

FINAL AGENCY DECISION
STATEWIDE BROADBAND AVAILABILITY MAP VERSION 4 APPEAL
September 14, 2021

DOCKET NO. 21-1002

A. APPELLANT INFORMATION

Company Name	Dunkerton Telephone Cooperative
Address	701 S. Canfield St
City	Dunkerton
State	Iowa
Zip	50626

B. DESIGNATED CONTACT INFORMATION

Contact Name	Abbi Kienast
Contact Phone Number	319-822-4512
Contact Email	abbi@dunkerton.net

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

APPENDIX B
CERTIFICATION AND SUPPORTING INFORMATION



Grants, OCIO <ociogrants@iowa.gov>

UPDATED Provider Challenge Form

1 message

abbi@dunkerton.net <abbi@dunkerton.net>
To: "Grants, OCIO" <ociogrants@iowa.gov>

Fri, Jul 9, 2021 at 11:28 AM

Good Afternoon,

Please find the attached UPDATED Provider Challenge Form for 3 census blocks in the Dewar, Iowa area. Please contact me with any questions.

Thank you for this opportunity. Enjoy your weekend.






Abbi Kienast | General Manager

Dunkerton Communications

701 S. Canfield St | P O Box 188 | Dunkerton IA 50626

319.822.4512

5 attachments

-  **Dunkerton Telephone Cooperative map_v4_provider_challenge_form (2).xlsx**
178K
-  **Dunkerton Telephone Cooperative map_v4_provider_challenge_form (2).pdf**
63K
-  **map_v4_provider_challenge_form (2).pdf**
63K
-  **Rise Broadband Services.pdf**
105K
-  **LTD Broadband Services.pdf**
26K



A. APPELLANT INFORMATION

Company Name	Dunkerton Telephone Cooperative
Address	701 S. Canfield St
City	Dunkerton
State	Iowa
Zip	50626

B. DESIGNATED CONTACT INFORMATION

Contact Name	Abbi Kienast
Contact Phone Number	319-822-4512
Contact Email	abbi@dunkerton.net

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 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.)

The wireless providers (Rise Broadband, LTD Broadband) serving the identified census blocks do not offer speeds over 50 mbps.

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:	Abbi Kienast
Title:	General Manager
Date:	7/9/2021

*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 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.

Plans & Pricing

Fast | Unlimited | Local | No contracts | Fair prices

+ FASTER 6 Mbps

+ from \$50/month

+ FAMILY 10 Mbps

+ from \$70/month

+ ULTRA 25 Mbps

+ from \$80/month

+ Home Office 35 Mbps

+ from \$110/month

Business dedicated speeds up to 10 Gbps available.

Call us at 507-369-6669 for custom pricing.

Great news!

No contracts, fully prorated refunds if you cancel mid-plan.

All of our plans and packages are unlimited with no hidden fees, download caps or contracts.

Standard installation is \$99.

Services

Support
Pay Your Bill
Plans

About

Company
Coverage
Contact

LTD Broadband

Our internet is fast, reliable and affordable and our employees go above and beyond to make sure our customers are satisfied!





Enjoy Worry-Free High Speed Internet

Check if service is available in your area!

Street Address *

Zip Code *

Ready? Go

Affirmative Consent Policy

Plans Starting At:

\$50/mo

Reliable high speed internet!

Unlimited Data Usage!

No hidden fees!

No surprise charges!

No contract required!

Call 833-839-3884

Offer ends 7/31/2021

Package Details:

- ✓ Includes Unlimited Data! No Data Usage Charges!
- ✓ Go Fast! Get speeds up to 25 Mbps!
- ✓ Get up to 50 Mbps for just \$10 more per month (where available)
- ✓ Best pricing ever! Includes equipment rental and autopay
- ✓ Save Big with FREE Installation!

Experience FAST Internet from Rise Broadband

Fast Internet for work, school, and fun. With no hidden fees or surprise charges.

