

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

ROBERT VON WOLFRADT  
CHIEF INFORMATION OFFICER

## FINAL AGENCY DECISION

Docket No. 17OCIO002

May 12, 2017

Grand River Mutual Telephone Corporation  
c/o Jennifer K. Neff  
1001 Kentucky St.  
Princeton, MO 64673

Dear Ms. Neff:

In response to the Notice of Appeal (“**Appeal**”) filed by you on behalf of Grand River Mutual Telephone Corporation, D/B/A GRM Networks (“**Appellant**”), pursuant to Iowa Administrative Code rule 129—20.5(1), the Office of the Chief Information Officer of the State of Iowa (“**Office**”) has conducted an internal review of all relevant evidence and information both submitted by you and otherwise available to the Office related to the census blocks forming the basis of your Appeal. *See* Iowa Admin. Code r. 129—20.5(4). Following its review of the entire record before it, the Office issues the following **FINAL AGENCY DECISION** (“**Decision**”). Iowa Admin. Code r. 129—20.5.

### I. ISSUE(S) ON APPEAL.

Whether the Office correctly determined the census blocks forming the basis of this Appeal do or do not constitute “Targeted Service Areas” (“**TSAs**”)<sup>1</sup> as defined by Iowa Code section 8B.1(12).

### II. BACKGROUND FACTS, LAW, AND PROCEEDINGS.

Iowa Code section 427.1(40) creates a one hundred percent property tax exemption (“**Exemption**”) for “the installation of broadband infrastructure that facilitates broadband service at or above twenty-five megabits per second of download speed and three megabits per second of upload speed commenced and completed on or after July 1, 2015, and before July 1, 2020, in a [TSA], and used to deliver internet services to the public.” *Id.* (a)–(c). This Exemption is jointly administered by local county assessors, the Iowa Department of Revenue, and the Office. *Id.* The Office’s primary role in the program is to certify two things things for Communication Service Providers (“**Providers**”) seeking an Exemption:

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<sup>1</sup>As used in this Decision, the term “**non-TSA**” shall refer to a census block that does not constitute a “Targeted Service Area” as defined by Iowa Code section 8B.1(12).

1. That “pursuant to [Iowa Code] section 8B.10 . . . the installation is being performed or was completed in a [TSA]”; and
2. “[T]hat [the] broadband infrastructure installed in a [TSA] facilitates broadband service at or above twenty-five megabits per second of download speed and three megabits per second of upload speed.”

Iowa Code § 427.1 (40)(f)(1)(d).

In July of 2016 the Office published the State of Iowa Broadband Availability Map (“**Broadband Map**”) online.<sup>2</sup> Iowa Admin. Code r. 129—20.4. The Broadband Map identified TSA’s within the State at the census block level. Iowa Code section 8B.1(12) defines a TSA as: “a United States census bureau census block located in this state, including any crop operation located within the census block, within which no communications service provider offers or facilitates broadband service at or above twenty-five megabits per second of download speed and three megabits per second of upload speed as of July 1, 2015.” In other words, a TSA is a census block within the State that, as of July 1, 2015, was underserved in terms of access to and/or availability of high-speed internet—specifically, broadband service at or above twenty-five megabits per second of download speed and three megabits per second of upload speed (“**25/3**”). *Id.* Providers applying for “[C]ertification from the [O]ffice . . . pursuant to [Iowa Code] section 8B.10 that the installation is being performed or was completed in a [TSA]” would receive such certification if the installation forming the basis of the Provider’s Application for Certification occurred within a TSA as designated on the Broadband Map. Iowa Code § 427.1 (40)(f)(1)(d).

In generating the Broadband Map, the “[O]ffice utilized broadband availability maps and corresponding data sources made available by Connect Iowa, LLC, a subsidiary of Connected Nation, Inc.” Iowa Admin. Code r. 129—20.3. “Such maps and data sources were widely accepted for accuracy and made available for public review and comment.” *Id.*; *see also* Iowa Code § 8B.10(1) (“The determination of whether a communications service provider offers or facilitates broadband service meeting the download or upload speeds specified in the definition of [TSA] in section 8B.1 shall be determined or ascertained by reference to broadband availability maps or data sources that are widely accepted for accuracy and available for public review and comment and that are identified by the office by rule.”); <http://www.connectiowa.org/mapping/faqs> (“There are several planned and ongoing phases to the verification of broadband data being collected, including provider verification, consumer verification, and field verification. . . . We rely on citizen feedback to verify the accuracy of the broadband inventory maps. Please send us your feedback . . . . We respond to all inquiries and incorporate relevant information on an ongoing basis.”).

In addition, the Office was required to “establish procedures to allow challenges to the [O]ffice’s finding on whether an area meets the definition of [a] [TSA].” Iowa Code § 8B.10(2). Thus, as set forth by Iowa Administrative Code rules 129—20.4 and 20.5, the Office established November 30, 2016, as the official and final publication date of the map, and established an appeal process whereby “[w]ithin

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<sup>2</sup>Currently available at <https://ocio.iowa.gov/broadband>.

20 days after [November 30, 2016], any person or party aggrieved or adversely affected by [the Office’s determination of whether a census block constitutes a TSA] [could] challenge the Office’s finding by filing a notice of appeal with the office,” Iowa Administrative Code rule 129—20.5(1).

The notice of appeal was required to set forth:

(a) The name, address, telephone number, and e-mail address of the person or party [appealing the Office’s designation];

(b) The particular census block designation the person or party [was] challenging by stating:

1. The census block number as provided on the [Broadband Map];

2. The county in which the census block [was] located as provided on the [Broadband Map];

(c) The manner in which the person or party [was] aggrieved or adversely affected by the [O]ffice’s determination; and

(d) The grounds upon which the appeal is based.

Iowa Admin. Code r. 129—20.5(1)(a). In addition, accompanying the notice of appeal, appellants were required to supply the Office with “*all* evidence and information necessary to support the appeal.” *Id.* (b) (emphasis added.).

After expiration of the initial twenty-day appeal window, the Office was to post any notices of appeal received online at <http://ocio.iowa.gov>. *Id.* (3). Thereafter, “any [other] affected persons or parties [would] have 20 calendar days to submit evidence and information in support of, or in opposition to, such appeal.” *Id.* After expiration of this second twenty-day submission window, the Office would “consolidate all appeals involving the same census block and conduct an internal review of the evidence and information submitted by all appellants related thereto, in conjunction with any other evidence and information submitted by any affected persons or parties . . . , the maps and data sources originally utilized in [creating the Broadband Map], and any other information deemed relevant by the office.” *Id.* (4). Thereafter, the Office would issue a final agency decision stating the reasons for the Office’s decision concerning the census block(s) in question.” *Id.* (5).

On December 15, 2016, within the initial twenty-day window, Appellant filed this Appeal. Therein, Appellant challenged the Office’s determination with respect to the following fourteen census blocks located in Decatur County, Iowa:

- 190539602001343
- 190539602001353
- 190539602001359
- 190539602001321
- 190539602001322
- 190539602001341

- 190539602002011
- 190539602002012
- 190539601003133
- 190539602001180
- 190539602001187
- 190539602001304
- 190539602001265
- 190539602001351

With respect to each of the fourteen census blocks listed above, Appellant stated:

Each of the 14 census blocks are designated as being able to receive 25/3 mbps speeds as of 7/1/2015 . . . and as such are not eligible for the property tax exemption. We have investigated and our evidence shows that none of these blocks were able to receive internet speeds of 25/3 mbps as of 7/1/2015. Additional pages are attached listing each of the 14 blocks and the evidence for each. I personally called the Mediacom customer service line on 12/14/2016 five times and was told “our lines do not extend outside the city limits” and “if it’s outside the city limits our lines do not go out there.”

Appellant requested that each of these census blocks be designated as TSAs, and attached summaries of phone calls with Mediacom customer service regarding Mediacom’s ability to provide service to specific addresses located within each of the census blocks forming the basis of Appellant’s Appeal. Such summaries are included in Appellant’s Appeal, attached as **Exhibit A**.

On December 20, 2016, the Office posted Appellant’s Appeal online. *Id.*(3). Over the course of the next twenty days, “[no other] affected persons or parties . . . submit[ted] evidence and information in support of, or in opposition to, such appeal.” *Id.* The Office subsequently conducted an internal review of all relevant evidence and information both submitted by Appellant in connection with the Appeal and otherwise available to the Office.

