

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

DOCKET NO. 21-1011

A. APPELLANT INFORMATION

Company Name	Cedar Falls Utilities
Address	1 Utility Parkway
City	Cedar Falls
State	Iowa
Zip	50613

B. DESIGNATED CONTACT INFORMATION

Contact Name	Michael Charles Litterer
Contact Phone Number	319-268-5206
Contact Email	mike.litterer@cfunet.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 A - FINAL DECISION

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
21-1011	190130026031091	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190130026031092	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190130026031093	Unknown	Non-TSA	Tier 2	Tier 3	2	21-009
21-1011	190130026031094	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190130026031095	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190130026031096	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190130026031097	Unknown	Non-TSA	Tier 2	Tier 3	2	

21-1011	190130026031098	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190130026031099	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190130026031100	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190130026031101	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190130026031102	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190130026034016	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190130026034037	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190130026034047	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190130030021028	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190130030021033	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190130030021034	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190230705002058	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190230705002059	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190230705002066	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190230705002067	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190230705002068	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190230705002071	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190230705003000	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190230705003010	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190230705003011	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190230705003012	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190230705003059	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190759601002001	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002002	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002007	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002008	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002009	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002010	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002012	Unknown	Non-TSA	Tier 2	Tier 3	2	

21-1011	190759601002013	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002018	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002019	Unknown	Tier 3	Tier 2	Tier 2	1	
21-1011	190759601002020	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002021	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002022	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002023	Unknown	Non-TSA	Tier 2	Tier 3	2	
21-1011	190759601002025	Unknown	Tier 3	Tier 2	Tier 2	1	
21-1011	190759601002027	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190759601002028	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190759601002029	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190759601002037	Unknown	Tier 3	Tier 2	Tier 2	1	
21-1011	190759601002038	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190759601002041	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190759601002044	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190759601002045	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190759601002047	Unknown	Non-TSA	Tier 2	Tier 2	1	
21-1011	190759601002057	Unknown	Non-TSA	Tier 2	Tier 2	1	

APPENDIX B
CERTIFICATION AND SUPPORTING INFORMATION



Grants, OCIO <ociogrants@iowa.gov>

Challenge Form

1 message

Mike Litterer <Mike.Litterer@cfunet.net>
To: "ociogrants@iowa.gov" <ociogrants@iowa.gov>
Cc: Kent Halder <Kent.Halder@cfunet.net>

Thu, Jul 15, 2021 at 12:18 PM

Attached please find the challenge form for Broadband Map V4.

Thank you,



Mike Litterer

Director CSBD

Cedar Falls Utilities

Office 319-268-5206

www.cfu.net



CFU map_v4_provider_challenge_form 7.15.21.xlsx
174K



A. APPELLANT INFORMATION

Company Name	Cedar Falls Utilities
Address	1 Utility Parkway
City	Cedar Falls
State	Iowa
Zip	50613

B. DESIGNATED CONTACT INFORMATION

Contact Name	Michael Charles Litterer
Contact Phone Number	319-268-5206
Contact Email	mike.litterer@cfunet.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.)

Cedar Falls Utilities provides communication services, via a mix of fiber and fixed wireless solutions, for our rural electric territory that is roughly 90 square miles that extends west from Cedar Falls to near Dike, then north to the New Hartford area, east to south of Janesville and back to NW Cedar Falls. A large percentage of this area is reported as non-TSA per the recent Broadband Grant. To a large extent this is a result of BTWI reporting 100/50 service in a good share of this area. We recently surveyed our rural customers and did not find ANY reports of this provider serving anyone in this area, none-the-less providing 100/50 service as stated on the map eliminating these areas from funding. Nor do other wireless companies provide service above a Tier 2 service in these areas according to our survey results. We question the ability for BTWI to provide the service and the speeds listed on the map. They do not have a 100 mbps option on their website for residential customers which is inconsistent with their claims and doesn't meet the requirements to provide the service to the customers in those census blocks.

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:	Michael Charles Litterer
Title:	Director of Customer Service & Business Development
Date:	14-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 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 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 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.

CENSUS BLOCK ID	Prior Reporting to FCC or Connected Nation Definitions 1. <u>In Error</u> means data was reported incorrectly to FCC or Connected Nation. 2. <u>Correct</u> means data was reported corectly to FCC or Connected Nation. 3. <u>No Response</u> means data was not reported to FCC or Connected Nation. 4. <u>Unknown</u> means data is incorrect for unknown reasons	Speed Tier that is reflected on Map v.4	What do you believe the Map should reflect for Facilitated service as of July1, 2021?
19013-0026031091	Unknown	Non-TSA	Tier 2
19013-0026031092	Unknown	Non-TSA	Tier 2
19013-0026031093	Unknown	Non-TSA	Tier 2
19013-0026031094	Unknown	Non-TSA	Tier 2
19013-0026031095	Unknown	Non-TSA	Tier 2
19013-0026031096	Unknown	Non-TSA	Tier 2
19013-0026031097	Unknown	Non-TSA	Tier 2
19013-0026031098	Unknown	Non-TSA	Tier 2
19013-0026031099	Unknown	Non-TSA	Tier 2
19013-0026031100	Unknown	Non-TSA	Tier 2
19013-0026031101	Unknown	Non-TSA	Tier 2
19013-0026031102	Unknown	Non-TSA	Tier 2
19013-0026034016	Unknown	Non-TSA	Tier 2
19013-0026034037	Unknown	Non-TSA	Tier 2
19013-0026034047	Unknown	Non-TSA	Tier 2
19013-0030021028	Unknown	Non-TSA	Tier 2
19013-0030021033	Unknown	Non-TSA	Tier 2
19013-0030021034	Unknown	Non-TSA	Tier 2
19023-0705002058	Unknown	Non-TSA	Tier 2
19023-0705002059	Unknown	Non-TSA	Tier 2
19023-0705002066	Unknown	Non-TSA	Tier 2
19023-0705002067	Unknown	Non-TSA	Tier 2
19023-0705002068	Unknown	Non-TSA	Tier 2



Grants, OCIO <ociogrants@iowa.gov>

Revised Challenge Form

1 message

Mike Litterer <Mike.Litterer@cfunet.net>

Mon, Jul 19, 2021 at 2:52 PM

To: "ociogrants@iowa.gov" <ociogrants@iowa.gov>

Cc: Renee Knoop <rknoop@consortiaconsulting.com>, Kent Halder <Kent.Halder@cfunet.net>

Attached please find a revised challenge form for CFU. After discussing the form and process with Dave, this reflects the areas for the challenge. Please use this revised version, which removes a few census blocks from the area.

Please let me know if you have any questions.

Thanks



Mike Litterer

Director CSBD

Cedar Falls Utilities

Office 319-268-5206

www.cfu.net



CFU map_v4_provider_challenge_form 7.19.21 Revised.xlsx

183K



A. APPELANT INFORMATION	
Company Name	Cedar Falls Utilities
Address	1 Utility Parkway
City	Cedar Falls
State	Iowa
Zip	50613
B. DESIGNATED CONTACT INFORMATION	
Contact Name	Michael Charles Litterer
Contact Phone Number	319-268-5206
Contact Email	mike.litterer@cfunet.net
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>	
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.	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>
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>Cedar Falls Utilities provides communication services, via a mix of fiber and fixed wireless solutions, for our rural electric territory that is roughly 90 square miles that extends west from Cedar Falls to near Dike, then north to the New Hartford area, east to south of Janesville and back to NW Cedar Falls. A large percentage of this area is reported as non-TSA per the recent Broadband Grant. To a large extent this is a result of BTWI reporting 100/50 service in a good share of this area. We recently surveyed our rural customers and did not find ANY reports of this provider serving anyone in this area, none-the-less providing 100/50 service as stated on the map eliminating these areas from funding. Nor do other wireless companies provide service above a Tier 2 service in these areas according to our survey results. We question the ability for BTWI to provide the service and the speeds listed on the map. They do not have a 100 mbps option on their website for residential customers which is inconsistent with their claims and doesn't meet the requirements to provide the service to the customers in those census blocks.</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:	Michael Charles Litterer
Title:	Director of Customer Service & Business Development
Date:	19-Jul-21 Revised

***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 an 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.

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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 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.

CENSUS BLOCK ID	Prior Reporting to FCC or Connected Nation Definitions 1. <u>In Error</u> means data was reported incorrectly to FCC or Connected Nation. 2. <u>Correct</u> means data was reported corectly to FCC or Connected Nation. 3. <u>No Response</u> means data was not reported to FCC or Connected Nation. 4. <u>Unknown</u> means data is incorrect for unknown reasons	Speed Tier that is reflected on Map v.4	What do you believe the Map should reflect for Facilitated service as of July1, 2021?
19013-0026031091	Unknown	Non-TSA	Tier 2
19013-0026031092	Unknown	Non-TSA	Tier 2
19013-0026031093	Unknown	Non-TSA	Tier 2
19013-0026031094	Unknown	Non-TSA	Tier 2
19013-0026031095	Unknown	Non-TSA	Tier 2
19013-0026031096	Unknown	Non-TSA	Tier 2
19013-0026031097	Unknown	Non-TSA	Tier 2
19013-0026031098	Unknown	Non-TSA	Tier 2
19013-0026031099	Unknown	Non-TSA	Tier 2
19013-0026031100	Unknown	Non-TSA	Tier 2
19013-0026031101	Unknown	Non-TSA	Tier 2
19013-0026031102	Unknown	Non-TSA	Tier 2
19013-0026034016	Unknown	Non-TSA	Tier 2
19013-0026034037	Unknown	Non-TSA	Tier 2
19013-0026034047	Unknown	Non-TSA	Tier 2
19013-0030021028	Unknown	Non-TSA	Tier 2
19013-0030021033	Unknown	Non-TSA	Tier 2
19013-0030021034	Unknown	Non-TSA	Tier 2
19023-0705002058	Unknown	Non-TSA	Tier 2
19023-0705002059	Unknown	Non-TSA	Tier 2
19023-0705002066	Unknown	Non-TSA	Tier 2
19023-0705002067	Unknown	Non-TSA	Tier 2
19023-0705002068	Unknown	Non-TSA	Tier 2

APPENDIX C
THIRD-PARTY AFFIRMATIONS AND SUPPLEMENTAL EVIDENCE



KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

ANNETTE DUNN
CHIEF INFORMATION OFFICER

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

BTWI Wireless Internet
Jeff Leerhoff
jeff@btwi.net

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 21-1011, 21-1013, 21-1030, 21-1037, 21-1038). **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	Bits of Technology Wireless Internet (dba:BTWI)
Address	1020 26th St
City	Perry
State	IA
Zip	50220

B. DESIGNATED CONTACT INFORMATION

Contact Name	Jeff Leerhoff
Contact Phone Number	515-465-3043
Contact Email	jeff@btwi.net

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.

Please see the attached response pages for each appeal that was filed, along with supporting documentation. Note: please see attached response pages for explanation of columns added to the Affirmation spreadsheet.

