

FINAL AGENCY DECISION

STATEWIDE BROADBAND AVAILABILITY MAP VERSION 4 APPEAL

September 14, 2021

DOCKET NO. 21-1001

A. APPELLANT INFORMATION

Company Name	Coon Valley Cooperative Telephone
Address	516 Sherman St.
City	Menlo
State	Iowa
Zip	50164

B. DESIGNATED CONTACT INFORMATION

Contact Name	Jim Nelson
Contact Phone Number	641-524-2111
Contact Email	jnelson@coonvalleytelco.com

C. APPEAL TYPE

- Resident Challenge
 First-Party Provider Challenge
 Third-Party Provider Challenge

D. EVIDENCE CONSIDERED

With respect to the Census Blocks forming the basis of this Appeal, the Office has reviewed the evidence and information submitted by Appellant related thereto (see Appendix B for original submission), in conjunction with the maps and data sources originally utilized in determining the TSA designation of these Census Blocks, and made a determination as to the Census Block TSA Tier designations as set forth in Appendix A.

- If checked, Appellant submitted a Certification as part of its Appeal, affirming under penalty of perjury whether or not Broadband service was Facilitated, and at which tier level, in Census Blocks as of July 1, 2021.
- If checked, Appellant submitted additional information in support of its Appeal. This information has been considered by the Office in making its Final Decision.
- If checked, challenged Census Blocks within this Appeal overlap with other Appeals containing one or more of the same Blocks. The Office considered evidence submitted in connection with any overlapping Appeal in making its final decision for any overlapping Census Block.
- If checked, the Office sent requests for additional information to Third-Party Provider(s) concerning whether reported broadband service was Facilitated in one or more blocks of this Appeal as reflected on Map V4 as of July 1, 2021. The Office may have received Affirmation(s) and/or other evidence from Third-Party Provider(s) in response to such requests. Refer to Appendix C for a record of these efforts.

Go to <https://ocio.iowa.gov/broadband-availability-map-version-4-challenge-process> for more information regarding how the Office evaluates evidence and decides tier designations for appealed blocks.

E. TO APPEAL FURTHER

The Office will post its Final Decisions on its website at ocio.iowa.gov/broadband. If an Appellant wishes to appeal the Decision further Appellant must notify the Office in writing within thirty (30) days of the posting of the Decision. Iowa Admin. Code r. 129–20.5(5). A request for a contested case must be filed by mailing a written request to:

Office of the Chief Information Officer
c/o Matt Behrens
200 E. Grand Avenue
Des Moines, Iowa 50309

In so doing, the reason for further appealing this Decision must be stated, specifically identifying the particular aspects of the Decision with which Appellant disagrees and the reasons why, whether factual or legal in nature. The request for a contested case proceeding should state the name and address of the requester; identify the specific Office action which is disputed; and, where the requester is represented by a lawyer, identify the provisions of law or precedent requiring or authorizing the holding of a contested case proceeding in the particular circumstances involved, and include a short and plain statement of the issues of material fact in dispute. Iowa Admin. Code r. 129–6.4.

Upon receipt, the appeal will be forwarded to the Department of Inspections and Appeals where an Administrative Law Judge (“ALJ”) will perform an independent review. Iowa Admin. Code r. 129–20.6(1); Iowa Admin. Code r. 129–6.6. At that time, an ALJ will schedule a hearing. If Appellant does not exercise its appeal right within thirty (30) days of the posting of this Decision, this Decision shall become final and no longer subject to challenge. Iowa Admin. Code r. 129–20.5(5).

