

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

**DOCKET NO. 21-1043**

**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	
Contact Email	<a href="mailto:mike.becker@eastbuchanan.com">mike.becker@eastbuchanan.com</a>

**C. APPEAL TYPE**

This Appeal was filed *sua sponte* by the Office on behalf of and in consultation with Appellant in accordance with the substantive provisions of Iowa Administrative Code rules 129–20.5(1) and (2), upon discovery of a processing error impacting the underlying data comprising Version 4 (“V4”) of the Statewide Broadband Availability Map (“Map”).

**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.

The Office was made aware of a processing error affecting numerous Census Blocks for which Communication Service Provider(s) had submitted data to Connected Nation during the data collection window of April 15 through April 30, 2021 but that was not included in the V4 Map. In lieu of immediately correcting the Map to reflect the timely-submitted data, this Office opted to submit an Appeal on behalf of the Appellant in order to provide an opportunity for potentially “affected persons or parties ... to submit evidence and information in support of, or in opposition” to such a modification, and also to avoid further delays to the map challenge process, and which in turn corresponded with the NOFA #006 application deadline. This Appeal was drafted in consultation with the Appellant and submitted within the initial twenty-day window. 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](https://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

<b>Targeted Service Area</b>	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.					
<b>Tier 1</b>	A maximum download speed of less than 25 megabits per second (Mbps) and a maximum upload speed of less than 3 Mbps.					
<b>Tier 2</b>	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.					
<b>Tier 3</b>	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.					
<b>Non-TSA</b>	A non-TSA is a census block in which speeds are Facilitated at greater than or equal to 80 Mbps.					
<b>Facilitate</b>	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.					
<b>Map V4 Designation</b>	The speed tier reflected on the Map as of July 1, 2021.					
<b>Decision Basis</b>	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 <a href="https://ocio.iowa.gov/broadband-availability-map-version-4-challenge-process">https://ocio.iowa.gov/broadband-availability-map-version-4-challenge-process</a> .					
<b>Overlapping Appeal</b>	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.					
<b>Prior Reporting</b>	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
21-1043	190199501001089	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001090	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001091	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001092	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001093	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001094	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001098	Correct	Tier 2	Tier 2	Tier 2	4	
21-1043	190199501001099	Correct	Non-TSA	Non-TSA	Non-TSA	4	

21-1043	190199501001100	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001101	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001102	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001103	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001104	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001105	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001106	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001107	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001108	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001109	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501001114	Correct	Tier 3	Tier 3	Tier 3	4	
21-1043	190199501001115	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199501002016	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199501003149	Correct	Non-TSA	Tier 3	Tier 3	1	21-1036
21-1043	190199501003150	Correct	Non-TSA	Tier 3	Tier 3	1	21-1036
21-1043	190199501003151	Correct	Non-TSA	Tier 3	Tier 3	1	21-1036
21-1043	190199501003152	Correct	Non-TSA	Tier 3	Tier 3	1	21-1036

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21-1043	190199501003162	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199501003163	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199501003164	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501003165	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199501003166	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501003167	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501003168	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501003171	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199501003171	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001000	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001000	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001001	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001002	Correct	Non-TSA	Tier 2	Tier 2	1	21-1036
21-1043	190199506001002	Correct	Non-TSA	Tier 2	Tier 2	1	21-1036
21-1043	190199506001003	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001003	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001004	Correct	Non-TSA	Non-TSA	Tier 2	6	21-1036



21-1043	190199506001004	Correct	Non-TSA	Non-TSA	Tier 2	6	21-1036
21-1043	190199506001005	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001007	Correct	Non-TSA	Non-TSA	Tier 2	6	21-1036
21-1043	190199506001008	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001009	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001010	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001011	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001011	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001013	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001014	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001015	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001016	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001017	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001018	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001019	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001019	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001020	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001021	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001022	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001023	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001024	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001025	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001026	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001027	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001028	Correct	Tier 2	Tier 2	Tier 2	4	
21-1043	190199506001035	Correct	Non-TSA	Non-TSA	Non-TSA	4	

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21-1043	190199506001104	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001108	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001109	Correct	Non-TSA	Non-TSA	Tier 2	3	21-1035
21-1043	190199506001110	Correct	Non-TSA	Non-TSA	Non-TSA	6	21-1035
21-1043	190199506001110	Correct	Non-TSA	Non-TSA	Non-TSA	6	21-1035
21-1043	190199506001112	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001113	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001113	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001114	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001114	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001115	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001116	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001117	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001118	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001118	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001119	Correct	Non-TSA	Non-TSA	Tier 2	6	21-1035
21-1043	190199506001119	Correct	Non-TSA	Non-TSA	Tier 2	6	21-1035
21-1043	190199506001120	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001121	Correct	Non-TSA	Tier 3	Tier 3	1	21-1035
21-1043	190199506001122	Correct	Non-TSA	Tier 3	Tier 3	1	21-1035
21-1043	190199506001123	Correct	Non-TSA	Non-TSA	Tier 3	6	21-1035
21-1043	190199506001124	Correct	Non-TSA	Tier 3	Tier 3	6	21-1035
21-1043	190199506001125	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001127	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001128	Correct	Non-TSA	Tier 2	Tier 2	1	21-1035
21-1043	190199506001129	Correct	Non-TSA	Tier 3	Tier 3	1	21-1035
21-1043	190199506001130	Correct	Non-TSA	Tier 3	Tier 3	1	21-1035