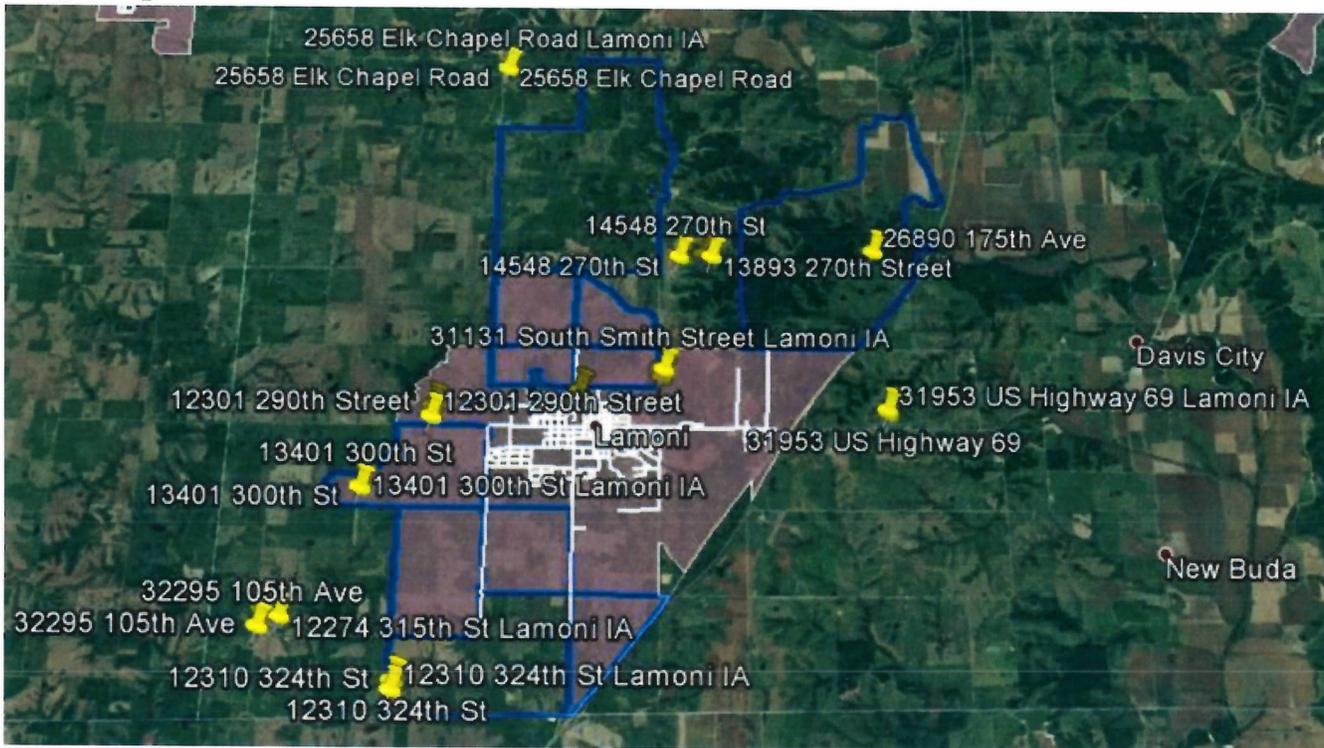
Following this review, on February 23, 2017, because data underlying ten (10) of the fourteen (14) appealed census blocks revealed that Mediacom Cable Communications (“**Mediacom**”), as of July 1, 2015, may have offered or facilitated 25/3 therein, and because Appellant’s Appeal cited evidence purportedly obtained from Mediacom, the Office sent Mediacom a Request for Information (“**Request**”), attached as **Exhibit B**. Specifically, with respect to the ten (10) census blocks identified in the Request, the Office requested that Mediacom:

- 1) Confirm whether [it] either correctly or erroneously reported to either ConnectIowa, LLC, or the Federal Communications Commission data or information regarding availability and/or advertised upload/download speeds for June-July of 2015; and/or
- 2) Confirm whether [it] did or did not offer or facilitate 25/3 as of July 1, 2015.

If Mediacom did not respond within ten (10) days, “OCIO [would] make a final decision based on the evidence and information currently available to it.”

Mediacom responded on April 4, past the deadline. See “**Response**” attached as **Exhibit C**. In its Response Mediacom noted that “[s]ome of the addresses [provided to Mediacom’s customer service] do not fall in the same census tract that was mentioned in [Appellant’s Appeal].” Mediacom also included visuals from GoogleMaps of “where [it] offer[s] service in the census tracts listed,” and included a summary chart of its service capabilities with respect to the specific addresses and/or census blocks referenced in Appellant’s Appeal (“**Summary Chart**”).

**GoogleMaps Visual #1:**



\*The yellow pins are the addresses identified in Appellant’s Appeal as identified by Mediacom using GoogleMaps.

**GoogleMaps Visual #2:**



\*The yellow pins are the addresses identified in Appellant’s Appeal as identified by Mediacom using GoogleMaps.

**Summary Chart:**

Street Address	City ST	Zip	BlockID	Status
25658 Elk Chapel Road	Lamoni IA	50140 NA		Not in listed census block
14548 270th St	Lamoni IA	50140 NA		Not in listed census block
31953 US Highway 69	Lamoni IA	50140 NA		Not in listed census block
13893 270th Street	Lamoni IA	50140 NA		Not in listed census block
14704 280th St	Lamoni IA	50140 NA		Not in listed census block
14931 280th St	Lamoni IA	50140 NA		Not in listed census block
32295 105th Ave	Lamoni IA	50140 NA		Not in listed census block
12274 315th St	Lamoni IA	50140 NA		Not in listed census block
13347 160th St	Grand River IA	50108	190539602001180	Not Serviced
17579 150th Ave	Grand River IA	50108	190539602001180	Not Serviced
26889 175th Ave	Davis City IA	50065	190539602001265	Not Serviced
26890 175th Ave	Davis City IA	50065	190539602001265	Not Serviced
12310 324th St	Lamoni IA	50140	190539602001351	Not Serviced
13401 300th St	Lamoni IA	50140	190539602001341	Serviced
28441 N. State Street	Lamoni IA	50140 NA		Serviced
12301 290th Street	Lamoni IA	50140	190539602001341	Serviced
31131 South Smith Street	Lamoni IA	50140 NA		Serviced

After reviewing Mediacom’s Response, on April 4 the Office requested that Mediacom clarify whether it offered or facilitated 25/3 within the specific census blocks forming the basis of Appellant’s Appeal, as opposed to the specific addresses identified by Appellant as corresponding with particular census blocks. See follow up to Mediacom’s Response (“Follow Up”) attached as Exhibit D. This Follow Up was necessary because there were discrepancies between the location of certain addresses within certain census blocks on the State’s official Broadband Map as compared with GoogleMaps, such that the addresses provided by Appellant were in fact located in the census blocks claimed by Appellant,

in contrast to Mediacom's assertion. Further, the GoogleMaps visuals provided by Mediacom did not clearly indicate the census blocks in which Mediacom offered or facilitated 25/3, as Mediacom provided no key or legend to decipher what certain colors or lines were intended to convey with respect to its service capabilities. Mediacom had not responded to the Office's follow up as of the date of this Decision.

The Office subsequently conducted an internal review of all relevant evidence and information both submitted by Appellant and Mediacom and otherwise available to the Office in connection with the census blocks forming the basis of this Appeal.

### III. DECISION(S) AND REASONING.

- **BLOCK IDs: 190539601003133, 190539602001187, 190539602001180, and 190539602001304.**
  - **SUMMARY: APPEAL GRANTED.** The Office will designate these blocks as TSAs due to Appellant's confirmation that Appellant did not offer or facilitate 25/3 in these blocks as of July 1, 2015.
  - **DETAILED RESPONSE:** With respect to these four (4) census blocks, designated as non-TSAs at the time of the filing of this Appeal, the Office has reviewed the evidence and information submitted by Appellant related thereto, in conjunction with the maps and data sources originally utilized in determining whether these census blocks are or are not TSAs. Iowa Admin. Code r. 129—20.5(4); *see also* Iowa Admin. Code r. 129—20.3. The Office agrees with Appellant that these census blocks should be designated as TSAs. Upon further review, the data sources originally utilized by the Office show that the Office's original determination was based on Appellant's own prior reporting that it, as of July 1, 2015, offered or facilitated 25/3 in these census blocks. Appellant now advises the Office that this data is incorrect, and that Appellant did not offer or facilitate 25/3 in these census blocks as of July 1, 2015. The Office credits Appellant's written statements. Thus, based on the evidence and information available to the Office, the Office concludes these census blocks should be TSAs.
- **BLOCK IDs: 190539602001343, 190539602001353, 190539602001321, 190539602001322, 190539602002011, 190539602001265, 190539602001351.**
  - **SUMMARY: APPEAL GRANTED.** The Office will designate these blocks as TSAs due to evidence provided by Appellant supporting the conclusion that Mediacom did not offer or facilitate 25/3 in these blocks as of July 1, 2015.
  - **DETAILED RESPONSE:** With respect to these seven (7) census blocks, designated as non-TSAs at the time of the filing of this Appeal, the Office has reviewed the evidence and information submitted by Appellant related thereto, in conjunction with the maps and data sources originally utilized in determining whether these census blocks are or are not TSAs. Iowa Admin. Code r. 129—20.5(4); *see also* Iowa Admin. Code r. 129—20.3. The

Office agrees with Appellant that these census blocks should be designated as TSAs. The data sources originally utilized by the Office show that the Office's original determination was based on Mediacom's prior reporting that it, as of July 1, 2015, offered or facilitated 25/3 in these census blocks.