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:	Jeff Leerhoff
Title:	Co-Owner and General Manager
Date:	8/10/2021

*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	APPELLANT	NOTES:
190130026031091	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026031092	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026031093	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026031094	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190130026031095	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190130026031096	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190130026031097	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026031098	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026031099	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026031100	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026031101	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026031102	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026034016	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190130026034037	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190130026034047	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190130030021028	No	----	----	CFU	Decommissioned tower and equipment caused change in status

190130030021033	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190130030021034	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190230705002058	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190230705002059	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190230705002066	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190230705002067	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190230705002068	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190230705002071	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190230705003000	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190230705003010	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190230705003011	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190230705003012	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190230705003059	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190759601002001	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002002	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002007	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002008	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002009	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002010	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002012	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002013	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002018	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002020	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002021	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002022	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002023	Yes	50	16	CFU	Decommissioned tower and equipment caused change in status
190759601002027	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190759601002028	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190759601002029	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190759601002038	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190759601002041	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190759601002044	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190759601002045	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190759601002047	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190759601002057	No	----	----	CFU	Decommissioned tower and equipment caused change in status
190490505002023	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service
190490505002079	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service
190490505002080	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service
190490505002081	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service

190490505002085	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190490505002088	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190490505002089	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190490505002090	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190490505002091	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190490505002093	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190490505002094	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190490505002124	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190490505002129	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190490505002130	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001094	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M, Windstream has 100M, & Minburn has 1G service		
190779501001095	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001096	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001104	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M, Windstream has 100M, & Minburn has 1G service		
190779501001105	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001106	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001108	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001109	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001110	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001112	Yes	100Mbps	50Mbps	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001116	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001117	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001142	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190779501001143	No	----	----	Panora	Per OCIO Map v4, Panora has 50M & Windstream has 100M service		
190693601002009	Yes	100Mbps	50Mbps	Dumont			
190693601002010	Yes	100Mbps	50Mbps	Dumont			
190693601002025	Yes	100Mbps	50Mbps	Dumont			
190693601002031	Yes	100Mbps	50Mbps	Dumont			
190693601002034	Yes	100Mbps	50Mbps	Dumont			
190693601002036	Yes	100Mbps	50Mbps	Dumont			
190693601002038	Yes	100Mbps	50Mbps	Dumont			
190693601002039	Yes	100Mbps	50Mbps	Dumont			
190693601002053	Yes	100Mbps	50Mbps	Dumont			
190693601002054	Yes	100Mbps	50Mbps	Dumont			
190693601002068	Yes	100Mbps	50Mbps	Dumont			
190693601002071	Yes	100Mbps	50Mbps	Dumont			
190693601002072	Yes	100Mbps	50Mbps	Dumont			
190693601002073	Yes	100Mbps	50Mbps	Dumont			
190693601002074	Yes	100Mbps	50Mbps	Dumont			

190693601002076	Yes	100Mbps	50Mbps	Dumont			
190693601002079	Yes	100Mbps	50Mbps	Dumont			
190693601002080	Yes	100Mbps	50Mbps	Dumont			
190693601002082	Yes	100Mbps	50Mbps	Dumont			
190693601002084	Yes	100Mbps	50Mbps	Dumont			
190693601002088	Yes	100Mbps	50Mbps	Dumont			
190693601002096	Yes	100Mbps	50Mbps	Dumont			
190693601002097	Yes	100Mbps	50Mbps	Dumont			
190693601002098	Yes	100Mbps	50Mbps	Dumont			
190693601002099	Yes	100Mbps	50Mbps	Dumont			
190693601002110	Yes	100Mbps	50Mbps	Dumont			
190693601002112	Yes	100Mbps	50Mbps	Dumont			
190693601002116	Yes	100Mbps	50Mbps	Dumont			
190693601002118	Yes	100Mbps	50Mbps	Dumont			
190693601002119	Yes	100Mbps	50Mbps	Dumont			
190693601002122	Yes	100Mbps	50Mbps	Dumont			
190693601002124	Yes	100Mbps	50Mbps	Dumont			
190693601002127	Yes	100Mbps	50Mbps	Dumont			
190693601002128	Yes	100Mbps	50Mbps	Dumont			
190693601002131	Yes	100Mbps	50Mbps	Dumont			
190693601002138	Yes	100Mbps	50Mbps	Dumont			
190693601002139	Yes	100Mbps	50Mbps	Dumont			
190693601002140	Yes	100Mbps	50Mbps	Dumont			
190693601002142	Yes	100Mbps	50Mbps	Dumont			
190693601002144	Yes	100Mbps	50Mbps	Dumont			
190693601002151	Yes	100Mbps	50Mbps	Dumont			
190693601002153	Yes	100Mbps	50Mbps	Dumont			
190693601002159	Yes	100Mbps	50Mbps	Dumont			
190693601003017	Yes	100Mbps	50Mbps	Dumont			
190693601003018	Yes	100Mbps	50Mbps	Dumont			
190693601003019	Yes	100Mbps	50Mbps	Dumont			
190693601003020	Yes	100Mbps	50Mbps	Dumont			
190693601003024	Yes	100Mbps	50Mbps	Dumont			
190693601003026	Yes	100Mbps	50Mbps	Dumont			
190693601003028	Yes	100Mbps	50Mbps	Dumont			
190693601003030	Yes	100Mbps	50Mbps	Dumont			
190693601003033	Yes	100Mbps	50Mbps	Dumont			
190693601003292	Yes	100Mbps	50Mbps	Dumont			
190693601003293	Yes	100Mbps	50Mbps	Dumont			

190693602001086	Yes	100Mbps	50Mbps	Dumont			
190693602001092	Yes	100Mbps	50Mbps	Dumont			
					BTWI subscribers per reported census H/S/B	Range of DL speeds subscribed through BTWI	
190150206001212	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190150206001215	Yes	100Mbps	50Mbps	Minburn	4 of 9	20M-50M	
190150206001218	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190150206001233	Yes	100Mbps	50Mbps	Minburn	1 of 1	10M	
190150206001239	Yes	100Mbps	50Mbps	Minburn	1 of 1	30M	
190150206001240	Yes	100Mbps	50Mbps	Minburn	3 of 5	30M-50M	
190150206001241	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190150206001242	Yes	100Mbps	50Mbps	Minburn	4 of 5	20M-50M	
190150206001245	Yes	100Mbps	50Mbps	Minburn	1 of 9	20M	
190150206001247	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190150206001249	Yes	100Mbps	50Mbps	Minburn	0 of 6	-	
190150206001250	Yes	100Mbps	50Mbps	Minburn	2 of 8	10M-20M	
190150206001251	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190150206001252	Yes	100Mbps	50Mbps	Minburn	1 of 2	10M	
190150206001253	Yes	100Mbps	50Mbps	Minburn	3 of 6	10M-30M	
190150206001255	Yes	100Mbps	50Mbps	Minburn	3 of 4	20M-50M	
190150206001256	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190150206001257	Yes	100Mbps	50Mbps	Minburn	1 of 3	100M	
190150206001258	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190150206001259	Yes	100Mbps	50Mbps	Minburn	1 of 2	20M	
190150206001278	Yes	100Mbps	50Mbps	Minburn	2 of 3	50M	
190150206001279	Yes	100Mbps	50Mbps	Minburn	2 of 3	50M	
190150206001280	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190150206001281	Yes	100Mbps	50Mbps	Minburn	1 of 1	50M	
190150206001282	Yes	100Mbps	50Mbps	Minburn	1 of 2	15M	
190150206001283	Yes	100Mbps	50Mbps	Minburn	3 of 10	4M-20M	
190150206001284	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190150206001285	Yes	100Mbps	50Mbps	Minburn	7 of 14	10M-50M	
190150206001286	Yes	100Mbps	50Mbps	Minburn	35 of 41	4M-200M	
190150206001287	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190150206001288	Yes	100Mbps	50Mbps	Minburn	2 of 6	15M-50M	
190150206001289	Yes	100Mbps	50Mbps	Minburn	3 of 3	15M-50M	
190150206001290	Yes	100Mbps	50Mbps	Minburn	5 of 9	10M-50M	
190150206001291	Yes	100Mbps	50Mbps	Minburn	1 of 1	30M	

190150206001292	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190150206001293	Yes	100Mbps	50Mbps	Minburn	1 of 2	10M	
190150206001294	Yes	100Mbps	50Mbps	Minburn	3 of 3	10M-50M	
190150206001295	Yes	100Mbps	50Mbps	Minburn	3 of 5	10M-15M	
190150206001296	Yes	100Mbps	50Mbps	Minburn	3 of 3	30M-50M	
190150206001332	Yes	100Mbps	50Mbps	Minburn	2 of 3	10M-50M	
190490502002009	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490502002010	Yes	100Mbps	50Mbps	Minburn	4 of 6	15M-30M	
190490502002011	Yes	100Mbps	50Mbps	Minburn	2 of 3	15M-20M	
190490502002012	Yes	100Mbps	50Mbps	Minburn	1 of 2	20M	
190490502002013	Yes	100Mbps	50Mbps	Minburn	5 of 18	20M-50M	
190490502002014	Yes	100Mbps	50Mbps	Minburn	1 of 1	20M	
190490502002015	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490502002016	Yes	100Mbps	50Mbps	Minburn	1 of 4	50M	
190490502002039	Yes	100Mbps	50Mbps	Minburn	4 of 8	20M-50M	
190490502002040	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490502002041	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490502002042	Yes	100Mbps	50Mbps	Minburn	1 of 1	50M	
190490502002043	Yes	100Mbps	50Mbps	Minburn	10 of 11	10M-50M	
190490502002044	Yes	100Mbps	50Mbps	Minburn	0 of 6	-	
190490502002046	Yes	100Mbps	50Mbps	Minburn	0 of 5	-	
190490502002047	Yes	100Mbps	50Mbps	Minburn	2 of 3	50M	
190490502002048	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490502002049	Yes	100Mbps	50Mbps	Minburn	2 of 10	15M-20M	
190490502002050	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490502002081	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490502002082	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490502002090	Yes	100Mbps	50Mbps	Minburn	1 of 3	50M	
190490503001035	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490503003001	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490503003007	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490504001025	Yes	100Mbps	50Mbps	Minburn	1 of 2	50M	
190490504001029	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490504001060	Yes	100Mbps	50Mbps	Minburn	1 of 1	10M	(Note: census data is incorrect)
190490504001061	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490504003004	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490504003005	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001000	Yes	100Mbps	50Mbps	Minburn	4 of 7	10M-50M	
190490505001001	Yes	100Mbps	50Mbps	Minburn	2 of 10	30M	