21-1043	190199506001131	Correct	Non-TSA	Non-TSA	Non-TSA	1	21-1035
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21-1043	190199506001138	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001149	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001154	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506001155	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001163	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001166	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001168	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506001171	Correct	Non-TSA	Non-TSA	Tier 2	6	21-1035
21-1043	190199506001172	Correct	Non-TSA	Non-TSA	Non-TSA	4	

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[illegible]

[illegible]

21-1043	190199506002070	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506002073	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002074	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002075	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002076	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002077	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002078	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002079	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002080	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002081	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002082	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002083	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002084	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002085	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002086	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002087	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002089	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002090	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002091	Correct	Tier 2	Tier 2	Tier 2	4	
21-1043	190199506002092	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002093	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506002095	Correct	Non-TSA	Non-TSA	Non-TSA	6	21-1034
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21-1043	190199506002134	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506002141	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506002155	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506002158	Correct	Non-TSA	Non-TSA	Non-TSA	4	
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21-1043	190199506002164	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002165	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002166	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002167	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002170	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190199506002183	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190650802002117	Correct	Non-TSA	Non-TSA	Non-TSA	4	
21-1043	190650802002118	Correct	Non-TSA	Non-TSA	Non-TSA	4	

**APPENDIX B**  
**CERTIFICATION AND SUPPORTING INFORMATION**



Grants, OCIO &lt;ociogrants@iowa.gov&gt;

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**RE: v4 Mapping Errors**

1 message

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**Mike Becker** <mike.becker@eastbuchanan.com>  
To: "Grants, OCIO" <ociogrants@iowa.gov>

Tue, Jul 13, 2021 at 8:29 AM

That would really help! Thanks so much!!

I can send you a KMZ file of what we'd submitted to Connected Nation if that would be helpful.

Thanks again.

Mike Becker

General Manager

East Buchanan Telephone Cooperative

Winthrop IA

[www.eastbuchanan.com](http://www.eastbuchanan.com)

Ph 319-935-3011

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**From:** [jessica.turba2@iowa.gov](mailto:jessica.turba2@iowa.gov) <[jessica.turba2@iowa.gov](mailto:jessica.turba2@iowa.gov)> **On Behalf Of** Grants, OCIO  
**Sent:** Monday, July 12, 2021 5:07 PM  
**To:** Mike Becker <[mike.becker@eastbuchanan.com](mailto:mike.becker@eastbuchanan.com)>  
**Subject:** Re: v4 Mapping Errors

Mike,

Another path could be that I get the listing of blocks from Connected Nation, populate the form, and then send it back to you to validate. You edit the form (as needed) and submit it to the office.

Does that work? If so, I'll start on the form tomorrow.

Regards,

Jessica Turba

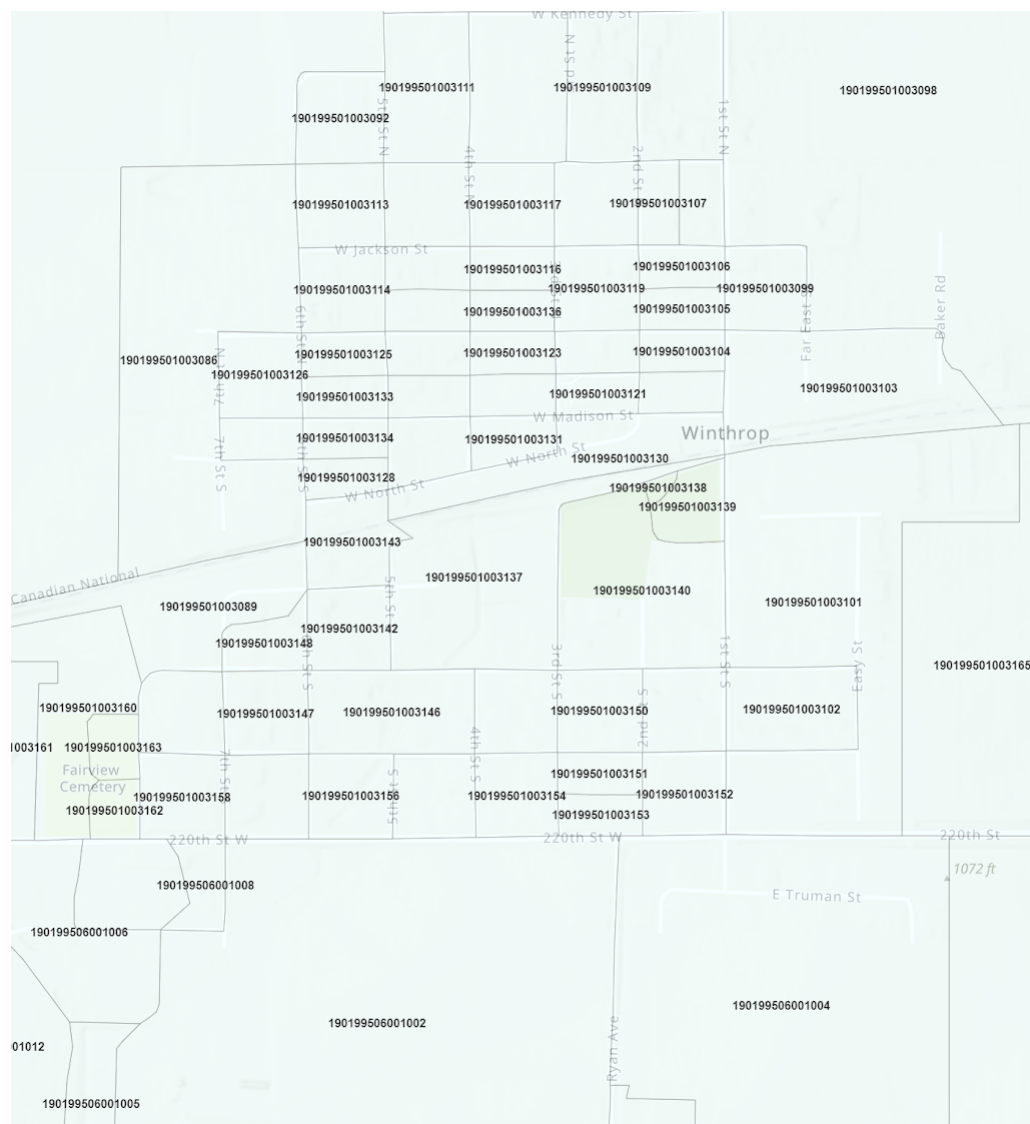
On Mon, Jul 12, 2021 at 12:59 PM Mike Becker <[mike.becker@eastbuchanan.com](mailto:mike.becker@eastbuchanan.com)> wrote:

