



DeKalb County Finance Office



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DATA Network Policy: Nondiscrimination & Interconnection – March 1, 2012

Scope

This Statement applies to the fiber/network resources that are part of the DeKalb Advancement of Technology Authority (DATA) Project and DeKalb Fiber Optic, LLC (DFO) Backbone network, hereafter referred to collectively as “Network.” This does not apply to other fiber resources or resources owned by partner institutions/companies that may be connected to and/or providing services to DATA. Unless otherwise stated, the policies of DATA and DFO mirror each other with DATA providing services to municipal and not-for-profit entities and DFO providing services for commercial and for-profit entities.

DATA operates in adherence to the rules and regulations of the National Telecommunications & Information Administration (NTIA).

Operation

DeKalb County Government is solely responsible for the operation of the fiber infrastructure and private network services to Community Anchor Institution facilities. All other services, including but not limited to Internet Service Providers, Telecommunications, Cable TV, etc., are the responsibility of local, independent service providers. DATA provides services only to qualified Community Anchor Institutions.

Interconnection

Network will offer physical interconnection with requesting parties via allocation of dark fiber or lit services to the requesting party for purposes of transport anywhere on Network. Network is non-discriminatory and open to any requesting party. Utilization of the dark fiber is not restricted and is open to use as necessary for the requesting party within the resources allocated by Network. Such interconnection arrangements are subject to:

- Technical feasibility, security and compliance with any requirements of Network and any third-party controlling the facilities at which interconnection occurs.
- Utilization of Network resources will in no way interfere with, or restrict use by the County or other Network partners, customers or users.

- Network's current or reasonably anticipated capacity limits include planned expansion and utilization growth. Network resources will be allocated based on reasonable requests to utilize the resources and not for purposes of unused resource blocking.
- Mutual agreements on reasonable rates and terms are to be negotiated in good faith.

Network Management

The Network does not apply any network traffic prioritization, and will not favor any lawful applications or content over others. Network will not filter any content or service except to County facilities or in cases of violation of interconnection agreements.

Adherence to FCC 05-151

Network operation and management practices will adhere to the principles of the Federal Communications Commission's (FCC) Broadband Policy Statement (FCC 05-151):

- Consumers (service providers utilizing Network resources) are entitled to access the lawful Internet content of their choice. Network will provide access to any customer without discrimination assuming legal content to be connected to Internet sources as determined by the customer.
- Consumers are entitled to run/provide lawful applications and use services of their choice.
- Consumers are entitled to connect their choice of certified lawful devices that do not harm the Network.
- Consumers who lease/procure fiber from the Network are required to abide by all the rules and regulations of law.

APPROVED BY:

**Gary H. Hanson,
Deputy County Administrator**

Gary H. Hanson Signature

2-29-2012 Date