190490505001002	Yes	100Mbps	50Mbps	Minburn	4 of 8	10M-50M	
190490505001003	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001004	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505001006	Yes	100Mbps	50Mbps	Minburn	5 of 11	10M-50M	
190490505001009	Yes	100Mbps	50Mbps	Minburn	1 of 1	15M	
190490505001020	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505001021	Yes	100Mbps	50Mbps	Minburn	1 of 3	20M	
190490505001024	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505001027	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505001028	Yes	100Mbps	50Mbps	Minburn	2 of 5	20M-100M	
190490505001029	Yes	100Mbps	50Mbps	Minburn	1 of 1	4M	
190490505001030	Yes	100Mbps	50Mbps	Minburn	3 of 5	10M-50M	
190490505001031	Yes	100Mbps	50Mbps	Minburn	10 of 20	10M-50M	
190490505001032	Yes	100Mbps	50Mbps	Minburn	1 of 2	10M	
190490505001033	Yes	100Mbps	50Mbps	Minburn	4 of 9	15M-30M	
190490505001034	Yes	100Mbps	50Mbps	Minburn	1 of 6	20M	
190490505001045	Yes	100Mbps	50Mbps	Minburn	1 of 3	4M	
190490505001046	Yes	100Mbps	50Mbps	Minburn	3 of 3	20M-50M	
190490505001047	Yes	100Mbps	50Mbps	Minburn	2 of 4	50M	
190490505001048	Yes	100Mbps	50Mbps	Minburn	1 of 2	50M	
190490505001049	Yes	100Mbps	50Mbps	Minburn	1 of 1	10M	
190490505001050	Yes	100Mbps	50Mbps	Minburn	2 of 2	50M	
190490505001051	Yes	100Mbps	50Mbps	Minburn	4 of 7	30M-50M	
190490505001052	Yes	100Mbps	50Mbps	Minburn	5 of 6	15M-50M	
190490505001053	Yes	100Mbps	50Mbps	Minburn	4 of 10	10M-20M	
190490505001054	Yes	100Mbps	50Mbps	Minburn	2 of 7	50M	
190490505001055	Yes	100Mbps	50Mbps	Minburn	1 of 2	15M	
190490505001057	Yes	100Mbps	50Mbps	Minburn	0 of 9	-	
190490505001058	Yes	100Mbps	50Mbps	Minburn	0 of 6	-	
190490505001059	Yes	100Mbps	50Mbps	Minburn	1 of 16	15M	
190490505001060	Yes	100Mbps	50Mbps	Minburn	1 of 11	50M	
190490505001062	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505001065	Yes	100Mbps	50Mbps	Minburn	1 of 18	50M	
190490505001069	Yes	100Mbps	50Mbps	Minburn	6 of 11	20M-50M	
190490505001071	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505001073	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505001074	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490505001075	Yes	100Mbps	50Mbps	Minburn	1 of 2	15M	
190490505001076	Yes	100Mbps	50Mbps	Minburn	3 of 3	10M-50M	

190490505001077	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505001078	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505001079	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001080	Yes	100Mbps	50Mbps	Minburn	1 of 7	20M	
190490505001081	Yes	100Mbps	50Mbps	Minburn	2 of 3	10M-15M	(Note: census data is incorrect)
190490505001082	Yes	100Mbps	50Mbps	Minburn	1 of 2	10M	(Note: census data is incorrect)
190490505001083	Yes	100Mbps	50Mbps	Minburn	1 of 3	50M	
190490505001089	Yes	100Mbps	50Mbps	Minburn	2 of 4	10M	
190490505001098	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001099	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001104	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001105	Yes	100Mbps	50Mbps	Minburn	1 of 3	20M	
190490505001110	Yes	100Mbps	50Mbps	Minburn	3 of 5	4M-100M	
190490505001111	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505001112	Yes	100Mbps	50Mbps	Minburn	1 of 3	4M	
190490505001113	Yes	100Mbps	50Mbps	Minburn	2 of 3	10M-20M	
190490505001114	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505001115	Yes	100Mbps	50Mbps	Minburn	1 of 4	10M	
190490505001116	Yes	100Mbps	50Mbps	Minburn	0 of 4	-	
190490505001118	Yes	100Mbps	50Mbps	Minburn	0 of 4	-	
190490505001119	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001120	Yes	100Mbps	50Mbps	Minburn	0 of 5	-	
190490505001121	Yes	100Mbps	50Mbps	Minburn	3 of 6	30M-50M	
190490505001122	Yes	100Mbps	50Mbps	Minburn	0 of 5	-	
190490505001127	Yes	100Mbps	50Mbps	Minburn	2 of 5	30M-50M	
190490505001128	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001129	Yes	100Mbps	50Mbps	Minburn	1 of 1	20M	
190490505001130	Yes	100Mbps	50Mbps	Minburn	3 of 3	10M-30M	
190490505001134	Yes	100Mbps	50Mbps	Minburn	1 of 2	10M	
190490505001135	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490505001145	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001146	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505001147	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505001148	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001149	Yes	100Mbps	50Mbps	Minburn	1 of 2	4M	
190490505001150	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505001168	Yes	100Mbps	50Mbps	Minburn	1 of 2	15M	
190490505001169	Yes	100Mbps	50Mbps	Minburn	2 of 4	30M	
190490505001208	Yes	100Mbps	50Mbps	Minburn	3 of 13	15M-50M	

190730801001117	Yes	100Mbps	50Mbps	Minburn	1 of 1	50M	
190730801001119	Yes	100Mbps	50Mbps	Minburn	1 of 2	10M	
190730801001120	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190730801001153	Yes	100Mbps	50Mbps	Minburn	1 of 1	15M	
190730801001155	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190730801001159	Yes	100Mbps	50Mbps	Minburn	1 of 2	20M	
190730801001161	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190730801001167	Yes	100Mbps	50Mbps	Minburn	0 of 5	-	
190490501003037	Yes	100Mbps	50Mbps	Minburn	2 of 6	50M	
190490501003038	Yes	100Mbps	50Mbps	Minburn	0 of 9	-	
190490501003055	Yes	100Mbps	50Mbps	Minburn	0 of 9	-	
190490501003061	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490501003062	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490501004031	Yes	100Mbps	50Mbps	Minburn	1 of 32	20M	
190490501004032	Yes	100Mbps	50Mbps	Minburn	0 of 19	-	
190490501004034	Yes	100Mbps	50Mbps	Minburn	0 of 13	-	
190490501004035	Yes	100Mbps	50Mbps	Minburn	1 of 11	15M	
190490501004041	Yes	100Mbps	50Mbps	Minburn	6 of 16	20M-50M	
190490501004042	Yes	100Mbps	50Mbps	Minburn	1 of 3	10M	
190490501004043	Yes	100Mbps	50Mbps	Minburn	0 of 7	-	
190490502001000	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490502001002	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490502001003	Yes	100Mbps	50Mbps	Minburn	0 of 6	-	
190490502001004	Yes	100Mbps	50Mbps	Minburn	1 of 9	20M	
190490502001032	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490502001035	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490502001036	Yes	100Mbps	50Mbps	Minburn	0 of 6	-	
190490502001037	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490502001038	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490502001039	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490502001040	Yes	100Mbps	50Mbps	Minburn	0 of 5	-	
190490502001041	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490502001042	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490502001043	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490502001044	Yes	100Mbps	50Mbps	Minburn	0 of 5	-	
190490502001045	Yes	100Mbps	50Mbps	Minburn	0 of 7	-	
190490502001046	Yes	100Mbps	50Mbps	Minburn	1 of 1	10M	
190490502001047	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490502001048	Yes	100Mbps	50Mbps	Minburn	0 of 14	-	

190490502001051	Yes	100Mbps	50Mbps	Minburn	0 of 10	-	
190490502001056	Yes	100Mbps	50Mbps	Minburn	1 of 13	20M	
190490502001057	Yes	100Mbps	50Mbps	Minburn	1 of 1	20M	
190490502001064	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490502001065	Yes	100Mbps	50Mbps	Minburn	0 of 4	-	
190490502001066	Yes	100Mbps	50Mbps	Minburn	0 of 7	-	
190490502002093	Yes	100Mbps	50Mbps	Minburn	0 of 5	-	
190490502002094	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490502003000	Yes	100Mbps	50Mbps	Minburn	0 of 5	-	
190490502003002	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490502003003	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001170	Yes	100Mbps	50Mbps	Minburn	1 of 16	50M	
190490505001171	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505001172	Yes	100Mbps	50Mbps	Minburn	0 of 4	-	
190490505001176	Yes	100Mbps	50Mbps	Minburn	1 of 4	15M	
190490505001177	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490505001178	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505001179	Yes	100Mbps	50Mbps	Minburn	2 of 4	50M	
190490505001182	Yes	100Mbps	50Mbps	Minburn	0 of 4	-	
190490505002001	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505002002	Yes	100Mbps	50Mbps	Minburn	3 of 9	10M-30M	
190490505002004	Yes	100Mbps	50Mbps	Minburn	2 of 4	20M	
190490505002005	Yes	100Mbps	50Mbps	Minburn	2 of 4	20M-50M	
190490505002006	Yes	100Mbps	50Mbps	Minburn	3 of 4	4M-50M	
190490505002007	Yes	100Mbps	50Mbps	Minburn	1 of 2	50M	
190490505002008	Yes	100Mbps	50Mbps	Minburn	5 of 9	20M-30M	
190490505002048	Yes	100Mbps	50Mbps	Minburn	2 of 2	15M	
190490505002049	Yes	100Mbps	50Mbps	Minburn	2 of 4	15M-50M	
190490505002051	Yes	100Mbps	50Mbps	Minburn	1 of 3	50M	
190490505002052	Yes	100Mbps	50Mbps	Minburn	1 of 1	4M	
190490505002053	Yes	100Mbps	50Mbps	Minburn	0 of 1	-	
190490505002057	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505002058	Yes	100Mbps	50Mbps	Minburn	2 of 4	30M	
190490505002059	Yes	100Mbps	50Mbps	Minburn	1 of 2	30M	
190490505002060	Yes	100Mbps	50Mbps	Minburn	0 of 2	-	
190490505002061	Yes	100Mbps	50Mbps	Minburn	3 of 4	15M-30M	
190490505002062	Yes	100Mbps	50Mbps	Minburn	1 of 6	50M	
190490505002063	Yes	100Mbps	50Mbps	Minburn	0 of 7	-	
190490505002064	Yes	100Mbps	50Mbps	Minburn	0 of 5	-	

190490505002065	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490505002066	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490505002070	Yes	100Mbps	50Mbps	Minburn	1 of 6	20M	
190490505002071	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505002072	Yes	100Mbps	50Mbps	Minburn	1 of 1	50M	
190490505002073	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505002074	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490505002076	Yes	100Mbps	50Mbps	Minburn	0 of 4	-	
190490505002077	Yes	100Mbps	50Mbps	Minburn	1 of 4	15M	
190490505002119	Yes	100Mbps	50Mbps	Minburn	0 of 4	-	
190490505002120	Yes	100Mbps	50Mbps	Minburn	0 of 3	-	
190490505002122	Yes	100Mbps	50Mbps	Minburn	2 of 7	50M	
190490505002128	Yes	100Mbps	50Mbps	Minburn	0 of 0	N/A	
190490507001003	Yes	100Mbps	50Mbps	Minburn	1 of 10	50M	

BTWI

Response to Appeals Regarding OCIO Broadband Availability Map v4

Regarding Cedar Falls Utilities appeal:

Cedar Falls Utilities questioned the ability of our company to provide broadband service in the census blocks which they challenged. To an extent, they are correct.

Within the last few months (after submitting information for Map v4), the reliability of a tower structure became a concern and it was decided to decommission its use as an access point for our fixed wireless broadband.

This affected many of the census blocks that are in CFU's appeal. Others are still serviced by other broadcast point locations, however at a lesser speed level.

BTWI has made modifications on the Affirmation Form reflecting these changes.