For clarity, you're saying that even though Connected Nation inadvertently left out dozens of census blocks that we'd submitted, EBTC should still list them in the challenge process and submit to OCIO?

That is, the updated map that Connected Nation plans on sending for those areas is of no use to EBTC and we still need to challenge our own submitted data? Here's what one of the two areas looks like. This will take hours when we did everything correctly!

Please clarify.

Thanks



Mike Becker

General Manager

East Buchanan Telephone Cooperative

Winthrop IA

[www.eastbuchanan.com](http://www.eastbuchanan.com)

Ph 319-935-3011

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**From:** [jessica.turba2@iowa.gov](mailto:jessica.turba2@iowa.gov) <[jessica.turba2@iowa.gov](mailto:jessica.turba2@iowa.gov)> **On Behalf Of** Grants, OCIO  
**Sent:** Monday, July 12, 2021 12:46 PM  
**To:** Mike Becker <[mike.becker@eastbuchanan.com](mailto:mike.becker@eastbuchanan.com)>  
**Subject:** Re: v4 Mapping Errors

Hi Mike,

Our staff discussed the processing errors and how best to track the corrections this morning. The best way for us to keep track of the changes and make sure the map posts with the corrected information is to fill out the map challenge form. Thank you for taking the additional step in filling out the paperwork. We will let Connected Nation know that we are adding that to the correction process moving forward.

Here is a link to the forms: <https://ocio.iowa.gov/broadband-availability-map-version-4>

Regards,

Jessica Turba

On Thu, Jul 8, 2021 at 1:31 PM Mike Becker <[mike.becker@eastbuchanan.com](mailto:mike.becker@eastbuchanan.com)> wrote:

Just circling around and checking on the status of this.

Also note that this week I spoke with Chip Spann of Connected Nation, and he recognized the error of not including our submitted data...and he noted that at least 2 other Iowa companies had the same issues that we have.

He was to get back to me with options by Friday, but I do have a Board meeting tonight and would like to provide an update.

Thanks

Mike Becker

General Manager

East Buchanan Telephone Cooperative

Winthrop IA

[www.eastbuchanan.com](http://www.eastbuchanan.com)

Ph 319-935-3011

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**From:** [jessica.turba2@iowa.gov](mailto:jessica.turba2@iowa.gov) <[jessica.turba2@iowa.gov](mailto:jessica.turba2@iowa.gov)> **On Behalf Of** Grants, OCIO  
**Sent:** Friday, July 2, 2021 4:24 PM  
**To:** Mike Becker <[mike.becker@eastbuchanan.com](mailto:mike.becker@eastbuchanan.com)>  
**Subject:** Re: v4 Mapping Errors

Hi Mike,

We will check on this right away and confirm next steps.

Regards,

Jessica Turba

On Fri, Jul 2, 2021 at 4:02 PM Mike Becker <[mike.becker@eastbuchanan.com](mailto:mike.becker@eastbuchanan.com)> wrote:

To OCIO,

I would like to alert you to the fact that the v4 Broadband Maps do not reflect East Buchanan Telephone Cooperative's timely submission to Connected Nation's data request. Attached you will find two key examples of erroneous mapping.

1. **Winthrop IA:** We had meticulously prepared mapping showing areas from 25-50 Mbps, 50-80 Mbps, and above 80 Mbps speeds (non-grant eligible) available to customers. (see Winthrop submitted map) None of these areas are reflected in the v4 mapping, while the v4 mapping shows that EBTC can deliver 1000 Mbps download speeds and 500 Mbps upload speeds throughout the vast majority of town via fiber – when we have not deployed FTTH in Winthrop! We have no idea how this erroneous data would have propagated the Connected Nation maps.
2. **Quasqueton IA:** We had also meticulously prepared mapping showing areas from 25-50 Mbps, 50-80 Mbps, and above 80 Mbps speeds (non-grant eligible) available to customers. (see Quasqueton submitted map) None of these areas are reflected in the v4 mapping, while the v4 mapping also shows that EBTC can deliver 1000 Mbps download speeds and 500 Mbps upload speeds throughout many census blocks via fiber – when we didn't have any FTTH in Quasqueton at the time of the data submission! Zero. Also many census blocks indicating 100Mbps download speeds available via EBTC's DSL service where it is not technically capable and the reason for which we were so detailed in our data mapping submission to Connected Nation!

