

FINAL AGENCY DECISION

STATEWIDE BROADBAND AVAILABILITY MAP VERSION 4 APPEAL

September 14, 2021

DOCKET NO. 21-1036

A. APPELLANT INFORMATION

Company Name	East Buchanan Telephone Cooperative
Address	214 Third Street North, PO Box 100
City	Winthrop
State	Iowa
Zip	50682

B. DESIGNATED CONTACT INFORMATION

Contact Name	Mike Becker
Contact Phone Number	319-935-3011
Contact Email	mike.becker@eastbuchanan.com

C. APPEAL TYPE

- ☐ Resident Challenge
- ☒ First-Party Provider Challenge
- ☐ Third-Party Provider Challenge

D. EVIDENCE CONSIDERED

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

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

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

E. TO APPEAL FURTHER

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

Office of the Chief Information Officer

c/o Matt Behrens

200 E. Grand Avenue

Des Moines, Iowa 50309

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

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

SIGNED

DATE

Matt Behrens
Deputy Chief Information Officer
State of Iowa

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
21-1036	190199501003086	UNKNOWN	Non-TSA	Tier 2	Non-TSA	3	21-1043
21-1036	190199501003089	UNKNOWN	Non-TSA	Tier 2	Tier 2	6	21-1043
21-1036	190199501003098	UNKNOWN	Non-TSA	Tier 2	Tier 2	6	21-1043
21-1036	190199501003100	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003101	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003102	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003108	UNKNOWN	Non-TSA	Tier 3	Non-TSA	3	21-1043
21-1036	190199501003111	UNKNOWN	Non-TSA	Tier 3	Non-TSA	3	21-1043

21-1036	190199501003127	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003137	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003138	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003139	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003140	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003142	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003143	UNKNOWN	Non-TSA	Tier 3	Tier 3	6	21-1043
21-1036	190199501003144	UNKNOWN	Non-TSA	Tier 3	Non-TSA	3	21-1043
21-1036	190199501003145	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003146	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003148	UNKNOWN	Non-TSA	Tier 2	Tier 2	6	21-1043
21-1036	190199501003149	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003150	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003151	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003152	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003153	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003154	UNKNOWN	Non-TSA	Tier 3	Tier 3	1	21-1043
21-1036	190199501003155	UNKNOWN	Non-TSA	Tier 2	Tier 3	2	21-1043
21-1036	190199501003156	UNKNOWN	Non-TSA	Tier 2	Tier 2	1	21-1043
21-1036	190199501003157	UNKNOWN	Non-TSA	Tier 2	Tier 2	1	21-1043
21-1036	190199501003158	UNKNOWN	Non-TSA	Tier 2	Tier 2	1	21-1043
21-1036	190199501003159	UNKNOWN	Non-TSA	Tier 2	Tier 2	1	21-1043
21-1036	190199506001002	UNKNOWN	Non-TSA	Tier 2	Tier 2	1	21-1043
21-1036	190199506001004	UNKNOWN	Non-TSA	Tier 2	Tier 2	6	21-1043
21-1036	190199506001007	UNKNOWN	Non-TSA	Tier 2	Tier 2	6	21-1043

APPENDIX B
CERTIFICATION AND SUPPORTING INFORMATION



Grants, OCIO <ociogrants@iowa.gov>

Five Challenge Forms

1 message

Mike Becker <mike.becker@eastbuchanan.com>
To: "Grants, OCIO" <ociogrants@iowa.gov>
Cc: Dave Lunemann <dlunemann@networkbetter.com>

Tue, Jul 20, 2021 at 4:28 PM

Please find attached five different challenge forms which will match our expected grant applications when filed. We do have many statements from residents in these locations that will be included with the grant applications. Some of these are noted in the attached challenge forms.

Also of note are eleven (11) census blocks which are listed in both the Walker City Challenge and the Walker Rural Challenge forms. These are noted in columns to the right of the comments.

Because of the Connected Nation mapping issues, there seem to be hundreds of census blocks that remain to be analyzed – none of which are included in the attached spreadsheets. The attached spreadsheets *only* match the areas for which we will be submitting grant applications.

Please let me know if you have any questions.