- With respect to census block numbers 190539602001265 and 190539602001351, Mediacom confirmed in its Response that it did not service certain addresses in census blocks and provided no additional evidence to support a non-TSA designation. The Office possess no additional evidence or information to suggest that any other Provider offered or facilitated 25/3 in these census blocks. Accordingly, the Office will designate these census blocks as TSAs.
- With respect to the remaining five (5) census blocks, Mediacom's Response does not provide much insight into whether Mediacom offered or facilitated 25/3 at the *census block* level. With respect to these census blocks, Mediacom generally advised the Office that "the addresses [provided by Appellant to Mediacom's customer service] do not fall in the same census tract that was mentioned in [Appellant's Appeal]," Exhibit C. However, the Office's review of this issue revealed discrepancies between the location of certain addresses within certain census blocks on the State's official Broadband Map as opposed to GoogleMaps, such that the addresses provided by Appellant were in fact located in the census blocks claimed by Appellant. Moreover, the GoogleMaps visuals provided by Mediacom do not shed additional light on Mediacom's service capabilities in these census blocks, as Mediacom provided no key or legend to decipher what certain colors or lines were intended to convey with respect to its service capabilities. The Office attempted to address these issues with Mediacom, requesting it clarify its service capabilities at the census block level utilizing the boundaries provided on the State's official Broadband Map to aid the Office in making an accurate determination. *See* Exhibit D. The Office (twice) provided Mediacom with a pre-populated form which clearly set forth the information the Office sought. Mediacom did not respond using the Office's form, and never responded to the Office's Follow Up. And Appellant has provided the Office with evidence in the form of summaries of conversations between Appellant and Mediacom customer service evincing Mediacom's present inability to provide service to select addresses located in each of these census blocks. While the Office does not afford great weight to these conversations, which are both hearsay and presumably not Mediacom's official position on the matter, the Office afforded Mediacom ample time to clarify its service capabilities with respect to each of these census blocks, and Mediacom either chose or failed to do so. As a result, because:

(1) The Office is left with conflicting and/or incomplete information as to whether any Provider offered or facilitated 25/3 in these census blocks as of July 1, 2015;

(2) The Office has been unable to obtain clear information from the only known Provider potentially capable of providing 25/3 to each of these census blocks; and

(3) The general purpose of the Exemption is to increase access to broadband across the State;

the Office concludes these census blocks should be designated as TSAs.

● **BLOCK IDs: 190539602001341, 190539602002012, 190539602001359.**

- **SUMMARY: APPEAL DENIED.** These blocks will remain designated as non-TSAs due to Mediacom’s confirmation that it offered or facilitated 25/3 in these blocks.
- **DETAILED RESPONSE:** With respect to these three (3) census blocks, designated as non-TSAs at the time of the filing of this Appeal, the Office has reviewed the evidence and information submitted by Appellant related thereto, in conjunction with the maps and data sources originally utilized in determining whether these census blocks are or are not TSAs. Iowa Admin. Code r. 129—20.5(4); *see also* Iowa Admin. Code r. 129—20.3. The Office concludes these census blocks should remain designated as non-TSAs, as Mediacom confirmed in its Response that it is capable of providing 25/3 to these census blocks or to individual addresses within these census blocks. This is consistent with the maps and data sources originally utilized by the Office in determining whether these census blocks are or are not TSAs. Accordingly, these census blocks will remain designated as non-TSAs.

#### IV. APPEALING FURTHER.

If you wish to appeal this Decision you should—within 30 days of the posting of this Decision at <http://ocio.iowa.gov/>—so notify us in writing at the following address:

Office of the Chief Information Officer  
c/o Matt Behrens  
Hoover State Office Building, Level B  
1305 East Walnut Street  
Des Moines, Iowa 50319

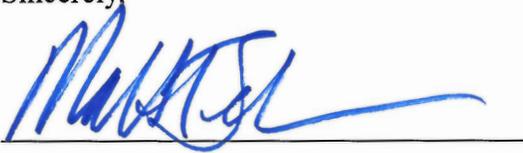
In so doing, please state the reason(s) you are appealing this Decision, specifically identifying the particular aspects of the decision with which you disagree and the reasons why, whether factual or legal in nature. If factual in nature, please identify the evidence or information upon which you are relying to support your claim. If legal in nature, please cite the controlling authority upon which you rely. Please also include the information required by Iowa Administrative Code rule 129—6.4.

Upon receiving your appeal, we will forward it 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—6.8(1). At that time, you will have an opportunity to make a

presentation, in person or over the telephone, to an ALJ regarding the nature of your concerns. If you do not exercise your appeal right within 30 days of the posting of this Decision at <http://ocio.iowa.gov/>, this Decision is final and binding. Iowa Admin. Code r. 129—20.5(5).

If you have any questions about this process, please contact Tom Slaughter at (515) 322-1128.

Sincerely,



Matt Behrens  
Deputy Chief Information Officer  
State of Iowa

**cc:**

Tom Slaughter, Business Services Division, Office of the Chief Information Officer

**Exhibit A**

Appellant's Explanations, Summaries, and Documentary Support

# Broadband Census Block Designation

## Notice of Appeal pursuant to 129 IAC 8.5(1)

Consistent with 129 IAC 20.5(1) and the timeframes set forth therein, this form may be used to appeal OCIO's otherwise final determination of whether a particular census block is a targeted service area. *See* Iowa Code section 8B.1(12), 8B.10. Please carefully review 129 IAC 20.5(1) prior to submitting this notice of appeal. Failure to comply with the requirements of 129 IAC 20.5(1) may result in dismissal of your appeal. Unless otherwise permitted by rule, please submit this notice of appeal and all corresponding evidence and information in support of your appeal by electronic mail (e-mail) at [cio@iowa.gov](mailto:cio@iowa.gov).

As a government entity, OCIO is subject to the State's public records law found in Iowa Code chapter 22 and implementing administrative rules at Iowa Administrative code 129—chapter 2. In the event you are submitting evidence or information to OCIO in support of your appeal that may contain confidential information, please carefully review 129 IAC 20.5(7) (and the corresponding statutes and rules referenced therein) and complete and submit a Form 22, available here <http://ocio.iowa.gov/Form22>, along with such evidence and information. Failure to do so may result in rejection of your request for confidential treatment.

### 1. Who is this appeal for?

**First Name**

Jennifer

**Middle Initial**

K.

**Last Name**

Neff

**Entity/Company on behalf of whom filing (if applicable)**

Grand River Mutual Telephone Corporation dba GRM Networks

**Mailing Address**

1001 Kentucky Street

**City**

Princeton

**State**

MO

**Zip Code**

64673

**Phone Number**

660-748-2575

**Email Address**

jneff@grm.net

## 2. What are you appealing?

Census Block ID#(s) forming basis of appeal*	County in which census block(s) located
#190539602001180	Decatur County
#190539602001265	Decatur County
#190539602001304	Decatur County
#190539602001351	Decatur County
#190539602001321	Decatur County
#190539602001322	Decatur County
#190539602002011	Decatur County
#190539602002012	Decatur County
#190539602001341	Decatur County
#190539602001343	Decatur County
#190539602001353	Decatur County

**If there are not enough fields available, please attach additional pages to this form including a list of all Census Block ID#(s) and corresponding counties you wish to appeal.**

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\*Please to go to the [broadband map](#), locate the specific census block you would like to challenge, and insert the corresponding Census Block ID # in this field.

### 3. Why are you appealing?

How does OCIO's designation of this census block harm *you*, specifically? *See* 129 IAC 20.5(1)(a)(3). If the field below does not provide sufficient space for you to answer thoroughly, please attach additional pages to this form to supplement your response to this question.

