

AGENDA
NELSON COUNTY BROADBAND AUTHORITY
April 14, 2015

**THE MEETING CONVENES AT 1:00 P.M. IN THE
GENERAL DISTRICT COURTROOM, OF THE COURTHOUSE, LOVINGSTON**

- I. Call to Order**
- II. Public Comments**
- III. Consent Agenda**
 - A. Resolution – R2015-04** Minutes for Approval
- IV. New/Unfinished Business**
 - A.** Network Operator Report - Blue Ridge Internetworks
 - B.** Treasurer's Report
 - C.** Definition of Broadband (**R2015-03**)
 - D.** Correspondence – Horizons Village Property Owners Association
- V. Other Business (As May Be Presented)**
- VI. Adjournment**

RESOLUTION R2015-04
NELSON COUNTY BROADBAND AUTHORITY
APPROVAL OF MEETING MINUTES
(January 13, 2015 and February 10, 2015)

RESOLVED, by the Nelson County Broadband Authority that the minutes of said Authority's meetings conducted on **January 13, 2015 and February 10, 2015** be and hereby are approved and authorized for entry into the official record of the Broadband Authority's meetings.

Approved: April 14, 2015

Attest: _____, Secretary
Nelson County Broadband Authority

January 13, 2015

Virginia:

AT A REGULAR MEETING of the Nelson County Broadband Authority Board at 1:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse, Lovingson Virginia.

Present: Thomas H. Bruguere, Jr. West District
Allen M. Hale, East District
Alan Patrick, Central District – Vice Chair
Larry D. Saunders, South District – Chair
Stephen A. Carter, County Administrator
Candice W. McGarry, Secretary
Debra K. McCann, Treasurer
Susan Rorrer, Director of Information Systems
Baylor Fooks, Network Operator – BRI

Absent: Thomas D. Harvey, North District

I. Call to Order

Mr. Saunders called the meeting to order at 1:12 pm with four members present to establish a quorum and Mr. Harvey being absent.

II. Public Comments

1. Joe Lee McClellan, Nelson Cable

Mr. McClellan distributed prepared remarks to the Board and noted that he would not be reviewing these and they were for the Board to look at, at their convenience.

Mr. McClellan then noted that fifteen (15) years ago he was an original investor in DIRECTV and anticipated 2,000 customers in Nelson County, Amherst, Scottsville and more. He then sold this business back to DIRECTV with 6,500 customers. He attributed to this increase in customers to him having a bank finance contracts for five (5) years for \$600 apiece and the customers paid him a \$10 rental fee on the equipment. He noted that he thought this model could work for NCBA because the installation fees were too high for most people. He noted that he thought some thought should be given to helping providers in gaining IDA bonds and allowing them to do this. He added that then they could go beyond the existing line and serve existing communities.

2. Jim White, Nellysford

Mr. White noted that he thought there was lack of justification for extending the County's fiber network from Martin's Store to Route 664. He noted that this did not meet the NCBA's initial objective to make broadband available to unserved and underserved areas and benefit low to moderate income (LMI) people. He added that the Nellysford area has had internet available there for past ten (10) years. He noted that he was currently connected to Nelson Cable with a modem and router and had iphones, laptops, a Roku box,

and a Kindle connected. He noted that most of his neighbors had similar usage in their homes and the area was not lacking Broadband access and was not a LMI area. He added that in his opinion, the county would be better served to invest in extending the network down Route 29 and Route 56 west in order to serve Colleen and Piney River. He concluded by stating there was no justifiable benefit to duplicating what was available.

3. Jace Goodling, Afton

Mr. Goodling stated that broadband had the potential for helping rural areas; however the way it had been carried out went against the spirit of CDBG funding. He stated that the funds were to be used to expand in underserved and unserved rural areas like Nelson. He noted that he had not gotten it and that less than 5% of the population was served so far. He added that it was not affordable for regular citizens and now the County wanted to spend money on an area that was already served when the east and south were not served. He noted he understood the redundancy arguments; however he thought this was to keep Lovingson and the government in business and the Authority should keep this in mind when expanding the network.

III. Public Hearings

A. Public Hearing – Consideration of a Change to the Schedule of Rates, Fees, and Charges to Eliminate the Discount of Non-Recurring Charges. (R2015-01)

Mr. Carter noted that the proposed change in the rates had been advertised in accordance with State Law and the change in the rate schedule was to eliminate the current discounts of nonrecurring charges. He noted that a proposed resolution was included that would re-establish the rates eliminating the discount on the actual installation costs. He added that the NCBA was losing money doing this that could be used for capital expansion. He noted that this could still be amortized and this would add less than \$25 per month to a bill. He noted that staff thought this was affordable and would aid in the development of the network.

Mr. Bruguiere asked if this action would eliminate the subsidy and or the amortization. Mr. Carter noted the current rate schedule language and the proposed language as follows:

Non-recurring charges (NRC) are those costs incurred in connection with the installation of the fiber drop and ONT. The customer will be responsible for the payment of these costs on the following terms.

NRC not exceeding \$1500 will be discounted as follows:

Term of Contract	Discount
12 months	none
24 months	10%
36 months	20%
48 months	35%
60 or more months	50%

The undiscounted balance of NRC together with any NRC in excess of \$1500 may be amortized over the term of the original contract.

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Proposed Revision:

Non-recurring charges (NRC) are those costs incurred in connection with the installation of the fiber drop and ONT. The customer will be responsible for the payment of these costs which may be amortized over the term of the original contract.

Mr. Carter noted that the maximum discount was 50% of the first \$1,500 in non-recurring charges or \$750. Ms. Rorrer noted that this was not a maximum of \$750 and it was recovered. She added that an additional \$750 was earned back.

Mr. Hale then clarified that the costs incurred were in connection with the installation and if they had the discount, the Authority was losing money. He added that whether or not the customer paid a portion or all of it was the issue for him. Mr. Bruguere clarified that this amount could be amortized.

Ms. Rorrer noted that these costs, up to the \$750 discount, would be recovered by the Authority through the monthly access fees the providers were paying. She added that this would be recovered as well as an additional \$750 and this was used to attract customers.

Mr. Carter noted that the Authority was still losing revenues in providing the discount and even if that would be paid by the Service Providers it did not make the NCBA whole.

Mr. Patrick then asked that of the installations to date, how many took advantage of this and Ms. Rorrer and Ms. McCann noted that the majority did take advantage of it.

Mr. Bruguere then asked what the average residential installation costs were and Ms. Rorrer noted that this varied significantly. She then noted for example, installation costs were \$1,500 and if the customer agreed to a 5 year contract term, they would be eligible for a \$750 discount. If the installation costs were in excess of this, there was no further discount and the remainder would be amortized with contract. She added that without the discount, the full amount would be amortized over the term of contract. She noted that Service Providers were paying NCBA \$25 per month for access to the circuit; so NCBA was receiving some revenue on this. It was noted that only the cost of installation would go up for the customer, not the cost of service provision. Ms. Rorrer then noted that if \$750 were divided by 60 months (5 year contract term) then \$12 would be added to the amortized monthly cost to the customer.

Mr. Carter reiterated that the NCBA was losing money that could benefit network growth. He noted that it had worked to attract customers and had served its purpose. Mr. Hale noted that having the discount program would supposedly generate more customers and the NCBA had discussed only having the discount for an initial period of time. He added that he did not think there was a long term benefit for it to be available all of the time.

Ms. Rorrer added that it had been there to attract a customer base and they needed to answer the question of whether or not the customer base was where they wanted it to be now or did they want to grow it more.

Mr. Patrick noted that he understood the purpose was to get a base of customers and provide incentives; however he thought having an open ended discount was not a good idea overall; however it may be a good idea to keep it for new areas.

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Mr. Carter noted that without additional revenues, the NCBA could not expand the network and without expanding the network, the NCBA could not get additional revenues. He added that this could be further discussed once the public hearing was held.

Mr. Bruguere added that perhaps it should be continued for another year. Mr. Hale then noted a quote from the last meeting minutes that said "BRI was in favor of discontinuing the discount and did not think it would impact the take rate of services."

Mr. Carter reiterated that it had been helpful in growing the network and Mr. Hale continued by quoting the last meeting minutes which stated "Mr. Fooks noted this (the discount) depleted the NCBA funds and were never recovered."

Mr. Saunders then opened the public hearing and the following persons were recognized:

1. Baylor Fooks, BRI Network Operator

Mr. Fooks noted that he thought the five (5) year amortization both encouraged participation; however the amortization was a more substantial incentive than the discount. He reiterated that of the two incentives, the amortization program had more of an impact in helping users get on the network. He added that he did believe that the discount consumed the Authority's funds and at the last meeting, one of the issues discussed was fairness. He added that the discount was subsidizing connection fees; however both provided incentive to get on the network.

Mr. Bruguere asked if they discontinued the discount, and collected the \$750, would the services still be competitive. Mr. Fooks noted that the lowest service cost would not change with whatever happened with the discount; the construction costs would change. He added that it was a correct statement that it would not affect adoption, since the amortization program was more effective. He noted that the Authority would receive the \$25 monthly fee from Service Providers in either scenario and the discount was an expense to the NCBA. He also agreed that the network needed to expand and the more customers that could get on the network the better. Mr. Carter noted that the record would speak to the few connections that were extremely costly.

Mr. Fooks then noted that the network did currently go down to Colleen and customer interest there had been minimal. He added that they could possibly do more marketing in that area to generate interest.

Mr. Carter reiterated that the network went to Blue Ridge Medical Center and into the business park. He added that there had been more success in the Route 151 corridor than that of Route 29.

2. Joe Lee McClellan, Nelson Cable

Mr. McClellan noted that the Authority needed to decide on whether or not they wanted high or low initial costs of hook up. He added that they would get more customers if the costs were lower and if they doubled the take rate, the revenue would also double. He noted that he thought they had to get the price down to where customers could sign up and that people would move to the higher bandwidth packages once they were on the network and time went on.

3. Sarah Holman, Nelson Cable

Ms. Holman noted she thought that there needed to be a strong push to market the network on the Route 29 corridor and the southern end of the community. She added that kids needed internet for educational purposes. She noted that now a lot of college applications had to be done on-line. She also noted that the Authority needed to look at the 25-40 year old demographics, which were those families with children.

There being no other persons wishing to be recognized, the public hearing was closed.

Mr. Hale noted that he did not mind tabling action, however the suggestion to continue amortization made sense to him but continuing the discount did not. He added that Nelson Cable had not given him an incentive when he got satellite TV. He noted that he thought when the network services became available and the installation costs were not extraordinary, people would go for it and if they had the option to pay for it over time that was a positive thing.

The Board then agreed by consensus to defer a decision on this until the next meeting and no action was taken.