SIGNED

DATE

Matt Behrens
Deputy Chief Information Officer
State of Iowa

DEFINITIONS

Targeted Service Area	A Targeted Service Area (TSA) is a census block within which no communications service provider offers or facilitates broadband service at or above the tier 1, tier 2, or tier 3 download and upload speeds, as applicable.						
Tier 1	A maximum download speed of less than 25 megabits per second (Mbps) and a maximum upload speed of less than 3 Mbps.						
Tier 2	A minimum download speed of greater than or equal to 25 Mbps but less than 50 Mbps. No minimum upload speed is applicable for Tier 2.						
Tier 3	A minimum download speed of greater than or equal to 50 Mbps but less than 80 Mbps. No minimum upload speed is applicable for Tier 3.						
Non-TSA	A non-TSA is a census block in which speeds are Facilitated at greater than or equal to 80 Mbps.						
Facilitate	A communication service provider's ability to provide broadband service at or above the download and upload speeds defined above to a home, farm, school, or business within a commercially reasonable time and at a commercially reasonable price upon request by a consumer. This does <i>not</i> pertain to the Broadband Infrastructure used to facilitate said service; Broadband Infrastructure is <i>not</i> a basis for appeal.						
Map V4 Designation	The speed tier reflected on the Map as of July 1, 2021.						
Decision Basis	The Decision Basis number reflected in this column corresponds to a general explanation for why this Office made its decision regarding the Block. The Decision Bases are posted on the website at https://ocio.iowa.gov/broadband-availability-map-version-4-challenge-process .						
Overlapping Appeal	Indicates the Docket Number in which the Census Block has been challenged in another Appeal. The Final Agency Decision may be impacted by additional or alternate information or affirmations received in conjunction with another Appeal for the same Block.						
Prior Reporting	The Prior Reporting column reflects information provided by Appellant on the Appeal. The Prior Reporting to FCC or Connected Nation may reflect one of the following:						
	In Error: Data was reported incorrectly to FCC or Connected Nation	Correct: Data was reported correctly to FCC or Connected Nation	No Response: Data was not reported to FCC or Connected Nation	Unknown: Data is incorrect for unknown reasons			

Docket No.	Census Block ID	Prior Reporting	Map V4 Designation	Appellant's Request	Final Agency Decision	Decision Basis	Overlapping Appeal
21-1001	190779503001116	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001115	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001114	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001103	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001143	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001130	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001112	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001120	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001131	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001118	Unknown	Non-TSA	Tier 2	Tier 2	1	

21-1001	190779503001111	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001127	Unknown	Non-TSA	Tier 2	Tier 2	1	21-008
21-1001	190779503001129	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1001	190779503001102	Unknown	Non-TSA	Tier 2	Tier 2	1	

APPENDIX B
CERTIFICATION AND SUPPORTING INFORMATION



Grants, OCIO <ociogrants@iowa.gov>

provider challenge by Coon Valley Telco

1 message

Jim Nelson <jnelson@coonvalleytelco.com>
To: ociogrants@iowa.gov

Tue, Jul 6, 2021 at 10:45 AM

Jim Nelson

General Manager

Coon Valley Telco

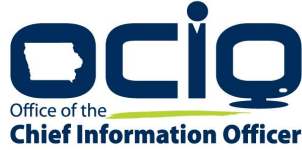
Menlo, Iowa 50164

641 524 2111

“Serving Great People With Great Service”



map_v4_provider_challenge Coon Valley OCIO.xlsx
176K



A. APPELLANT INFORMATION

Company Name	Coon Valley Cooperative Telephone
Address	516 Sherman St.
City	Menlo
State	Iowa
Zip	50164

B. DESIGNATED CONTACT INFORMATION

Contact Name	Jim Nelson
Contact Phone Number	641-524-2111
Contact Email	jnelson@coonvalleytelco.com

C. CERTIFICATION/ATTESTATION/AFFIRMATION

In signing and submitting this form, the above-identified company, and its duly authorized representative signing on behalf thereof, hereby affirms, attests, and certifies under penalty of perjury that, as represented in its submission: Choose one option that describes company/affiliation status.

Company, consistent with the representations made in this form, and regardless of whether your company's prior reporting to to the FCC or State of Iowa was correct or in error as of July 1, 2021, either:

(a.) Facilitated material Broadband service according to the designated Tier speed indicated on the Map; or

(b.) Did NOT Facilitate Broadband according to the designated Tier speed in the identified census blocks.

Another unaffiliated company, as of July 1, 2021, consistent with the representations made in this form, either: (a.) Facilitated material Broadband service according to the designated Tier speed indicated on the Map; or (b.) Did NOT Facilitate Broadband according to the designated Tier speed in the identified census blocks.

D. ADDITIONAL EXPLANATION (To the extent you believe additional explanation is required to ensure that you are communicating full and accurate information, please use the below space to further explain, qualify, or substantiate your above certification/attestation/affirmation. To the extent necessary, please feel free to upload additional explanations/supporting documentation.