Thanks

Mike Becker

General Manager

East Buchanan Telephone Cooperative

Winthrop IA

www.eastbuchanan.com

Ph 319-935-3011

5 attachments

WALKER CITY CHALLENGE 7.16.2021.xlsx
147K

WALKER ROUTE CHALLENGE 7.16.2021.xlsx
148K

COUNTY LINE CHALLENGE 7.16.2021.xlsx
147K

QUASQUETON CHALLENGE 7.16.2021.xlsx

7/20/2021

State of Iowa Mail - Five Challenge Forms

146K



WINTHROP CHALLENGE 7.16.2021.xlsx

148K



A. APPELLANT INFORMATION	
Company Name	East Buchanan Telephone Coopertive
Address	214 Third Street North, PO Box 100
City	Winthrop
State	IA
Zip	50682
B. DESIGNATED CONTACT INFORMATION	
Contact Name	Mike Becker
Contact Phone Number	319-935-3011
Contact Email	mike.becker@eastbuchanan.com
C. CERTIFICATION/ATTESTATION/AFFIRMATION	
In signing and submitting this form, the above-identified company, and its duly authorized representative signing on behalf thereof, hereby affirms, attests, and certifies under penalty of perjury that, as represented in its submission: Choose one option that describes company/affiliation status.	
Company, consistent with the representations made in this form, and regardless of whether your company's prior reporting to to the FCC or State of Iowa was correct or in error as of July 1, 2021, either: (a.) Facilitated material Broadband service according to the designated Tier speed indicated on the Map; or ☒ (b.) Did NOT Facilitate Broadband according to the designated Tier speed in the identified census blocks.	
Another unaffiliated company, as of July 1, 2021, consistent with the representations made in this form, either: (a.) Facilitated material Broadband service according to the designated Tier speed indicated on the Map; or (b.) Did NOT Facilitate Broadband according to the designated Tier speed in the identified census blocks. ☐	
D. ADDITIONAL EXPLANATION (To the extent you believe additional explanation is required to ensure that you are communicating full and accurate information, please use the below space to further explain, qualify, or substantiate your above certification/attestation/affirmation. To the extent necessary, please feel free to upload additional explanations/supporting documentation.	
An interim processing file of the service area was converted to census blocks instead of the final service area file. CN has corrected this issue in the new database.	
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:	Mike Becker
Title:	General Manager
Date:	7/20/2021

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

Please familiarize yourself with the following terms prior to determining whether a broadband block may be appealed.	
Targeted Service Area	A Targeted Service Area (TSA) is a census block within which no communications service provider offers or facilitates broadband service at or above the tier 1, tier 2, or tier 3 download and upload speeds.
Existing Broadband Speed Tiers	The speed tiers used to determine whether a broadband block qualifies as a Targeted Service Area on the Statewide Broadband Availability Map.
Tier 1	A maximum download speed of less than 25 megabits per second (Mbps) and a maximum upload speed of less than 3 Mbps.
Tier 2	A minimum download speed of greater than or equal to 25 Mbps but less than 50 Mbps. No minimum upload speed is applicable for Tier 2.
Tier 3	A minimum download speed of greater than or equal to 50 Mbps but less than 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 correctly 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?	CN Error Correction Notes
190199501003086	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service. 6 HSBs served with Tier 2
190199501003089	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service
190199501003098	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service
190199501003100	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high and census block underreported full coverage area
190199501003101	UNKNOWN	NON TSA	TIER 3	Census block overreported available DSL service
190199501003102	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003108	UNKNOWN	NON TSA	TIER 3	Census block overreported available DSL service
190199501003111	UNKNOWN	NON TSA	TIER 3	Census block overreported available DSL service
190199501003127	UNKNOWN	NON TSA	TIER 3	Census block overreported available DSL service
190199501003137	UNKNOWN	NON TSA	TIER 3	Census block overreported available DSL service
190199501003138	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003139	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003140	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003142	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003143	UNKNOWN	NON TSA	TIER 3	Census block overreported available DSL service
190199501003144	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003145	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003146	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high

190199501003148	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service
190199501003149	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003150	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003151	UNKNOWN	NON TSA	TIER 3	Max available DSL speed was reported too high
190199501003152	UNKNOWN	NON TSA	TIER 3	Census block overreported available DSL service
190199501003153	UNKNOWN	NON TSA	TIER 3	Census block overreported available DSL service
190199501003154	UNKNOWN	NON TSA	TIER 3	Census block overreported available DSL service
190199501003155	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service
190199501003156	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service
190199501003157	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service
190199501003158	UNKNOWN	NON TSA	TIER 2	Max available DSL speed was reported too high and census block underreported full coverage area
190199501003159	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service
190199506001002	UNKNOWN	NONTSA	TIER 2	Max available DSL speed was reported too low and census block underreported full coverage area
190199506001004	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service
190199506001007	UNKNOWN	NON TSA	TIER 2	Census block overreported available DSL service

APPENDIX C
THIRD-PARTY AFFIRMATIONS AND SUPPLEMENTAL EVIDENCE

July 28, 2021

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

East Buchanan Telephone Cooperative
Roger Olsen
57roger.olsen@gmail.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 21-1034, 21-1035, 21-1036). **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



Grants, OCIO <ociogrants@iowa.gov>

Response to V4 Challenge

Mike Becker <mike.becker@eastbuchanan.com>

Fri, Jul 30, 2021 at 11:25 AM

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

Awna,

Roger Olsen forwarded your email requesting a response to challenged census blocks. This is our official response, but please let me know if further confirmation is needed.