IV. Reorganization, Election of Officers, and 2015 Meeting Schedule

- A. Chair
- B. Vice Chair
- C. Secretary
- D. Treasurer
- E. 2015 Meeting Schedule

Mr. Carter noted that it was time for the annual reorganization and election of officers and he referred to the history of this that had been provided to the members. He noted that this showed Mr. Patrick would become Chair and Mr. Hale would become Vice Chair with Ms. McGarry as Secretary and Ms. McCann as Treasurer. He noted that the meeting schedule was proposed as is as being at 1pm just prior to the Board of Supervisors meeting on the second Tuesday of each month following the end of the quarter. He suggested that if this garnered favorable consideration it could be done in one motion.

Mr. Bruguiere moved to nominate Alan Patrick as Chair, Allen Hale as Vice Chair, Ms. McGarry as Secretary, and Ms. McCann as Treasurer and keeping the same meeting schedule as that of 2014.

Mr. Hale seconded the motion and there being no further discussion, members voted unanimously (4-0) by roll call vote to approve the motion.

V. Consent Agenda

Mr. Hale moved to approve the consent agenda and Mr. Saunders seconded the motion. There being no further discussion, members voted unanimously (4-0) by roll call vote to approve the motion and the following resolution was adopted:

A. Resolution – R2015-02 Minutes for Approval

**RESOLUTION R2015-02
NELSON COUNTY BROADBAND AUTHORITY
APPROVAL OF MEETING MINUTES
(October 14, 2014)**

RESOLVED, by the Nelson County Broadband Authority that the minutes of said Authority’s meeting conducted on **October 14, 2014** be and hereby are approved and authorized for entry into the official record of the Broadband Authority’s meetings.

VI. New/Unfinished Business

A. Network Operator Report - Blue Ridge Internetworks

Mr. Fooks reported that there had been nine (9) installs last quarter, a total of ninety-three (93) active circuits, and one pending installation. He then reviewed the following reports:

I. Operational

Q4 Installations:

Oct	4
Nov	1
Dec	4

Active Circuits:

Blue Ridge	87
Shentel	3
Nelson Social Services	1
Nelson County Cable	2

TOTAL 93

Pending Installations 1

II. Administrative

Mr. Fooks noted that Nelson County Cablevision had been added as a colocation customer and service provider. He added that they had installed two (2) initial circuits for them in December.

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III. Financial

Nelson County Broadband Authority
A/R Aging Summary
As of December 31, 2014

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
BRI	4,415.82	75.83	0.00	0.00	0.00	4,491.65
Lumos	437.50	437.50	0.00	0.00	0.00	875.00
Shentel	2,575.00	0.00	0.00	0.00	0.00	2,575.00
Social Services	0.00	250.00	0.00	0.00	0.00	250.00
Stewart Computer Services	<u>1,600.00</u>	<u>0.00</u>	<u>0.00</u>	<u>199.17</u>	<u>0.00</u>	<u>1,799.17</u>
TOTAL	<u>9,028.32</u>	<u>763.33</u>	<u>0.00</u>	<u>199.17</u>	<u>0.00</u>	<u>9,990.82</u>

Nelson County Broadband Authority
01/08/15 Income Statement by Item
Accrual Basis October through December 2014

	<u>Oct 14</u>	<u>Nov 14</u>	<u>Dec 14</u>	<u>TOTAL</u>
Parts				
ONT 716GE-I (Calix 4-Port Indoor ONT)	<u>0.00</u>	<u>0.00</u>	<u>1,200.00</u>	<u>1,200.00</u>
Total Parts	0.00	0.00	1,200.00	1,200.00
Service				
Collo 2RU (Collocation: 2 Rack Units, 20A)	150.00	150.00	187.50	487.50
Collo Full Rack (Collocation: 19" Rack, incl 20A DC)	350.00	350.00	350.00	1,050.00
Collo Power \$250 (Collo Power Fee)	250.00	250.00	250.00	750.00
Collo Power 10A (Collocation: Additional Power, 10A)	437.50	437.50	437.50	1,312.50
Dark Fiber (Dark Fiber Lease)	1,000.95	0.00	0.00	1,000.95
Tier 1 25x5 (Tier 1 25x5 Access Circuit)	1,846.78	1,925.00	1,935.08	5,706.86
Tier 1 50x10 (Tier 1 50x10 Access Circuit)	250.00	263.33	300.00	813.33
Tier 2 25x25 (Tier 2 25x25 Access Circuit)	150.00	150.00	150.00	450.00
Tier 2 Gig (Tier 2 Gigabit)	0.00	0.00	500.00	500.00
Tier 3 1G (Tier 3 Private WAN 1 Gbps)	4,368.00	4,368.00	4,368.00	13,104.00
Tier 3 25M (Tier 3 P2P WAN 25 Mbps)	250.00	250.00	250.00	750.00
Tower Lease (Tower Lease Income)	1,525.00	1,525.00	39,646.40	42,696.40
Xconn (Collocation Cross Connect Fee)	<u>0.00</u>	<u>0.00</u>	<u>125.00</u>	<u>125.00</u>
Total Service	10,578.23	9,668.83	48,499.48	68,746.54
Other Charges				
CF Amort (Construction Fee Amortized Pmt)	1,442.61	1,505.11	1,577.24	4,524.96
CF Std (Construction Fee One-Time Pmt)	1,332.00	0.00	391.00	1,723.00
Collo Setup Fee (Collo Setup Fee)	<u>0.00</u>	<u>0.00</u>	<u>700.00</u>	<u>700.00</u>

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Total Other Charges	<u>2,774.61</u>	<u>1,505.11</u>	<u>2,668.24</u>	<u>6,947.96</u>
TOTAL	<u>13,352.84</u>	<u>11,173.94</u>	<u>52,367.72</u>	<u>76,894.50</u>

B. Treasurer's Report

Ms. McCann reported the following regarding the Broadband Fund:

BROADBAND FUND @ 12/31/2014

Beginning Balance 7/1/2014	\$ 360,971.37
July-September 2014 Expenditures	\$ (102,340.15)
Oct-December 2014 Expenditures	\$ (49,919.54)
July-September 2014 Revenues	\$ 31,451.82
Oct-December 2014 Revenues**	\$ 86,295.07
Subtotal	\$ 326,458.57
General Fund Transfer	\$ 100,000.00
Ending Balance 12/31/2014	\$ 426,458.57
Revenues Exceed Expenditures FYTD by	\$ 65,487.20
Remaining Balance Amortized Installation Fund	\$ 141,387.78
Remaining Balance Operational Funds	\$ 285,070.79
Available Bank Balance @ 12/31/2014	\$ 426,458.57

She also reported the following regarding the Broadband Network Operating Fund:

The Broadband Project Fund report showed year-to-date expenditures (July – December) of \$152,259.69 for Network Operations, with there being an unencumbered balance of \$294,049.31 and a Contingency Reserve remaining of \$50,950.00. The Revenue Summary for the fund showed year-to-date revenues of \$217,746.69 and a balance of \$279,512.11 for the remainder of the year. Ms. McCann Noted that \$100,000 was a contribution from the General fund and revenue less this was noted to be \$117,744.89.

Ms. McCann then reported that the \$193,634 year ending balance shown on the revenue report was the amount set aside for amortized installations and upfront costs.

Following the Treasurer's report it was noted that it was approaching 2:00 pm and there was not sufficient time to discuss the remaining agenda items. Staff recommended that these be discussed at a continued meeting the following month at 1:00 pm. Members agreed by consensus to continue the meeting to discuss the following remaining agenda items:

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- C. Definition of Broadband (R2015-03)
- D. Comprehensive County Broadband Plan
- E. Regional Broadband Initiative

VII. Other Business (As May Be Presented)

There was no other business considered by the Authority.

VIII. Adjournment

At 2:00 pm, Mr. Hale moved to continue the Nelson County Broadband Authority meeting until 1pm on the second Tuesday of February preceding the Board of Supervisors meeting. Mr. Saunders seconded the motion and there being no further discussion, Members voted unanimously (4-0) by roll call vote to approve the motion and the meeting adjourned.

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Virginia:

AT A CONTINUED MEETING of the Nelson County Broadband Authority Board at 1:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse, Lovingson Virginia.

Present: Thomas H. Bruguire, Jr. West District
Thomas D. Harvey, North District
Allen M. Hale, East District
Alan Patrick, Central District – Vice Chair
Larry D. Saunders, South District – Chair
Stephen A. Carter, County Administrator
Candice W. McGarry, Secretary
Debra K. McCann, Treasurer
Susan Rorrer, Director of Information Systems
Baylor Fooks, Network Operator – BRI

Absent: None

I. Call to Order

Mr. Patrick called the meeting to order at 1:00 PM, with all members present to establish a quorum.

II. New/Unfinished Business

- A. Consideration of Change to Schedule of Rates, Fees, and Charges to Eliminate the Discount of Nonrecurring Charges **(R2015-01 Deferred)**

Mr. Carter introduced the item and noted that a public hearing had been held on the matter at the previous Authority meeting. He noted that at that time, mixed signals were given by the staff on the matter; however he referenced a memo that had since been provided to the members provided in order to clarify comments that were made as follows:

“The purpose of this memorandum is to clarify comments made by County staff at the January 13th meeting of the Nelson County Broadband Authority with regard to the Authority Board s consideration of eliminating the installation discount(s) presently included in the Authority's rate structure. A decision on this subject was deferred due to a) some degree of public comment, b) comment from Board members on considering maintaining the discount but establishing a "sunset" clause following which the discount(s) would thereafter be eliminated and, c) the input from County staff stating that tbc discount was lost revenue vis a vis another County staff person stating that the discount was recovered, which, seemingly, was the primary reason that a decision on eliminating the discount was deferred.

Assuming the Board's primary question is whether or not the discount(s) is recovered, the answer is no. However, if the Authority decides to credit other revenue to offset the discount loss then the answer can also be yes. To provide some illustration of this, the following examples are offered.

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To begin, however, please recall that the entire installation cost for connection to the fiber network is paid to the Authority's Outside Plant Contractor. If the installation cost is discounted then the customer pays the difference between the total installation costs less the amount of the discount paid by the Authority.