After reviewing map and talking to Panora Communications General manager Andrew Randol, the following census blocks isnt supported by Panora Communication.

E. SIGNATURE* By typing your full name you are affixing your signature to this form and attesting to the accuracy of the information submitted herein.

Authorized Signature:	Jim Nelson
Title:	General Manager
Date:	7/6/2021

*PLEASE READ BEFORE SIGNING: By signing and submitting this form, I, on my own behalf or as a representative of the company identified above, as applicable, expressly represent that I am authorized to make the above factual representation on behalf of said company and/or myself, as applicable, and under penalty of perjury as authorized by Iowa Code section 622.1 and pursuant to the laws of the state of Iowa, certify the following with respect to this form submitted on behalf of said company and/or myself: any statements, representations, warranties, certifications, or attestations made in this form, including any attachments or enclosures associated therewith, are true and accurate; I, on behalf of said company and/or myself, have not knowingly made any false statements or representations in this form. In addition to any criminal penalties authorized by Iowa Code section 720.2 that may result from any false statements of material fact made herein or any other remedies available at law, equity, or otherwise, if it is subsequently determined that I have made a statement, representation, warranty, certification, or attestation in this form, or any attachments or enclosures associated herewith, that is later proven untrue in any material respect, the company on which I submitted this form on behalf of may be disqualified from current incentive programs administered by the Office or may be ordered to repay the Office the entire amount of any funds previously distributed by the Office to said company in connection with any current incentive programs administered by the Office. OCIO makes no guarantees as to whether the information supplied by you will result in any change to the Broadband Availability Map V4 or the way any incentive decisions are reviewed, scored, or decided. This form, as completed, any attachments hereto, and any other information or materials submitted to the Office in connection with this form or related inquiry, shall be considered public records and shall be made available for public examination and/or disseminated upon request by third parties as required by Iowa Code chapter 22. The Office reserves the right to reject this form and relatedly consider any information communicated through this form as neither credible nor probative if this form is not fully and properly filled out.

Please familiarize yourself with the following terms prior to determining whether a broadband block may be appealed.

Targeted Service Area	A Targeted Service Area (TSA) is a census block within which no communications service provider offers or facilitates broadband service at or above the tier 1, tier 2, or tier 3 download and upload speeds.
Existing Broadband Speed Tiers	The speed tiers used to determine whether a broadband block qualifies as a Targeted Service Area on the Statewide Broadband Availability Map.
Tier 1	A maximum download speed of less than 25 megabits per second (Mbps) and a maximum upload speed of less than 3 Mbps.
Tier 2	A minimum download speed of greater than or equal to 25 Mbps but less than 50 Mbps. No minimum upload speed is applicable for Tier 2.
Tier 3	A minimum download speed of greater than or equal to 50 Mbps but less than or equal to 80 Mbps. No minimum upload speed is applicable for Tier 3.
Non-TSA	A non-TSA is a census block in which speeds are Facilitated at more than 80 Mbps
Facilitate	A communication service provider's ability to provide broadband service at or above the download and upload speeds defined above to a home, farm, school, or business within a commercially reasonable time and at a commercially reasonable price upon request by a consumer. This does <i>not</i> pertain to the Broadband Infrastructure used to facilitate said service; Broadband Infrastructure is <i>not</i> a basis for appeal.



Grants, OCIO <ociogrants@iowa.gov>

revised challenge

1 message

Jim Nelson <jnelson@coonvalleytelco.com>

Mon, Jul 19, 2021 at 8:59 AM

To: ociogrants@iowa.gov

Cc: dlunemann@networkbetter.com, Justin Schneider <jmschneider30@gmail.com>

Dave,

Per our phone conversation, 3 census blocks have been taken off the challenge, the changes are shown in the attachment. Jim

Jim Nelson

General Manager

Coon Valley Telco

Menlo, Iowa 50164

641 524 2111

"Serving Great People With Great Service"

