



UNITED STATES DEPARTMENT OF COMMERCE
The Assistant Secretary for Communications
and Information
Washington, D.C. 20230

DEC 21 2012

The Honorable Cory Gardner
House of Representatives
Washington, DC 20515

Dear Representative Gardner:

Thank you very much for your letter to the National Telecommunications and Information Administration (NTIA) regarding the Broadband Technology Opportunities Program (BTOP) infrastructure grant to the Eagle-Net Alliance in Colorado and for your continued interest in this important project to expand broadband capabilities in the state of Colorado. I am pleased to provide you with an update on our efforts to responsibly manage these grant funds.

In 2010, NTIA awarded a grant to Eagle-Net to construct a statewide high-speed broadband network to connect public schools, libraries, community colleges, and higher education institutions throughout the state. NTIA selected this project after a highly competitive application process due to its promise to meet the statutory purposes of BTOP to enhance broadband for community anchor institutions, as well as its strong support from stakeholders across the state.

At that time, we received more than 80 letters of support from numerous community anchor institutions, stakeholders, and legislators in Colorado, which demonstrated inadequate broadband services and speeds throughout the state. To this day, we continue to receive words of support for the project from key stakeholders such as the Colorado Department of Education, the Colorado Association of School Boards, the Colorado Board of Cooperative Educational Services Association and others. These letters reiterate that Eagle-Net's network will deliver much-needed broadband capabilities that will enable Colorado students to compete in the 21st century.

The Eagle-Net project has made considerable progress in achieving its objectives, deploying more than 350 miles of new broadband infrastructure, enhancing nearly 2,000 miles of existing network, and enabling improved service to more than 500 community anchor institutions in the state as of September 30, 2012. Notwithstanding this progress, the Department recently suspended construction to ensure that Eagle-Net completed necessary environmental and historic preservation (EHP) work related to certain route changes Eagle-Net has made in the project. To help the project move forward as quickly as possible, NTIA experts visited Colorado earlier this month to review our concerns with Eagle-Net and to provide technical assistance. NTIA is also consulting with relevant federal agencies to ensure we are appropriately coordinating our actions in resolving issues timely and thoroughly. Our goal is to enable this project to resume work as quickly as possible.

Late last summer, several broadband service providers alerted us to potential overbuild of their facilities by the Eagle-Net project. In response, NTIA engaged directly with concerned entities to better understand their complaints. We asked those entities to send specific information on the location of existing fiber-optic infrastructure, the identity of community anchor institutions served with the fiber, and the speed and price of broadband services offered to the community anchor institutions in their service territories. NTIA officials also visited Colorado multiple times to gather information, meet with stakeholders, and facilitate discussions. Our goal is to find win-win solutions for Eagle-Net and existing broadband service providers. We will continue to address these issues while the project is suspended but it will require all parties to collaborate and negotiate in good faith so we can fulfill our shared objective to enhance broadband capabilities, create jobs, and lay the foundation for economic opportunity in Colorado.

I appreciate the efforts of numerous parties to date, including elected leaders, individual companies and associations, and Eagle-Net to work to improve broadband infrastructure in Colorado. I plan to keep you apprised of developments in this area, but if you or your staff have any additional questions, please do not hesitate to contact me or James Wasilewski, NTIA's Director of Congressional Affairs, at (202) 482-1840.

Sincerely,

A handwritten signature in cursive script, reading "Lawrence E. Strickling".

Lawrence E. Strickling