

**South Carolina 2022 ARPA 1.0
Priority Area SLFRF Comment Form**



ARPA 1.0 Comment Form
ONE form per project

ORS is NOT accepting any revisions to Grant Applications during the Comment Period. However, all ISPs are welcomed to comment on their own Grant Application(s) to notify ORS of any scrivener's error(s) that may exist. All comments will be published on the ORS website.

1. Commenter's Name	Terrance Ford
2. Commenter's Email	tf2107@att.com
3. Commenter's Phone	8647354389
4. Applicant Parent Organization Name	Bamberg County
5. Applicant Legal Entity Name	Bamburg County Broadband
6. Application Project Number	2023-101
7. Application Project Name	Bamberg County Rural Broadband
REQUIRED 8. Is this a comment for a revision of your own ARPA 1.0 Grant Application (Yes/No)	No
9. Do you have documentation and/or evidence to submit to the SC Broadband Office which supports your position?	Yes
10. Application Comments	<p>In accordance with the SC Broadband Office's "ARPA SLFRF Comment Period Announcement," AT&T South Carolina respectfully submits its comments to the South Carolina 2022 ARPA Grant Program Application SFRF 1.0 submitted by "Bamberg County Broadband" on or about August 31,2022.</p> <p>To the extent Bamberg County or any other government entities are appropriately awarded any such grant, those government entities likely are "government-owned communications service providers" that are subject to the provisions of Article 23 of Chapter 9, Title 58 of the South Carolina Code ("the GON statutes").</p> <p>Absent an exemption set forth in the GONs statutes, unless and until areas to be served by those entities are designated as "unserved" – as defined in the GON statutes – those entities are subject to the competitive safeguard provisions of the GON statutes, including without limitation:</p> <p>Complying with the same local, state, and federal regulatory and other legal requirements that apply to non-government providers (§58-9-2620(1));</p> <p>Not subsidizing the cost of providing its communications services. (§58-9-2620(3)); and</p> <p>Pricing its services above cost, including the costs of capital, taxes, rights-of-way and franchise fees, insurance, and similar costs a private provider of the same services would incur (§58-9-2620, 2630, and 2650).</p> <p>If an "unserved" designation is lifted pursuant to the GON statutes, these entities become subject to these provisions (again, absent an exemption set forth in the GON statutes).</p> <p>In considering the Bamberg County Broadband application (or any other applications submitted by government entities), the Office of Regulatory Staff should perform appropriate due diligence to ensure that the government applicant is fully aware of the provisions of the GON Statutes and is prepared to fully comply with those provisions.</p>