**Coon Valley - NOFA 6 - Challenge revised 07-19-2021.xlsx**

146K

A. APPELLANT INFORMATION	
Company Name	Coon Valley Cooperative Telephone
Address	516 Sherman St.
City	Menlo
State	Iowa
Zip	50164
B. DESIGNATED CONTACT INFORMATION	
Contact Name	Jim Nelson
Contact Phone Number	641-524-2111
Contact Email	jnelson@coonvalleytelco.com
C. CERTIFICATION/ATTESTATION/AFFIRMATION	
<p>In signing and submitting this form, the above-identified company, and its duly authorized representative signing on behalf thereof, hereby affirms, attests, and certifies under penalty of perjury that, as represented in its submission: Choose one option that describes company/affiliation status.</p>	
<p>Company, consistent with the representations made in this form, and regardless of whether your company's prior reporting to the FCC or State of Iowa was correct or in error as of July 1, 2021, either:</p> <p>(a.) Facilitated material Broadband service according to the designated Tier speed indicated on the Map; or</p> <p>(b.) Did NOT Facilitate Broadband according to the designated Tier speed in the identified census blocks.</p>	
<p>Another unaffiliated company, as of July 1, 2021, consistent with the representations made in this form, either: (a.) Facilitated material Broadband service according to the designated Tier speed indicated on the Map; or (b.) Did NOT Facilitate Broadband according to the designated Tier speed in the identified census blocks.</p>	
D. ADDITIONAL EXPLANATION (To the extent you believe additional explanation is required to ensure that you are communicating full and accurate information, please use the below space to further explain, qualify, or substantiate your above certification/attestation/affirmation. To the extent necessary, please feel free to upload additional explanations/supporting documentation .	
<p>Coon Valley has revised 3 census blocks since the original challenge back on July 6th. The revised challenge will not include the following census blocks. blocks 190779503001144, 190779503001101, and 190779503001100.</p> <p>After reviewing map and talking to Panora Communications General manager Andrew Randol, the following census blocks isnt supported by Panora Communication.</p>	
E. SIGNATURE* By typing your full name you are affixing your signature to this form and attesting to the accuracy of the information submitted herein.	
Authorized Signature:	Jim Nelson
Title:	General Manager
Date:	7/6/2021

*PLEASE READ BEFORE SIGNING: By signing and submitting this form, I, on my own behalf or as a representative of the company identified above, as applicable, expressly represent that I am authorized to make the above factual representation on behalf of said company and/or myself, as applicable, and under penalty of perjury as authorized by Iowa Code section 622.1 and pursuant to the laws of the state of Iowa, certify the following with respect to this form submitted on behalf of said company and/or myself: any statements, representations, warranties, certifications, or attestations made in this form, including any attachments or enclosures associated therewith, are true and accurate; I, on behalf of said company and/or myself, have not knowingly made any false statements or representations in this form. In addition to any criminal penalties authorized by Iowa Code section 720.2 that may result from any false statements of material fact made herein or any other remedies available at law, equity, or otherwise, if it is subsequently determined that I have made a statement, representation, warranty, certification, or attestation in this form, or any attachments or enclosures associated herewith, that is later proven untrue in any material respect, the company on which I submitted this form on behalf of may be disqualified from current incentive programs administered by the Office or may be ordered to repay the Office the entire amount of any funds previously distributed by the Office to said company in connection with any current incentive programs administered by the Office. OCIO makes no guarantees as to whether the information supplied by you will result in any change to the Broadband Availability Map V4 or the way any incentive decisions are reviewed, scored, or decided. This form, as completed, any attachments hereto, and any other information or materials submitted to the Office in connection with this form or related inquiry, shall be considered public records and shall be made available for public examination and/or disseminated upon request by third parties as required by Iowa Code chapter 22. The Office reserves the right to reject this form and relatedly consider any information communicated through this form as neither credible nor probative if this form is not fully and properly filled out.

Please familiarize yourself with the following terms prior to determining whether a broadband block may be appealed.

Targeted Service Area	A Targeted Service Area (TSA) is a census block within which no communications service provider offers or facilitates broadband service at or above the tier 1, tier 2, or tier 3 download and upload speeds.
Existing Broadband Speed Tiers	The speed tiers used to determine whether a broadband block qualifies as a Targeted Service Area on the Statewide Broadband Availability Map.
Tier 1	A maximum download speed of less than 25 megabits per second (Mbps) and a maximum upload speed of less than 3 Mbps.
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Non-TSA	A non-TSA is a census block in which speeds are Facilitated at more than 80 Mbps
Facilitate	A communication service provider's ability to provide broadband service at or above the download and upload speeds defined above to a home, farm, school, or business within a commercially reasonable time and at a commercially reasonable price upon request by a consumer. This does <i>not</i> pertain to the Broadband Infrastructure used to facilitate said service; Broadband Infrastructure is <i>not</i> a basis for appeal.