Each of these fourteen (14) census blocks are not currently included in the Targeted Service Area for the property tax exemption. Each of these blocks was not capable of receiving internet speeds of 25/3 as of 7/1/2015. GRM Networks plans to build fiber to all our customers and in fact built a great deal of fiber to the home in the last year. GRM Networks would be financially harmed by not being allowed the property tax exemption for this fiber construction expense in these 14 census blocks if the TSA designation is not corrected.

### 4. What is the basis for your appeal?

Please state the reason(s) you believe OCIO's determination regarding the specific census block forming the basis of your appeal is incorrect. *See* 129 IAC 20.5(1)(a)(4). In stating your reasons, please cite to the specific statutes, rules, or other law upon which your appeal is based, and to any evidence or information you have submitted to the OCIO in support of your appeal. Please be as specific as possible. If the field below does not provide sufficient space for you to answer thoroughly, please attach additional pages to this form to supplement your response to this question.

Each of the 14 census blocks are designated as being able to receive 25/3 mbps speeds as of 7/1/2015 (129—20.4(8B,427) Targeted service area determination) and as such are not eligible for the property tax exemption. We have investigated and our evidence shows that none of these blocks were able to received internet speeds of 25/3 mbps as of 7/1/2015. Additional pages are attached listing each of the 14 blocks and the evidence for each. I personally called the Mediacom customer service line on 12/14/2016 five times and was told "our lines do not extend outside the city limits" and "if it's outside the city limits our lines do not go out there". Please see attached details.



## 2. Continued What are you appealing?

Census Block ID#(s) forming basis of appeal*	County in which census block(s) located
#190539602001359	Decatur County
#190539602001187	Decatur County
#190539601003133	Decatur County

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\*Please to go to the [broadband map](#), locate the specific census block you would like to challenge, and insert the corresponding Census Block ID # in this field.

#### 4. Continued What is the basis for your appeal?

Each of the fourteen listed census blocks were not able to receive 25/3 mbps as of 7/1/2015.

**1. 190539602001187**

**2. 190539601003133**

These two blocks are listed on the map as being served by our company with 25/3 mbps speeds. GRM Networks did have service in these blocks but the speeds at that time were up to 6/1, not 25/3. The plant we had in that area as of 7/1/2015 was not capable of 25/3 speeds.

**3. 190539602001180**

**4. 190539602001265**

**5. 190539602001304**

**6. 190539602001351**

These four blocks are listed as not being a TSA, but when I select Show Related Records it says no related records found. As a result I do not know what provider the map is saying was able to provide 25/3 mbps as of 7/1/2015. The only two providers we know of in the area are Mediacom and our company. GRM Networks was not able to provide 25/3 mbps to these blocks as of 7/1/2015. I checked on the availability of Mediacom service for addresses in these blocks and my research showed that they also do not offer 25/3 in these blocks – please see attached details from the Mediacom website and from phone calls to Mediacom’s customer service. Specifically, Mediacom representatives told me:

**190539602001180** – *We are not a provider in that zip code.*

**190539602001265** – *Unfortunately we are not in that zip code either.*

**190539602001304** - *We are on your street in that zip code. We have three addresses on that road that we service, in the 28000, 29000, and 30000 blocks. Would have to send you to customer service to determine if we can service the 25000 block (the 25000 address block is in this census block, and is quite some distance from the service in the 28000, 29000, and 30000 blocks. Per our knowledge of the area and other statements by Mediacom representatives, we believe their service does not extend this far from town). Second call on this block - Unfortunately again our lines do not extend outside the city limits. If they do happen to extend outside the city limits, it’s only a quarter mile or so.*

**190539602001351** – *Unfortunately again if it’s outside the city limits our lines do not go out there. Second call on this block – Is this outside of town? We have some service as close to town as the 31370 area but not this address.*

**7. 190539602001321**

**8. 190539602001322**

**9. 190539602002011**

**10. 190539602002012**

**11. 190539602001341**

**12. 190539602001343**

**13. 190539602001353**

**14. 190539602001359**

These eight blocks are listed on the map as being served by Mediacom with 25/3 mbps speeds. I checked on the availability of Mediacom service for addresses in these blocks and my research showed they do not offer service at all in these blocks – see attached details from the Mediacom website and from phone calls to Mediacom’s customer service. Specifically, Mediacom representatives told me:

**190539602001321** – *No, we do not have coverage for there.*

**190539602001322** – *No, we don’t serve that street.*

**190539602002011** – *Nothing on 280<sup>th</sup> Street.*

**190539602002012** – *Is that outside of town? We have some in that area but not clear out at that location.*

**190539602001341** – *Is that outside of town? Nothing on 290<sup>th</sup> Street.*

**190539602001343** – *Nothing on 105<sup>th</sup> Avenue. Gave second address in that block – Nothing came up on that either.*

**190539602001353** – *We have service on 300<sup>th</sup> street but the furthest one out that has service on that road is 14753. If you find a location that is in town or closer to town, let us know.*

**190539602001359** – *We have service on that street but only in the 900 block. If outside the city limits chances are it would not be serviceable.*

12/14/2016 approximately 4 pm – checked the following addresses on the Mediacom website, then called Mediacom at 844-FULL-SPEED (844-385-5773)

## First call

190539602001180

Called - what's the zip code? We are not a provider in that zip code. Didn't even get to give addresses.

13347 160<sup>th</sup> St Grand River, IA 50108

17579 150<sup>th</sup> Ave Grand River, IA 50108

Mediacom SHOP PRODUCTS ABOUT

Address

Please provide the address where you'd like to receive service.

13347 160th St

Apartment or Unit # (optional)

50108

Currently, we don't offer service at your address.

SUBMIT

Please provide the address where you'd like to receive service.

17579 150th Avenue

Apartment or Unit # (optional)

50108

Currently, we don't offer service at your address.

SUBMIT

## First call, continued

190539602001265

Unfortunately we are not in that zip code either. Can transfer you to a company called Cable Mover who will tell you what providers are in that area. Did not even get to give them an address to check.

26889 175<sup>th</sup> Ave Davis City, IA 50065

26890 175<sup>th</sup> Ave Davis City, IA 50065

Please provide the address where you'd like to receive service.

26889 175th Avenue

Apartment or Unit # (optional)

50065

Currently, we don't offer service at your address.

SUBMIT

Please provide the address where you'd like to receive service.

26890 175th Avenue

Apartment or Unit # (optional)

50065

Currently, we don't offer service at your address.

SUBMIT

## First call, continued

190539602001304

25658 Elk Chapel Road Lamoni, IA 50140

What's the zip code? We are a provider there. Address? We are on your street there. We have three addresses on that road that we service, in the 28000, 29000, and 30000 blocks. Would have to send you to customer service to determine if we can service the 25000 block.

Please provide the address where you'd like to receive service.

25658 Elk Chapel Road

Apartment or Unit # (optional)

50140

The zip code you entered is serviceable; however, we couldn't find your address.

SUBMIT

## Second Call

190539602001304

14548 270<sup>th</sup> Street Lamoni, IA 50140

Gave zip and then address. Is that inside or outside city limits? Outside. Unfortunately our lines do not extend outside the city limits. If they do happen to extend outside the city limits, it's only a quarter mile or so.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Currently, we don't offer service at your address.

SUBMIT

190539602001351

12310 324<sup>th</sup> Street Lamoni, IA 50140 – unfortunately again if it's outside the city limits our lines do not go out there

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

190539602001353

13401 300<sup>th</sup> Street Lamoni, IA 50140 – We have service on 300<sup>th</sup> street but the furthest one out that has service on that road is 14753. If you find a location that is in town or closer to town, let us know.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

## Third Call

190539602001351

31953 US Hwy 69 Lamoni, IA 50140 – what’s the address and zip code – would have to do service check

Fourth Call – Is this outside of town – we have some service as close to town as the 31370 area but not that address.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

190539602001321

13893 270<sup>th</sup> Street Lamoni, IA 50140 – no – we do not have coverage for there.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

## Third Call, continued

19053602001322

14704 280<sup>th</sup> Street Lamoni, IA 50140 – no we don't serve that street

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

190539602002011

14931 280<sup>th</sup> Street Lamoni, IA 50140 – nothing on 280<sup>th</sup> street

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

## Fourth Call

19053960200212

28441 N. State Street Lamoni, IA 50140 – Is that outside of town? We have some in the area but not clear out at that location. Would have to send someone out to check.

Please provide the address where you'd like to receive service.

28441 N. State Street

Apartment or Unit # (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

19053602001341

12301 290<sup>th</sup> Street Lamoni, IA 50140 – Is that outside of town? Nothing on 290<sup>th</sup> Street.

