

## **Why did the West Virginia Geological and Economic Survey (WVGES) send this Data Request?**

We are collecting this information on behalf of the National Telecommunications and Information Administration.

Governor Manchin has designated the WVGES as the single West Virginia entity eligible to receive a grant pursuant to the NTIA's State Broadband Data and Development Grant Program Notice of Funds Availability, Docket No. 0660-ZA (July 8, 2009) (NOFA). This program was set up by Congress as part of the ARRA stimulus legislation. The WVGES must collect certain data regarding the availability of broadband services, the technology used to provide them and the location of certain broadband infrastructure for all broadband providers in West Virginia. This Data Request is the method by which the WVGES intends to collect these data.

## **Who is subject to this Data Request?**

All facilities-based broadband service providers are subject to the Data Request. The NOFA defines broadband as follows:

“...two-way data transmission to and from the Internet with advertised speeds of at least 768 kilobits per second (kbps) downstream and at least 200 kbps upstream to end users, or providing sufficient capacity in a middle mile project to support the provision of broadband service to end users...”

## ***What if my company only provides resale service?***

Pure resellers are excluded from the Data Request. However, the WVGES will be obligated by the NITA to collect this information two times per year for a number of years, so you may receive similar Data Requests in the future. Please continue to let us know that you *only* provide resale service in West Virginia, if that is still the case, when you receive subsequent Requests.

## ***What if we use UNEs, so my company's broadband availability depends on where an ILEC offers service? Why don't you just get that information from them?***

We understand why you raise this question, and we are discussing this issue with the NTIA. However, companies that use UNEs, are still required to provide the information asked for in the Data Request. We suggest the following ways to think about it, although you may come up with other approaches: 1) if you provide service via collocations, you could respond with the census blocks you think are served by those wire centers; or 2) EELs, you could include offices only where you have existing transport facilities, if the ILECs provisioning time for other offices is longer than the standard interval of 7 to 10 days; or 3) you could limit your response to areas where you advertise or solicit business. If you want to discuss this issue further please contact Tony Simental at [tony.a.simental@wv.gov](mailto:tony.a.simental@wv.gov) .

## **What data do I have to submit?**

Broadband providers are required to submit broadband availability data, speed data, and infrastructure data pursuant to the Technical Appendix of the NOFA and the Clarification to the NOFA.

### **Availability Data**

#### **As a wireline broadband provider:**

Wireline Broadband Service Providers must submit availability data in one of two ways:

- 1) Street-address level method described in section 1(a) of the Technical Appendix. That section includes a preferred record format for this type of data.
- 2) By census block using one of the two new record formats.

While the Technical Appendix to the NOFA asks for data by census block, you may choose to provide us data by street address if that is easier for you. However, in that case, you need to use the data format titled "Record Format for Address Data for Each Provider" as set forth in Section 1(a) of the Mapping NOFA's Technical Appendix. If you choose to provide street address information, we will do the required geocoding, and submit data to the NTIA in the census block/street segment for. Additionally, our state broadband map will display your company's broadband availability by census block/street segment as well.

#### ***What if my company is unable to determine what Census Blocks it serves?***

If a wireline broadband service provider is unable to determine the specific census blocks in which it offers service, that provider can choose to submit the address specific data referred to in section 1(a) of the Technical Appendix of the NOFA.

#### ***What if my company is not able to determine the square mileage of the Census Blocks it serves?***

The WVGES will make information regarding Census Block square mileage, as well as a library of pertinent GIS information, available via our website soon.

#### ***Where will we find the street segment information required to comply with this data request?***

We will post the files to be used for geo-coding, or links to them, on our web site as well.

#### **As a wireless broadband provider:**

Wireless providers must submit data as explained in section 1(b) of the Technical Appendix and the corresponding language for this section located in the Clarification, at page 2.

### *What if my company is unable to create a shapefile?*

If a wireless provider is unable to create a shapefile, as required in section 1(b) of the Technical Appendix of the NOFA, that provider may submit information regarding the location, elevation, and frequency of each transmitter. This data should be submitted via the Record Format titled “Record Format for Wireless Service In Lieu of Providing a Shapefile” which requires the following:

- 1) Location of transmitter by:
  - a) Specific Street Address; or
  - b) Latitude/ Longitude (can be determined using Google Earth or similar location based software.)
- 2) Elevation
- 3) Frequency

Please note: wireless service providers who provide this information in lieu of a shapefile must still submit all information in the Record Format found in section 1(b) of the Technical Appendix of the NOFA.

### **Speed Data**

All broadband service providers must submit data regarding subscriber-weighted nominal speed. Please refer to section 2(a) of the Technical Appendix for the appropriate record format for this information.

### *Do I have to submit Average Revenue per End User (ARPU) data?*

No. The Clarification to the NOFA, attached to the Data Request, makes clear that service providers are no longer required to submit ARPU data under this program. Providers should still use the Record Format in section 2(a) of the Technical Appendix, omitting ARPU data.

### **Infrastructure Data**

All broadband service providers must submit data regarding middle-mile and backbone interconnection points. Please refer to section 3(b) of the Technical Appendix for the appropriate record format for this information

### *Do I have to submit Last-Mile Connection data?*

No. The Clarification to the NOFA, attached to the Data Request, makes clear that service providers are no longer required to submit last-mile connection data. Please disregard this section of the Technical Appendix.

**How does this Request differ from the FCC Form 477 Report?**

Form 477 data relates to "connections" while this data relates to availability. Plus, this Data Request collects additional details not included on Form 477, and is more granular than the Census Tract data being collected by the FCC.

**When is my response to the Data Request due?** Due to many unresolved questions regarding collected data, we have extended the due date for responses to the Data Request from February 26<sup>th</sup>, 2010 to March 15th, 2010. Responses are due to the WVGES in the appropriate format. Please refer to the Request for specific instructions on how to submit your data.

**Will my company's data be disclosed to the public?**

The Clarification to the Technical Appendix details what information will be made public. For example, our state broadband map (as well as the NTIA's nationwide map) will now disclose the names of the companies providing service at any given address. Data not specifically named to be disclosed will be kept confidential to the extent allowed by the law. Please refer to the NOFA and Clarification for details.

The WVGES will execute a Nondisclosure Agreement, reflecting the confidentiality provisions set forth by the NOFA and Clarification, with any provider who asks for one.

**When will the Non Disclosure Agreement be available?**

We expect to post a standard NDA on our website soon. In the meantime, please contact [tony.a.simental@wv.gov](mailto:tony.a.simental@wv.gov) to obtain a copy.

**Please submit additional questions you may still have to [tony.a.simental@wv.gov](mailto:tony.a.simental@wv.gov).**