APPENDIX C
THIRD-PARTY AFFIRMATIONS AND SUPPLEMENTAL EVIDENCE



EXHIBIT A

**Affirmation of Service or Lack of Service in Census Blocks
Broadband Grants Program Broadband Availability Map Challenge Process**

A. RESPONDENT INFORMATION

Company Name	Panora Communications Cooperative
Address	114 East Main Street
City	Panora
State	Iowa
Zip	50216

B. DESIGNATED CONTACT INFORMATION

Contact Name	Andrew M. Randol
Contact Phone Number	641-755-2424
Contact Email	andrewrandol@panoratelco.com

C. AFFIRMATION

In signing and submitting this form, the above-identified company, and its duly authorized representative signing on behalf thereof, hereby affirms under penalty of perjury that, as represented in its submission:
Company, consistent with the representations made in this form, and regardless of whether your company's prior reporting to the FCC or State of Iowa was correct or in error, meets one of the following criteria in each of the identified census blocks as of July 1, 2021:
1. Company Facilitated service at the indicated speeds on the Affirmation tab as of July 1, 2021 to more than 10% of the census block; or
2. Company did NOT offer or Facilitate material Broadband service.

Please indicate the speeds offered for each census block on the Affirmation tab.

D. ADDITIONAL EXPLANATION(To the extent you believe additional explanation is required to ensure that you are communicating full and accurate information, please use the below space to further explain, qualify, or substantiate your above affirmation. To the extent necessary, please feel free to upload additional explanations/supporting documentation.

Areas marked as "no" are areas we can not serve with fixed broadband on a consistent level due to distance from the fixed wireless origination site and also terrain issues. Areas marked 10/1 are areas served by our cable modem service, which we can provide 10/1 service consistently to customers in these towns. Areas marked 18/3 are in a community served by fixed wireless. We could not serve 100% of the locations fixed wirelessly due to radio capacity but could serve up to radio capacity at this level. Per 477 reporting, we are to report maximum advertised speeds and this causes differences in what the 477 report generates for coverage and speeds compared to what this NOFA asks.

E. SIGNATURE* By typing your full name you are affixing your signature to this form and attesting to the accuracy of the information submitted herein.

Authorized Signature:	Andrew M. Randol
Title:	CEO
Date:	8/9/2021

***PLEASE READ BEFORE SIGNING:** By signing and submitting this form, I, on my own behalf or as a representative of the company identified above, as applicable, expressly represent that I am authorized to make the above factual representation on behalf of said company and/or myself, as applicable, and under penalty of perjury as authorized by Iowa Code section 622.1 and pursuant to the laws of the state of Iowa, certify the following with respect to this form submitted on behalf of said company and/or myself: any statements, representations, warranties, certifications, or attestations made in this form, including any attachments or enclosures associated therewith, are true and accurate; I, on behalf of said company and/or myself, have not knowingly made any false statements or representations in this form. In addition to any criminal penalties authorized by Iowa Code section 720.2 that may result from any false statements of material fact made herein or any other remedies available at law, equity, or otherwise, if it is subsequently determined that I have made a statement, representation, warranty, certification, or attestation in this form, or any attachments or enclosures associated herewith, that is later proven untrue in any material respect, the company on which I submitted this form on behalf of may be disqualified from current incentive programs administered by the Office or may be ordered to repay the Office the entire amount of any funds previously distributed by the Office to said company in connection with any current incentive programs administered by the Office. OCIO makes no guarantees as to whether the information supplied by you will result in any change to the Broadband Availability Map V4 or the way any incentive decisions are reviewed, scored, or decided. This form, as completed, any attachments hereto, and any other information or materials submitted to the Office in connection with this form or related inquiry, shall be considered public records and shall be made available for public examination and/or disseminated upon request by third parties as required by Iowa Code chapter 22. The Office reserves the right to reject this form and relatedly consider any information communicated through this form as neither credible nor probative if this form is not fully and properly filled out.