As an example that the discount is recovered, if Customer A's total installation cost is \$1,800 and Customer A opts to take advantage of the discount, including a 5 year service agreement and amortization period, then, Customer A will realize a \$750 discount and will pay the balance of \$1,050 ($\$1,800 - \$750 = \$1,050$) in 60 month payments of \$17.50 per month. If for example Customer A opts for a 25 x 5 MBPS service from Blue Ridge Internet at \$59.95 per month, then Customer A's monthly payment is \$77.45 (\$59.95 retained by BRI and \$17.50 remitted to the Authority by BRI). To provide Customer A with service, BRI will also pay the Authority \$25.00 per month for a circuit on the fiber network. Over Customer A's 60 month service/amortization period, the Authority realizes \$1,500 in revenues from the circuit provided to BRI. This is the point made by County staff that the discount is recovered; the \$1,500 in circuit revenues from the ISP repays the \$750 discount rather than the Authority realizing the entire \$1,500 in circuit revenues if there were no discount

The following information from the County's Director of Finance (D. McCann) denotes the total amount of discounts absorbed/paid by the Authority during FY 14 and year to date (January, 2015) for FY 15:

FY14	\$25,500
FY15 (through Jan. 2015)	\$21,825
Total	\$47,325

Using FY 14 as the example and assuming the entire \$25,500 total is based on a \$750 discount and a 5 year amortization schedule, then there were 34 new connections that received discounts in FY 14. Applying the preceding example of Customer the \$25,500 in total discounts paid by the Authority in FY 14 will then be fully recovered in FY 19 if the Authority accepts the premise that the \$25 circuit fee paid to the Authority by the Internet Service Provider is how the discount is recovered. More specifically, during this five year period the Authority will also receive \$51,000 in revenues from the provision of 34 circuits to serve the above customers. However, under the premise that the circuit revenue is the means to recover the discounted amounts, the net circuit income is then one half of the \$51,000 total or \$25,500. The other \$25,500 is the "recovery" of the installation discount.

Using both the above FY 14 and YTD FY 15 information provided by Ms. McCann, the equivalent number of total connections using the discount is 63. If the discount was discontinued, the Authority would realize \$94,500 in revenues over the FY 14 to FY 19 period ($63 \times \$25 \times 60 = \$94,500$) or \$18,900 per year instead of \$47,250 over the FY 14 to FY 19 period (or \$9,450 per year). The County previously provided the Authority with \$250,000 in funding which is used to pay the total installation expense for new connections/customers that elect to amortize the installation cost. This amount, less any discount, is fully recovered as budgetary revenue over the amortization period (such that it can be reused, assuming there is a sufficient balance available for new connections when a new connection is requested). The discount amount is charged to the budget as an expense but there is not offsetting budgetary revenue (unless the circuit fee is considered to be the offsetting revenue). Additionally, the Authority's FY 14-15 Budget

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includes a \$100,000 allocation from the County (to insure the budget is balanced and the Authority is able to operate). The point being, the Authority is not yet totally self-sufficient (supporting).

Additionally, as Mr. (Baylor) Fooks of BRI has commented *to* the Authority, the ability to amortize the installation expense is an ability that is (from BRI's perspective) more important to retain than the discount. Using another 'comparative' example (which is not intended to be a negative comparison); if no discount was provided for the above \$1,800 installation expense but the customer elected a 5 year amortization period and a 25 x 5 service from BRI at \$59.95 per month, then the customer's monthly expense is \$89.85 (BRI retains the \$59.95 and remits \$30 to the County, which is the total monthly amortized installation cost). For a Plan 4 service from the local WISP entity, which provides 6-8 Mbps download range and 120 GB per month data cap, the current monthly expense to the customer is \$89.95, excluding the installation expense (which is currently \$198).

Using the above comparison, if the average fiber network connection cost is \$1,800 or less, the monthly subscriber cost for the reliability of the fiber network and service at 25 x 5 MBPS is justification alone for eliminating the discount. Why? Once the installation fee is fully the 25 x 5 service at \$59.95 is both excellent and affordable. And, as or more importantly, by realizing all of the ISP circuit revenue(s), the Authority has a greater ability to expand the overall network, both fiber and wireless (wireless service cannot be discarded) and, thereby increase its revenues and ability to further expand the network or, if nothing else, the Authority is in a better position to be financially self-supporting. Lastly, expanding the network may bring additional ISPs, which will result in more competition and, hopefully, better services at an affordable cost.”

Mr. Carter noted that revenue recovery of the discount source was the County and this was recovered through circuit fees collected from ISPs in connecting the customer, that were remitted to the County.

He noted the amount of discount paid through FY14 and FY15 YTD of \$47,325 and added that this revenue over 5 years would be \$95,000 if the discount were eliminated.

Mr. Carter added that when budgeting revenues for the County they stood alone.

Mr. Bruguere suggested maintaining the discount for another year. Mr. Harvey agreed and noted that the network was not where they thought it would be and that they should do the same thing for the wireless providers. He added that their goal was to provide service to as many as they could as quickly as they could. He added that he also had no problem with forgiving the tower leases for a year; noting that it was critical to have internet service and he thought that wireless service was the answer for 80-90% of the County. It was also noted that all connections were in Rockfish and there were basically none from Route 6 from Martins Store to Colleen.

Mr. Carter advised that this was attributable mostly to installation costs even though the discounts had been available for three (3) years. He added that he thought that after three years, the network was successful and they needed to continue to build it out. He noted that the County's network was the envy of the Region at the PDC meetings and everyone else was trying to mimic the County's network.

Mr. Harvey stated that they needed to do whatever could be done to get people covered for internet service.

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Mr. Patrick noted that they needed to let people know what was out there. He added that the network was overall successful; however, the pace of growth was much slower than he would have thought and he was looking for recommendations on how to move it along. He added that he understood it was important at some time to remove the discount; however he thought that for now, he was in favor of continuing it for at least another year.

Mr. Hale stated that he did not think it had been much of an incentive and this would not be a deal breaker for him. He added that the whole system continued to be subsidized by all taxpayers and he was not in favor of continuing the discount and he favored the amortization program. He noted that was not the reason why there weren't more customers and he did not think it was reasonable to ask those outside of the service availability to subsidize those in it.

Mr. Saunders agreed that more marketing of the network was needed and he was more in favor of leaving the discount in place for another year and doing heavier marketing. He added that wireless should be looked at more also. Mr. Hale noted they could do an analysis of how many possible connections there were within 500 ft. of the fiber and he noted that he thought the issue was that there just weren't that many.

Mr. Harvey then noted that he thought that it was necessary that someone in house developed subdivision proposals for expansion and he cited Edgehill as an example.

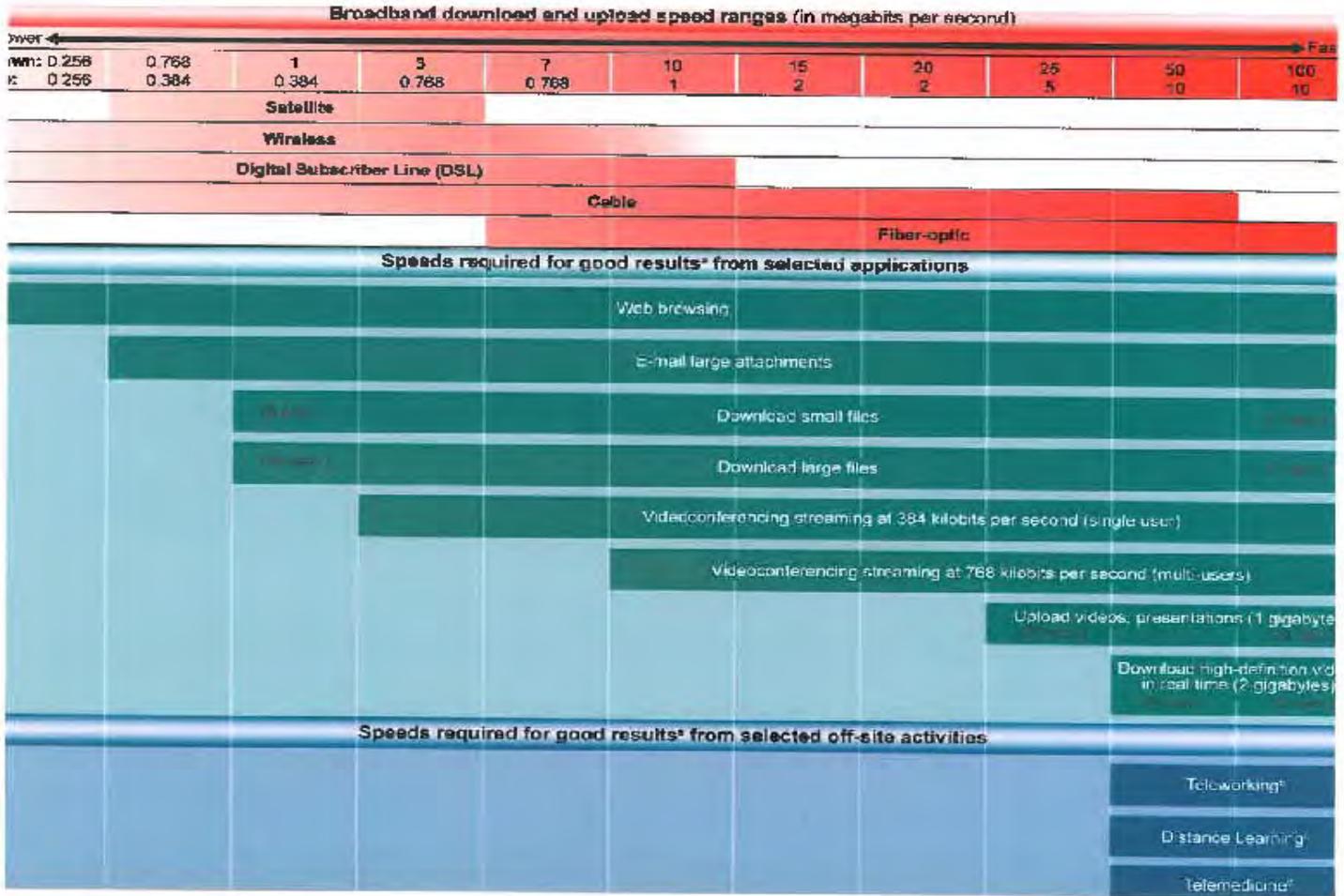
Following discussion, Mr. Harvey moved that the discount was not changed right now and that it be re-looked at in one year. Mr. Bruguiere seconded the motion and Members voted (4-1) by roll call vote to approve the motion with Mr. Hale voting No.

B. Definition of Broadband (**R2015-03**)

Mr. Patrick noted the changing definition of Broadband by the Federal Communications Commission (FCC) noting that the FCC had changed definition for the Connect America fund - requiring 10 mbps down and 1 mbps up. He added that since then, the FCC came out with a benchmark for performance measurement of 25 Mbps down and 3 Mbps up.

He then referenced the graph below that showed different types of internet activities and the associated required bandwidths to achieve good results with various technologies

February 10, 2015



He noted that teleworking, distance learning, and telemedicine required speeds that were quite high at 50 Mbps or greater.

Mr. Patrick then noted that he thought that it was important for the Authority to define Broadband and to use a definition that fell in line with the federal definition; so that people knew what they were getting and providers could relate this to customers. He added it was just as important to know what was not broadband.

Mr. Patrick recommended going with the 25 Mbps down/3 Mbps up definition and noted that this would not be restrictive to ISPs but rather would be a standard.