When we look closely at the v4 maps, we see dozens of census blocks that have erroneous reporting data for East Buchanan Telephone Cooperative.

**Q1 – How would you like us to proceed in challenging our OWN submitted data? Will the above be sufficient for these two towns?**

**Q2 – Based on the above unacceptable mapping errors, how can we be assured that other census blocks for which we wanted to apply for grant funding don't also have dozens of errors that we would be unable to detect?**

Thank you for your attention to this matter – we appreciate your response so we can move quickly forward through the challenge process.

Mike Becker

General Manager

East Buchanan Telephone Cooperative

Winthrop IA

[www.eastbuchanan.com](http://www.eastbuchanan.com)

Ph 319-935-3011

A. APPELLANT INFORMATION	
Company Name Address City State Zip	East Buchanan Telephone Cooperative
B. DESIGNATED CONTACT INFORMATION	
Contact Name Contact Phone Number Contact Email	
C. CERTIFICATION/ATTESTATION/AFFIRMATION	
<p>In signing and submitting this form, the above-identified company, and its duly authorized representative signing on behalf thereof, hereby affirms, attests, and certifies under penalty of perjury that, as represented in its submission: Choose one option that describes company/affiliation status.</p>	
<p>Company, consistent with the representations made in this form, and regardless of whether your company's prior reporting to the FCC or State of Iowa was correct or in error as of July 1, 2021, either:</p> <p>(a.) Facilitated material Broadband service according to the designated Tier speed indicated on the Map; or</p> <p>(b.) Did NOT Facilitate Broadband according to the designated Tier speed in the identified census blocks.</p>	
<p>Another unaffiliated company, as of July 1, 2021, consistent with the representations made in this form, either: (a.) Facilitated material Broadband service according to the designated Tier speed indicated on the Map; or (b.) Did NOT Facilitate Broadband according to the designated Tier speed in the identified census blocks.</p>	
D. ADDITIONAL EXPLANATION (To the extent you believe additional explanation is required to ensure that you are communicating full and accurate information, please use the below space to further explain, qualify, or substantiate your above certification/attestation/affirmation. To the extent necessary, please feel free to upload additional explanations/supporting documentation.	
<p>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.</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:	
Title:	
Date:	



**\*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 *not* pertain to the Broadband Infrastructure used to facilitate said service; Broadband Infrastructure is *not* a basis for appeal.

CENSUS BLOCK ID	Provider Reporting to FCC or Connected Nation	Speed Not that is Reported on Map	What do you believe the Map should reflect for	CN Error Correction Notes
190199501001089	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001090	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001091	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001092	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001093	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001094	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001098	Correct	Tier 2	Tier 2	Census block overreported available DSL service
190199501001099	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001100	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001101	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001102	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001103	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001104	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001105	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001106	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001107	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001108	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001109	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001114	Correct	Tier 3	Tier 3	Census block overreported available DSL service
190199501001115	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001116	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001117	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001118	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001119	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001120	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001121	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001122	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001123	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001124	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199501001125	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]



[illegible]

[illegible]

190199506002167	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199506002170	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190199506002183	Correct	Non-TSA	Non-TSA	Census block overreported available DSL service
190650802002117	Correct	Non-TSA	Non-TSA	Census block underreported available service
190650802002118	Correct	Non-TSA	Non-TSA	Census block underreported available service

**APPENDIX B**  
**CERTIFICATION AND SUPPORTING INFORMATION**

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

Comelec Services, Inc.  
Tim Burbach  
timburbach@yousq.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 21-1034). **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.<sup>1</sup> 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 Iowa<sup>2</sup> 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:

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

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

<sup>2</sup>See Iowa Admin. Code r. 129—20.3.

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.<sup>3</sup> 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

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<sup>3</sup>See 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](mailto: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](https://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	Comelec Services, Inc.
Address	4190 Pennsylvania Ave.
City	Dubuque
State	IA
Zip	52002

**B. DESIGNATED CONTACT INFORMATION**

Contact Name	Josh Althaus
Contact Phone Number	563-557-8442
Contact Email	<a href="mailto:josh.althaus@yousq.net">josh.althaus@yousq.net</a>

**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:	Joshua R. Althaus
Title:	Network Engineer
Date:	8/3/2021

\*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
190199501001150	Yes	40	15
190199506002017	Yes	40	15
190199506002018	Yes	40	15
190199506002019	Yes	40	15
190199506002040	Yes	40	15
190199506002041	No	40	15
190199506002056	Yes	40	15
190199506002057	Yes	40	15
190199506002060	Yes	40	15
190199506002110	Yes	40	15

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.<sup>1</sup> 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 Iowa<sup>2</sup> 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:

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

<sup>2</sup>See 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.<sup>3</sup> 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

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<sup>3</sup>See 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](mailto: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](https://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	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	<a href="mailto:mike.becker@eastbuchanan.com">mike.becker@eastbuchanan.com</a>

**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



Grants, OCIO &lt;ociogrants@iowa.gov&gt;

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## Response to V4 Challenge

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**Mike Becker** <mike.becker@eastbuchanan.com>  
To: "Grants, OCIO" <ociogrants@iowa.gov>

Fri, Jul 30, 2021 at 11:25 AM

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
<b>Subtotal Monthly Charges</b>			<b>\$41.45</b>

