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October 10, 2008

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Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Room TW-B204  
Washington, DC 20554

FILED/ACCEPTED

OCT 10 2008

Federal Communications Commission  
Office of the Secretary

Re: Written and Oral Ex Parte Presentation  
File No. SAT-MOD-20080516-00106

Dear Ms. Dortch:

Open Range Communications, Inc. ("Open Range") hereby gives notice of an oral and written ex parte presentation in the referenced proceeding. The oral presentation was comprised of positions of record set forth in the submissions of Open Range in this proceeding. The attached written submission was also provided during the meeting.

The presentation was made by Jon L. Christensen on behalf of Open Range Communications, Inc. to attorney advisor Charles Mathias.

Two copies of the written presentation are being submitted herewith pursuant to Section 1.1206(b)(1) of the Commission's Rules.

Please call me at (615) 477-3195 with any questions.

Sincerely,

*/s/ Jon L. Christensen*

Jon L. Christensen

Enclosure

cc: Chairman Kevin J. Martin  
Charles Mathias

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Federal Communications Commission  
Office of the Secretary

Bridging the Digital Divide

By Kathy Johnson, Director of the Alabama Broadband Initiative

Chief Warrant Officer Charles Randall 'Randy' Hickman has dedicated the past 37 years of his life to service in the Alabama Army National Guard. His recent return home after being stationed in Al Asad, Iraq brought a welcome sight—the faces of his wife and then 18-year old daughter. During the 12-month deployment, he was able to regularly converse via phone; however, seeing his family was a rare treat. Visual communication was only possible when his daughter was stationed—in a non-disclosed church parking lot with her laptop, webcam and a tap into the church's wireless network.

The limits to their visual communication were not from lack of broadband some 100 miles northwest of Baghdad, but rather due to limitations at his home 20 miles north of Montgomery. Randy and his family live one mile beyond fiber accessibility—what is known as 'the last mile.' Families across rural Alabama can certainly empathize with the Hickmans. Untold thousands live along 'last miles'—that final leg of connectivity between a communications provider and a customer. The reason broadband connectivity is so critical is that the last mile is also known as the 'first mile' from the customer to the world.

Randy was in the one-third of those on the base unable to view family while serving overseas. Sgt. First Class Scott Hudgens, serving in the same Unit and deployed to the same Iraqi airfield, was one of the approximately two-thirds on the base able to visually communicate through a webcam and a broadband connection. Having earlier served in Desert Storm, as well, Hudgens and his family are thankful for the advancements in technology and broadband accessibility at his rural home 20 miles south of Montgomery. "Being able to see your family and reassuring them through visual means that you're OK is an enormous blessing. There's something about seeing a face versus just hearing a voice that let's you know all is well," said Hudgens. "I wouldn't have changed that experience for the world."

Broadband—the haves and the have nots. Along with broadband accessibility comes a wealth of opportunities. Gov. Riley has been a champion of technology growth—so much so that he was recognized nationally as one of the top 25 leaders in the country who is cutting through the barriers to innovation. We are quickly approaching a day when our children will not recall a time before the Internet; yet all across this state, many communities don't have access to high-speed Internet. Those who don't find their opportunities very limited. "We can and must accelerate the growth of broadband service, especially to the rural areas of our state," said Riley in his 2008 State of the State Address. And he has kept his promise. In May 2008, Gov. Riley launched the Alabama Broadband Initiative—a comprehensive statewide effort to increase broadband deployment and grow the use of technology across the state.

This project seeks to assist those Alabama communities, businesses and citizens that remain unconnected, sometimes by lack of infrastructure and sometimes by lack of appreciation for the benefits of available services. Without sufficient access to

broadband and a high level of use of available technology, small towns and their residents will remain technologically and thus economically isolated. Although broadband infrastructure on its own is not a silver bullet solution for prosperity, adequate access to broadband is an enabler for knowledge-based economic development and enhancing the lives of citizens and businesses.

There continues to be a breach between rural communities and the quickly developing global economy that many refer to as the "digital divide." Closing this divide in rural Alabama represents a significant challenge and a major opportunity.

A report released earlier this year by Connected Nation estimates that ubiquitous availability and accelerated use of broadband in Alabama could unleash an additional \$1.7 billion in economic growth. Full deployment of broadband across Alabama can ensure that we are able to protect our global competitiveness, boost business productivity and allow small businesses and individuals with an entrepreneurial spirit to reach global markets.

Education is another area enhanced by greater broadband capabilities. Tremendous strides have been made in the area of high-speed Internet accessibility and usage in Alabama's schools through the Alabama Supercomputer Authority. The state's nationally-recognized distance learning initiative, ACCESS, levels the playing field for our students no matter where they live. ACCESS (Alabama Connecting Classrooms, Educators, and Students Statewide) connects all schools in Alabama with virtual classrooms. Growing from the initial 24 pilot sites just two short years ago, ACCESS distance learning will be available to every public high school in Alabama by August 2009, serving over 30,000 students with over 50 different courses.

Distance learning is one of many educational opportunities made possible because of high-speed broadband. Thousands of adults would love to further their education, obtain a college degree for the first time or learn a new skill. High-speed broadband makes that possible.

The recent rash of tropical storms reveals another critical need. During hurricanes and natural disasters, state websites provide up-to-the minute information for shelter capacity and vacancy, road and bridge closures, flood conditions and contact information for emergency officials. Without broadband access, rural Alabamians are deprived of this disaster preparedness and response tool.

Telemedicine and telepsychiatry are examples of how high-speed interactive broadband is being used as a cost-effective means to deliver vital services to underserved areas. Connected Nation reports an estimated \$10 million in savings to Alabama citizens in healthcare costs when ubiquitous broadband is realized.

Broadband makes telecommuting possible. Reducing transportation costs during times of rising fuel prices lessens our carbon footprint, saves money and protects our environment. Telecommuting also increases Alabama's labor pool by allowing those living in rural areas and the elderly or disabled to work from home.

As the work of our Initiative moves forward, communities across the state will have opportunities to join the effort. We ask for the help and support of every Alabamian as we work to build the technological foundation for our future.

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