

November 30, 2009

Broadband Initiatives Program
Rural Utilities Service
U.S. Department of Agriculture
1400 Independence Avenue, SW
Stop 1599
Washington, DC 20250

Broadband Technology Opportunities Program
National Telecommunications and Information Administration
U.S. Department of Commerce
HCHB Room 4887
1401 Constitution Avenue, NW
Washington, DC 20230

Dear RUS and NTIA representatives:

The Kansas Department of Commerce continues to be an active partner with the federal government around the enactment of the American Recovery and Reinvestment Act of 2009 (ARRA). Specifically, the state engaged broadband initiatives early on, forming working teams with industry and public-side representatives, seeking public input in all regions of Kansas, as well as submitting a grant proposal for mapping and planning dollars under the Broadband Technology Opportunities Program (BTOP). The State also provided comments back to the National Telecommunications Information Administration (NTIA) regarding proposals submitted under BTOP by providers and other organizations.

Recently NTIA and the Rural Utility Service (RUS) posted a joint Request for Information seeking public comment on certain issues relating to the implementation of the Broadband Initiatives Program (BIP) and the BTOP. The Kansas Department of Commerce would like to submit the following comments for your consideration:

- **Continue to work through representatives of the states to coordinate broadband investments.**

States continue to be at the forefront of the recovery effort under the ARRA. The states are in the best position to take into account unique geographic, economic and demographic factors of their states. Specifically, Kansas is focused on targeting the unserved rural population and looking for projects around four key areas: telemedicine, distance learning, economic development, and e-government. NTIA allowed the states in round one to provide commentary regarding projects and this allowed Kansas to evaluate applications based on these local criteria.

- **Provide adequate lead time and filtering prior to state review and commentary.**

The State of Kansas started planning for the possibility of evaluating applications months in advance of official guidance from NTIA and RUS. Without this initial planning effort, our state would have been hard pressed to provide useful recommendations given the short window provided to states to complete their process.

In addition, during round one of BTOP funding, states were told that NTIA would not share applications until an initial round of filtering occurred to weed out applications that had no chance of being funded. This guidance proved false as all applications were sent to states, increasing workload on state staff. We would request that filtering occur prior to submissions back to states to ensure a more efficient use of public resources.

- **Provide clear direction and resources regarding making determinations around duplicative coverage areas.**

The State of Kansas did not have the resources or time available to review application coverage areas for duplication. Will the states be required to use their own mapping data to sort out these areas in round two, or will RUS and/or NTIA be able to provide this service? The State believes in the concept of serving the unserved and would like to ensure that there is an effective mechanism for validating claims in applications.

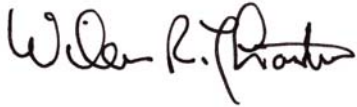
- **Promote a regional economic development approach to broadband deployment.**

The Request for Information specifically asks stakeholders whether RUS and/or NTIA should allocate a portion of the remaining funds to promoting regional economic development. The State of Kansas is a big believer in this concept. As part of the submission to NTIA under the State Broadband Data and Development Grant Program, Kansas requests funding for planning efforts centered on the seven regional foundations. The Kansas Department of Commerce believes these entities are critical to deployment efforts and can partner broadband efforts in a collaborative fashion with other economic development endeavors already underway. States continue to be well positioned to serve an invaluable role in implementing the ARRA's broadband objectives. The State of Kansas continues to appreciate our existing relationship with NTIA and RUS and looks forward continuing efforts to deploy resources in unserved areas to benefit telemedicine, distance learning, economic development, and e-government.

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Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "William R. Thornton". The signature is fluid and cursive, with the first name "William" and last name "Thornton" clearly legible.

William R. Thornton
Acting Secretary