Please provide the address where you'd like to receive service.

12301 290th Street

Apartment or Unit # (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

## Fourth Call, continued

190539602001343

32295 105<sup>th</sup> Ave Lamoni, IA 50140 - nothing on 105<sup>th</sup> avenue

12274 315<sup>th</sup> St Lamoni, IA 50140 – nothing came up on that either

Please provide the address where you'd like to receive service.

32295 105th Avenue

Apartment # 1101 # (apartment)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

Please provide the address where you'd like to receive service.

12274 315th Street

Apartment # 1207 # (apartment)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

# Fifth call

## 190539602001359

31131 S. Smith Street Lamoni, IA 50140 – we have service on that street but only in the 900 block. If outside the city limits chances are it would not be serviceable.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

## Form 22—Request for Confidentiality

Per Iowa Administrative Code rule 129—20.5(7), persons submitting evidence or information to the Office of the Chief Information Officer of the State of Iowa (OCIO) as part of the appeals and contested case process outlined in 129 Iowa Administrative Code chapter 20 must complete this Form 22 and submit it with such submission(s). Persons are encouraged to familiarize themselves with Iowa Code chapter 22 and 129 Iowa Administrative Code chapters 2 and 20 before submitting evidence or information to OCIO as part of the appeals and contested case process outlined in 129 Iowa Administrative Code chapter 20. Iowa Administrative Code rule 129—20.5(7) provides instructions regarding how to request confidential treatment of select portions of submissions of evidence or information to OCIO.

**NOTE:** Completion of this Form 22 is the sole means of requesting confidential treatment. Completion of this Form 22 and OCIO's acceptance of a person's submission(s) does not guarantee OCIO will grant person's request(s) for confidentiality. In the event a person requests confidentiality and does not submit a fully completed Form 22 or fails to otherwise comply with Iowa Administrative Code rule 129—20.5(7), OCIO may reject said person's request(s) for confidentiality.

To request confidentiality, a person must provide the following information:

- 1  Person must identify its request(s) for confidentiality in the notice of appeal if evidence or information is submitted pursuant to Iowa Administrative Code rules 129—20.5(1) & (2); or, if evidence or information is submitted pursuant to Iowa Administrative Code rule 20—8.5(3), person must identify its request for confidentiality by checking the appropriate box online or by identifying its request for confidentiality in the written explanation of why electronic filing was not feasible. **Check box when completed.** *N/A - none*
- 2  Person must conspicuously mark the outside of any submission as containing confidential information and mark each page therein upon which confidential information appears in accordance with Iowa Administrative Code rules 129—20.5(7)(a)(3) & (4). **Check box when completed.** *N/A - none*
- 3 Person must specifically identify and list the submission(s) and corresponding page numbers for which it seeks confidential treatment and answer the following questions for each page-range listed:
  - 3.1 Enumerate the specific grounds in Iowa Code Chapter 22 or other applicable law that support treatment of the specific evidence or information as confidential. Iowa Admin. Code r. 8.5(7)(b)(1).
  - 3.2 Justify why the specific evidence or information should be kept in confidence. *Id. (2)*.
  - 3.3 Explain why disclosure of the specific evidence or information would not be in the best interest of the public. *Id. (3)*.
  - 3.4 Set forth the name, address, telephone, and email address of the individual authorized by the person or party submitting such evidence or information to respond to inquiries from OCIO concerning the confidential status of such evidence or information. *Id. (4)*.

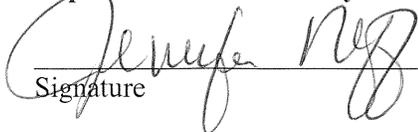
Please provide the information in the table below. Persons may add additional lines if necessary or add additional pages using the same format as the table below.

Specific submission and corresponding page range for which questions are being answered	Cite to specific grounds in Iowa Code Chapter 22 or other applicable law that support treatment of the evidence or information as confidential	Justification why evidence or information should be kept in confidence	Explanation why disclosure of evidence or information would not be in the best interest of the public	The name, address, telephone, and email address of the individual authorized by the person or party submitting such evidence or information to respond to inquiries concerning the confidential status of such evidence or information
No confidentiality request for this appeal				Jennifer Neff GRM Networks 1001 Kentucky Street Princeton, MO 64673 660-748-2575 jneff@grm.net

- 4  Person must submit a public copy of the submission(s) from which the confidential information has been excised. Iowa Admin. Code r. 8.5(7)(a)(5). The confidential material must be excised in such a way as to allow the public to determine the general nature of the evidence or information removed and to retain as much of the otherwise public information as possible. **Check box when completed.** *N/A - none*

This Form 22 must be signed by the individual who filed the notice of appeal pursuant to Iowa Administrative Code rules 129—8.5(1) & (2) or who submitted evidence or information pursuant to Iowa Administrative Code rule 129—8.5(3). Persons shall submit this Form 22 completed and signed along with any submission of evidence or information to OCIO as part of the appeals process and contested case process outlined in 129 Iowa Administrative Code chapter 8. A copy of this document shall also be included in all submissions, including the public copy.

**\*Failure to provide the information required in this Form 22 may result in rejection of person's request for confidentiality.**

  
Signature

12/15/2016  
Date

Director of Human Resources and Regulatory Affairs  
Title

**Exhibit B**

Office's Request for Information from Mediacom

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

ROBERT VON WOLFFRADT  
CHIEF INFORMATION OFFICER

February 23, 2017

Office of the Chief Information Officer of the State of Iowa  
c/o Matt Behrens  
1305 E. Walnut Street, Level B  
Des Moines, IA 50309

Mediacom Cable Communications  
c/o Ed Pardini  
Senior VP  
3737 Westown Parkway  
West Des Moines, IA, 50266

Dear Ed:

The Office of The Chief Information Officer of the State of Iowa (“OCIO”) is in the process of reviewing appeals related to its online Iowa Broadband Availability Map (“Broadband Map”).<sup>1</sup> Iowa Code § 8B.10 (requiring OCIO to designate targeted service areas within the State of Iowa and to create a mechanism for interested persons or parties to challenge its determinations); Iowa Admin. Code chapter 129—20 (designating data sources for Broadband Map and outlining appeal process). The Broadband Map identified Targeted Service Areas (“TSAs”) within the State of Iowa at the census-block level. Iowa Code section 8B.1(12) defines a TSA as:

[A] United States census bureau census block located in this state, including any crop operation located within the census block, within which no communications service provider [“(Provider)”) offers or facilitates broadband service at or above twenty-five megabits per second of download speed and three megabits per second of upload speed [“(25/3”)”) as of July 1, 2015.

One appeal OCIO received and is in the process of reviewing is from Grand River Mutual Telephone Company (“GRM”). See appeal attached as **Exhibit A** and available at <https://ocio.iowa.gov/document/grm-networks-appeal>. GRM’s appeal challenged OCIO’s determination with respect to fourteen (14) census blocks, as listed in the appeal. Each of these fourteen (14) census blocks is currently designated as a non-TSA. With respect to the following ten (10) census blocks forming the basis of GRM’s appeal, OCIO has data and information in its possession showing that your company, as of July 1, 2015, offered or facilitated 25/3 therein:

- 190539602001265
- 190539602001351
- 190539602001321
- 190539602001322
- 190539602002011
- 190539602002012
- 190539602001341
- 190539602001343
- 190539602001353
- 190539602001359

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<sup>1</sup>Currently available at <https://ocio.iowa.gov/broadband>.

At this time, OCIO requests your assistance in making an accurate determination as to whether any Provider offered or facilitated 25/3 as of July 1, 2015, in the above-listed census blocks. To that end, OCIO requests that you complete and return the "Affirmation, Attestation, Certification of 2015" form, attached as **Exhibit B**. Pursuant to this form, OCIO requests that a representative with legal authority to bind your company:

- 1) Confirm whether your company either correctly or erroneously reported to either ConnectIowa, LLC, or the Federal Communications Commission data or information regarding availability and/or advertised upload/download speeds for June-July of 2015; and/or
- 2) Confirm whether your company did or did not offer or facilitate 25/3 as of July 1, 2015.

Please note that you are under no legal obligation to respond to this request for information. If we do not receive input from you by **10 DAYS FROM DATE OF YOUR RECEIPT OF THIS LETTER**, OCIO will make a final decision based on the evidence and information currently available to it.