He then read aloud the proposed resolution **R2015-03** for the 25 Mbps down/3 Mbps up definition as follows:

WHEREAS, The Nelson County Broadband Authority was established to operate an open access network over County owned broadband infrastructure (fiber, copper, towers) that enables Service Providers to provide broadband services to the rural residents and businesses of Nelson County; and

February 10, 2015

WHEREAS, as of January 29, 2015 the FCC updated its broadband benchmark speeds to 25 Mbps for downloads and 3 Mbps for uploads (25 Mbps/3Mbps) after determining that the previous standard of 4 Mbps/1Mbps set in 2010 is dated and inadequate as a benchmark:

NOW, THEREFORE, BE IT RESOLVED, that in an effort to keep pace with developments at the federal level and to eliminate inconsistencies in the use of the term broadband, the Nelson County Broadband Authority defines the term broadband as it applies to fixed (fiber, copper, wireless) internet services as having a minimum speed of 25 Mbps for downloads and 3 Mbps for uploads; and

BE IT FURTHER RESOLVED,

- That the Nelson County Broadband Authority shall reevaluate its official definition of broadband on an annual basis to ensure that its definition meets or exceeds the official federal definition of broadband.
- That all Service Providers offering fixed broadband services on the Nelson County owned infrastructure (fiber, copper, towers) shall provide a minimum tier 1 broadband service that meets or exceeds the Nelson County Broadband Authority's official definition of broadband: a minimum speed of 25 Mbps for downloads and 3 Mbps for uploads.
- That all Service Providers advertising the provision of telecommunication services on the Nelson County owned infrastructure (fiber, copper, towers) shall clearly communicate the Nelson County Broadband Authority's official definition of broadband (a minimum speed of 25 Mbps for downloads and 3 Mbps for uploads) to its customers in all forms of advertising, including but not limited to, print and multimedia, and shall not advertise as "broadband" services of slower speeds than that contained in the definition.
- That all Service Providers offering fixed services on the Nelson County owned infrastructure (fiber, copper, towers) may offer services that do not meet the Nelson County Broadband Authority's official definition of broadband, however, services that offer speeds less than those contained in the Nelson County Broadband Authority's official broadband definition shall be clearly labeled as not meeting the Nelson County Broadband Authority's official broadband definition.
- That the foregoing definition and the disclosure requirements shall be made a term of new or renewed Service Provider contracts.

Mr. Patrick then moved to approve resolution **R2015-03**, defining broadband as 25 Mbps down and 3 Mbps up.

Mr. Bruguere clarified that ISPs could offer lower speeds but this would not be called Broadband. Mr. Patrick confirmed and noted that if it were defined, it would be clear and everyone would know what broadband was considered to be. He added it would not impact any current ISP contracts and he understood that all of the current service providers offered an option that met both of the proposed definitions.

Mr. Harvey noted that he thought it needed to be studied and thought about and then brought back in April.

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Mr. Hale noted that most consumers did not understand having one or the other and Mr. Harvey noted that consumers should still have the option to have lower speeds. Mr. Patrick agreed and reiterated that this was the case and was stated; noting the resolution just defined the term "broadband".

Mr. Patrick referenced an email from John Taylor, former Broadband Advisory Committee member that noted that stated that broadband technology was rapidly moving and broadband should be defined and the definition should be monitored as it changed. He added that it did not restrict ISPs service provisions since they could offer slower options for less cost; but it would just not be considered broadband.

Members then invited ISPs in attendance to comment and the following persons were recognized:

1. Clay Stewart, SCS Broadband

Mr. Stewart noted he thought it was too early to consider this given that the FCC has not finished their work and it was still under review. He added that everyone in the industry believed this would be a legal fight over years. He added that this was brought about by the net neutrality issue and that the FCC knew that with today's technology they cannot do 25 Mbps down/5 Mbps up. He noted that this was all very fast moving and was changing rapidly. Mr. Stewart then added that he has been offered free towers in other counties and a definition was not needed and he did not want advertising to be regulated by this. He added that he had been asking for help and not getting it from the County. He noted he had lost over \$10,000 in leasing funds over the past year and needed the Authority's help in getting on infrastructure not a broadband definition.

2. Joe Lee McClellan, Nelson Cable

Mr. McClellan stated that he was opposed to the definition of 25 Mbps down/3 Mbps up and noted it ought to be 10 Mbps down/1 Mbps up because this was what was required to download Netflix. He added that he thought that a definition of 25 Mbps down/3 Mbps up would give the customer the idea that anything less was not acceptable; when it was and this depended on what the customer's needs were. He noted that he offered service less than this and it was all that the customer wanted. He added that the reason 25 Mbps down was put out by the FCC was so that Telephone companies could apply for grand funding. He noted that they had to raise this so that phone companies could qualify. Mr. McClellan noted that various Associations had been telling them this and he thought that he and Mr. Stewart ought to sit down with staff to exchange ideas on how to make this work.

Mr. Patrick then noted that tabling this until the next meeting had been suggested and Mr. Bruguere agreed, but noted that he thought they needed some sort of definition so people knew what they were getting.

Mr. Patrick noted that it was important to define broadband so that everyone knew what was being discussed when it came to broadband and that it was in line with the federal definition.

Members then agreed by consensus to table the matter until the next meeting.

February 10, 2015

C. Comprehensive County Broadband Plan & Regional Broadband Initiative

Mr. Patrick recommended the development of a comprehensive plan for the County and noted that it could be used for marketing the network etc. He added that if a plan was developed, then the Authority and County would be ready to go when other funds became available. He added he would like to look at it comprehensively as a whole and define what technologies could be used where.

Mr. Patrick noted some highlights from the plan and that he thought it was important to look at options for funding it. He added that it would be important to get ISPs involved for their input and to prioritize sections of the County where broadband was most needed and the most access was achievable. He stressed the importance of looking at larger grants that may be combined with loans for funding.

Mr. Patrick then moved that the County move forward with developing a broadband plan.

Mr. Bruguere noted that now was the time to look at this while the County was developing the budget. He added that it would take some time and it may be that not everyone could be served because of the County's topography.

Mr. Harvey noted he thought this was a great idea; however he did not think the Authority needed to adopt anything yet. He added that everyone agreed on what needed to be done and there was good information in the proposal that would assist in that. He noted that it should be thought about and maybe some committees formed that could help with this.

Mr. Patrick added that they needed help with how to market it and get services out to people.

Mr. Hale thanked Mr. Patrick for the work he put into the proposal. He noted that he agreed they should pursue it and suggested that they ask staff to take a close look at it and provide some sort of budget to get it on the way. He added that this did not need a resolution just consensus of the NCBA and it should involve staff and service providers in coming up with the plan.

Mr. Harvey added that the regional planning aspect was a good thought. Mr. Patrick explained that the Planning District Commission would like counties to take a regional approach to get bulk pricing and continuity in hardware etc. He noted that they understand that other counties were now where Nelson was eight (8) years ago and that the county could be helpful.

Mr. Saunders noted that he thought it was a great idea for staff to meet with ISPs and see what was needed and then look at the budget to see what was affordable.

Members then agreed by consensus for staff to move forward with development of the plan and report back to NCBA. Mr. Patrick added that there needed to be some sort performance measures included.

February 10, 2015

III. Other Business (As May Be Presented)

There was no other business considered by the Authority.

IV. Adjournment

At 1:50 PM, Mr. Harvey moved to adjourn the meeting. There was no second and Members voted unanimously by voice vote to approve the motion and the meeting adjourned.

DRAFT

BROADBAND FUND @3/31/2015

Beginning Balance 7/1/2014	\$ 360,971.37
July-September 2014 Expenditures	\$ (102,340.15)
Oct-December 2014 Expenditures	\$ (49,919.54)
Jan-March 2015 Expenditures	\$ (41,003.38)
July-September 2014 Revenues	\$ 31,451.82
Oct-December 2014 Revenues	\$ 86,295.07
Jan-March 2015 Revenues	\$ 71,388.58
Subtotal	<u>\$ 356,843.77</u>
General Fund Transfer	<u>\$ 100,000.00</u>
Ending Balance 3/31/2015	\$ 456,843.77
Revenues Exceed Expenditures FYTD by	\$ 95,872.40
Remaining Balance Amortized Installation Fund	\$ 134,231.45
Remaining Balance Operational Funds	<u>\$ 322,612.32</u>
Available Bank Balance @3/31/2015	\$ 456,843.77

4/09/2015 *GL060*
 FUND #-114 ***Revenues-Broadband Network***
 -D E T A I L-

NELSON COUNTY
 REVENUE SUMMARY
 7/01/2014 - 3/31/2015

TIME 13:33
 PAGE 1
 -D E T A I L-

MAJOR ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	% REMAIN.
999	***Revenues-Broadband Network***						
1502	***Revenue from Use of Property***						
0020	Fiber Leases						
0030	Tower Leases	4,000.00	4,000.00	.00	3,002.85		
	Revenue from Use of Property	83,625.00	83,625.00	33,700.00	80,786.99	997.15	24.92
		87,625.00	87,625.00	33,700.00	83,789.84	2,838.01	3.39
1620	***Charges for Services***					3,835.16	4.37
0001	Network Access Charges						
0100	Other Network Charges	56,650.00	56,650.00	7,018.00	67,589.98	10,939.98-	19.31-
	Charges for Services	13,350.00	13,350.00	1,112.50	11,314.07	2,035.93	15.25
		70,000.00	70,000.00	8,130.50	78,904.05	8,904.05-	12.72-
1899	***Installation Reimbursements***						
0110	Installation Upfront Payments	40,000.00	40,000.00	.00	15,232.00	24,768.00	61.92
0115	Installation Amortized Payments	6,000.00	6,000.00	1,577.24	11,209.58	5,209.58-	86.82-
	Installation Reimbursements	46,000.00	46,000.00	1,577.24	26,441.58	19,558.42	42.51
	Revenue from Use of Property	203,625.00	203,625.00	43,407.74	189,135.47	14,489.53	7.11
3201	***Grants & Transfers***						
4101	***Non-Revenue Receipts***						
4105	***Transfers***						
0100	Transfer from General Fund	100,000.00	100,000.00	.00	100,000.00	.00	.00
	Transfers	100,000.00	100,000.00	.00	100,000.00	.00	.00
	Non-Revenue Receipts	100,000.00	100,000.00	.00	100,000.00	.00	.00
9999	***Year Ending Balance***						
0001	Year Ending Balance	193,634.00	193,634.00	.00	.00	193,634.00	100.00
	Year Ending Balance	193,634.00	193,634.00	.00	.00	193,634.00	100.00
	Year Ending Balance	193,634.00	193,634.00	.00	.00	193,634.00	100.00
	--FUND TOTAL--	497,259.00	497,259.00	43,407.74	289,135.47	208,123.53	41.85

