

FORT PECK TRIBES

Assiniboine & Sioux

May 11, 2010

The Honorable Larry Strickling
Assistant Secretary of Commerce
Administrator, NTIA
US Department of Commerce
1401 Constitution Ave NW HCHB Room 4812
Washington DC 20230

Dear Assistant Secretary Strickling:

Thank you for the opportunity to comment on the second round of funding for the National Telecommunications Infrastructure Administration's (NTIA) Broadband Technology Opportunities Program (BTOP). We highly recommend the Native American Development Corporation's (NADC) application to serve the seven Federally Recognized Tribes in Montana. The easygrants ID for this applicant is 7638 and the Project Title is Montana inter-Tribal Telecommunications Consortium.

The Fort Peck Assiniboine & Sioux Tribes are a Federally-recognized tribe with a land base of approximately 2.1 Million acres situated in Northeastern Montana. We have an approximate population of 12,000 enrolled members. Fifty-six percent (56%) of the population lives below 200% of the poverty rate and the life expectancy on the Reservation is 59 years.

The NADC proposal meets our Tribal economic development goal of "*Widespread use of Information Technology for critical data management*" as one of the facets of our Vision for the Fort Peck Tribes delineated in our 10-Year Plan. The development of this type of infrastructure on every Reservation in Montana connects us to larger networks across the US without the disadvantage of exorbitant costs currently paid by the Tribes. An immediate opportunity for us is the ability to bid on supplying fiber optic conduit manufactured by our newly formed and capitalized Joint Venture called Koda Fiber. This company is located on the Fort Peck Reservation in Poplar, MT and we will be hiring a local workforce of 12-15 Tribal members to operate the facility.

To begin, we would like to address the question, "What is our current cellular service like on the Reservation?" The following candid views reflect our experience with poor service and prohibitively high costs.

Poor Service

All of our Tribal efforts to entice business development to the Reservation are negated by poor telecommunication services when corporate officers arrive and find their Blackberry's, iPhone's, and PDA's, do not function or at best have intermittent service.

Calls from their offices are cut short or are so full of static they feel disconnected from the rest of the world. The same also happens to Tribal members who have local service --

callers may or may not have service depending on the location on the Reservation. From one town to the next travelers are uncertain whether the call will go through. The current situation is not tolerable or excusable. We have been treated like a colony by our current telecommunications provider

Prohibitively High Costs

The examples below demonstrate the prohibitively high cost of broadband service on Reservations. The Fort Peck Tribal College costs (here on the Reservation) are as much as 180 times higher per Mbps that other locations across the state. All of these schools are in Montana and highlight the scale of pricing the Reservation must contend with. (These numbers were provided to the Tribes by the State of Montana.)

School	Mbps	Cost per Month	Cost per Mbps	Provider
Conrad	10	\$100	\$10.00	3 Rivers
Havre	100	\$100	\$1.00	Bresnan
Sidney	100	\$340	\$3.40	MidRivers
Billings - West	1000	\$500	\$0.50	Bresnan
Ft. Peck Tribal College	10	\$900	\$90.00	Nemont

The price differential faced by the Tribe is extremely high. Even though our current provider says they “have fiber in the ground” that does not mean that it is available for lease or that services are available at reasonable prices. In fact, they are not. To illustrate that fact we have heard of the following examples which demonstrate the Middle-Mile problem we face with the current providers:

- Bresnan ordered a DS-3 from Billings to Havre which needed to go through current providers. It took over a year for it to get delivered. Circuits were ordered from Mid Rivers and they were brought all the way to Billings because Mid Rivers wouldn’t let Bresnan receive the circuit from a closer point. Billings to Havre is 248 miles.
- Existing Bresnan Customers have purchased broadband connections from the critics of this project for 2-4 times the usual rates in the areas proposed by the Bresnan Plan. As an example, one company has a T-1 connection from Billings to Lame Deer which costs approximately \$1500.00 per month. Billings to Lame Deer is 102 miles.
- A non profit entity pays over \$2000 per month for T-1 circuits to their Plentywood facility.

Rights-Of-Way

Our current provider comes to the Tribes and requests a Right-of-Way without any compensation to the Tribe, citing "we are providing service to your people." The implication has been that if we do not provide the Right-of-Way our people will not be served. To this point, the Tribe has not felt it could not say "no" so the current service provider is able to obtain the right-of-way without fair market value being paid.

Non-fragmented Connectivity between Reservations (and state and federal entities)

The NADC Proposal creates an unprecedented opportunity by allowing all seven Reservations in Montana to connect directly with each other and the State government using the same broadband backbone. The same applies to the lack of a direct connection to Helena, Montana. Again, poor services and high costs result.

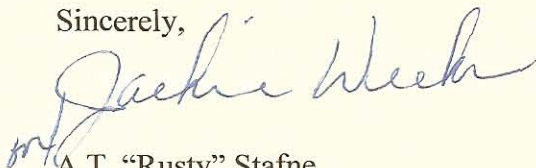
The non-fragmented NADC approach embodied in the application under consideration would:

- allow us to conduct meetings in real time between Tribes and the State for minimal cost;
- allow training sessions to be conducted by and between all seven Reservations thereby reducing the cost of training, travel, and saving time; and
- increase distance learning opportunities between community colleges. (For example, the Salish Kootenai Community College offers a Bachelor's of Arts Degree in Human Development whereas the Fort Peck Community College offers an Associate of Arts Degree. A broadband backbone connecting the reservations would give the Tribes that opportunity without paying \$90.00 per Mbps.)

Finally, the Tribes, under the Indian Self-Determination Act, have the right to promote and develop businesses for their people and this takes precedence over inadequate service.

We believe that NTIA should fully support the NADC proposal for development of a broadband backbone that connects all seven Reservations and also directly connects us to Helena, Montana the State Capital, 430 miles from the Fort Peck Reservation. Should there be any further questions about the proposal or other information needed from the Tribes please contact me at 406.768.2300 ext. 2301.

Sincerely,



A.T. "Rusty" Stafne
Chairman
Fort Peck Assiniboine & Sioux Tribes