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

Sincerely,



Matt Behrens  
Deputy Chief Information Officer  
State of Iowa

cc:

Tom Slaughter, Business Services Division, Office of the Chief Information Officer

**Exhibit A**  
GRM Appeal

# Broadband Census Block Designation

## Notice of Appeal pursuant to 129 IAC 8.5(1)

Consistent with 129 IAC 20.5(1) and the timeframes set forth therein, this form may be used to appeal OCIO's otherwise final determination of whether a particular census block is a targeted service area. *See* Iowa Code section 8B.1(12), 8B.10. Please carefully review 129 IAC 20.5(1) prior to submitting this notice of appeal. Failure to comply with the requirements of 129 IAC 20.5(1) may result in dismissal of your appeal. Unless otherwise permitted by rule, please submit this notice of appeal and all corresponding evidence and information in support of your appeal by electronic mail (e-mail) at [cio@iowa.gov](mailto:cio@iowa.gov).

As a government entity, OCIO is subject to the State's public records law found in Iowa Code chapter 22 and implementing administrative rules at Iowa Administrative code 129—chapter 2. In the event you are submitting evidence or information to OCIO in support of your appeal that may contain confidential information, please carefully review 129 IAC 20.5(7) (and the corresponding statutes and rules referenced therein) and complete and submit a Form 22, available here <http://ocio.iowa.gov/Form22>, along with such evidence and information. Failure to do so may result in rejection of your request for confidential treatment.

### 1. Who is this appeal for?

**First Name**

Jennifer

**Middle Initial**

K.

**Last Name**

Neff

**Entity/Company on behalf of whom filing (if applicable)**

Grand River Mutual Telephone Corporation dba GRM Networks

**Mailing Address**

1001 Kentucky Street

**City**

Princeton

**State**

MO

**Zip Code**

64673

**Phone Number**

660-748-2575

**Email Address**

jneff@grm.net

## 2. What are you appealing?

Census Block ID#(s) forming basis of appeal*	County in which census block(s) located
#190539602001180	Decatur County
#190539602001265	Decatur County
#190539602001304	Decatur County
#190539602001351	Decatur County
#190539602001321	Decatur County
#190539602001322	Decatur County
#190539602002011	Decatur County
#190539602002012	Decatur County
#190539602001341	Decatur County
#190539602001343	Decatur County
#190539602001353	Decatur County

**If there are not enough fields available, please attach additional pages to this form including a list of all Census Block ID#(s) and corresponding counties you wish to appeal.**

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\*Please to go to the [broadband map](#), locate the specific census block you would like to challenge, and insert the corresponding Census Block ID # in this field.

### 3. Why are you appealing?

How does OCIO's designation of this census block harm *you*, specifically? *See* 129 IAC 20.5(1)(a)(3). If the field below does not provide sufficient space for you to answer thoroughly, please attach additional pages to this form to supplement your response to this question.

Each of these fourteen (14) census blocks are not currently included in the Targeted Service Area for the property tax exemption. Each of these blocks was not capable of receiving internet speeds of 25/3 as of 7/1/2015. GRM Networks plans to build fiber to all our customers and in fact built a great deal of fiber to the home in the last year. GRM Networks would be financially harmed by not being allowed the property tax exemption for this fiber construction expense in these 14 census blocks if the TSA designation is not corrected.

### 4. What is the basis for your appeal?

Please state the reason(s) you believe OCIO's determination regarding the specific census block forming the basis of your appeal is incorrect. *See* 129 IAC 20.5(1)(a)(4). In stating your reasons, please cite to the specific statutes, rules, or other law upon which your appeal is based, and to any evidence or information you have submitted to the OCIO in support of your appeal. Please be as specific as possible. If the field below does not provide sufficient space for you to answer thoroughly, please attach additional pages to this form to supplement your response to this question.

Each of the 14 census blocks are designated as being able to receive 25/3 mbps speeds as of 7/1/2015 (129—20.4(8B,427) Targeted service area determination) and as such are not eligible for the property tax exemption. We have investigated and our evidence shows that none of these blocks were able to received internet speeds of 25/3 mbps as of 7/1/2015. Additional pages are attached listing each of the 14 blocks and the evidence for each. I personally called the Mediacom customer service line on 12/14/2016 five times and was told "our lines do not extend outside the city limits" and "if it's outside the city limits our lines do not go out there". Please see attached details.



## 2. Continued What are you appealing?

Census Block ID#(s) forming basis of appeal*	County in which census block(s) located
#190539602001359	Decatur County
#190539602001187	Decatur County
#190539601003133	Decatur County

---

\*Please to go to the [broadband map](#), locate the specific census block you would like to challenge, and insert the corresponding Census Block ID # in this field.

#### 4. Continued What is the basis for your appeal?

Each of the fourteen listed census blocks were not able to receive 25/3 mbps as of 7/1/2015.

**1. 190539602001187**

**2. 190539601003133**

These two blocks are listed on the map as being served by our company with 25/3 mbps speeds. GRM Networks did have service in these blocks but the speeds at that time were up to 6/1, not 25/3. The plant we had in that area as of 7/1/2015 was not capable of 25/3 speeds.

**3. 190539602001180**

**4. 190539602001265**

**5. 190539602001304**

**6. 190539602001351**

These four blocks are listed as not being a TSA, but when I select Show Related Records it says no related records found. As a result I do not know what provider the map is saying was able to provide 25/3 mbps as of 7/1/2015. The only two providers we know of in the area are Mediacom and our company. GRM Networks was not able to provide 25/3 mbps to these blocks as of 7/1/2015. I checked on the availability of Mediacom service for addresses in these blocks and my research showed that they also do not offer 25/3 in these blocks – please see attached details from the Mediacom website and from phone calls to Mediacom’s customer service. Specifically, Mediacom representatives told me:

**190539602001180** – *We are not a provider in that zip code.*

**190539602001265** – *Unfortunately we are not in that zip code either.*

**190539602001304** - *We are on your street in that zip code. We have three addresses on that road that we service, in the 28000, 29000, and 30000 blocks. Would have to send you to customer service to determine if we can service the 25000 block (the 25000 address block is in this census block, and is quite some distance from the service in the 28000, 29000, and 30000 blocks. Per our knowledge of the area and other statements by Mediacom representatives, we believe their service does not extend this far from town). Second call on this block - Unfortunately again our lines do not extend outside the city limits. If they do happen to extend outside the city limits, it’s only a quarter mile or so.*

**190539602001351** – *Unfortunately again if it’s outside the city limits our lines do not go out there. Second call on this block – Is this outside of town? We have some service as close to town as the 31370 area but not this address.*

**7. 190539602001321**

**8. 190539602001322**

**9. 190539602002011**

**10. 190539602002012**

**11. 190539602001341**

**12. 190539602001343**

**13. 190539602001353**

**14. 190539602001359**

These eight blocks are listed on the map as being served by Mediacom with 25/3 mbps speeds. I checked on the availability of Mediacom service for addresses in these blocks and my research showed they do not offer service at all in these blocks – see attached details from the Mediacom website and from phone calls to Mediacom’s customer service. Specifically, Mediacom representatives told me:

**190539602001321** – *No, we do not have coverage for there.*

**190539602001322** – *No, we don’t serve that street.*

**190539602002011** – *Nothing on 280<sup>th</sup> Street.*

**190539602002012** – *Is that outside of town? We have some in that area but not clear out at that location.*

**190539602001341** – *Is that outside of town? Nothing on 290<sup>th</sup> Street.*

**190539602001343** – *Nothing on 105<sup>th</sup> Avenue. Gave second address in that block – Nothing came up on that either.*

**190539602001353** – *We have service on 300<sup>th</sup> street but the furthest one out that has service on that road is 14753. If you find a location that is in town or closer to town, let us know.*

**190539602001359** – *We have service on that street but only in the 900 block. If outside the city limits chances are it would not be serviceable.*

12/14/2016 approximately 4 pm – checked the following addresses on the Mediacom website, then called Mediacom at 844-FULL-SPEED (844-385-5773)

## First call

190539602001180

Called - what's the zip code? We are not a provider in that zip code. Didn't even get to give addresses.

13347 160<sup>th</sup> St Grand River, IA 50108

17579 150<sup>th</sup> Ave Grand River, IA 50108

Mediacom SHOP PRODUCTS ABOUT

Address

Please provide the address where you'd like to receive service.

13347 160th St

Apartment or Unit # (optional)

50108

Currently, we don't offer service at your address.

SUBMIT

Please provide the address where you'd like to receive service.

17579 150th Avenue

Apartment or Unit # (optional)

50108

Currently, we don't offer service at your address.

SUBMIT

## First call, continued

190539602001265

Unfortunately we are not in that zip code either. Can transfer you to a company called Cable Mover who will tell you what providers are in that area. Did not even get to give them an address to check.