MAJOR ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	% REMAIN.
94100	***Broadband Network***							
94200	***Network Operations***							
3002	Professional Services (NetOp)	81,600.00	81,600.00	6,300.00	61,360.00	.00	20,240.00	24.80
3003	Professional Services	10,000.00	10,000.00	200.00	5,028.69	.00	4,971.31	49.71
3004	Repair & Maintenance	7,400.00	7,400.00	.00	.00	.00	7,400.00	100.00
3005	Insurance	2,500.00	2,500.00	.00	2,286.00	.00	214.00	8.56
3006	Utilities Including Locates	34,000.00	34,000.00	329.76	15,959.79	.00	18,040.21	53.05
3009	Installation Expense (Discount)	22,500.00	22,500.00	750.00	23,492.19	.00	992.19	4.40
3010	Installation Expense	40,000.00	40,000.00	.00	2,042.00	.00	37,958.00	94.89
3011	Installation Expense (Amortized)	193,634.00	193,634.00	1,727.00	54,566.70	.00	139,067.30	71.81
3012	Service Contracts	10,000.00	10,000.00	.00	3,500.00	.00	6,500.00	65.00
5401	Office Supplies	300.00	300.00	.00	88.59	.00	211.41	70.47
7007	Equipment	35,000.00	35,000.00	167.03	24,939.11	.00	10,060.89	28.74
8112	Tower Leases	9,375.00	9,375.00	.00	.00	.00	9,375.00	100.00
	Network Operations	446,309.00	446,309.00	9,473.79	193,263.07	.00	253,045.93	56.69
	Broadband Network	446,309.00	446,309.00	9,473.79	193,263.07	.00	253,045.93	56.69
999000	***Contingency***							
9901	Contingency Reserve	50,950.00	50,950.00	.00	.00	.00	50,950.00	100.00
	Contingency	50,950.00	50,950.00	.00	.00	.00	50,950.00	100.00
	Contingency	50,950.00	50,950.00	.00	.00	.00	50,950.00	100.00
	--FUND TOTAL--	497,259.00	497,259.00	9,473.79	193,263.07	.00	303,995.93	61.13



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Closing the Digital Divide in Rural America

by: [Tom Wheeler](#) ^[1], FCC Chairman

November 20, 2014 - 03:39 PM

Author: Tom Wheeler
FCC Chairman

High-speed Internet access has become fundamental to modern life, whether we're on the job, at home, or going to school. Broadband connectivity can overcome geographic isolation and put a world of information and economic opportunity at the fingertips of citizens in even the most remote communities. But the hard truth is there is a digital divide that particularly impacts rural America.

Americans living in urban areas are three times more likely to have access to Next Generation broadband than Americans in rural areas. An estimated 15 million Americans, primarily in rural communities, don't even have access to entry-level broadband in their homes. Forty-one percent of American's rural schools couldn't get a high-speed connection if they tried.

The FCC can play an important role in bridging these gaps, and today, I'm circulating two items that will expand access to robust broadband across rural America.

Bringing High-Speed Broadband to Rural Schools and Libraries

One proposal would close the digital divide in rural schools and libraries by modernizing the FCC's E-rate program. Since 1997, the program has helped connect schools and libraries to the Internet, but it's falling short of delivering the bandwidth required for 21st Century learning. That's particularly true in rural America, where 41% of schools lack access to the fast fiber connections required compared to 31% in urban areas.

Why does this Rural Fiber Gap exist? Fiber connection costs are much higher for rural schools and libraries. As a result, either there is no fiber, or that level of connectivity is only available at an unreasonably high price. It may not be unusual, but it is unacceptable that these realities are allowed to hurt students.

Thus, my proposal includes targeted updates to E-rate rules to help defray the high costs rural libraries and schools face in achieving high-speed Internet connectivity, particularly the one-time infrastructure upgrade costs that many simply can't afford today. For many low-income schools and libraries the challenge is one of affordability, so my proposal also

includes rule changes designed to increase the number of competitive options to these schools and libraries to ensure they have access to the most cost-effective solutions.

In July, we opened an inquiry into the future funding needs of the E-rate program. After our own analysis, as well as studies submitted to the record, we have concluded that additional investment is required to bring 21st Century digital learning to all schools and libraries. The E-rate's budget, set in 1997 and not adjusted for inflation until 2010, isn't up to the task. Now, we are rebooting E-rate for the digital age by proposing an increase in the size of the program to reflect the investment required to close the rural divide and keep American education competitive nationwide.

Closing this connectivity gap will require raising the E-rate spending cap. Now, let me be clear. We have looked long-term to forecast the funding needs going forward and based the spending cap on those forecasts. What will actually be spent – and the rate Americans will be asked to contribute – will vary from year-to-year. Most certainly, the contributions from Americans won't immediately jump to the cap.

I am proposing to my colleagues that we increase the cap on what all Americans contribute to the E-rate fund by 16 cents a month for a telephone line. Let's put that in perspective. Over the course of the year that represents one cup of coffee or a medium soda at McDonald's. Per year.

E-rate is funded by fees on consumers' phone bills. I take the fiduciary responsibility to invest those contributions wisely and very seriously. That's why we placed an emphasis on improving cost-effectiveness earlier this year. But the fact is that the E-Rate budget hadn't received an annual inflation adjustment for 13 years. The majority of the proposed new cap accounts for the lack of inflation adjustments, with the rest going to new growth if needed.

This is the reality: while many schools and libraries have benefitted from the E-rate program, rural and low-income schools and libraries have not shared proportionally in the opportunities. The investment I am proposing enables the FCC to fulfill its responsibility to advance digital learning in all American schools and libraries.

Bringing Broadband to Rural Americans

Beyond our schools and libraries, the Commission has been working to re-orient its universal service fund program for rural communities to support broadband networks in unserved rural areas through the new Connect America Fund. The Connect America Fund has already invested hundreds of millions to bring broadband to unserved rural communities, and is poised to invest more than \$20 billion over the next five years. Today, I am circulating an Order to move the Connect America Fund forward to get these communities the connectivity they need to stay competitive in the digital world.

My proposal would bring the minimum broadband speed for receiving USF support to 10 Mbps for downloads, from 4 Mbps – the first adjustment since 2011. We need to make sure rural consumers have the service they need to support modern applications and uses as we expand networks to the 15 million unserved rural Americans. And it's time to move forward to implement Phase II of the Connect America Fund.

Incentive Auction

We continue to make steady progress toward implementing an incentive auction of low-band

spectrum, which is a critical input for rural wireless broadband network coverage.

Broadcaster participation will be key to the auction's success. Since we released an [information package](#) [2] last month about the unparalleled business opportunity the incentive auction represents, numerous broadcasters have reached out to us to learn more about the incentive auction. And as the Incentive Auction Task Force [announced last week](#) [3], we will continue our dialogue with broadcasters in field visits covering every region of the continental U.S. including larger and smaller television markets.

Marking another major milestone, we are now initiating the process by which we will develop the specific procedures to carry out the incentive auction. Later today, we will circulate the Incentive Auction Comment Public Notice (PN) for consideration by the full Commission.

In the Incentive Auction Report & Order the Commission adopted last May, the Commission established the rules and policies for the incentive auction. The Comment PN seeks public input on detailed proposals about how important aspects of the auction will work, including the methodology for setting opening prices for both the forward and reverse auction; components of the "final stage rule" which must be met in order for the auction to close; and defining impaired markets and how to set an initial clearing target.

The public input we receive in response to the Comment PN will be incorporated into a final Procedures PN that will spell out the specific procedures necessary to carry out the auction.

Updated: November 20, 2014 - 04:51 PM

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

FOR IMMEDIATE RELEASE:
December 11, 2014

NEWS MEDIA CONTACT:
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FCC INCREASES RURAL BROADBAND SPEEDS UNDER CONNECT AMERICA FUND

Rural Consumers Must Receive Broadband Delivering At Least 10 Mbps Downloads, 1 Mbps Uploads from Providers Who Benefit from Connect America Support

Washington, D.C. – Broadband for rural consumers that is supported by the Connect America Fund must deliver the same speeds that 99% of urban Americans enjoy, the Federal Communications Commission said in an Order adopted today.

The FCC will now require companies receiving Connect America funding for fixed broadband to serve consumers with speeds of at least 10 Mbps for downloads and 1 Mbps for uploads. That is an increase reflecting marketplace and technological changes that have occurred since the FCC set its previous requirement of 4 Mbps/1 Mbps speeds in 2011.

According to recent data, 99% of Americans living in urban areas have access to fixed broadband speeds of 10/1, which can accommodate more modern applications and uses. Moreover, the vast majority of urban households are able to subscribe to even faster service.

Congress directed the FCC to make available in rural areas communications services that are reasonably comparable to those in urban areas. Increasing the Connect America speed requirement means that rural Americans, like urban Americans, can tap the benefits provided by broadband through faster web downloads, improved video streaming, and service capable of supporting multiple users in a household.

In 2011, the FCC reformed its universal service program for rural telephone service so it can more effectively support networks delivering both broadband and voice. With the adoption of today's Order, the FCC is prepared to make offers of support totaling up to nearly \$1.8 billion annually to a class of larger carriers known as price cap carriers in early 2015, which will potentially expand service to over 5 million rural Americans.

The Order makes a number of adjustments to the 2011 reforms to accommodate the higher speed requirement and better target Connect America funds to efficiently expand broadband into rural areas that would not otherwise be served. These changes include:

- Increasing the terms of support for price cap carriers from five years to six years, with an option for a seventh year in certain circumstances
- Providing increased flexibility in the build-out requirement, while still ensuring that support recipients are reaching out to Americans that were previously unserved

- Forbearing from certain universal service obligations in low-cost census blocks where price cap carriers are not eligible to receive Connect America support, as well as census blocks where the carriers face competition
- Requiring recipients that decline Connect America support in a state to continue to deliver voice service to high-cost census blocks until replaced through a competitive bidding process by another subsidized carrier that is required to deliver voice and 10/1 broadband.

The Order also makes changes that will distribute traditional universal service support for small carriers more equitably and curb waste. Finally, the Order helps ensure that carriers adhere to voice and broadband service obligations by setting clear consequences for failing to meet these standards.

Action by the Commission December 11, 2014, by Report and Order (FCC 14-190). Chairman Wheeler and Commissioner Rosenworcel, Commissioners Clyburn and Pai approving in part and dissenting in part and Commissioner O’Rielly concurring. Chairman Wheeler, Commissioners Clyburn, Rosenworcel, Pai and O’Rielly issuing statements.

Docket No.: 10-90

-FCC-

More information about the Connect America Fund is available at
<http://www.fcc.gov/encyclopedia/connecting-america>



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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE:
January 29, 2015

NEWS MEDIA CONTACT:
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FCC FINDS U.S. BROADBAND DEPLOYMENT NOT KEEPING PACE

Updates Broadband Speed Benchmark to 25Mbps/3 Mbps to Reflect Consumer Demand, Advances in Technology

Washington, D.C. – Broadband deployment in the United States – especially in rural areas – is failing to keep pace with today’s advanced, high-quality voice, data, graphics and video offerings, according to the 2015 Broadband Progress Report adopted today by the Federal Communications Commission.