**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
<b>Subtotal Monthly Charges</b>			<b>\$44.95</b>

Mike Becker

General Manager

East Buchanan Telephone Cooperative

Winthrop IA

[www.eastbuchanan.com](http://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**



3K

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

LTD Broadband LLC  
Corey Hauer  
coreyhauer@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 21-1011, 21-1031, 21-1032, 21-1033). **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.<sup>1</sup> 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 Iowa<sup>2</sup> 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:

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

<sup>2</sup>See 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.<sup>3</sup> 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

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<sup>3</sup>See 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](mailto: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](https://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	LTD Broadband LLC
Address	69 Teahouse Street
City	Las Vegas
State	NV
Zip	89138

**B. DESIGNATED CONTACT INFORMATION**

Contact Name	Corey Hauer
Contact Phone Number	(507) 318-0143
Contact Email	<a href="mailto:coreyhauer@ltdbroadband.com">coreyhauer@ltdbroadband.com</a>

**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.)

LTD Broadband is capable of more than 250/250 in most of our network. This is for dedicated commercial plans. Speeds of 1000/1000 are available to most locations but it is not uniformly available. Our 250/250 plans are uniformly available to at least 10% of every census block we report.

**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:	<i>Corey Hauer</i>
Title:	CEO
Date:	8/1/2021

\*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
190693601001144	Yes	250 Mbps	250 Mbps
190693601001145	Yes	250 Mbps	250 Mbps
190693601001168	Yes	250 Mbps	250 Mbps
190693601001169	Yes	250 Mbps	250 Mbps
190693601001171	Yes	250 Mbps	250 Mbps
190693601001172	Yes	250 Mbps	250 Mbps
190693601001174	Yes	250 Mbps	250 Mbps
190693601002002	Yes	250 Mbps	250 Mbps
190693601002007	Yes	250 Mbps	250 Mbps
190693601002009	Yes	250 Mbps	250 Mbps
190693601002010	Yes	250 Mbps	250 Mbps
190693601002013	Yes	250 Mbps	250 Mbps
190693601002014	Yes	250 Mbps	250 Mbps

190693601002016	Yes	250 Mbps	250 Mbps
190693601002017	Yes	250 Mbps	250 Mbps
190693601002022	Yes	250 Mbps	250 Mbps
190693601002025	Yes	250 Mbps	250 Mbps
190693601002031	Yes	250 Mbps	250 Mbps
190693601002034	Yes	250 Mbps	250 Mbps
190693601002036	Yes	250 Mbps	250 Mbps
190693601002038	Yes	250 Mbps	250 Mbps
190693601002039	Yes	250 Mbps	250 Mbps
190693601002053	Yes	250 Mbps	250 Mbps
190693601002054	Yes	250 Mbps	250 Mbps
190693601002068	Yes	250 Mbps	250 Mbps
190693601002071	Yes	250 Mbps	250 Mbps
190693601002072	Yes	250 Mbps	250 Mbps
190693601002073	Yes	250 Mbps	250 Mbps
190693601002074	Yes	250 Mbps	250 Mbps
190693601002076	Yes	250 Mbps	250 Mbps
190693601002079	Yes	250 Mbps	250 Mbps
190693601002080	Yes	250 Mbps	250 Mbps
190693601002082	Yes	250 Mbps	250 Mbps
190693601002084	Yes	250 Mbps	250 Mbps
190693601002088	Yes	250 Mbps	250 Mbps
190693601002096	Yes	250 Mbps	250 Mbps
190693601002097	Yes	250 Mbps	250 Mbps
190693601002098	Yes	250 Mbps	250 Mbps
190693601002099	Yes	250 Mbps	250 Mbps
190693601002110	Yes	250 Mbps	250 Mbps
190693601002112	Yes	250 Mbps	250 Mbps
190693601002116	Yes	250 Mbps	250 Mbps
190693601002118	Yes	250 Mbps	250 Mbps
190693601002119	Yes	250 Mbps	250 Mbps
190693601002122	Yes	250 Mbps	250 Mbps
190693601002124	Yes	250 Mbps	250 Mbps
190693601002127	Yes	250 Mbps	250 Mbps
190693601002128	Yes	250 Mbps	250 Mbps
190693601002131	Yes	250 Mbps	250 Mbps

190693601002138	Yes	250 Mbps	250 Mbps
190693601002139	Yes	250 Mbps	250 Mbps
190693601002140	Yes	250 Mbps	250 Mbps
190693601002142	Yes	250 Mbps	250 Mbps
190693601002144	Yes	250 Mbps	250 Mbps
190693601002151	Yes	250 Mbps	250 Mbps
190693601002153	Yes	250 Mbps	250 Mbps
190693601002159	Yes	250 Mbps	250 Mbps
190693601003017	Yes	250 Mbps	250 Mbps
190693601003018	Yes	250 Mbps	250 Mbps
190693601003019	Yes	250 Mbps	250 Mbps
190693601003020	Yes	250 Mbps	250 Mbps
190693601003024	Yes	250 Mbps	250 Mbps
190693601003026	Yes	250 Mbps	250 Mbps
190693601003028	Yes	250 Mbps	250 Mbps
190693601003030	Yes	250 Mbps	250 Mbps
190693601003033	Yes	250 Mbps	250 Mbps
190693601003292	Yes	250 Mbps	250 Mbps
190693601003293	Yes	250 Mbps	250 Mbps
190693602001086	Yes	250 Mbps	250 Mbps
190693602001092	Yes	250 Mbps	250 Mbps
190119606002006	Yes	250 Mbps	250 Mbps
190119606002007	Yes	250 Mbps	250 Mbps
190119606002008	Yes	250 Mbps	250 Mbps
190119606002009	Yes	250 Mbps	250 Mbps
190119606002012	Yes	250 Mbps	250 Mbps
190119606002014	Yes	250 Mbps	250 Mbps
190119606002015	Yes	250 Mbps	250 Mbps
190119606002016	Yes	250 Mbps	250 Mbps
190119606002017	Yes	250 Mbps	250 Mbps
190119606002018	Yes	250 Mbps	250 Mbps
190119606002020	Yes	250 Mbps	250 Mbps
190119606002029	Yes	250 Mbps	250 Mbps
190119606002032	Yes	250 Mbps	250 Mbps
190119606002039	Yes	250 Mbps	250 Mbps
190119606002084	Yes	250 Mbps	250 Mbps