BTWI

Response to Appeals Regarding OCIO Broadband Availability Map v4

Regarding Panora Telephone appeal:

Panora Telephone challenged 28 census blocks concerning BTWI. These census blocks were on the outside fringes of our coverage territory near their area of concern.

BTWI utilizes an industry leading propagation map service to determine the fixed wireless footprint from each of our 70+ tower/broadcast locations. I personally reviewed these propagation maps in detail pertaining to these census blocks.

Upon review, there were some census blocks that may have reduced fixed wireless coverage due to in-town obstructions.

BTWI has made modifications on the Affirmation Form reflecting these changes.

Special Note:

All of the census blocks that Panora Telephone listed on our challenge form (and they believe should be at a Tier 1 level) are listed on the OCIO Map v4 as being served by themselves (Panora Communications Fixed Wireless) at a Tier 3 level (50M/15M).

All of them also show Windstream fixed wireless offered at 100M/8M. I believe this was through a Windstream service deployment using CAFII funds. A few of these census blocks even show Panora Telecommunications Fiber at 1000M/250M and/or Minburn Telephone Fiber at 1000M/1000M.

BTWI

Response to Appeals Regarding OCIO Broadband Availability Map v4

Regarding Dumont Telephone appeal:

Dumont Telephone Company presented a detailed 16-page Fixed Wireless Challenge which outlines the challenges faced in providing fixed wireless broadband. Every type of broadband infrastructure faces numerous challenges, even FTTP. This Fixed Wireless Challenge attempts to use a broad paintbrush for all wireless communication to address a very complex technology.

Even the documentation which they provided from Everett Kingery P.E. of HunTel Engineering has disclaimers. As stated on page 6 of the document: "NOTE: This configuration does not represent the actual configuration for these locations, but is being used for demonstration purposes only." And on page 16: "The performance for a wireless network can not be given in general terms, covering a large area. Each location needs to be evaluated on its own."

Fixed wireless has been used successfully for many years to bring broadband efficiently and effectively to rural locations and communities. Even today, much larger companies such as Google, Microsoft, Windstream, AT&T, and others are deploying fixed wireless technology to help bridge the digital divide.

A properly designed and managed fixed wireless network can (and does) provide the speed offerings reported to the OCIO in a reliable, consistent manner.

Dumont Telephone Company fails to provide any direct, substantiated evidence that the speeds claimed to be offered in these census blocks are not available to the consumer. Their challenge is simply an attack on a form of technology which differs from theirs.

And as OCIO clearly states: "Broadband Infrastructure is NOT a basis for appeal."

BTWI stands by the information as reported.

BTWI

Response to Appeals Regarding OCIO Broadband Availability Map v4

Regarding Minburn Telephone appeal:

BTWI was challenged by Minburn Telephone on 243 census blocks. Of those challenged blocks, 11% (27 of the 243) had Households/Businesses/Schools listed as "0" on the OCIO Map v4, so are effectively irrelevant.

As noted in their challenge, "Mediacom, CenturyLink, and Windstream are also claiming to provide broadband services in the area with each covering less than 5% and 48% respectively." I will note that BTWI provides broadband service to 100% of these census blocks as we reported to Connected Nation for the OCIO Map v4, in addition to FCC 477 filings. I assume this is the reason for targeting BTWI in their challenge documents.

Minburn Telephone is using inaccurate, outdated, and manipulated information in an attempt to support their own agenda to get funding to overrun areas which are already adequately served with high-speed broadband, and have been for years.

I will address each portion of their documents in the order presented:

Dallas County Information: Information provided by HR Green and the Greater Des Moines Partnership

This is data collected from consumers performing their own speed tests at home. The information presented here is highly flawed because, at best, it could only consider the reported speeds that consumers are **subscribed** to, not what they are **capable of receiving**. In addition to that:

- 1) there are potential home wifi router issues
- 2) tests taken by devices with a poor wifi signal from their home router report poor results
- 3) there may be other online applications using bandwidth running in the background on the device performing the test
- 4) other devices (other than the device running the test) could be simultaneously running applications using bandwidth on the home network being tested
- 5) there is possible internet congestion after leaving their internet service provider's own network
- 6) there may be problems with the online speed test website's own servers which can report erroneous results.

All of these considerations and vulnerabilities render their information as highly flawed at the very least, and potentially extremely inaccurate.

I have included a transcript of a portion of a Zoom meeting that I attended which was presented by HR Green and the Greater Des Moines Partnership concerning the information that they collected (which Minburn Telephone referenced as supporting material for their claim). In it, a representative from HR Green was questioned about the accuracy and fallibility of their information. The representative skirted the question and struggled to come up with a sufficient response. A direct answer was never given. (I have not included the actual video clip of this due to potential privacy concerns. I will make it available to OCIO at their specific request.)

Perry Rural Research: Information provided by CheckPoint Solutions

Minburn's data mining process (conducted by CheckPoint Solutions) provides absolutely no information as to how it was performed or what qualifications and parameters were used to ensure the accuracy of the reported information. And there is no explanation of the "data collected from Minburn's the crowd sourcing tool." or how it was collected.

At a minimum, the data does not take into account **predetermined speed limitations** based on the customer's **subscribed** package with their internet service provider. In addition to that:

(please see the 6 items listed previously)

All of these considerations and vulnerabilities render their information as highly flawed at the very least, and potentially extremely inaccurate.

Also, **if** the CheckPoint Solutions data happened to be mined from online speed test servers, consumers typically only run speed tests when they are periodically having a performance issue (no matter what the source of the issue), which would cause a misrepresentation of their typical performance and speeds.

Bits of Technology Wireless Internet Challenge: Analysis of marketing, offering claims, and technical arguments

Minburn Telephone took it upon themselves to photograph and document BTWI's wireless equipment at a site at which they also broadcast fixed wireless. The author proceeds to explain assumptions regarding the limitations of total subscribers (4-6 or 2-3) of each of our access point broadcast equipment (even though they are using similar equipment with more subscribers per access point than they are indicating in this text).

It all boils down to two simple words that they use: "**if dedicated**". In a nutshell, "Dedicated internet" means each household has a dedicated, direct connection out to the internet through their service provider, so that 100% of the customers can receive 100% of their subscribed speed 100% of the time. Your service provider would need to purchase an internet feed with high enough committed capacity to handle this, along with having a dedicated connection for your use only.

No residential internet service provider that I'm aware of provides "dedicated" internet service across their entire network, including FTTP providers. It would be extremely expensive and is usually reserved for large businesses, large metro hospitals, etc.

Because no one uses 100% of their subscribed bandwidth 24 hours a day, 7 days a week, residential internet providers rely on a calculation called "Oversubscription Ratio". A well-managed internet provider (such as BTWI) monitors overall bandwidth usage per customer and patterns in daily usage. This assures that there is always enough bandwidth for all customers when they need it. And with faster speeds available, users are also on and back off the internet quicker.

In the equipment example that Minburn Telephone used, the number of **actual** typical subscribers per access point is 30-35 **in a real-life scenario**. If the threshold is reached where more access points are needed, they are added if/when that happens. BTWI currently has one tower site with 14 wireless access points.

Concerning BTWI's Part 90 license, Minburn Telephone is correct that we have multiple locations properly registered with the FCC. They are also correct that these licenses will be expiring in early 2022. What they do not have at their disposal is knowing that BTWI has been working for over a year to convert these locations to other equipment. With only 3 subscribers left to go, this process should be completed in the next 30-45 days, well ahead of any deadlines.

Regarding the direct mail postcard that was presented, this is an outdated marketing piece that is no longer used.

Residential Affidavits: (please read the notes below)

Eileen Splendore (affidavit regarding CenturyLink): Per a BTWI site survey, this address is serviceable by BTWI, however our records (dating back to January 1, 2018) show that this declarant has never inquired about getting service with us.

Cindy Sohn (affidavit regarding CenturyLink): This is a current customer of BTWI subscribed to a 50M/16M plan.

Daniel Spellman (affidavit regarding CenturyLink): Has contacted us about service. When a technician stopped in June of 2021 to do a site survey, they were turned away.

Cliff Fagen (affidavit regarding BTWI): This address is serviceable by BTWI. Per our phone records of the call, he was offered all plan levels however was recommended the two that he has listed due to his acknowledging limited usage. He also declined a free, no obligation site survey.

Kent Scheib (affidavit regarding CenturyLink): This is a current BTWI customer subscribed to a 50M/16M plan.

David Wambold (affidavit regarding Minburn Comm.): Unknown

Eric Ash (affidavit regarding CenturyLink): This is a current BTWI customer subscribed to a 20M/6M plan.

John Cavanaugh (affidavit regarding BTWI): This is a current customer of BTWI subscribed to a 50M/16M plan. Unknown at this time if he can receive the 100M/50M plan if he so desires, however it is available in other parts of the same census block.

Ray Knapp (affidavit regarding Mediacom): **Does not reside in a census block that is part of this challenge.**

David/Terri Redig (affidavit regarding Minburn Comm.): This address is serviceable by BTWI, however our records (dating back to January 1, 2018) show that this declarant has never inquired about getting service with us.

Amy Peterson (affidavit regarding Viasat): **Does not reside in a census block that is part of this challenge.**

Robert D Davis (affidavit regarding Johnston Com.): **Does not reside in a census block that is part of this challenge.**

Jerry/Kelly Bossard (affidavit regarding Minburn Comm.): This address is serviceable by BTWI, however our records (dating back to January 1, 2018) show that this declarant has never inquired about getting service with us.

Tim Bryte (affidavit regarding Minburn Comm.): **Does not reside in a census block that is part of this challenge.**

IN SUMMARY:

I have completed the Affirmation Form affirming 100M/50M service offered to more than 10% of the geographic area of each census block challenged by Minburn Telephone. BTWI utilizes an industry leading propagation map service to determine fixed wireless footprint from each tower/broadcast locations. I have personally reviewed our propagation maps in detail pertaining to these census blocks.

To help substantiate BTWI's response, I have added columns to the Affirmation spreadsheet showing:

- 1) The number of BTWI subscribers per Map v4 Household/School/Business reported in that block.
- 2) The range of download speeds that are subscribed to by our customers in that block.

My intent is to show the large market share that BTWI has in these challenged census blocks along with demonstrating that our subscribers choose a variety of speed plans (from as low as 4Mbps up to 100Mbps). You will likely note that some areas show a higher market penetration than others due to offering internet service there for over 10 years, while others are more recently served as our company has grown and expanded.

To further substantiate our offerings, I have included a sampling of subscriber invoices (with name and street number removed for privacy). With a grand total of 378 census blocks challenged, it was not practical to obtain invoices throughout all those areas.

Also included are screenshots of various speed test results with notes as to which plan that customer was subscribed to. You will notice that the speed exceeds the plan that's noted. It's BTWI's standard practice to regulate a customer's speed at approximately 20% higher than their selected speed plan to assure they receive the

speed that they're subscribed to. (This does not apply to the 100M/50M or above plans.) Also, I would like to point out the stability of the lines on the speed test.

Even though we offer 100M download service, we have had very few subscribers choose that option due to lack of want/need for that speed. We provide free consultation with our customers to assist them in determining their internet needs, which helps them avoid needless overspending to purchase more speed than they really need.