With Rise Broadband High-Speed Internet, you can:

- ✓ Enjoy speeds faster than DSL and as fast as cable!
- ✓ Stream your favorite movies & TV shows
- ✓ Connect multiple devices with in-home WiFi

Add Premium Mesh Package

THE DECORO M4 WIRELESS ROUTER IS INCLUDED IN THE PREMIUM MESH PACKAGE.

I understand that if I decline the Deco M4 wireless router above that I am responsible for providing my own router for network setup during service installation. Failing to do so may delay the installation of my service.

Cart Summary

MONTHLY CHARGES

25 Mbps Internet + Unlimited Data	\$55.00
Equipment Rental (Required) Free Service	\$0.00
TOTAL (MONTHLY CHARGE)	\$55.00

ONE-TIME CHARGES

Residential Installation 100% OFF INSTALL	\$0.00
TOTAL (ONE-TIME CHARGE)	\$0.00

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Plans & Pricing

Fast | Unlimited | Local | No contracts | Fair prices

+ FASTER 6 Mbps

+ from \$50/month

+ FAMILY 10 Mbps

+ from \$70/month

+ ULTRA 25 Mbps

+ from \$80/month

+ Home Office 35 Mbps

+ from \$110/month

Business dedicated speeds up to 10 Gbps available.

Call us at 507-369-6669 for custom pricing.

Great news!

No contracts, fully prorated refunds if you cancel mid-plan.

All of our plans and packages are unlimited with no hidden fees, download caps or contracts.

Standard installation is \$99.

Services

Support
Pay Your Bill
Plans

About

Company
Coverage
Contact

LTD Broadband

Our internet is fast, reliable and affordable and our employees go above and beyond to make sure our customers are happy!





Enjoy Worry-Free High Speed Internet

Check if service is available in your area!

Street Address *

Zip Code *

Ready? Go

Affirmative Consent Policy

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\$50/mo

Reliable high speed internet!

Unlimited Data Usage!

No hidden fees!

No surprise charges!

No contract required!

Call 833-839-3884

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TOTAL (MONTHLY CHARGE)	\$55.00

ONE-TIME CHARGES

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TOTAL (ONE-TIME CHARGE)	\$0.00

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APPENDIX C
THIRD-PARTY AFFIRMATIONS AND SUPPLEMENTAL EVIDENCE

July 28, 2021

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

Mediacom Communications
Thomas Larsen
tlarsen@mediacomcc.com

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 21-1002, 21-1014, 21-1021, 21-1023, 21-1031, 21-1037, 21-1038, 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 11, 2021.**

On July 1, 2021, the Office officially 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 is based primarily on data submitted to Connected Nation and/or FCC by Communication Service Providers concerning their service capabilities in the State of Iowa² and on informal comments/feedback supplied by interested parties as part of the informal comment/feedback process described above and in which your firm may have participated. 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:

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

²See Iowa Admin. Code r. 129—20.3.

“**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 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.³ 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 11, 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

³See Iowa Code § 8B.10(2); Iowa Admin. Code r. 129—20.5.

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).

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 11, 2021** (10 business days from the date of this letter), 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



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	Mediacom Iowa LLC
Address	1 Mediacom Way
City	Mediacom Park
State	NY
Zip	10918

B. DESIGNATED CONTACT INFORMATION

Contact Name	Thomas Larsen
Contact Phone Number	845-443-2754
Contact Email	tlarsen@mediacomcc.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.)

Mediacom facilitates material broadband service at speeds of 1000 Mbps down by 50 Mbps up in 185 of the census blocks identified on the affirmation page. Mediacom does not facilitate material broadband service to 37 of the census blocks identified on the affirmation page. As supporting documentation, Mediacom is attaching a list of serviceable addresses from our billing system within the 185 census blocks in which we facilitate material broadband services.

