



January 23, 2012

Via email

The Honorable Luke A. Rankin
Chairman, Judiciary Committee
508 Gressette Building
Columbia, SC 29201

Re: H. 3508

Dear Senator Rankin:

The National Association of Telecommunications Officers and Advisors (NATOA) joins the growing chorus of business, consumer, and government groups and associations in opposing H. 3508 (Government Owned Communications Service Providers). This bill will harm your state's economic growth and do little if anything to promote competition or to bring advanced communications services to the citizens of South Carolina. Hamstringing local government efforts to provide fiber networks will simply result in the further flow of millions of investment dollars to neighboring states such as Tennessee.

NATOA has long supported community broadband networks because they offer the promise of increased economic development and jobs, enhanced market competition, improved delivery of e-government services, and accelerated and affordable Internet access for all. Communities across America are ready and eager to bring the economic and social benefits of broadband access to their citizens. But private providers alone will not bring these advanced services to all parts of our country, especially to those communities that do not fit into the companies' business plans.

As a result, hundreds of cities have launched community broadband initiatives, either with private partners or on their own, and many more are now in the planning stages. Communities should be encouraged to step forward to do their part to ensure the rapid deployment of broadband to all Americans, and they should have the freedom to choose what makes the most sense for their citizens. H. 3508 will simply make it more difficult for public broadband providers from building the advanced broadband infrastructure necessary to stimulate local business development, work force retraining, and employment in economically depressed areas.

Among other things, the bill's definition of "broadband service" – 190 kilobits per second ("kbps") at least one direction – is extremely low. In its *2010 Sixth Broadband Progress Report*, the Federal Communications Commission raised its decade-old minimum broadband speed threshold from services in excess of 200 kbps in both directions to services enabling actual download speeds of at least 4 Mbps and upload speeds of at least 1 Mbps. But even this threshold is viewed by many as too slow to support the applications available in the marketplace today, as well as rapidly emerging technologies and applications for teleworking, distance

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learning, and telemedicine. Unfortunately, even with this minimum threshold speed, South Carolina, according to a recent FCC Internet Access Services report, has the fifth worst level of broadband in the United States (out of 44 states with data reporting) with only 17% of households having that level of access available.

Rather than erecting further barriers to entry, South Carolina should be encouraging community leaders to develop networks that make sense for their communities, including public-private partnerships and systems wholly owned by municipalities.

Thank you for your consideration.

Sincerely,



Stephen Traylor
Executive Director/General Counsel
NATOA

cc: Senator Paul G. Campbell, Jr.
Senator C. Bradley Hutto
C. Mae Wilson
Heather Anderson