190119606002085	Yes	250 Mbps	250 Mbps
190119606003105	Yes	250 Mbps	250 Mbps
190119606003106	Yes	250 Mbps	250 Mbps
190119606003110	Yes	250 Mbps	250 Mbps
190119606003111	Yes	250 Mbps	250 Mbps
190119606003112	Yes	250 Mbps	250 Mbps
190119606003114	Yes	250 Mbps	250 Mbps
190119606003115	Yes	250 Mbps	250 Mbps
190119606003117	Yes	250 Mbps	250 Mbps
190119606003118	Yes	250 Mbps	250 Mbps
190119606003120	Yes	250 Mbps	250 Mbps
190119607001000	Yes	250 Mbps	250 Mbps
190119607001001	Yes	250 Mbps	250 Mbps
190119607001002	Yes	250 Mbps	250 Mbps
190119607001003	Yes	250 Mbps	250 Mbps
190119607002000	Yes	250 Mbps	250 Mbps
190119607002001	Yes	250 Mbps	250 Mbps
190119607002002	Yes	250 Mbps	250 Mbps
190119607002006	Yes	250 Mbps	250 Mbps
190119607002007	Yes	250 Mbps	250 Mbps
190119607002009	Yes	250 Mbps	250 Mbps
191712906003001	Yes	250 Mbps	250 Mbps
191712906003002	Yes	250 Mbps	250 Mbps
191712906003011	Yes	250 Mbps	250 Mbps
191712906003013	Yes	250 Mbps	250 Mbps
191712906003018	Yes	250 Mbps	250 Mbps
191712906003020	Yes	250 Mbps	250 Mbps
191712906003021	Yes	250 Mbps	250 Mbps
191712906003031	Yes	250 Mbps	250 Mbps
191712906003067	Yes	250 Mbps	250 Mbps
191712906003071	Yes	250 Mbps	250 Mbps
191712906003072	Yes	250 Mbps	250 Mbps
191712906003085	Yes	250 Mbps	250 Mbps
191712906003086	Yes	250 Mbps	250 Mbps
191712906003088	Yes	250 Mbps	250 Mbps
191712906003089	Yes	250 Mbps	250 Mbps

191712906003090	Yes	250 Mbps	250 Mbps
191712906004080	Yes	250 Mbps	250 Mbps
191712906004081	Yes	250 Mbps	250 Mbps
191712906004142	Yes	250 Mbps	250 Mbps
191130102001014	Yes	250 Mbps	250 Mbps
191130102001026	Yes	250 Mbps	250 Mbps
191130102001027	Yes	250 Mbps	250 Mbps
191130102001040	Yes	250 Mbps	250 Mbps
190199506002169	Yes	250 Mbps	250 Mbps
190199506002172	Yes	250 Mbps	250 Mbps
190199506002173	Yes	250 Mbps	250 Mbps
190199506002174	Yes	250 Mbps	250 Mbps
190199506002175	Yes	250 Mbps	250 Mbps
190199506002203	Yes	250 Mbps	250 Mbps
191130102001001	Yes	250 Mbps	250 Mbps
191130102001002	Yes	250 Mbps	250 Mbps
191130102001006	Yes	250 Mbps	250 Mbps
191130102001007	Yes	250 Mbps	250 Mbps
191130102001008	Yes	250 Mbps	250 Mbps
191130102001010	Yes	250 Mbps	250 Mbps
191130102001012	Yes	250 Mbps	250 Mbps
191130102001041	Yes	250 Mbps	250 Mbps
191130102001044	Yes	250 Mbps	250 Mbps
191130102001046	Yes	250 Mbps	250 Mbps
191130102001048	Yes	250 Mbps	250 Mbps
191130102001049	Yes	250 Mbps	250 Mbps
191130102001050	Yes	250 Mbps	250 Mbps
191130102001051	Yes	250 Mbps	250 Mbps
191130102001052	Yes	250 Mbps	250 Mbps
191130102001058	Yes	250 Mbps	250 Mbps
191130102001062	Yes	250 Mbps	250 Mbps
191130102001063	Yes	250 Mbps	250 Mbps
191130102001071	Yes	250 Mbps	250 Mbps
191130102001072	Yes	250 Mbps	250 Mbps
191130102001075	Yes	250 Mbps	250 Mbps
191130102001080	Yes	250 Mbps	250 Mbps