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:	
Title: SVP, Government & Public Relations	Thomas J. Larsen
Date:	29-Jul-21

***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
190019603004073	Correct	1000	50
190019603004074	In Error	N/A	N/A
190019603004083	In Error	N/A	N/A
190019603004164	In Error	N/A	N/A
190019603004174	In Error	N/A	N/A
190019603004175	In Error	N/A	N/A
190059603001001	Correct	1000	50
190059603001002	Correct	1000	50
190059603001003	Correct	1000	50
190059603001004	Correct	1000	50
190059603001005	Correct	1000	50
190059603001006	Correct	1000	50
190059603001007	Correct	1000	50

190059603001008	Correct	1000	50
190059603001009	Correct	1000	50
190059603001010	Correct	1000	50
190059603001011	Correct	1000	50
190059603001012	Correct	1000	50
190059603001013	Correct	1000	50
190059603001014	Correct	1000	50
190059603001015	Correct	1000	50
190059603001016	Correct	1000	50
190059603001017	Correct	1000	50
190059603001018	Correct	1000	50
190059603001019	Correct	1000	50
190059603001020	Correct	1000	50
190059603001021	Correct	1000	50
190059603001022	Correct	1000	50
190059603001023	Correct	1000	50
190059603001024	Correct	1000	50
190059603001025	Correct	1000	50
190059603001026	Correct	1000	50
190059603001027	Correct	1000	50
190059603001028	Correct	1000	50
190059603001029	Correct	1000	50
190059603001030	Correct	1000	50
190059603002002	Correct	1000	50
190059603002003	Correct	1000	50
190059603002004	Correct	1000	50
190059603002005	In Error	N/A	N/A
190059603002006	Correct	1000	50
190059603002007	In Error	N/A	N/A
190059603002008	Correct	1000	50
190059603002009	Correct	1000	50
190059603002010	Correct	1000	50
190059603002018	Correct	1000	50
190059603002019	Correct	1000	50
190059603002020	Correct	1000	50
190059603002021	Correct	1000	50

190059603002022	Correct	1000	50
190059603002023	Correct	1000	50
190059603002024	Correct	1000	50
190059603002025	Correct	1000	50
190059603002026	Correct	1000	50
190059603002032	Correct	1000	50
190059603002033	Correct	1000	50
190059603002034	Correct	1000	50
190059603002035	Correct	1000	50
190059603002036	Correct	1000	50
190059603002037	Correct	1000	50
190059603002038	Correct	1000	50
190059603002039	Correct	1000	50
190059603002040	Correct	1000	50
190059603002041	Correct	1000	50
190059603002042	Correct	1000	50
190059603002043	Correct	1000	50
190059603002044	Correct	1000	50
190059603002045	Correct	1000	50
190059603002046	Correct	1000	50
190059603002047	Correct	1000	50
190059603002048	Correct	1000	50
190059603002049	Correct	1000	50
190059603003001	Correct	1000	50
190059603003002	Correct	1000	50
190059603003003	In Error	N/A	N/A
190059603003004	Correct	1000	50
190059603003005	Correct	1000	50
190059603003006	Correct	1000	50
190059603003007	Correct	1000	50
190059603003008	Correct	1000	50
190059603003009	Correct	1000	50
190059603003010	Correct	1000	50
190059603003011	Correct	1000	50
190059603003012	Correct	1000	50
190059603003013	Correct	1000	50

190059603003014	Correct	1000	50
190059603003015	Correct	1000	50
190059603003016	Correct	1000	50
190059603003017	Correct	1000	50
190059603003018	Correct	1000	50
190059603003019	Correct	1000	50
190059603003020	Correct	1000	50
190059603003021	Correct	1000	50
190059603003022	Correct	1000	50
190059603003023	Correct	1000	50
190059603003024	Correct	1000	50
190059603003025	Correct	1000	50
190059603003026	Correct	1000	50
190059603003027	Correct	1000	50
190059603003028	Correct	1000	50
190059603003029	Correct	1000	50
190059603003030	Correct	1000	50
190059603003031	Correct	1000	50
190059603003032	Correct	1000	50
190059603003033	Correct	1000	50
190059603003034	Correct	1000	50
190059603003035	Correct	1000	50
190059603003036	Correct	1000	50
190059603003037	Correct	1000	50
190059603003038	Correct	1000	50
190059603003040	Correct	1000	50
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190059603004003	Correct	1000	50
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190059603004009	Correct	1000	50
190059603004010	Correct	1000	50