Please familiarize yourself with the following terms prior to determining whether broadband service is being Facilitated to the census block.

Facilitate

A communication service provider's ability to provide broadband service at or above the download and upload speeds defined above to a home, farm, school, or business within a commercially reasonable time and at a commercially reasonable price upon request by a consumer. This does *not* pertain to the Broadband Infrastructure used to facilitate said service; Broadband Infrastructure is *not* a basis for appeal.

CENSUS BLOCK ID	Do you Facilitate service to more than 10% of the geographic area of the Census Block?	Download Speed	Upload Speed	Service Technology
190779503001102	No			
190779503001103	No			
190779503001111	No			
190779503001112	No			
190779503001114	No			
190779503001115	No			
190779503001116	No			
190779503001118	No			
190779503001120	No			
190779503001127	No			
190779503001129	No			
190779503001130	No			
190779503001131	No			

190779503001143	No			
190490505002023	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002079	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002080	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002081	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002082	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002083	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002084	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002085	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002088	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002089	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002090	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002091	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002093	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002094	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002095	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002096	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002097	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002098	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002099	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002123	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002124	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002129	Yes	10 mbps	1 mbps	CMTS (cable modem)
190490505002130	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001020	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001032	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001033	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001034	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001035	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001036	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001037	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001038	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001039	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001040	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001041	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001042	Yes	10 mbps	1 mbps	CMTS (cable modem)

190779501001117	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001118	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001119	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001120	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001121	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001122	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001138	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001139	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001140	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001142	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001143	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001312	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001313	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001314	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001315	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001316	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001317	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001318	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001319	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001320	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001321	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001322	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001323	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001324	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001325	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001326	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779501001327	Yes	10 mbps	1 mbps	CMTS (cable modem)
190779502001003	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001004	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001043	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001044	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001045	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001046	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001047	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001048	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001049	Yes	18 mbps	3 mbps	Fixed Wireless

190779502001050	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001051	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001052	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001053	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001054	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001055	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001056	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001057	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001058	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001059	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001060	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001061	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001062	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001063	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001064	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001065	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001066	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001067	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001068	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001069	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001070	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001071	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001072	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001073	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001074	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001075	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001076	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001077	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001078	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001079	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001080	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001081	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001082	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001083	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001084	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001085	Yes	18 mbps	3 mbps	Fixed Wireless

190779502001086	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001087	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001088	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001089	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001090	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001091	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001092	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001095	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001096	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001097	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001098	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001099	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001100	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001101	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001102	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001103	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001104	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001105	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001106	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001125	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001131	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001295	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001297	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001298	Yes	18 mbps	3 mbps	Fixed Wireless
190779502001299	Yes	18 mbps	3 mbps	Fixed Wireless
190490505001089	No			
190490505001098	No			
190490505001110	No			
190490505001127	No			
190490505001128	No			
190490505001129	No			
190490505001130	No			
190490505001134	No			
190490505001135	No			
190490505001145	No			
190490505001146	No			

August 12, 2021

Office of the Chief Information Officer of the State of Iowa
c/o Matt Behrens
200 E. Grand Avenue
Des Moines, IA 50309

United States Cellular Corporation
Justin Frakes
Justin.Frakes@uscellular.com
(Sent via email only)

To whom it may concern:

This is a letter of inquiry concerning your firm's prior reporting to the State of Iowa Office of the Chief Information Officer ("OCIO" or "Office") regarding the availability of Broadband service in certain United States Census Block(s) within Iowa. Our Office received a formal notice of appeal challenging information reported on the Broadband Availability Map Version 4 ("V4") of the Statewide Broadband Availability Map ("Map"). The data reflected on V4 of the Map was either (1) provided by you to the Office's contractor ("Connected Nation") during the data collection window of April 15 through April 30, 2021, (2) gathered from other sources (such as FCC) that collected data from you, or (3) carried forward from prior reporting made to this Office by you under a previous Map version. Map V4 categorizes census blocks according to the facilitated speed offered within the block. The publication of V4 triggered a formal appeal window, as explained in more detail below, during which time we received this appeal. The appeal we received claims that the data reflected on V4 of the Map is inaccurate. This appeal can be found at <https://ocio.iowa.gov/broadband-availability-map-version-4-challenge-process> (see Docket Numbers 21-008, 21-014, 21-042, 21-066, 21-1001, 21-1014, 21-1044). **To resolve this matter, the Office requests that your firm provide information concerning your service in the affected Census Blocks as further identified and described below by August 17, 2021.**