191130102001088	<b>Yes</b>	250 Mbps	250 Mbps
190199506002019	<b>Yes</b>	250 Mbps	250 Mbps
190199506002056	<b>Yes</b>	250 Mbps	250 Mbps
190199506002060	<b>Yes</b>	250 Mbps	250 Mbps
190199506002094	<b>Yes</b>	250 Mbps	250 Mbps
190199506002095	<b>Yes</b>	250 Mbps	250 Mbps
190199506002106	<b>Yes</b>	250 Mbps	250 Mbps
190199506002110	<b>Yes</b>	250 Mbps	250 Mbps

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

Maquoketa Valley Electric Cooperative    **OCIO did not receive a response from this provider.**  
Patty Manuel  
pmanuel@mvec.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). **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.<sup>1</sup> 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 Iowa<sup>2</sup> 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:

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

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

<sup>2</sup>See Iowa Admin. Code r. 129—20.3.

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.<sup>3</sup> 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

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<sup>3</sup>See 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](mailto: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](https://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 &lt;ociogrants@iowa.gov&gt;

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## UScellular response - V4 Map Challenges

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**Hulings, Thomas C** <Thomas.Hulings@uscellular.com>

Wed, Aug 11, 2021 at 7:22 PM

To: "ociogrants@iowa.gov" &lt;ociogrants@iowa.gov&gt;

Cc: "Frakes, Justin C" &lt;Justin.Frakes@uscellular.com&gt;

Hello,

Attached please find UScellular's response to The OCIO's Letter of Inquiry dated July 28, 2021. We will be responding to the August 11 letter very shortly.

Regards

UScellular attests to facilitating service at a minimum of 25/3 Mbps in 31 of the census blocks identified in the OCIO's July 28 letter.

These blocks were upgraded to 25/3 Mbps Broadband as part of USCC's NOFA #003 submission and were in service on July 1, 2021.

The challengers to these census blocks appear to be unfamiliar with UScellular's service offerings, which is understandable given the recency of these deployments. Some challengers, while not mentioning UScellular, appear to have conflated existing WISP offerings with UScellular's 3GPP 5G FWA product. Such offerings are not comparable in performance, reliability, or scalability.

**Thomas Hulings**  
**Director of Business Development & Partnerships**

**UScellular****Desk: 773-355-3265****Mobile: (773) 450-6045****US Cellular Response - V4 Appeal Notice to Respondent 8-11-2021.xlsx**

232K

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

United States Cellular Corporation  
Kathy Hust  
kathy.hust@uscellular.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 21-1021, 21-1030, 21-1031, 21-1032, 21-1033, 21-1034, 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.<sup>1</sup> 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 Iowa<sup>2</sup> 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:

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

<sup>2</sup>See 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.<sup>3</sup> 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

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<sup>3</sup>See 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](mailto: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](https://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	United States Cellular Corporation
Address	8410 W. Bryn Mawr
City	Chicago
State	Illinois
Zip	60631

**B. DESIGNATED CONTACT INFORMATION**

Contact Name	Thomas Hulings
Contact Phone Number	773-355-3625
Contact Email	<a href="mailto:thomas.hulings@uscellular.com">thomas.hulings@uscellular.com</a>

**C. AFFIRMATION**

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

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

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

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

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

UScellular attests to facilitating service at a minimum of 25/3 Mbps in 31 of the census blocks identified in the OCIO's July 28 letter. These blocks were upgraded to 25/3 Mbps Broadband as part of USCC's NOFA #003 submission and were in service on July 1, 2021. The challengers to these census blocks appear to be unfamiliar with UScellular's service offerings, which is understandable given the recency of these deployments. Some challengers, while not mentioning UScellular, appear to have conflated existing WISP offerings with UScellular's 3GPP 5G FWA product. Such offerings are not comparable in performance, reliability, or scalability.

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

Authorized Signature:	Thomas C. Hulings
Title:	Dir. Business Development & Partnerships
Date:	8/11/2021

\*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
190019602002020	Yes	25	3
190019602002021	Yes	25	3
190019602002022	Yes	25	3
190019602002027	Yes	25	3
190019602002028	Yes	25	3
190019602002029	Yes	25	3
190019602002030	Yes	25	3
190019602002032	Yes	25	3
190019602002035	Yes	25	3
190019602002049	No		
190019602002054	Yes	25	3
190019602002060	Yes	25	3
190019602002067	Yes	25	3

190019602002077	Yes	25	3
190019602002079	Yes	25	3
190019602002083	No		
190019602002109	No		
190019602002210	Yes	25	3
190019602002305	Yes	25	3
190019603004000	No		
190019603004003	No		
190019603004004	Yes	25	3
190019603004005	No		
190019603004007	No		
190019603004014	Yes	25	3
190019603004016	Yes	25	3
190019603004017	No		
190019603004019	No		
190019603004053	No		
190019603004073	No		
190019603004074	No		
190019603004080	No		
190019603004083	No		
190019603004085	Yes	25	3
190019603004087	No		
190019603004089	No		
190019603004110	Yes	25	3
190019603004114	Yes	25	3
190019603004138	Yes	25	3
190019603004164	No		
190019603004174	Yes	25	3
190019603004175	No		
190693601001144	No		
190693601001145	No		
190693601001168	No		
190693601001169	No		
190693601001172	No		
190693601001174	No		
190693601002118	No		