190059603004011	Correct	1000	50
190059603004012	Correct	1000	50
190059603004015	Correct	1000	50
190059603004016	Correct	1000	50
190059603004017	Correct	1000	50
190059603004018	Correct	1000	50
190059603004019	Correct	1000	50
190059603004028	Correct	1000	50
190059603004030	Correct	1000	50
190059603004031	Correct	1000	50
190059603004032	Correct	1000	50
190059603004033	Correct	1000	50
190059603004034	Correct	1000	50
190059603004040	In Error	N/A	N/A
190059603004041	In Error	N/A	N/A
190059603004042	In Error	N/A	N/A
190119607001002	Correct	1000	50
190119607002007	In Error	N/A	N/A
190119607003065	In Error	N/A	N/A
190130027002014	No	N/A	N/A
190130027002016	No	N/A	N/A
190130027002019	No	N/A	N/A
190490502003003	In Error	N/A	N/A
190490503003007	In Error	N/A	N/A
190959601003030	In Error	N/A	N/A
190959601003032	In Error	N/A	N/A
190959601003033	In Error	N/A	N/A
190959602004001	Correct	1000	50
190959602004012	Correct	1000	50
190959602004021	Correct	1000	50
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190959602004025	Correct	1000	50
190959602004026	In Error	N/A	N/A
190959602004143	In Error	N/A	N/A
190959602004145	Correct	1000	50
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190959602004150	In Error	N/A	N/A
190959602004159	In Error	N/A	N/A
190959602004160	In Error	N/A	N/A
191070801001004	No	N/A	N/A
191070801001006	Yes	1000	50
191070801001007	No	N/A	N/A
191070801001008	No	N/A	N/A
191070801001009	Yes	1000	50
191070801001010	Yes	1000	50
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191070801001027	Yes	1000	50
191070801001028	Yes	1000	50
191070801001029	Yes	1000	50
191070801001030	Yes	1000	50
191070801001031	Yes	1000	50
191070801001032	Yes	1000	50
191070801001033	Yes	1000	50
191070801001034	Yes	1000	50
191070801001035	Yes	1000	50
191070801001036	Yes	1000	50
191070801001037	Yes	1000	50

191070801001038	Yes	1000	50
191070801001039	Yes	1000	50
191070801001040	Yes	1000	50
191070801001041	Yes	1000	50
191070801001042	Yes	1000	50
191070801001043	In Error	N/A	N/A
191070801001044	Correct	1000	50
191070801001045	Correct	1000	50
191070801001046	Correct	1000	50
191070801001047	Correct	1000	50
191070801001048	Correct	1000	50
191070801001049	Correct	1000	50
191070801001050	Correct	1000	50
191070801001051	In Error	N/A	N/A
191070801001053	Correct	1000	50
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191070801001055	Correct	1000	50
191070801001056	Correct	1000	50
191070801001057	Correct	1000	50
191070801001058	Correct	1000	50
191070801001059	Correct	1000	50
191070801001060	Correct	1000	50
191070801001061	In Error	N/A	N/A
191070801001062	Correct	1000	50
191070801001063	In Error	N/A	N/A
191070801001064	Correct	1000	50
191839605001168	In Error	N/A	N/A
191839605001169	In Error	N/A	N/A
191839605001170	In Error	N/A	N/A

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

Natel
Mike Schill
mike@natel.net
(Sent via email only)

OCIO did not receive a response from this provider.

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 21-047, 21-1002). **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

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

Rise

Casey Arnold

carnold@risebroadband.com

(Sent via email only)

OCIO did not receive a response from this provider.

To whom it may concern:

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Sincerely,

Office of the Chief Information Officer,
State of Iowa

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

Unggoy Broadband LLC **OCIO did not receive a response from this provider.**
Glen Poppe
glen.poppe@unggoy.net
(Sent via email only)

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