Reflecting advances in technology, market offerings by broadband providers and consumer demand, the FCC updated its broadband benchmark speeds to 25 megabits per second (Mbps) for downloads and 3 Mbps for uploads. The 4 Mbps/1 Mbps standard set in 2010 is dated and inadequate for evaluating whether advanced broadband is being deployed to *all* Americans in a timely way, the FCC found.

Using this updated service benchmark, the 2015 report finds that 55 million Americans – 17 percent of the population – lack access to advanced broadband. Moreover, a significant **digital divide** remains between urban and rural America: Over half of all rural Americans lack access to 25 Mbps/3 Mbps service.

The divide is still greater on Tribal lands and in U.S. territories, where nearly 2/3 of residents lack access to today’s speeds. And 35 percent of schools across the nation still lack access to fiber networks capable of delivering the advanced broadband required to support today’s digital-learning tools.

While significant progress in broadband deployment has been made, due in part to the Commission’s action to support broadband through its Universal Service programs, these advances are not occurring broadly enough or quickly enough, the report finds. The report concludes that more work needs to be done by the private and public sectors to expand robust broadband to all Americans in a timely way, and the accompanying Notice of Inquiry seeks comment on what additional steps the FCC can take to accelerate broadband deployment.

Key findings include the following:

- 17 percent of all Americans (55 million people) lack access to 25 Mbps/3 Mbps service.
- 53 percent of rural Americans (22 million people) lack access to 25 Mbps/3 Mbps.
 - By contrast, only 8 percent of urban Americans lack access to 25 Mbps/3 Mbps broadband.
 - Rural America continues to be underserved at all speeds: 20 percent lack access even to service at 4 Mbps/1 Mbps, down only 1 percent from 2011, and 31 percent lack access to 10 Mbps/1 Mbps, down only 4 percent from 2011.

- 63 percent of Americans living on Tribal lands (2.5 million people) lack access to 25 Mbps/3 Mbps broadband
 - 85 percent living in rural areas of Tribal lands (1.7 million people) lack access.
- 63 percent of Americans living in U.S. territories (2.6 million people) lack access to 25 Mbps/3 Mbps broadband.
 - 79 percent of those living in rural territorial areas (880,000 people) lack access.
- Overall, the gap in availability of broadband at 25/3 closed by only 3 percentage points last year, from 20% lacking access in 2012 to 17% in 2013
- Overall, the broadband availability gap closed by only 3 percent last year.
- Americans living in rural and urban areas adopt broadband at similar rates where 25 Mbps/ 3 Mbps service is available, 28 percent in rural areas and 30 percent in urban areas.
- Approximately 35 percent of schools lack access to fiber, and thus likely lack access to broadband at the Commission’s shorter term benchmark (adopted in its July 2014 E-rate Modernization Order) of 100 Mbps per 1,000 users, and even fewer have access at the long term goal of 1 Gbps per 1,000 users.

Section 706 of the Telecommunications Act of 1996 requires the FCC to report annually on whether broadband “is being deployed to all Americans in a reasonable and timely fashion,” and to take “immediate action” if it is not. Congress defined broadband as “high-quality” capability that allow users to “originate and receive high-quality voice, data, graphics, and video” services.

Action by the Commission January 29, 2015, by Report and Notice of Inquiry (FCC 15-10). Chairman Wheeler, Commissioners Clyburn, and Rosenworcel with Commissioners Pai and O’Rielly dissenting. Chairman Wheeler, Commissioners Clyburn, Rosenworcel, Pai and O’Rielly issuing statements.

- FCC -

Previous Broadband Progress Reports are available at <https://www.fcc.gov/encyclopedia/archive-released-broadband-progress-notices-inquiry>

§ 56-1. Definitions.

Whenever used in this title, unless the context requires a different meaning:

"Broadband connection," for purposes of this section, means a connection where transmission speeds exceed 200 kilobits per second in at least one direction.

"Commission" means the State Corporation Commission.

"Corporation" or "company" includes all corporations created by acts of the General Assembly of Virginia, or under the general incorporation laws of this Commonwealth, or doing business therein, and shall exclude all municipal corporations, other political subdivisions, and public institutions owned or controlled by the Commonwealth.

"Electric vehicle charging service" means the replenishment of the battery of a plug-in electric motor vehicle, which replenishment occurs by plugging the motor vehicle into an electric power source in order to charge or recharge its battery.

"Interexchange telephone service" means telephone service between points in two or more exchanges that is not classified as local exchange telephone service. "Interexchange telephone service" shall not include Voice-over-Internet protocol service for purposes of regulation by the Commission, including the imposition of certification processing fees and other administrative requirements, and the filing or approval of tariffs. Nothing herein shall be construed to either mandate or prohibit the payment of switched network access rates or other intercarrier compensation, if any, related to Voice-over-Internet protocol service.

"Local exchange telephone service" means telephone service provided in a geographical area established for the administration of communication services and consists of one or more central offices together with associated facilities which are used in providing local exchange service. Local exchange service, as opposed to interexchange service, consists of telecommunications between points within an exchange or between exchanges which are within an area where customers may call at specified rates and charges. "Local exchange telephone service" shall not include Voice-over-Internet protocol service for purposes of regulation by the Commission, including the imposition of certification processing fees and other administrative requirements, and the filing or approval of tariffs. Nothing herein shall be construed to either mandate or prohibit the payment of switched network access rates or other intercarrier compensation, if any, related to Voice-over-Internet protocol service.

"Mail" includes electronic mail and other forms of electronic communication when the customer has requested or authorized electronic bill delivery or other electronic communications.

"Municipality" or "municipal corporation" shall include an authority created by a governmental unit exempt from the referendum requirement of § [15.2-5403](#).

"Person" includes individuals, partnerships, limited liability companies, and corporations.

"Plug-in electric motor vehicle" means an on-road motor vehicle that draws propulsion using a traction battery that has at least four kilowatt hours of capacity, uses an external source of electric energy to charge or recharge the battery, has a gross vehicle weight of not more than 14,000 pounds, and meets any applicable emissions standards.

"Public service corporation" or "public service company" includes gas, pipeline, electric light, heat, power and water supply companies, sewer companies, telephone companies, and all persons authorized to transport passengers or property as a common carrier. "Public service corporation" or "public service company" shall not include (i) a municipal corporation, other political subdivision or public institution owned or controlled by the Commonwealth; however, if such an entity has obtained a certificate to provide services pursuant to § [56-265.4:4](#), then such entity shall be deemed to be a public service corporation or public service company and subject to the authority of the Commission with respect only to its provision of the services it is authorized to provide pursuant to such certificate; or (ii) any company described in subdivision (b)(10) of § [56-265.1](#).

"Railroad" includes all railroad or railway lines, whether operated by steam, electricity, or other motive power, except when otherwise specifically designated.

"Railroad company" includes any company, trustee or other person owning, leasing or operating a railroad.

"Rate" means rate charged for any service rendered or to be rendered.

"Rate," "charge" and "regulation" include joint rates, joint charges and joint regulations, respectively.

"Regulated operating revenue" includes only revenue from services not found to be competitive.

"Transportation company" includes any railroad company, any company transporting express by railroad, and any ship or boat company.

"Virginia limited liability company" means (i) any limited liability company organized under Chapter 12 (§ [13.1-1000](#) et seq.) of Title 13.1, (ii) any entity that has become a limited liability company pursuant to Article 12.2 (§ [13.1-722.8](#) et seq.) of Chapter 9 of Title 13.1 or pursuant to conversion or domestication under Chapter 12 (§ [13.1-1000](#) et seq.) of Title 13.1, or (iii) any foreign limited liability company that is organized or is domesticated by filing articles of organization that meet the requirements of §§ [13.1-1003](#) and [13.1-1011](#) and include (a) the name of the foreign limited liability company immediately prior to the filing of the articles of organization; (b) the date on which and the jurisdiction in which the foreign limited liability company was first formed, organized, created or otherwise came into being; and (c) the jurisdiction that constituted the seat, siege social, or principal place of business or central administration of the foreign limited liability company, or any equivalent thereto under applicable law, immediately prior to the filing of the articles of organization. With respect to an organization or domestication pursuant to clause (iii), the terms and conditions of a domestication shall be approved in the manner provided for by the document, instrument, agreement or other writing, as the case may be, governing the internal affairs of the foreign limited liability company in the conduct of its business or by applicable law other than the law of the Commonwealth, as appropriate, and the provisions governing the status, powers, obligations, and choice of law applicable under § [13.1-1010.3](#) shall apply to any limited liability company so domesticated or organized.

"Voice-over-Internet protocol service" or "VoIP service" means any service that: (i) enables real-time, two-way voice communications that originate or terminate from the user's location using Internet protocol or any successor protocol and (ii) uses a broadband connection from the user's location. This definition includes any such service that permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

(Code 1919, §§ 3693, 3881; 1971, Ex. Sess., c. 23; 1984, c. 382; 2002, cc. [479](#), [489](#); 2004, c. [1028](#); 2006, cc. [691](#), [912](#), [929](#), [941](#); 2007, c. [619](#); 2009, c. [746](#); 2011, cc. [408](#), [738](#), [740](#).)

● Conversion of Data Transfer Rate Units ●

In the analog transmission of information of the physical size, the corresponding data are continuously impressed.

Each value is in a specified interval admissible and relevant at all times.

In the digital transmission of information in the physical size of the corresponding data are imparted discretely.

Here are several noncontiguous areas intervals allowed that are only in certain not directly successive time intervals relevant.

Bits per seconds (bps)	<input type="text" value="200000"/>	Bytes per seconds (Bps)	<input type="text" value="25000"/>
Kilobits per seconds (kbps)	<input type="text" value="200"/>	Kilobytes per seconds (kBps)	<input type="text" value="25"/>
Megabits per seconds (Mbps)	<input type="text" value="0.2"/>	Kilobytes per minute (kBpmin)	<input type="text" value="1500"/>
	<input type="button" value="calculate"/>	Megabytes per minute (MBpmin)	<input type="text" value="1.5"/>
			<input type="button" value="reset"/>

The data transfer rate (bit rate) is the amount of digital data that is moved from one place to another in a second's time. It is the speed of travel given in "bps".

Baud - a unit of digital transmission signalling speed of information transmission. It is used to describe the rate of information flow. Given in bits per second (bps) the rate is the highest number of single information elements (bits) transferred between two devices in one second - such as modems or fax machines.