26889 175<sup>th</sup> Ave Davis City, IA 50065

26890 175<sup>th</sup> Ave Davis City, IA 50065

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

50065

Currently, we don't offer service at your address.

SUBMIT

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

50065

Currently, we don't offer service at your address.

SUBMIT

## First call, continued

190539602001304

25658 Elk Chapel Road Lamoni, IA 50140

What's the zip code? We are a provider there. Address? We are on your street there. We have three addresses on that road that we service, in the 28000, 29000, and 30000 blocks. Would have to send you to customer service to determine if we can service the 25000 block.

Please provide the address where you'd like to receive service.

25658 Elk Chapel Road

Apartment or Unit # (optional)

50140

The zip code you entered is serviceable; however, we couldn't find your address.

SUBMIT

## Second Call

190539602001304

14548 270<sup>th</sup> Street Lamoni, IA 50140

Gave zip and then address. Is that inside or outside city limits? Outside. Unfortunately our lines do not extend outside the city limits. If they do happen to extend outside the city limits, it's only a quarter mile or so.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Currently, we don't offer service at your address.

SUBMIT

190539602001351

12310 324<sup>th</sup> Street Lamoni, IA 50140 – unfortunately again if it's outside the city limits our lines do not go out there

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

190539602001353

13401 300<sup>th</sup> Street Lamoni, IA 50140 – We have service on 300<sup>th</sup> street but the furthest one out that has service on that road is 14753. If you find a location that is in town or closer to town, let us know.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

## Third Call

190539602001351

31953 US Hwy 69 Lamoni, IA 50140 – what’s the address and zip code – would have to do service check

Fourth Call – Is this outside of town – we have some service as close to town as the 31370 area but not that address.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

190539602001321

13893 270<sup>th</sup> Street Lamoni, IA 50140 – no – we do not have coverage for there.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

## Third Call, continued

19053602001322

14704 280<sup>th</sup> Street Lamoni, IA 50140 – no we don't serve that street

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

190539602002011

14931 280<sup>th</sup> Street Lamoni, IA 50140 – nothing on 280<sup>th</sup> street

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

## Fourth Call

19053960200212

28441 N. State Street Lamoni, IA 50140 – Is that outside of town? We have some in the area but not clear out at that location. Would have to send someone out to check.

Please provide the address where you'd like to receive service.

28441 N. State Street

Apartment or Unit # (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

19053602001341

12301 290<sup>th</sup> Street Lamoni, IA 50140 – Is that outside of town? Nothing on 290<sup>th</sup> Street.

Please provide the address where you'd like to receive service.

12301 290th Street

Apartment or Unit # (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

## Fourth Call, continued

190539602001343

32295 105<sup>th</sup> Ave Lamoni, IA 50140 - nothing on 105<sup>th</sup> avenue

12274 315<sup>th</sup> St Lamoni, IA 50140 – nothing came up on that either

Please provide the address where you'd like to receive service.

32295 105th Avenue

Apartment # (or Unit #) (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

Please provide the address where you'd like to receive service.

12274 315th Street

Apartment # (or Unit #) (optional)

50140

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

SUBMIT

# Fifth call

190539602001359

31131 S. Smith Street Lamoni, IA 50140 – we have service on that street but only in the 900 block. If outside the city limits chances are it would not be serviceable.

Please provide the address where you'd like to receive service.

Apartment or Unit # (optional)

Our apologies, but we still can't find your address. Because we do service your zip code, it's possible you can get Mediacom services. Please call today to see if Mediacom services are available to you: 844-FULL-SPEED (844-385-5773).

## Form 22—Request for Confidentiality

Per Iowa Administrative Code rule 129—20.5(7), persons submitting evidence or information to the Office of the Chief Information Officer of the State of Iowa (OCIO) as part of the appeals and contested case process outlined in 129 Iowa Administrative Code chapter 20 must complete this Form 22 and submit it with such submission(s). Persons are encouraged to familiarize themselves with Iowa Code chapter 22 and 129 Iowa Administrative Code chapters 2 and 20 before submitting evidence or information to OCIO as part of the appeals and contested case process outlined in 129 Iowa Administrative Code chapter 20. Iowa Administrative Code rule 129—20.5(7) provides instructions regarding how to request confidential treatment of select portions of submissions of evidence or information to OCIO.

**NOTE:** Completion of this Form 22 is the sole means of requesting confidential treatment. Completion of this Form 22 and OCIO's acceptance of a person's submission(s) does not guarantee OCIO will grant person's request(s) for confidentiality. In the event a person requests confidentiality and does not submit a fully completed Form 22 or fails to otherwise comply with Iowa Administrative Code rule 129—20.5(7), OCIO may reject said person's request(s) for confidentiality.

To request confidentiality, a person must provide the following information:

- 1  Person must identify its request(s) for confidentiality in the notice of appeal if evidence or information is submitted pursuant to Iowa Administrative Code rules 129—20.5(1) & (2); or, if evidence or information is submitted pursuant to Iowa Administrative Code rule 20—8.5(3), person must identify its request for confidentiality by checking the appropriate box online or by identifying its request for confidentiality in the written explanation of why electronic filing was not feasible. **Check box when completed.** *N/A - none*
- 2  Person must conspicuously mark the outside of any submission as containing confidential information and mark each page therein upon which confidential information appears in accordance with Iowa Administrative Code rules 129—20.5(7)(a)(3) & (4). **Check box when completed.** *N/A - none*
- 3 Person must specifically identify and list the submission(s) and corresponding page numbers for which it seeks confidential treatment and answer the following questions for each page-range listed:
  - 3.1 Enumerate the specific grounds in Iowa Code Chapter 22 or other applicable law that support treatment of the specific evidence or information as confidential. Iowa Admin. Code r. 8.5(7)(b)(1).
  - 3.2 Justify why the specific evidence or information should be kept in confidence. *Id. (2)*.
  - 3.3 Explain why disclosure of the specific evidence or information would not be in the best interest of the public. *Id. (3)*.
  - 3.4 Set forth the name, address, telephone, and email address of the individual authorized by the person or party submitting such evidence or information to respond to inquiries from OCIO concerning the confidential status of such evidence or information. *Id. (4)*.

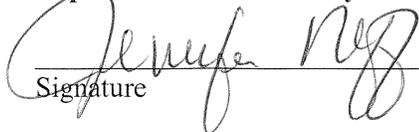
Please provide the information in the table below. Persons may add additional lines if necessary or add additional pages using the same format as the table below.

Specific submission and corresponding page range for which questions are being answered	Cite to specific grounds in Iowa Code Chapter 22 or other applicable law that support treatment of the evidence or information as confidential	Justification why evidence or information should be kept in confidence	Explanation why disclosure of evidence or information would not be in the best interest of the public	The name, address, telephone, and email address of the individual authorized by the person or party submitting such evidence or information to respond to inquiries concerning the confidential status of such evidence or information
No confidentiality request for this appeal				Jennifer Neff GRM Networks 1001 Kentucky Street Princeton, MO 64673 660-748-2575 jneff@grm.net

- 4  Person must submit a public copy of the submission(s) from which the confidential information has been excised. Iowa Admin. Code r. 8.5(7)(a)(5). The confidential material must be excised in such a way as to allow the public to determine the general nature of the evidence or information removed and to retain as much of the otherwise public information as possible. **Check box when completed.** *N/A - none*

This Form 22 must be signed by the individual who filed the notice of appeal pursuant to Iowa Administrative Code rules 129—8.5(1) & (2) or who submitted evidence or information pursuant to Iowa Administrative Code rule 129—8.5(3). Persons shall submit this Form 22 completed and signed along with any submission of evidence or information to OCIO as part of the appeals process and contested case process outlined in 129 Iowa Administrative Code chapter 8. A copy of this document shall also be included in all submissions, including the public copy.

**\*Failure to provide the information required in this Form 22 may result in rejection of person's request for confidentiality.**

  
Signature

12/15/2016  
Date

Director of Human Resources and Regulatory Affairs  
Title

**Exhibit B**

Affirmation, Attestation, Certification of 2015

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

ROBERT VON WOLFRADT  
CHIEF INFORMATION OFFICER

**Affirmation, Attestation, Certification of 2015**

**ConnectIowa/FCC Data Submission Error**

**A. COMPANY INFORMATION**

Company Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**B. DESIGNATED CONTACT INFORMATION**

Contact Name \_\_\_\_\_ Phone # (\_\_\_\_) \_\_\_\_ - \_\_\_\_ Email: \_\_\_\_\_

**C. CERTIFICATION/ATTESTATION/AFFIRMATION**

In signing and submitting this form, the above-listed company, and its duly authorized representative signing on behalf thereof, hereby affirms, attests, and certifies under penalty of perjury that:

- 1) As selected below, the data the above-listed company submitted to either ConnectIowa, LLC, or the Federal Communications Commission as it relates to available and/or advertised broadband speeds for June-July of 2015 was either in error or correct; and
- 2) As selected below, the above-listed company did or did not offer or facilitate broadband service at or above twenty-five megabits per second of download speed and three megabits per second of upload speed ("**25/3**") as of July 1, 2015.