190693601002119	No		
190693601002122	No		
190693601002138	No		
190693601002142	No		
190693601002144	No		
190693601002151	No		
190693601002153	No		
190693601002159	No		
190693601003017	No		
190693601003018	No		
190693601003019	No		
190693601003020	No		
190693601003024	No		
190693601003026	No		
190693601003028	No		
190693601003030	No		
190693601003033	No		
190693601003292	No		
190693601003293	No		
190693602001086	No		
190693602001092	No		
190119606002006	No		
190119606002007	No		
190119606002008	No		
190119606002009	No		
190119606002012	No		
190119606002013	No		
190119606002014	No		
190119606002015	No		
190119606002016	No		
190119606002017	No		
190119606002018	No		
190119606002020	No		
190119606002029	No		
190119606002032	No		
190119606002039	No		

190119606002083	No
190119606002084	No
190119606002085	No
190119606002087	No
190119606003105	No
190119606003106	No
190119606003109	No
190119606003110	No
190119606003111	No
190119606003112	No
190119606003114	No
190119606003115	No
190119606003117	No
190119606003118	No
190119606003120	No
190119607001000	No
190119607001001	No
190119607001002	No
190119607001003	No
190119607002000	No
190119607002001	No
190119607002002	No
190119607002006	No
190119607002007	No
190119607002009	No
190119607003065	No
190959601002040	No
190959601003028	No
190959601003029	No
190959601003030	Yes
190959601003032	No
190959601003033	No
190959601003035	No
190959601003058	No
190959601003060	No
190959602001084	No

25

3

190959602001085	No
190959602001086	No
190959602001087	No
190959602001089	No
190959602001095	No
190959602001096	No
190959602001097	No
190959602001098	No
190959602001099	No
190959602002000	No
190959602002001	No
190959602002002	No
190959602002003	No
190959602002004	No
190959602002005	No
190959602002006	No
190959602002007	No
190959602002008	No
190959602002009	No
190959602002010	No
190959602002011	No
190959602002012	No
190959602002013	No
190959602002014	No
190959602002015	No
190959602002016	No
190959602002017	No
190959602002018	No
190959602002019	No
190959602002020	No
190959602002021	No
190959602002022	No
190959602002023	No
190959602002024	No
190959602002025	No
190959602002026	No



190959602002027	No		
190959602002028	No		
190959602002029	No		
190959602002030	No		
190959602002032	No		
190959602002033	No		
190959602002034	No		
190959602002035	No		
190959602002036	No		
190959602002037	No		
190959602002038	No		
190959602002039	No		
190959602002070	No		
190959602002071	No		
190959602002103	No		
190959602002104	No		
190959602003000	No		
190959602003001	No		
190959602003026	No		
190959602003028	No		
190959602004000	Yes	25	3
190959602004001	Yes	25	3
190959602004012	No		
190959602004017	No		
190959602004018	No		
190959602004019	No		
190959602004020	No		
190959602004021	No		
190959602004024	No		
190959602004025	No		
190959602004026	Yes	25	3
190959602004142	No		
190959602004143	No		
190959602004145	No		
190959602004147	No		
190959602004148	No		

190959602004150	No	25	3
190959602004154	No		
190959602004159	Yes		
190959602004160	No		
191573701002000	No		
191573701002001	No		
191573701002002	No		
191573701002003	No		
191573701002004	No		
191573701002054	No		
191573701002055	No		
191573701002056	No		
191573701002057	No		
191573701002058	No		
191573701002059	No		
191573701002060	No		
191573701002061	No		
191573701002062	No		
191573701002063	No		
191573701002076	No		
191573701002077	No		
191712906003001	No		
191712906003002	No		
191712906003011	No		
191712906003013	No		
191712906003018	No		
191712906003020	No		
191712906003021	No		
191712906003031	No		
191712906003067	No		
191712906003071	No		
191712906003072	No		
191712906003082	No		
191712906003085	No		
191712906003086	No		
191712906003088	No		

191712906003089	No
191712906003090	No
191712906004044	No
191712906004080	No
191712906004081	No
191712906004084	No
191712906004142	No
191130102001014	No
191130102001016	No
191130102001017	No
191130102001025	No
191130102001026	No
191130102001027	No
191130102001028	No
191130102001029	No
191130102001031	No
191130102001033	No
191130102001034	No
191130102001035	No
191130102001036	No
191130102001038	No
191130102001040	No
190199506002169	No
190199506002172	No
190199506002173	No
190199506002174	No
190199506002175	No
190199506002203	No
191130102001001	No
191130102001002	No
191130102001008	No
191130102001010	No
191130102001012	No
191130102001037	No
191130102001039	No
191130102001041	No

191130102001044	No		
191130102001045	No		
191130102001046	No		
191130102001048	No		
191130102001049	No		
191130102001050	No		
191130102001051	No		
191130102001052	No		
191130102001062	No		
191130102001063	No		
191130102001071	No		
191130102001072	No		
191130102001075	No		
191130102001088	No		
190199501001150	No		
190199506002017	No		
190199506002018	No		
190199506002019	No		
190199506002040	Yes	25	3
190199506002041	No		
190199506002056	No		
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190490505002065	No
190490505002066	No
190490505002070	No
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190490507001003	No



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.<sup>1</sup> 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 Iowa<sup>2</sup> 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

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

<sup>2</sup>See 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.<sup>3</sup> 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

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<sup>3</sup>See 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](mailto: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](https://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	<a href="mailto:logan.shine@windstream.com">logan.shine@windstream.com</a>

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