1. Please see the attached documents (PDF has signature).
2. Also below are summaries of two wireless customer bills for the lower speed census blocks served by our wireless Internet service. Please note that our spectrum license for Buchanan County expires in June 2022, so it is very likely that the EBTC wireless Internet service will be discontinued.
3. Finally, attached are two KMZ files detailing the available speeds in the towns of Winthrop and Quasqueton – both of which have several census blocks on the list for which you'd requested responses. These KMZ files are the very same that we had sent to Connected Nation for those geographic areas. For both maps, the yellow polygon areas indicate where the highest service speed is between 25 Mbps to 49 Mbps, while the red polygon areas indicate the highest available speeds of 50 Mbps to 79 Mbps. Any areas not enclosed by a polygon can currently receive 80+ Mbps speeds.
4. I would also note that one of the census blocks on the list was actually the Wapsipinicon River – the actual flow of the water – the middle of the river with no land within the census block. Our wireless coverage envelopes that census block.

Please let me know if you have any further questions.

Thank you.

Mike

Account Number: 0308002197
 Bill Date: July 01, 2021
 Due Date: 20TH OF MONTH
 Internet: 0060060022

Current Internet Service

Internet ID 0060060022

Monthly Charges

Service	Qty	Amount	Total
<i>Charges for 07/01/21-07/31/21 - 1 MONTH</i>			
WI - OUT OF AREA - ALVARION ANTENNA	1	6.50	6.50
UNLIMITED OUT OF AREA W/I - 3MB/2MB	1	34.95	34.95
Subtotal Monthly Charges			\$41.45

Account Number: 0308001203
 Bill Date: July 01, 2021
 Due Date: 20TH OF MONTH
 Internet: 0060063058

Current Internet Service

Internet ID 0060063058

Monthly Charges

Service	Qty	Amount	Total
<i>Charges for 07/01/21-07/31/21 - 1 MONTH</i>			
UNLIMITED OUTAREA W/I - 6MB/3MB	1	44.95	44.95
Subtotal Monthly Charges			\$44.95

Mike Becker

General Manager

East Buchanan Telephone Cooperative

Winthrop IA

www.eastbuchanan.com

Ph 319-935-3011

4 attachments

 **East Buchanan - V4 Appeal Notice to Respondent.xlsx**
231K

 **V4 Challenge Response 7-30-21.pdf**
493K

 **Winthrop.kmz**
2K

 **Quasky.kmz**

7/30/2021

State of Iowa Mail - Response to V4 Challenge

3K



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	East Buchanan Telephone Company
Address	214 Third Street North, PO Box 100
City	Winthrop
State	IA
Zip	50682

B. DESIGNATED CONTACT INFORMATION

Contact Name	Mike Becker
Contact Phone Number	319-935-3011
Contact Email	mike.becker@eastbuchanan.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:

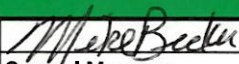
1. Company Facilitated service at the indicated speeds on the Affirmation tab as of July 1, 2021 to more than 10% of the census block; or
2. Company did NOT offer or Facilitate material Broadband service.

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.

Some census blocks are fed via fiber, some are DSL, and some are our wireless service with only 6 Mbps download speed available. We've marked some CBs with two separate speeds because different locations within the same census block can obtain faster/slower speeds based on their precise location within the census block in relation to different defined speed Tiers. IE. Different locations within the same census block may fall into different speed Tiers as defined by the State of Iowa. I believe that we have submitted on this form the same speeds indicated as our KMZ file submission to Connected Nation.

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

Authorized Signature:	
Title:	General Manager
Date:	7/30/2021

*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
190199506002019	Yes	1 Gbps	500 Mbps
190199506002056	Yes	6 Mbps	1 Mbps
190199506002094	Yes	6 Mbps	1 Mbps
190199506002095	Yes	3 Mbps	1 Mbps
190199506001109	Yes	6 Mbps	1 Mbps
190199506001110	Yes	1 Gbps	500 Mbps
190199506001119	Yes	25 Mbps	10 Mbps
190199506001123	Yes	1/2=25 Mbps; 1/2=60 Mbps	10 Mbps
190199506001124	Yes	1/2=25 Mbps; 1/2=60 Mbps	10 Mbps
190199506001131	Yes	1/2=60 Mbps; 1/2=80 Mbps	10 Mbps
190199506001137	Yes	50 Mbps	10 Mbps
190199506001170	Yes	35 Mbps	10 Mbps
190199506001171	Yes	35 Mbps	10 Mbps
190199506001178	Yes	35 Mbps	10 Mbps
190199501003086	Yes	1/2=60 Mbps; 1/2=80 Mbps	10 Mbps
190199501003089	Yes	35 Mbps	10 Mbps
190199501003098	Yes	35 Mbps	10 Mbps
190199501003108	Yes	3/4=80 Mbps; 1/4=60 Mbps	10 Mbps
190199501003111	Yes	1/4=80 Mbps; 3/4=60 Mbps	10 Mbps
190199501003143	Yes	60 Mbps	10 Mbps
190199501003144	Yes	80 Mbps	10 Mbps
190199501003148	Yes	35 Mbps	10 Mbps
190199501003155	Yes	65 Mbps	10 Mbps
190199506001004	Yes	35 Mbps	10 Mbps
190199506001007	Yes	35 Mbps	10 Mbps