BTWI has been providing quality high-speed fixed wireless broadband to most of this challenged area for 9-12 years. It is the heart of our coverage territory, and our employees live in these same areas. We are fortunate to have a highly qualified network engineer/designer who also gleans assistance from outside industry professionals. When starting out, we were on the cutting edge with offering 5Mbps when no one else was. Now we're proud to maintain that cutting edge position by offering 100Mbps for those who need it.

Fixed wireless has been used successfully for many years to bring broadband efficiently and effectively to rural locations and communities. Even today, much larger companies such as Google, Microsoft, Windstream, AT&T, and others are deploying fixed wireless technology to bridge the digital divide.

Over the past number of years, a lot of small town/local telephone companies tried to jump on the bandwagon and expand their coverage footprint by experimenting with fixed wireless deployments. Many eventually realized that they lacked the appropriate knowledge, education, and training to be successful. In simple terms, it was out of their normal wheelhouse of operations. Many failed to properly upgrade their equipment with the latest technologies and/or discontinued the fixed wireless portion of their business leaving those customers struggling for reliable internet service.

Now they are downplaying, and sometimes even belittling, the efforts and effectiveness of the fixed wireless providers who specialize in this area of broadband deployment. In the case of Minburn Communications (from information that we've been able to ascertain), they currently have fixed wireless deployed at 3 broadcast locations. In comparison, BTWI expertly maintains a complex fixed wireless network with over 70 broadcast locations.

In fact, BTWI currently provides fixed wireless service to over 10% of a small rural community where FTTP has been in place for over 10 years. A testimonial letter is included for your review.

Over the past number of months, Minburn Communications has executed a highly publicized media, web, and door-to-door campaign soliciting responses from consumers of underserved internet needs. It appears that they only received (or at least submitted) 10 responses out of 945 household/schools/businesses in the census blocks which they challenged. This alone should provide evidence that these areas are adequately served. This is also a testament of BTWI's abilities to serve these areas.

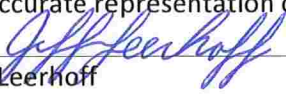
As noted in my introduction, Minburn Telephone is using inaccurate, outdated, and manipulated information in an attempt to support their own agenda to get funding to overrun areas which are already adequately served with high-speed broadband, and have been for years. Unfortunately, this illustrates a poorly orchestrated attempt to attack BTWI for the commitment and effort we've made over the past 12 years to bring high-speed broadband to unserved/underserved areas.

Respectfully Submitted,



Jeff Leerhoff, Co-Owner and General Manager

Transcript from Zoom meeting hosted by Greater Des Moines Partnership and HR Green. I certify that this transcript is an accurate representation of a short unedited clip at the end of the meeting held at 3pm on July 9th, 2021.


Jeff Leerhoff

Speaker 1 (representative from Greater Des Moines Partnership)

Great any....any other...any other thoughts for us, we won't keep everybody if we don't need to, but we appreciate people jumping up quickly for this call. And is...

Speaker 2 (participant of meeting)

Hey (name)....

Speaker 1 (representative from Greater Des Moines Partnership)

(name), do you have a question?

Speaker 2 (participant of meeting)

Yeah I got...I got a question 'cause I find it...um...curious when I look at some of the details I can tell you that there's a lot of market there that I can guarantee it has one gig service where you've got down as basically non-service under 25 megs so what I'm assuming is those...is that data from somebody using a cell phone or somebody choosing a much lower level of broadband speed and doin' the testing versus what's actual available in the market? 'Cause it is what's available in the market, not what people are subscribing to.

Speaker 3 (representative from HR Green)

(name), great question and I appreciate that. (unintelligible)

Um...there...the...um...(long pause)...you know it...it.... (name), these are just...ah...so...so...there...how...how I.....I really appreciate your question because it really does...it is part of this grant process.

So one...ah...we...we do encourage...ah, and we've..... I've said this in several different forums, but I don't think I said it here, so that's another reason I appreciate your question (name).

Um....it is...um...it is good to look for the...ah...the...the reason why we did this cluster map is because it's...it's good to look at the...ah.....not just the one off's or not just the...um...the...areas...um....you know, that there's five green and then one red 'cause I mean that speaks to your point. I mean, that could be that they took it from their cell phone or it could be that they need to check their router, right? I mean...you know...we all know there's different things that can happen with that. (chuckles)

This is meant mainly to say, if...if there's...you know...clusters where it's not showing...ah...what we're...and...and this is just actual speed data, so if there's clusters where actual speed data is showing a certain way, then it...it...then that's information that could be used to kind of dig into and whoever would want to look at that and do that to dig into. OK, so...is... and (name) it could be the point of...ah...is it there's good speed on one side of the street but not on the other? You know? Or is it...is it...you know...it that there's speed that's out at the end of a certain...you know...DSL line or somethin' and gets passed that, and...you know...because that's what...that's what the state will look at to say....oh OK. So yes, there is a street here...um...and there could be gray all around it, but there's a street here.

Um and...and then they'll look at...is there a reason why that street isn't served...is there...is...is it truly not served, or was it just...you know...that they'll look at those things to say is that...um...you know...is...is that really an area that for whatever reason...ah...didn't get served.

So (name), I think the...the...answer to your question is in the granularity of the data. Um and...that's...that's what the state will look at. Great question.

BTWI
1020 26TH ST
PERRY, IA 50220



Service Period
Aug 1, 2021 - Aug 31, 2021

Due Date
Aug 1, 2021

Total amount due
\$0.00

Invoice
30606

[REDACTED]
[REDACTED] V AVE
DALLAS CENTER, IA 50063

Account number 1247206

Current Charges	\$100.00
Taxes/Fees	\$0.00
Credits	\$0.00
Payments Applied	\$100.00

SEE BACK OF PAGE FOR DETAILS

Total due on Aug 1, 2021 \$0.00

Customer Service

Call us at (515) 465-3043

Visit us at <http://www.btwi.net>

A fee of \$5.00 will be applied 7 days after the due date to any unpaid invoices.

Current Charges

Up to 50.0Mbps \$100.00

Payments Applied

Payment on Aug 1, 2021 \$100.00

Total Amount Due

\$0.00

BTWI
1020 26TH ST
PERRY, IA 50220



Service Period
Aug 1, 2021 - Aug 31, 2021

Due Date
Aug 1, 2021

Total amount due
\$0.00

Invoice
30635

[REDACTED]
[REDACTED] 200TH ST
DALLAS CENTER, IA 50063

Account number 1247326

Current Charges	\$102.00
Taxes/Fees	\$0.00
Credits	\$0.00
Payments Applied	\$102.00

SEE BACK OF PAGE FOR DETAILS

Total due on Aug 1, 2021 \$0.00

Customer Service

Call us at (515) 465-3043

Visit us at <http://www.btwi.net>

A fee of \$5.00 will be applied 7 days after the due date to any unpaid invoices.

Current Charges

Up to 50.0Mbps	\$100.00
Printed Invoice	\$2.00

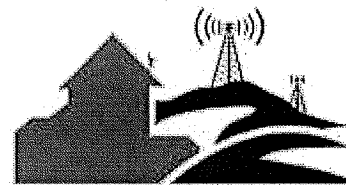
Payments Applied

Payment on Jul 10, 2021	\$102.00
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Total Amount Due

\$0.00

BTWI
1020 26TH ST
PERRY, IA 50220



Service Period
Aug 1, 2021 - Aug 31, 2021

Due Date
Aug 1, 2021

Total amount due
\$0.00

Invoice
29731

[REDACTED]
[REDACTED] 332ND PL
PERRY, IA 50220

Account number 841439

Current Charges	\$245.00
Taxes/Fees	\$0.00
Credits	\$0.00
Payments Applied	\$245.00

SEE BACK OF PAGE FOR DETAILS

Total due on Aug 1, 2021 **\$0.00**

Customer Service

Call us at (515) 465-3043

Visit us at <http://www.btwi.net>

A fee of \$5.00 will be applied 7 days after the due date to any unpaid invoices.

Current Charges

Business Pricing-200Mbps/100Mbps (Includes 1 Static IP) **\$245.00**

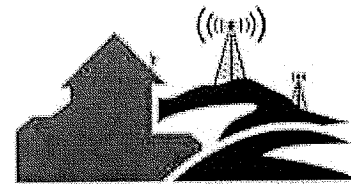
Payments Applied

Payment on Aug 9, 2021 **\$245.00**

Total Amount Due

\$0.00

BTWI
1020 26TH ST
PERRY, IA 50220



Service Period
Aug 1, 2021 - Aug 31, 2021

Due Date
Aug 1, 2021

Total amount due
\$0.00

Invoice
29968

[REDACTED]
[REDACTED] 329TH PL
PERRY, IA 50220

Account number 1171066

Current Charges	\$110.00
Taxes/Fees	\$0.00
Credits	\$0.00
Payments Applied	\$110.00
<hr/>	
Total due on Aug 1, 2021	\$0.00

SEE BACK OF PAGE FOR DETAILS

Customer Service

Call us at (515) 465-3043

Visit us at <http://www.btwi.net>

A fee of \$5.00 will be applied 7 days after the due date to any unpaid invoices.

Current Charges

Up to 50.0Mbps	\$100.00
Static IP Address	\$10.00

Payments Applied

Payment on Aug 1, 2021	\$110.00
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Total Amount Due

\$0.00

BTWI
1020 26TH ST
PERRY, IA 50220



Service Period
Aug 1, 2021 - Aug 31, 2021

Due Date
Aug 1, 2021

Total amount due
\$0.00

Invoice
29943

[REDACTED]
[REDACTED] J AVE
ADEL, IA 50003

Account number 1136817

Current Charges	\$105.00
Taxes/Fees	\$0.00
Credits	\$0.00
Payments Applied	\$105.00

SEE BACK OF PAGE FOR DETAILS

Total due on Aug 1, 2021 \$0.00

Customer Service

Call us at (515) 465-3043

Visit us at <http://www.btwi.net>

A fee of \$5.00 will be applied 7 days after the due date to any unpaid invoices.

Current Charges

Monthly Router Service Plan (Standard)	\$5.00
Up to 50.0Mbps	\$100.00

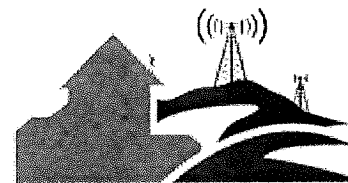
Payments Applied

Payment on Aug 3, 2021	\$105.00
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Total Amount Due

\$0.00

BTWI
1020 26TH ST
PERRY, IA 50220



Service Period
Aug 1, 2021 - Aug 31, 2021

Due Date
Aug 1, 2021

Total amount due
\$0.00

Invoice
30512

[REDACTED]
[REDACTED] 280TH STREET
ADEL, IA 50003

Account number 1246884

Current Charges	\$105.00
Taxes/Fees	\$0.00
Credits	\$0.00
Payments Applied	\$105.00

SEE BACK OF PAGE FOR DETAILS

Total due on Aug 1, 2021 **\$0.00**

Customer Service

Call us at (515) 465-3043

Visit us at <http://www.btwi.net>

A fee of \$5.00 will be applied 7 days after the due date to any unpaid invoices.