Decimal System

1000 bit = 1 kb = kilobit
1000 kilobit = 1 Mb = 1 megabit
1000 byte = 1000 B = 1 kilobyte
1000 kilobyte = 1 MB = 1 megabyte

1 bps
= 0.001 kbps (kb/s)
= 0.125 Bps (B/s)
= 0.45 kBph (kB/h)
= 0.0075 kBpmin (kB/min)

1 kbps = 1000 bps
 = 1 kbps (kb/s)
 = 125 Bps (B/s)
 = 450 kBph (kB/h)
 = 7.50 kBpmin (kB/min)

1 Mbps = 1000000 bps
 = 1000 kbps (kb/s)
 = 125000 Bps (B/s)
 = 450000 kBph (kB/h)
 = 7500 kBpmin (kB/min)

Binary:

1 Kibibyte (KiB) = 1024 byte = 2^{10} B = 1024 B (byte)

1 Mebibyte (MiB) = 1024 KiB = 2^{20} B = 1 048 576 B

1 Gibibyte (GiB) = 1024 MiB = 2^{30} B = 1 073 741 824 B

Decimal:

1 Kilobyte (kB) = 1000 byte = 10^3 byte = 1000 byte

1 Megabyte (MB) = 1000 kB = 10^6 byte = 1 000 000 byte

1 Gigabyte (GB) = 1000 MB = 10^9 byte = 1 000 000 000 byte

Multiples of bytes					
Decimal			Binary		
Value	Metric		Value	IEC	
1000	kB	kilobyte	1024	KiB	kibibyte
1000^2	MB	megabyte	1024^2	MiB	mebibyte
1000^3	GB	gigabyte	1024^3	GiB	gibibyte
1000^4	TB	terabyte	1024^4	TiB	tebibyte
1000^5	PB	petabyte	1024^5	PiB	pebibyte
1000^6	EB	exabyte	1024^6	EiB	exbibyte
1000^7	ZB	zettabyte	1024^7	ZiB	zebibyte
1000^8	YB	yottabyte	1024^8	YiB	yobibyte

Conversion: bits and bytes

Not only take something from this website to enhance your knowledge.
 Please, also give some feedback to the author to improve the performance.

[back](#) 

[Search Engine](#) 

[home](#) 

Broadband download and upload speed ranges (in megabits per second)

Download	0.256	0.768	1	3	7	10	15	20	25	50	100
Upload	0.256	0.384	0.384	0.768	0.768	1	2	2	5	10	10

Satellite

Wireless

Digital Subscriber Line (DSL)

Cable

Fiber-optic

Speeds required for good results* from selected applications

Web browsing

E-mail large attachments

Download small files

Download large files

Videoconferencing streaming at 384 kilobits per second (single user)

Videoconferencing streaming at 768 kilobits per second (multi-users)

Upload videos, presentations (1 gigabyte)
(27 min.)

Download high-definition video in real time (2 gigabytes)
(5 min.)

Speeds required for good results* from selected off-site activities

Teleworking*

Distance Learning*

Telemedicine*

FiberWorks - Nelson County

We sell fiber in packages.

...Go Light Speed.

TIER 1 FIBER

Tier 1 is our basic fiber Internet package. This is the service that most of our clients start with. It is offered at many speeds. As the levels increase, your ability to upload and download Internet content expands.

DOWN/UP	COST
Orange 25/5	\$59.95
Green 50/10	\$109.95

TIER 2 FIBER

Tier 2 is designed for uploaders. This includes "Static IP" addresses and delivers you symmetrical uploading and downloading. If you are in the media business or require heavy use of digital files Tier 2 is the arena where you should begin.

DOWN/UP	COST
Red 10/10	N/A
Blue 25/25	\$195.00
Yellow 50/50	\$380.00
Violet 100/100	\$725.00
250Mbps-10Gbps	Contact us

For Nelson County



Call Carrie
Fiber Internet
434.817.0707

	TIER 1 "BASIC"	TIER 2 "ADVANCED"	TIER 3 "PRIVATE WAN"
High Speed Fiber Network	Yes	Yes	Yes
Static IP	optional	included	N/A
Routed Subnets	N/A	Optional	N/A
Symmetrical Speeds	N/A	Yes	Yes
Advanced BGP Routing	N/A	Yes	N/A
Layer 2 VLANs Transported (QinQ)	N/A	N/A	Yes
Discount for Connection to BRI Colo	N/A	N/A	Yes (CHO, LEX)
Prioritized Traffic	No	Yes	Yes

Blue Ridge InternetWorks – Because it absolutely has to work.

Live Chat

support@briworks.com 877.658.4146 434.817.0707



434-263-4805



Nelson Cable is reaching more of the county than ever before providing higher-speed internet via new fiber optic lines

If you live near the Nelson County fiber optic lines going south on Route 151, turning down Route 6 and running south on Highway 29 to the Colleen area, you can turn to Nelson Cable to tap into this state-of-the-art internet technology where you'll work with experienced, high-integrity and caring customer service and technical professionals who can easily answer all of your questions.

Standard residential service on fiber optic line

Residential Speeds & Monthly Rates

- Up to 4 Mbps down & 1 up \$44.95
- Up To 7 Mbps down & 2 up \$49.95
- Up to

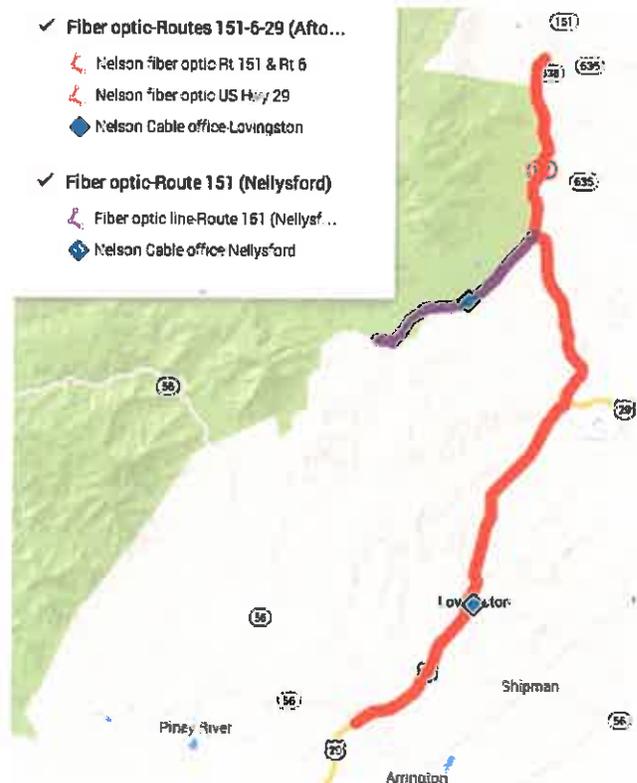
10 Mbps down & 3 up \$54.95

- Up to 25 Mbps down & 5 up \$59.95
- Up to 50 Mbps down & 10 up \$109.95



Nelson Cable also offers Exede, a high-speed satellite internet service. Exede now offers download speeds at 12 Mbps to most any home, anywhere. [Learn more here](#)

- ✓ Fiber optic-Routes 151-6-29 (Afto...
 - Nelson fiber optic Rt 151 & Rt 6
 - Nelson fiber optic US Hwy 29
 - Nelson Cable office-Lovington
- ✓ Fiber optic-Route 151 (Nellysford)
 - Fiber optic line-Route 161 (Nellysf ...
 - Nelson Cable office Nellysford



The red line is the fiber option line running from the Afton area to Colleen via Routes 151, 6 and US 29. [click to enlarge map](#)). For information on the Route 151

Business Speeds & Monthly Rates

- Up to 25 Mbps up & down \$194.95
- Up to 50 Mbps up & down \$379.95
- Up to 100 Mbps up & down \$724.95

One-time connection charge of \$89 and one-time equipment charge of \$300, plus taxes. Optional wireless router, installed, \$79 plus tax.

Fill out the form below to submit a no-obligation request about your location, or call 434-263-4805

Note: If you live on Route 151 south of Route 6, go [here](#) instead. Those in the Wintergreen area should go [here](#).

New or existing Nelson Cable customer? *

New customer ▼

Service location *

Afton area (Northern 151) ▼

Internet service level desired *

All speed levels are maximum provided; speeds can vary depending on network demand. (Prices are per month. Installation cost will determine length of Service Contract. One Time Connection Charge \$89.00. One Time Equipment Charge \$300.00 plus tax. Wireless routers are \$79 if desired; Apple routers are available from Nelson Cable. Taxes may apply. Static IP address may be available, contact office for details. See agreement for details.)

Up to 4 Mbps down & 1 up \$44.95 a month ▼

Name *

First Name

Last Name

(purple) line running through Nellysford, [go here](#). Those in the Wintergreen area should [go here](#).

Service Includes

- Free Spam Filtering
- Unlimited online usage
- 24/7 System Monitoring
- 2 Local Sales & Customer Support Offices
- Free personal live Internet Phone Tech Support
- Local Professional On-Site Support for Service Call Charge **OR On Site Maintenance available for \$10.00 per month**
- Dynamic IP Address included with all Standard Service Plans
- Static IP Address included with all Business Service Plans upon request

- [Live on Route 151, south of Route 6? Click here](#)

- [Live in or near the Wintergreen Resort area? Please go HERE](#)

Fill out the form here to submit a no-obligation request about your location, or call 434-263-4805

*

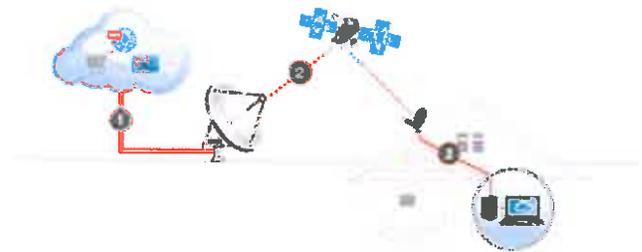


434-263-4805

High Speed Satellite Internet Service from Nelson Cable

In October 2011 Exede launched ViaSat-1, the most powerful communications satellite in the world. This new technology is now making internet service available to most any home anywhere.

- Exede offers internet download speeds up to 12 Mbps — 8X faster than Exede's original WildBlue service.
- Exede beams your Internet signal directly from ViaSat-1 — the most powerful communications satellite ever launched.
- The FCC's 2013 Measuring Broadband America report of U.S. Internet Service Providers found that Exede Internet is No. 1 at delivering on advertised speeds or better. (This was the first time any satellite Internet service was included in the survey.)
- Up to 4 times faster than average DSL.
- Great for streaming video, movies, video chat, sharing photos and files.



If you have been told you cannot have a faster internet connection, talk to Nelson Cable about professionally installing Exede satellite broadband technology at your home or business.

