note that for some projects where the applicant is a fixed wireless provider, the towers proposed to be constructed would likely be capable of offering service to areas that do not meet the program’s criteria for classification as unserved. In some of these cases, tower construction is proposed in areas that are adjacent to or nearby areas served by Comcast such that a signals transmitted from these towers will likely “bleed” significantly into served areas. In others, towers are proposed in the middle of areas already served by Comcast.

Comcast appreciates that some fixed wireless equipment may be targeted to deploy signal primarily in one direction or to only a portion of the possible 360 degrees from a tower. Similarly, many factors can affect a signal's range. Without that specific engineering information which is not provided in the application, Comcast is not able to determine the exact degree of overlap or whether it falls within the accepted range of less than 10%. Moreover, we cannot determine in most cases the number of homes a specific tower is intended to serve. However, given the proximity of many of the proposed towers to our existing footprint, we believe the likelihood for significant overlap exists.

General information about the applications is as follows:

- **Madison County:** The co-applicant is Madison Gigabit Internet. Internet service emanating from the Brightwood tower will likely overlap Comcast's service area. The Brightwood tower and Town of Madison ground station are proposed to be built or installed directly within Comcast's service area.

Comcast respectfully requests that DHCD review these applications to determine that the proposed service areas are truly unserved. In order to assist DHCD with its review, and in compliance with the 2019 Program Guidelines, Comcast offers the following supportive documentation.

First, data from Comcast's two most recent Form 477 submissions to the Federal Communications Commission can be located at <https://www.fcc.gov/general/broadband-deployment-data-fcc-form-477>. Comcast has provided summaries of each submission as Attachment A.

In addition, Comcast provides in Attachment B data relative to the minimum and maximum speeds available in the respective counties. In addition, as required by the 2019 Program Guidelines, Comcast provides data on actual subscribership and penetration. As Comcast has discussed previously with DHCD, this information is highly confidential, proprietary and competitively sensitive. In this situation,

the data is more detailed than what is available in the application. Therefore, Comcast requests that the information provided herein be withheld from public disclosure on the ground that it contains trade secrets, privileged, or confidential commercial or financial information. Comcast further requests that you disclose the information only to the members of the staff directly assigned to the matter as necessary in the discharge of their duties. Staff counsel and all members of the staff shall maintain the information in strict confidence and shall not disclose its contents to members of the public, or to other staff members not assigned to the matter. Given the expedited timeframe to submit this letter, Comcast today is submitting the redacted version. Comcast will submit the non-redacted version upon DHCD's grant of our request.

Comcast appreciates DHCD's efforts to expand broadband access throughout the Commonwealth, and to ensure its VATI funds are directed to those unserved areas which would be unlikely to have access otherwise. We seek to support these efforts and hope that the information we provide today allows an opportunity for the applicants to modify, if necessary, their applications to meet DHCD's objectives and the program's guidelines.

Sincerely,

Donna Rattley Washington
Vice President, Government Relations Beltway Region

Review of 2018 Virginia Telecommunications Initiative Grant Applications - Supporting Data

County/City	Provider	Tower Name/Location	Number of Claimed Passings (for whole project)	Number of Estimated Subscribers (for whole project)	Number of Proposed Passings (for specific towers, if provided in application)	Number of Proposed Subscribers (for specific towers, if provided in application)	Tower Range Presented in Application	Number of Comcast Homes Passed (at header level)	Number of Comcast Subscribers	Comcast Minimum/Maximum Speeds in Proposed Project Area (down/up)	Percentage of Serviceable Units that Receive Service during Normal Service Interval (Peak/Non-Peak) (at regional level)
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Madison	Madison Gigabit Internet	Brightwood tower	400	400	75	75	various; up to 1 mile			Min: 15M/ZIN; Max: 2G/2G	
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