Current Charges

Up to 50.0Mbps	\$100.00
Monthly Router Service Plan (Standard)	\$5.00

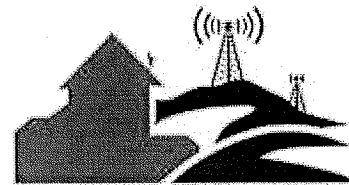
Payments Applied

Payment on Aug 1, 2021	\$105.00
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Total Amount Due

\$0.00

BTWI
1020 26TH ST
PERRY, IA 50220



Service Period
Sep 1, 2021 - Sep 30, 2021

Due Date
Sep 1, 2021

Total amount due
\$105.00

Invoice
31862

[REDACTED]
[REDACTED] 170TH ST
[REDACTED]
GRANGER, IA 50109

Account number 1247375

Current Charges	\$105.00
Taxes/Fees	\$0.00
Credits	\$0.00
Payments Applied	\$0.00

SEE BACK OF PAGE FOR DETAILS

Total due on Sep 1, 2021 **\$105.00**

Customer Service

Call us at (515) 465-3043

Visit us at <http://www.btwi.net>

A fee of \$5.00 will be applied 7 days after the due date to any unpaid invoices.

Current Charges

Monthly Router Service Plan (Standard)	\$5.00
Up to 50.0Mbps	\$100.00

Total Amount Due

\$105.00

BTWI
1020 26TH ST
PERRY, IA 50220



Service Period
Aug 1, 2021 - Aug 31, 2021

Due Date
Aug 1, 2021

Total amount due
\$0.00

Invoice
30372

[REDACTED]
[REDACTED] U AVE
WOODWARD, IA 50276

Account number 1246392

Current Charges	\$100.00
Taxes/Fees	\$0.00
Credits	\$0.00
Payments Applied	\$100.00

SEE BACK OF PAGE FOR DETAILS

Total due on Aug 1, 2021 \$0.00

Customer Service

Call us at (515) 465-3043

Visit us at <http://www.btwi.net>

A fee of \$5.00 will be applied 7 days after the due date to any unpaid invoices.

Current Charges

Up to 50.0Mbps \$100.00

Payments Applied

Payment on Jul 29, 2021 \$100.00

Total Amount Due

\$0.00

BTWI
1020 26TH ST
PERRY, IA 50220



Service Period
Aug 1, 2021 - Aug 31, 2021

Due Date
Aug 1, 2021

Total amount due
\$0.00

Invoice
30636

[REDACTED]
[REDACTED] MADISON ST.
WINTERSET, IA 50273

Account number 1247328

Current Charges	\$185.00
Taxes/Fees	\$0.00
Credits	\$0.00
Payments Applied	\$185.00

SEE BACK OF PAGE FOR DETAILS

Total due on Aug 1, 2021 \$0.00

Customer Service

Call us at (515) 465-3043

Visit us at <http://www.btwi.net>

A fee of \$5.00 will be applied 7 days after the due date to any unpaid invoices.

Current Charges

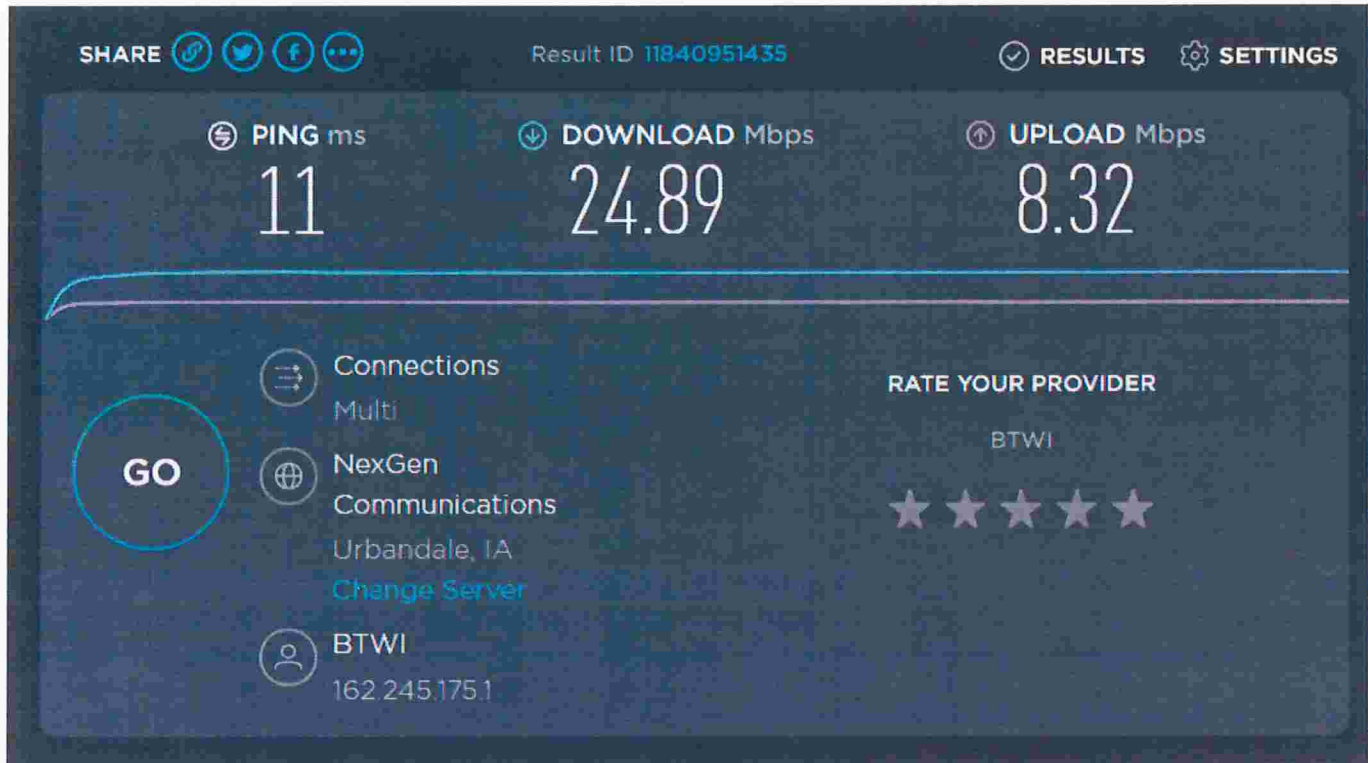
Business Pricing-100Mbps/50Mbps (Includes 1 Static IP) **\$185.00**