Call Nelson Cable at 434-263-4805





Data and Pricing

HARE™ Internet Plans	Download Range	Data Cap (Monthly)	One Time Professional Installation	Monthly Payment	Anr Payr Plan MO
Plan 1 - Basic	1-2 Mbps	30 GB	\$198	\$29.95	Free I
Plan 2 - Premium	2-4 Mbps	60 GB	\$198	\$49.95	Free I
Plan 3 - Ultimate	4-6 Mbps	90 GB	\$198	\$69.95	Free I
Plan 4 - Extreme	6-8 Mbps	120 GB	\$198	\$89.95	Free I
Plan 5 - Home Business	8-10 Mbps	150 GB	\$198	\$109.95	Free I
Business Class 1	6 Mbps	None	\$298	\$149.95	N
Business Class 2	8 Mbps	None	\$298	\$199.95	N
Business Class 3	10 Mbps	None	\$298	\$249.95	N
Dedicated Business	Custom Plan 10-100 Mbps	None	CALL	CALL	N

Details

[Print](#)

Upload is 1/2 of the maximum download speed. Installation includes a guarantee on all outside equipment including radio and wiring. All parts and labor are included for life of service. There is NO equipment lease, nor do you have to purchase any of the outside equipment. Indoor router not included.

Our Data Cap is a SoftCap, meaning that we will not automatically charge you if go over your monthly limit. Instead, we will call you to inform you that you've gone over, check in with you, and see if you would like to upgrade your plan. We believe this is the best way to handle data caps, for instance, what if a virus on your computer that was using the bandwidth for malicious purposes and not you? These are the cases where we would like to work with our customer to resolve the issue, not against them. Please see our [Fair Access Policy](#) for more information.

*Download speeds stated are an average given as a minimum and maximum range. SCS strives to provide the maximum speed of each plan.

All business plans have 24/7 voice support and free onsite calls. All business plans are unlimited, no CAP, plans with the exception if any abusive usage effects the entire network for a given area.

All home plans have 8 AM to 5 PM live support Monday through Friday. All of the network is monitored 24/7.

Dedicated Business Plans are services where additional equipment is deployed to

give a direct, unshared path to our fiber connection points.

Installation

SCS requires an upfront fee of \$198 for installation and equipment costs for home plans. Business plans have a separate installation depending on plan and type of equipment required. This price includes a guarantee for life of service on all outside equipment and wiring, parts and labor free.

Cabling up to 30 feet will be run from the receiver down to your desired location and finished off cleanly with a network jack. (If more than 30 feet of cabling is needed there will be an additional charge of \$1 per foot of extra cable)

Next, all equipment will be hooked up, confirmed to work and any initial basic training needed will be performed.

Your installer will leave the work area as clean as when he arrived.

The Installation Fee includes:

- NO-Lease Wireless Radio and Antenna
- Basic mounting hardware
- Lightning surge protection
- Up to 30 feet of shielded CAT cable
- Pole and mount hardware if required
- Installation Labor (hardware mounting, cable run, etc.)
- Programming of broadband router
- Programming of one computer
- Basic usage training

Equipment	Cost
Wireless Router*	\$35.00, \$65.00 or \$99.00
Surge Protector	\$30.00
Ethernet Card	\$20.00
Wireless USB Adapter	\$25.00
Extra Mounting Hardware	Based on Application
Extra Cable (per foot)	\$1.00
Yard Mounting Pole	\$50.00

Ditching (per foot)

Assessed on Site

Notes:

*There are three different routers to choose from, each priced accordingly to their capabilities.

Radio, Antenna and Surge remains property of SCS who is responsible for repair or replacement!

Installation Policy

SCS does not charge a disconnect fee, but has a no-refund installation charge. That installation covers most of the labor and non-returnable parts, such as wiring and socket drops. All outside equipment, including poles, surges, radios and antennas belong to SCS, and SCS is responsible for replacing such equipment in any failure, including lightning. The customer buys the required router at installation as SCS can not verify that routers are surge protected and cannot be responsible for such equipment.

Wireless networks can become negatively effected by several environmental changes. These include, but not limited to, portable phones, baby monitors, wireless devices such as head phones and speaker systems, and foliage growth. SCS is responsible for trying to resolve foliage growth issues at no charge up to 90 days after installation. SCS will perform due diligent to resolve other environmental interferences, but may charge a nominal fee when the interference is caused by a customers new device.

There is no charge for collecting equipment when there is a disconnect requested. The customer is responsible for the cost of the equipment if the equipment is not returned in working condition.

Revision: August 2010



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Looking for a job? We're hiring! [Job Opportunities](#)

RESOLUTION R2015-03
NELSON COUNTY BROADBAND AUTHORITY
DEFINITION OF BROADBAND
10 MBPS FOR DOWNLOADS AND 1 MBPS FOR UPLOADS

WHEREAS, The Nelson County Broadband Authority was established to operate an open access network over County owned broadband infrastructure (fiber, copper, towers) that enables Service Providers to provide broadband services to the rural residents and businesses of Nelson County; and

WHEREAS, the FCC will now require companies receiving Connect America funding to serve customers with speeds at least 10 Mbps for downloads, 1 Mbps for uploads, an increase from the prior 4 Mbps for downloads and 1 Mbps for uploads standard; and

WHEREAS, it is anticipated that the FCC will soon change its official “broadband” definition to mean a service with a minimum speed of 10 Mbps for downloads, 1 Mbps for uploads

NOW, THEREFORE, BE IT RESOLVED, that in an effort to keep pace with developments at the federal level and to eliminate inconsistencies in the use of the term broadband, the Nelson County Broadband Authority defines the term broadband as it applies to fixed (fiber, copper, wireless) internet services as having a minimum speed of 10 Mbps for downloads, 1 Mbps for uploads.

BE IT FURTHER RESOLVED,

- That the Nelson County Broadband Authority shall reevaluate its official definition of broadband on an annual basis to ensure that its definition meets or exceeds the official federal definition of broadband.
- That all Service Providers offering fixed broadband services on the Nelson County owned infrastructure (fiber, copper, towers) shall provide a minimum tier 1 broadband service that meets or exceeds the Nelson County Broadband Authority’s official definition of broadband: a minimum speed of 10 Mbps for downloads, 1 Mbps for uploads.
- That all Service Providers advertising the provision of telecommunication services on the Nelson County owned infrastructure (fiber, copper, towers) shall clearly communicate the Nelson County Broadband Authority’s official definition of broadband (a minimum speed of 10 Mbps for downloads, 1 Mbps for uploads) to its customers in all forms of advertising, including but not limited to, print and multimedia, and shall not advertise as “broadband” services of slower speeds than that contained in the definition.

- That all Service Providers offering fixed services on the Nelson County owned infrastructure (fiber, copper, towers) may offer services that do not meet the Nelson County Broadband Authority's official definition of broadband, however, services that offer speeds less than those contained in the Nelson County Broadband Authority's official broadband definition shall be clearly labeled as not meeting the Nelson County Broadband Authority's official broadband definition.
- That the foregoing definition and the disclosure requirements shall be made a term of new or renewed Service Provider contracts.

Adopted: _____, 2015

Attest: _____, Secretary
Nelson County Broadband Authority

RESOLUTION R2015-03
NELSON COUNTY BROADBAND AUTHORITY
DEFINITION OF BROADBAND
25 MBPS FOR DOWNLOADS AND 3 MBPS FOR UPLOADS

WHEREAS, The Nelson County Broadband Authority was established to operate an open access network over County owned broadband infrastructure (fiber, copper, towers) that enables Service Providers to provide broadband services to the rural residents and businesses of Nelson County; and

WHEREAS, as of January 29, 2015 the FCC updated its broadband benchmark speeds to 25 Mbps for downloads and 3 Mbps for uploads (25 Mbps/3Mbps) after determining that the previous standard of 4 Mbps/1Mbps set in 2010 is dated and inadequate as a benchmark:

NOW, THEREFORE, BE IT RESOLVED, that in an effort to keep pace with developments at the federal level and to eliminate inconsistencies in the use of the term broadband, the Nelson County Broadband Authority defines the term broadband as it applies to fixed (fiber, copper, wireless) internet services as having a minimum speed of 25 Mbps for downloads and 3 Mbps for uploads; and

BE IT FURTHER RESOLVED,

- That the Nelson County Broadband Authority shall reevaluate its official definition of broadband on an annual basis to ensure that its definition meets or exceeds the official federal definition of broadband.
- That all Service Providers offering fixed broadband services on the Nelson County owned infrastructure (fiber, copper, towers) shall provide a minimum tier 1 broadband service that meets or exceeds the Nelson County Broadband Authority's official definition of broadband: a minimum speed of 25 Mbps for downloads and 3 Mbps for uploads.
- That all Service Providers advertising the provision of telecommunication services on the Nelson County owned infrastructure (fiber, copper, towers) shall clearly communicate the Nelson County Broadband Authority's official definition of broadband (a minimum speed of 25 Mbps for downloads and 3 Mbps for uploads) to its customers in all forms of advertising, including but not limited to, print and multimedia, and shall not advertise as "broadband" services of slower speeds than that contained in the definition.
- That all Service Providers offering fixed services on the Nelson County owned infrastructure (fiber, copper, towers) may offer services that do not meet the Nelson

County Broadband Authority's official definition of broadband, however, services that offer speeds less than those contained in the Nelson County Broadband Authority's official broadband definition shall be clearly labeled as not meeting the Nelson County Broadband Authority's official broadband definition.

- That the foregoing definition and the disclosure requirements shall be made a term of new or renewed Service Provider contracts.

Adopted: _____, 2015

Attest: _____, Secretary
Nelson County Broadband Authority

Horizons Village Property Owners Association

PO Box 122 ● Nellysford, VA 22958 ● horizons.village@gmail.com

April 7, 2015

Nelson County Broadband Authority
P.O. Box 336
Lovingson, VA 22949

The Horizons Village Property Owners Association and the residents of Horizons Village are very interested in the county's 2015 broadband project to extend the fiber network along the Route 151 corridor from Martin's Store to the Route 664 intersection.

Once installed, the fiber network will pass directly in front of the entrance to our neighborhood, Horizons Village, which is an established subdivision across the street from Bold Rock Cidery.

Current options for high-speed internet in Horizons Village are, for the most part, nonexistent. Therefore, property owners are very interested in tapping into the county's fiber backbone to bring high-speed internet to the neighborhood.

Demand for high-speed internet service in Horizons Village has never been higher. A recent poll of property owners revealed that the vast majority are interested in fiber internet service.

Many Horizons Village residents plan to use this service to work from home. Additionally, several high-earning property owners are planning to permanently relocate to Nelson County and telework full-time when high-speed internet becomes available in Horizons Village. The potential benefits to the county's tax base and local businesses are significant.

As fiber installation begins in our area, please let us know what steps Horizons Village needs to take to bring high-speed internet into the neighborhood.

Thank you for your continued work to provide reliable and affordable high-speed internet access to the residents of Nelson County. We look forward to working with the Broadband Authority in the coming months.

Sincerely,



David K. Bennett
HVPOA Secretary
19 Old Turtle Place, Nellysford, VA 22958
434-361-1538

Horizons Village Property Owners Association Board

Stephen Shaffer, *President*

Joe Culbertson, *Vice-President*

Randy Whiting, *Treasurer*

David Bennett, *Secretary*

Karen and Gary Strong, *At-Large*

Penny Hoglund, *At-Large*

Jay Barrows, *At-Large*