On July 1, 2021, the Office published the final version of V4 of the Map, which identifies where Broadband service was offered or Facilitated at a tier 1, tier 2, or tier 3 speed as of July 1, 2021.¹ V4 of the Map, and a detailed background of the same, can be found at: <https://ocio.iowa.gov/broadband-availability-map-version-4>. Overall, the new map reflects Targeted Service Areas defined as a census block within which no communications service provider offers or facilitates broadband service at or above the tier 1, tier 2, or tier 3 download and upload speeds. The tier speeds are defined as follows:

"Tier 1" means a maximum download speed of less than 25 Mbps and a maximum upload speed of less than three Mbps.

"Tier 2" means a minimum download speed of greater than or equal to 25 Mbps but less than 50 Mbps. No

¹See Iowa Code §§ 8B.1(12), 8B.10. See also Iowa Admin. Code r. 129—20.1, 20.3, 20.4.

minimum upload speed is applicable for Tier 2.

“**Tier 3**” means a minimum download speed of greater than or equal to 50 Mbps but less than 80 Mbps. No minimum upload speed is applicable for Tier 3.

“**Non-TSA**” means a census block in which speeds are facilitated at greater than or equal to 80 Mbps.

Through the official publication of V4 of the Map, the Office triggered the challenge process it is required by law to administer.² Pursuant to applicable administrative rules, within 20 days after the Office’s official publication of V4 of the Map, “any person or party aggrieved or adversely affected by such determination may challenge the office’s finding by filing a notice of appeal with the office” along with all evidence or information supporting their appeal. Iowa Admin. Code r. 129—20.5(1). Specifically, interested parties were permitted to provide the Office with evidence and information of the following: broadband is unavailable from a provider listed for the area (census block); or, that broadband speed is not as advertised.

V4 of the Map currently shows that service is Facilitated at either a tier 1, tier 2, or tier 3 speed per designated census block. As part of the above-outlined process, OCIO received a formal notice of appeal and supporting evidence or information from one or more Iowa residents or Communications Service Provider, claiming that Broadband service is not offered or Facilitated at that speed tier.

At this time, the Office requests your assistance in making an accurate determination as to whether your firm facilitates broadband service at the designated speed tier for 10% or more of the geographic area of each challenged census block as of July 1, 2021 to the Census Blocks identified in Exhibit A. To that end, the Office requests that you:

- 1) Complete and return the attached Affirmation of Service or Lack of Service in Census Blocks Broadband Grants Program Broadband Availability Map Challenge Process Form (see Exhibit A, Affirmation tab), by **August 17, 2021**. Pursuant to this form, OCIO requests that a representative with legal authority to bind your firm:
 - a) Confirm that your firm Facilitated Broadband service to the Census Blocks identified in Exhibit A as of July 1, 2021, and indicate the speeds at which your firm facilitated broadband service in those blocks. For purposes of this representation, “‘Facilitate’ means a communication service provider’s ability to provide broadband service at or above the download and upload speeds specified in the definition of targeted service area in this section to a home, farm, school, or business **within a commercially reasonable time and at a commercially reasonable price upon request by a consumer.**” Iowa Code § 8B.1(5) (emphasis added).
 - b) Fully complete all other aspects of the Form.
- 2) In addition to the form, please also submit any other evidence or information in your possession to the Office that supports your prior representations to the Office regarding the Census Blocks identified in Exhibit A. Examples of evidence and information the Office would consider particularly probative include “Bills or invoices provided to or received by customers in the applicable census block(s) which identify the specific download and upload speeds provided or received as of [July 1, 2021].” Iowa Admin. Code r. 129—20.5(8).

²See Iowa Code § 8B.10(2); Iowa Admin. Code r. 129—20.5.

Please return the completed form and any supporting evidence or information to ociogrants@iowa.gov.