Payments Applied

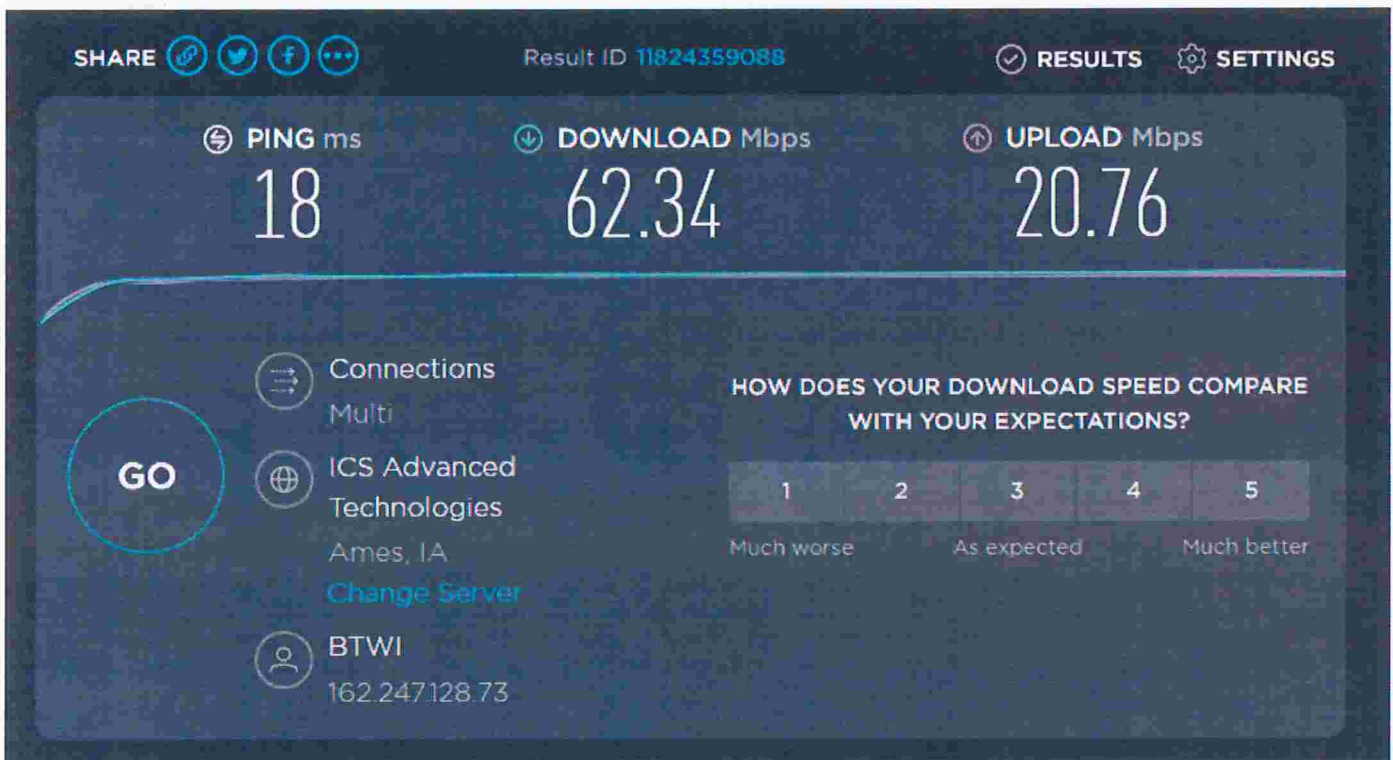
Payment on Aug 9, 2021 **\$185.00**

Total Amount Due

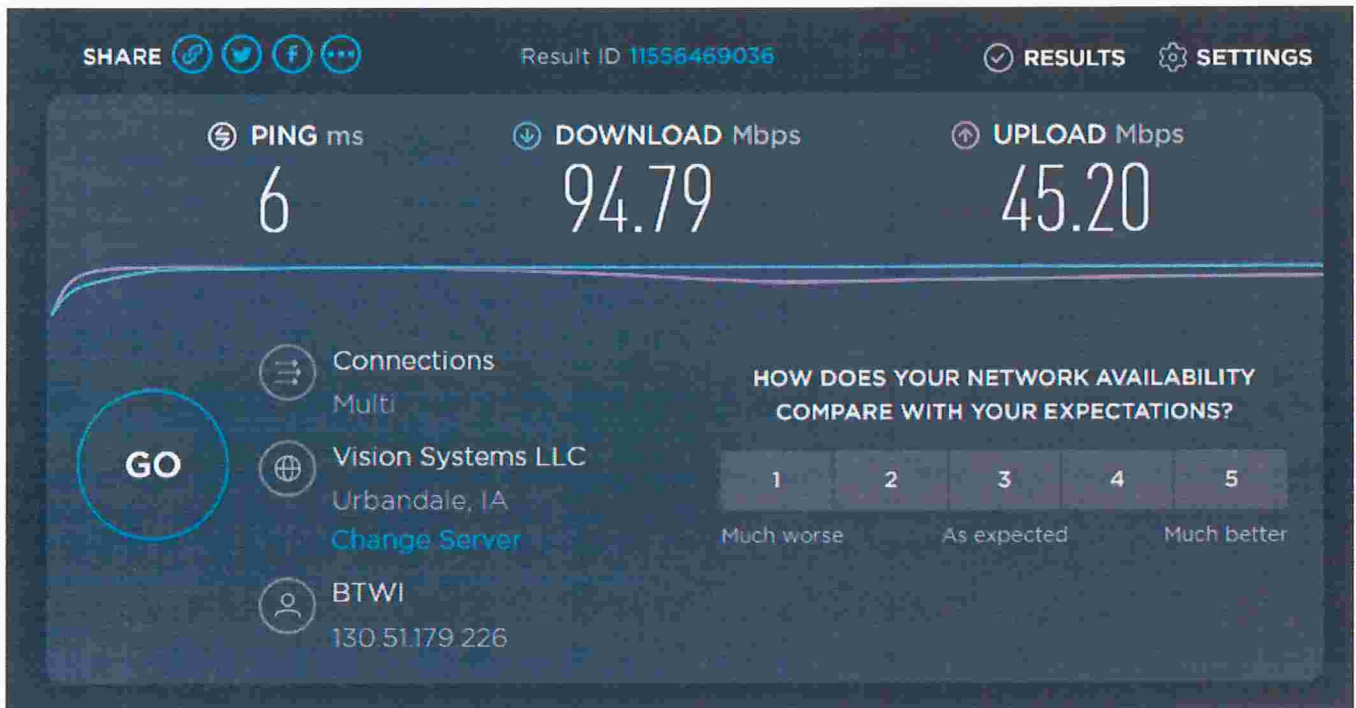
\$0.00



I certify that these results are from an actual speed test across BTWI's network taken from a subscriber's equipment who was subscribed to a 20Mbps plan. *Jeff Henhoff*

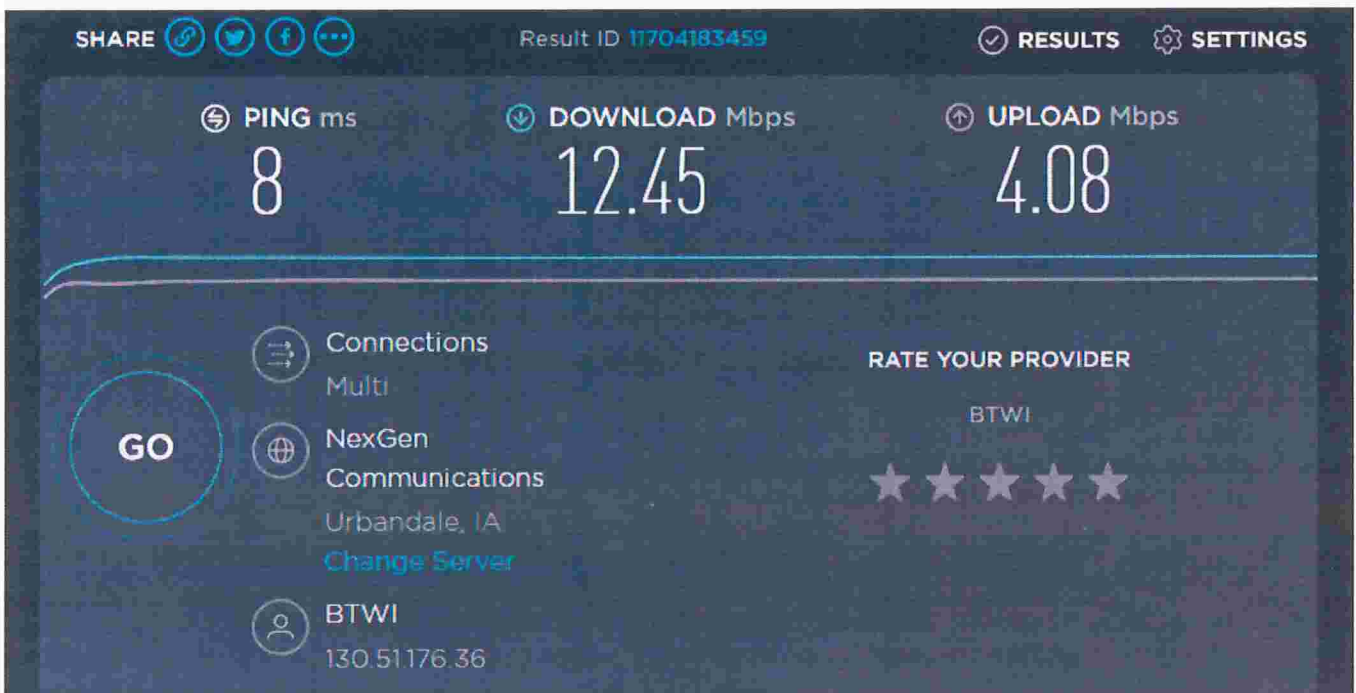


I certify that these results are from an actual speed test across BTWI's network taken from a subscriber's equipment who was subscribed to a 50Mbps plan. *Jeff Henhoff*



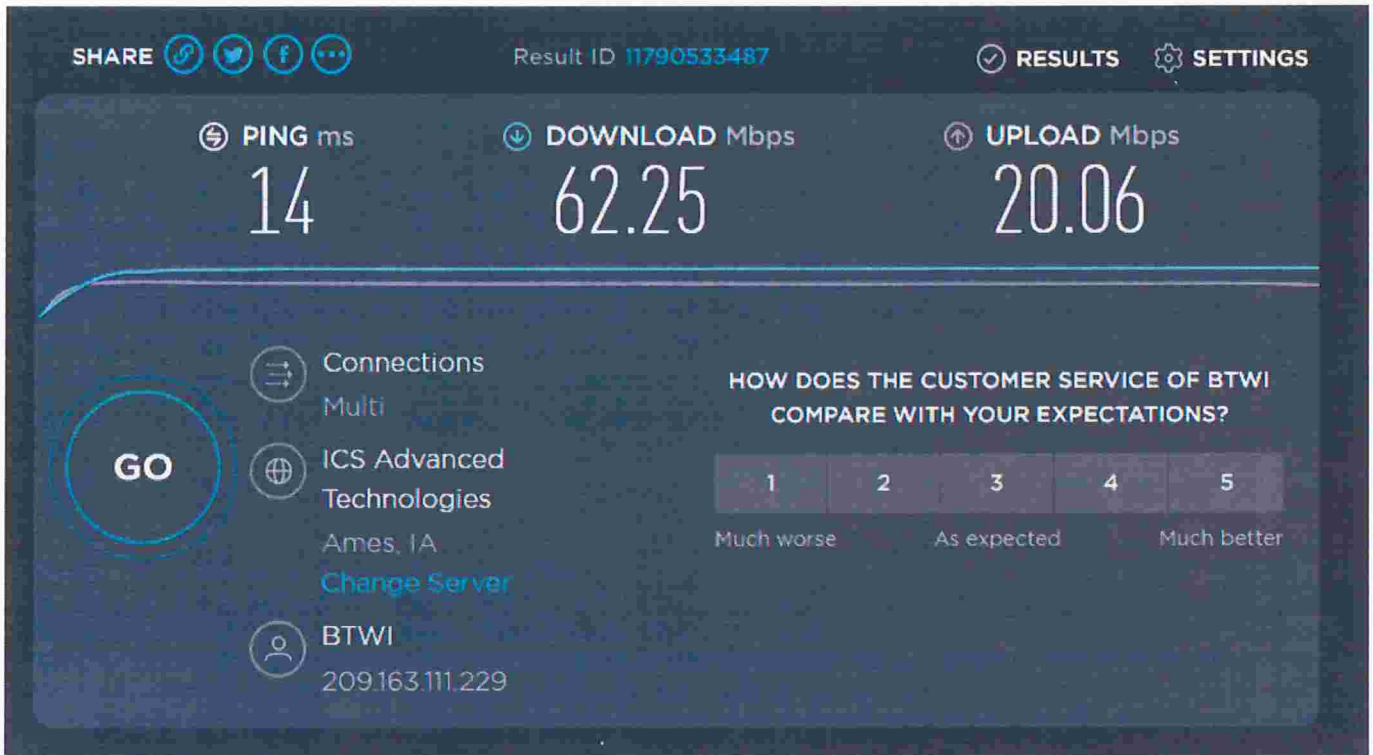
I certify that these results are from an actual speed test across BTWI's network taken from a subscriber's equipment who was subscribed to a 100Mbps plan.

Giff Seckhoff



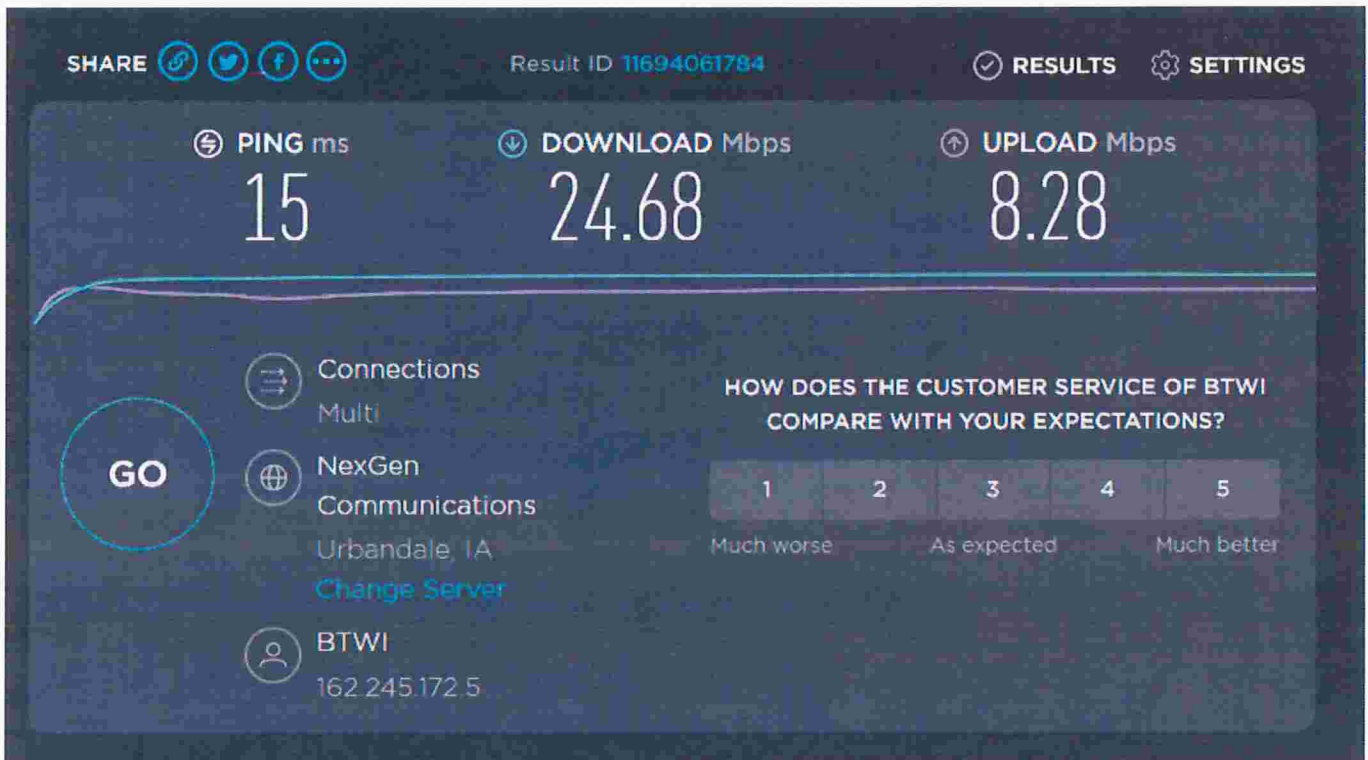
I certify that these results are from an actual speed test across BTWI's network taken from a subscriber's equipment who was subscribed to a 10Mbps plan.

