

## Public Notice Submission

**Provider Name:** WaveDivision Holdings, LLC

**Summary:** WaveDivision Holdings, LLC d/b/a Wave Broadband (“Wave”) is a facilities-based, terrestrial provider of high speed Internet, cable television and telephone services to communities in Washington, Oregon and California. Wave challenges all BTOP applications that seek funding to provide broadband services within any of Wave’s service areas. BTOP applications seeking funding for these service areas do not advance any of the five statutory purposes outlined in the BTOP Notice of Funds Availability (NOFA) for the following reasons:

1) Wave’s service areas are not unserved. To qualify as an unserved area, over 90 percent of households in the area must lack access to facilities-based, terrestrial broadband service. Wave’s service areas far surpass this standard.

2) Wave’s service areas are not underserved: (i) essentially 100 percent of households in Wave’s service areas have access to Wave’s broadband service at greater than the minimum broadband transmission speed set forth in the NOFA; (ii) Wave’s current aggregate broadband penetration in most of its service areas is greater than the 40% “underserved” standard set forth in the NOFA; and (iii) Wave advertises and offers three different Internet speeds ranging from 3 Mbps to 18 Mbps download, 512 Kbps to 2 Mbps upload, as well as an additional 50 Mbps up/5 Mbps down speed in one system.

3) Wave provides service and support to community anchor institutions such as (i) schools, libraries, medical and healthcare providers, community colleges, other institutions of higher learning; (ii) other community support organizations, organizations and agencies that provide outreach, access, equipment, and support services to facilitate greater use of broadband services by vulnerable populations; and (iii) job-creating strategic facilities located in state or federally designated economic development zones in Wave’s service areas;

4) Wave works with public safety agencies to improve their access to and use of broadband service in Wave’s service areas.

5) Wave’s services stimulate the demand for broadband, economic growth and job creation. In summary, NTIA must deny any application proposing to fund broadband in Wave’s service areas. Provision of federal funding to enable subsidized competition in an area that is not “unserved” or “underserved” would be contrary to the rules set forth in the NOFA, would put a privately-funded operator such as Wave at a competitive disadvantage, and would significantly damage Wave.