Please note that you are under no legal obligation to respond to this request for information. Generally, pursuant to applicable administrative rules, any affected person or party is free to submit evidence or information to the Office in support of or in opposition to an appeal within 20 days after the appeal has been posted to ocio.iowa.gov/broadband. Iowa Admin. Code r. 129—20.5(3). However, this Office is affirmatively reaching out to notify you of the appeal, of the circumstances surrounding the appeal, and to solicit your feedback and position. If this Office does not receive your response via Exhibit A of the Form by **August 17, 2021**, the Office will make a final decision based on the evidence and information currently available to it. Iowa Admin. Code r. 129—20.5(4), (5).

OCIO strives at all times to produce and disseminate accurate information. We appreciate your assistance in helping us achieve our statutory mandate.

Sincerely,

Office of the Chief Information Officer,
State of Iowa

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EXHIBIT A
Affirmation of Service or Lack of Service in Census Blocks
Broadband Grants Program Broadband Availability Map Challenge Process

A. RESPONDENT INFORMATION

Company Name	United States Cellular Corporation
Address	8410 W. Bryn Mawr
City	Chicago
State	Illinois
Zip	60631

B. DESIGNATED CONTACT INFORMATION

Contact Name	Thomas Hulings
Contact Phone Number	773-355-3625
Contact Email	thomas.hulings@uscellular.com

C. AFFIRMATION

In signing and submitting this form, the above-identified company, and its duly authorized representative signing on behalf thereof, hereby affirms under penalty of perjury that, as represented in its submission:

Company, consistent with the representations made in this form, and regardless of whether your company's prior reporting to the FCC or State of Iowa was correct or in error, meets one of the following criteria in each of the identified census blocks as of July 1, 2021:

1. Company Facilitated service at the indicated speeds on the Affirmation tab as of July 1, 2021 to more than 10% of the census block; or
2. Company did NOT offer or Facilitate material Broadband service.

Please indicate the speeds offered for each census block on the Affirmation tab.

D. ADDITIONAL EXPLANATION(To the extent you believe additional explanation is required to ensure that you are communicating full and accurate information, please use the below space to further explain, qualify, or substantiate your above affirmation. To the extent necessary, please feel free to upload additional explanations/supporting documentation.

UScellular attests to facilitating service at a minimum of 25/3 Mbps in 1 of the census blocks identified in the OCIO's August 12 letter. This block was upgraded to 25/3 Mbps Broadband as part of USCC's NOFA #003 submission and were in service on July 1, 2021.

E. SIGNATURE* By typing your full name you are affixing your signature to this form and attesting to the accuracy of the information submitted herein.

Authorized Signature:	Thomas Hulings
Title:	Dir. Business Development & Partnerships
Date:	8/16/2021

***PLEASE READ BEFORE SIGNING:** By signing and submitting this form, I, on my own behalf or as a representative of the company identified above, as applicable, expressly represent that I am authorized to make the above factual representation on behalf of said company and/or myself, as applicable, and under penalty of perjury as authorized by Iowa Code section 622.1 and pursuant to the laws of the state of Iowa, certify the following with respect to this form submitted on behalf of said company and/or myself: any statements, representations, warranties, certifications, or attestations made in this form, including any attachments or enclosures associated therewith, are true and accurate; I, on behalf of said company and/or myself, have not knowingly made any false statements or representations in this form. In addition to any criminal penalties authorized by Iowa Code section 720.2 that may result from any false statements of material fact made herein or any other remedies available at law, equity, or otherwise, if it is subsequently determined that I have made a statement, representation, warranty, certification, or attestation in this form, or any attachments or enclosures associated herewith, that is later proven untrue in any material respect, the company on which I submitted this form on behalf of may be disqualified from current incentive programs administered by the Office or may be ordered to repay the Office the entire amount of any funds previously distributed by the Office to said company in connection with any current incentive programs administered by the Office. OCIO makes no guarantees as to whether the information supplied by you will result in any change to the Broadband Availability Map V4 or the way any incentive decisions are reviewed, scored, or decided. This form, as completed, any attachments hereto, and any other information or materials submitted to the Office in connection with this form or related inquiry, shall be considered public records and shall be made available for public examination and/or disseminated upon request by third parties as required by Iowa Code chapter 22. The Office reserves the right to reject this form and relatedly consider any information communicated through this form as neither credible nor probative if this form is not fully and properly filled out.