Giff Seckhoff



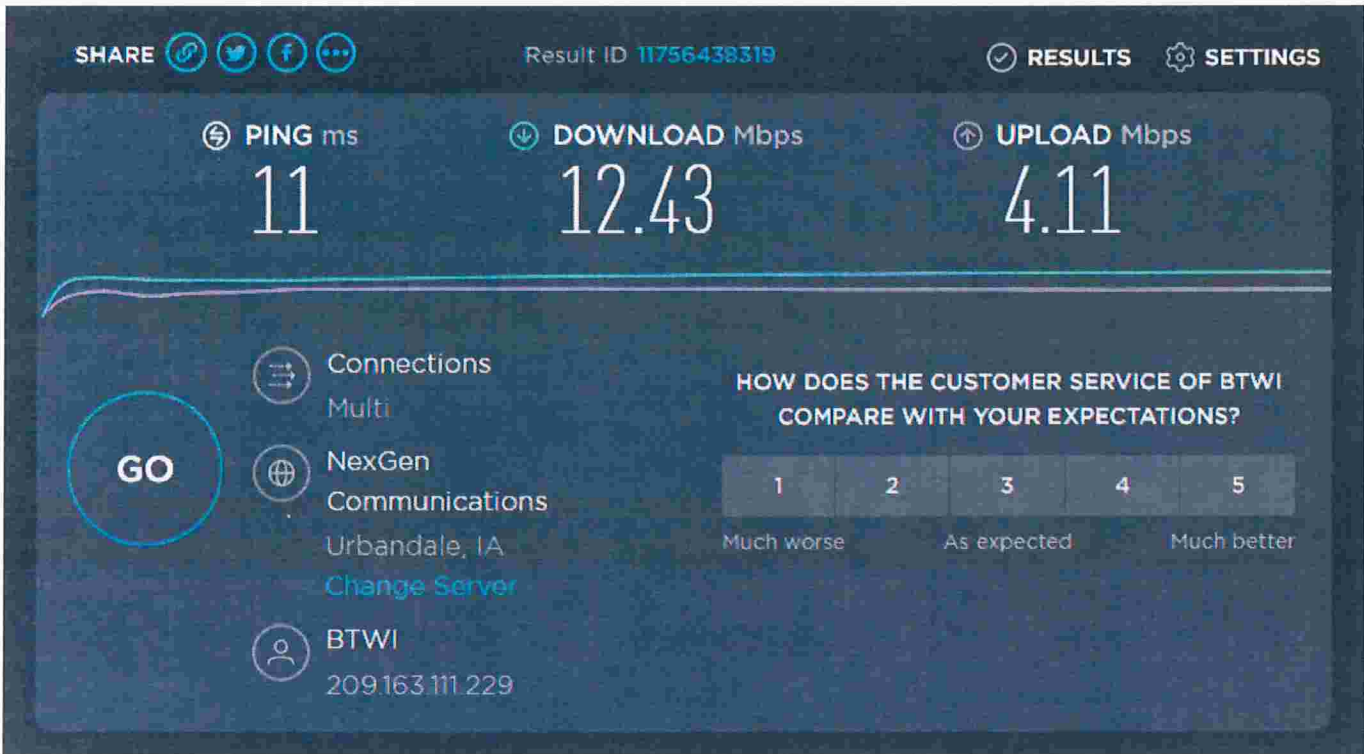
I certify that these results are from an actual speed test across BTWI's network taken from a subscriber's equipment who was subscribed to a 50Mbps plan.

Jeffeenhoff

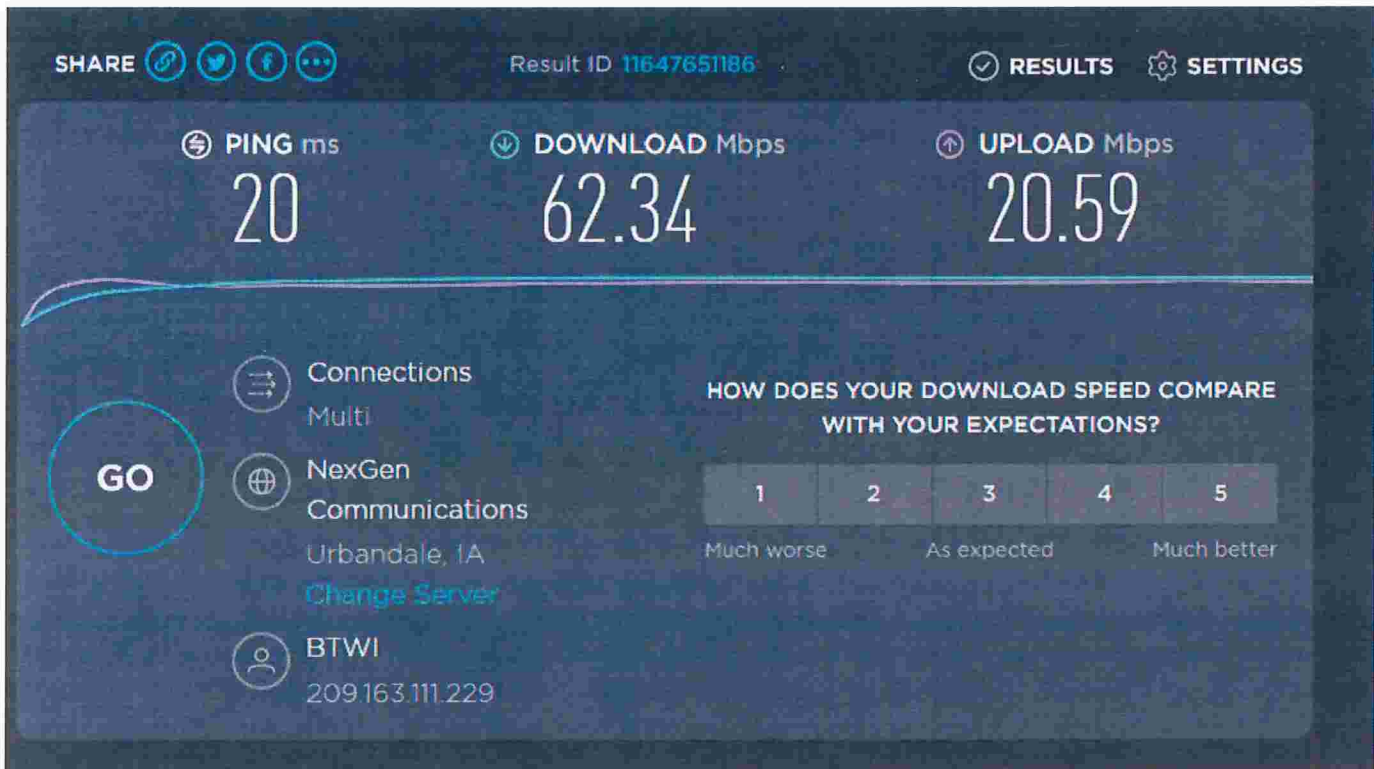


I certify that these results are from an actual speed test across BTWI's network taken from a subscriber's equipment who was subscribed to a 20Mbps plan.

Jeffeenhoff



I certify that these results are from an actual speed test across BTWI's network taken from a subscriber's equipment who was subscribed to a 10Mbps plan. *Jeff Heimbach*



I certify that these results are from an actual speed test across BTWI's network taken from a subscriber's equipment who was subscribed to a 50Mbps plan. *Jeff Heimbach*

City of Minburn

315 Baker St.
P.O. Box 213
Minburn, IA 50167

August 9, 2021

To Whom it May Concern,

Bits of Technology Wireless Internet (BTWI) contacted the City of Minburn early in 2016 with the offer to supply the city office with complementary internet. They are a fixed wireless company that had recently erected a tower just outside of Minburn. They were going to be supplying the library as well as a way to give back to a small community.

Minburn is a small city of 365 residents north and west of Des Moines. There are a handful of businesses, we lean on each other for support. The city was spending \$1300 a year on internet and phone. Any expenses we could trim meant more funds for roads, community events, cemetery expenses...things of that nature.

The City of Minburn has greatly appreciated the generosity of BTWI. Their locally owned family business values are what it means to be part of a small town. The City Clerk can complete reports, council information, email, and reply to customer inquiries easily. The Public Works Director can complete One Calls, respond to email inquiries and take online classes with fast, reliable internet.

BTWI is an asset to Minburn and rural areas around Minburn. Whether it was complimentary or not BTWI is the choice of our City Council and our employees. The customer service is top notch. Any time we have a question or a concern it is immediately addressed. We are not treated like our service is donated. We are treated with respect and just the same as a paying customer. The library has since moved to a different location and the donation of our services has not changed. The piece of mind having the extra funds provides makes an extreme difference in budgets as small as ours.



Janon Douglas

Acting City Clerk

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

Rise Broadband
Casey Arnold
carnold@risebroadband.com

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 21-1011, 21-1030, 21-1032, 21-1033, 21-1037, 21-1038). **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

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

Windstream Communications
Trent Fellers
trent.fellers@windstream.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 21-1011, 21-1013, 21-1014, 21-1017, 21-1018, 21-1019, 21-1021, 21-1031, 21-1032, 21-1033, 21-1034, 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

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.

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 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

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

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).

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	Windstream Corporation
Address	115 S. 2nd Ave W
City	Newton
State	Iowa
Zip	50208

B. DESIGNATED CONTACT INFORMATION

Contact Name	Logan Shine
Contact Phone Number	515-321-0194
Contact Email	logan.shine@windstream.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.

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:	Logan Shine
Title:	Vice President Government Affairs
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.

191839605001169	Yes	183.501	51.773	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605001170	Yes	183.501	51.773	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605001174	Yes	183.501	51.773	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605001180	Yes	111.28	31.982	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605001181	Yes	111.28	31.982	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605001182	Yes	123.208	51.773	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605002017	Yes	183.501	51.773	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605002018	Yes	183.501	128	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605002023	Yes	85.721	17.039	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605002024	Yes	85.721	17.039	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block
191839605002029	Yes	183.501	51.773	Windstream is capable of providing 25/3 service to >=10% of the locations in this census block