CENSUS BLOCK ID	PRIOR REPORTING TO CONNECTIOWA AND/OR FCC			25/3 as of July 1, 2015
190539602001265	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response
190539602001351	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response
190539602001321	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response
190539602001322	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response
190539602002011	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response
190539602002012	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response
190539602001341	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

ROBERT VON WOLFFRADT  
CHIEF INFORMATION OFFICER

190539602001343	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response
190539602001353	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response
190539602001359	<input type="checkbox"/> In Error	<input type="checkbox"/> Correct	<input type="checkbox"/> No Response	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Response

**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 attach additional pages and supporting documentation.)

**E. SIGNATURE**

Authorized Signature: _____	Date: _____
Printed Name: _____	

**DISCLAIMER:** By submitting this form you may be certifying to OCIO that you previously misreported data to ConnectIowa, LLC, and/or the Federal Communications Commission as it relates to a particular census block(s) listed herein. Depending on other data and information available to OCIO with respect to the census block in question, your certification may or may not result in a change of status from a targeted service area to a non-targeted service area, or a non-targeted service area to a targeted service area, as defined by Iowa Code section 8B.1(12). OCIO makes no guarantees as to whether the information supplied by you will result in a change of status. Further, OCIO makes no representations and disclaims all liability and responsibility with respect to your potential prior misreporting. This form, as completed, and any attachments hereto, 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.

**Exhibit C**

Mediacom's Response

From: **Ed Pardini**<[epardini@mediacomcc.com](mailto:epardini@mediacomcc.com)>

Date: Tue, Apr 4, 2017 at 11:02 AM

Subject: RE: State of Iowa Inquiry

To: "Behrens, Matt" <[matt.behrens@iowa.gov](mailto:matt.behrens@iowa.gov)>

Matt,

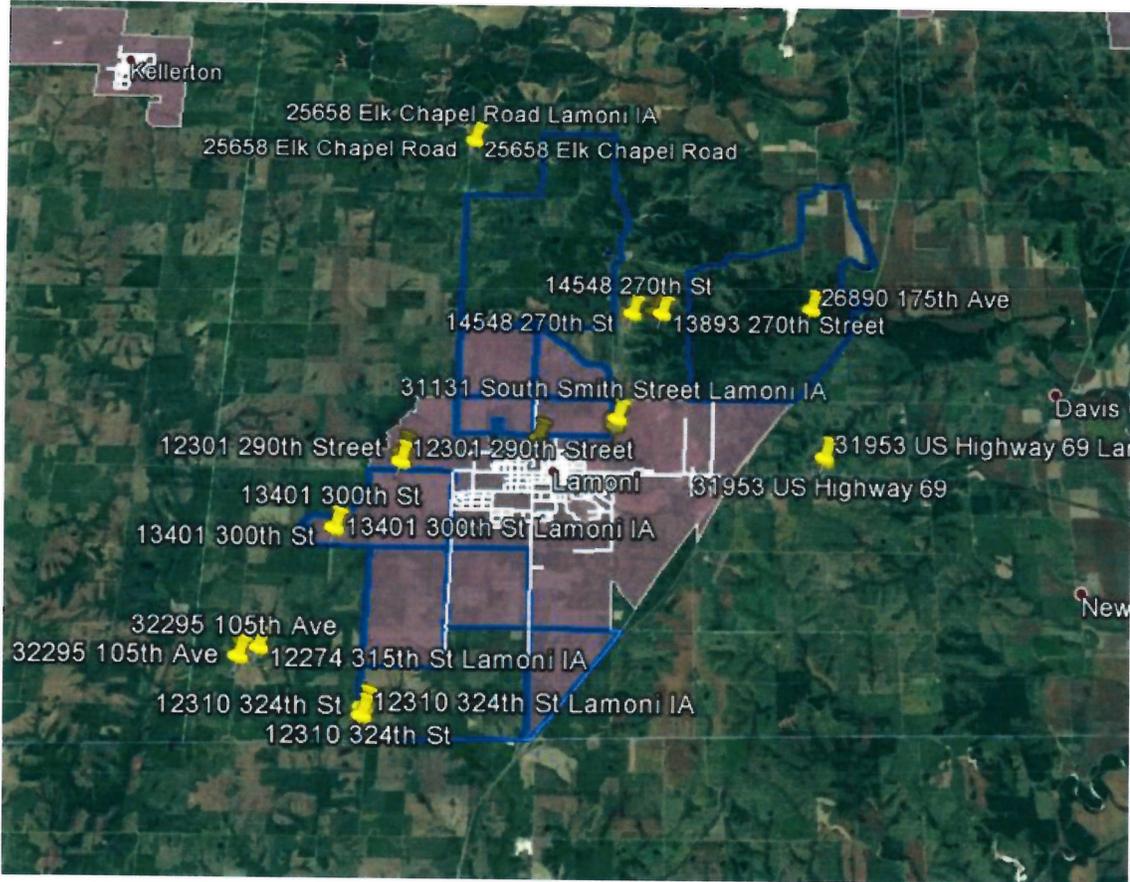
Thank you for your patience as we researched the census tracts and addresses mentioned in you email.

I've researched the addresses listed in the appeal and have come up with further detail. Some of the addresses do not fall in the same census tract that was mentioned in the original web document. We do not service those areas.

Below is a visual of where we offer service in the census tracts listed. The pins are the addresses identified in the appeal document. Also listed is a summary of those addresses/tracts. We only have service in four census blocks of the addresses listed.

- Example – Elk Chapel Road, Lamoni; Not found in original Census Block listed
- Example – 160<sup>th</sup> St, Grand River; Census Block correct but not serviceable by Mediacom
- Example – 300<sup>th</sup> St, Lamoni; Census Block correct and serviced by Mediacom

Street Address	City ST	Zip	BlockID	Status
25658 Elk Chapel Road	Lamoni IA	50140 NA		Not in listed census block
14548 270th St	Lamoni IA	50140 NA		Not in listed census block
31953 US Highway 69	Lamoni IA	50140 NA		Not in listed census block
13893 270th Street	Lamoni IA	50140 NA		Not in listed census block
14704 280th St	Lamoni IA	50140 NA		Not in listed census block
14931 280th St	Lamoni IA	50140 NA		Not in listed census block
32295 105th Ave	Lamoni IA	50140 NA		Not in listed census block
12274 315th St	Lamoni IA	50140 NA		Not in listed census block
13347 160th St	Grand River IA	50108	190539602001180	Not Serviced
17579 150th Ave	Grand River IA	50108	190539602001180	Not Serviced
26889 175th Ave	Davis City IA	50065	190539602001265	Not Serviced
26890 175th Ave	Davis City IA	50065	190539602001265	Not Serviced
12310 324th St	Lamoni IA	50140	190539602001351	Not Serviced
13401 300th St	Lamoni IA	50140	190539602001341	Serviced
28441 N. State Street	Lamoni IA	50140 NA		Serviced
12301 290th Street	Lamoni IA	50140	190539602001341	Serviced
31131 South Smith Street	Lamoni IA	50140 NA		Serviced



Please let me know what questions you have. Thanks.

Ed Pardini

Senior Vice-President, Field Operations

Mediacom Cable Communications

3737 Westown Parkway

West Des Moines, IA, 50266

Office: 515.246.2201

Fax: 515.422.7814



**Exhibit D**

Follow up to Mediacom's Response

From: Behrens, Matt <[matt.behrens@iowa.gov](mailto:matt.behrens@iowa.gov)>  
Date: Tue, Apr 4, 2017 at 2:36 PM  
Subject: Re: State of Iowa Inquiry  
To: Ed Pardini <[epardini@mediacomcc.com](mailto:epardini@mediacomcc.com)>  
Cc: "Slaughter, Tom [OCIO]" <[Tom.Slaughter@iowa.gov](mailto:Tom.Slaughter@iowa.gov)>

Ed-

By way of clarification, if you plot the addresses referenced by GRM on the State's broadband map (available at <https://ocio.iowa.gov/broadband>) you will see the addresses correspond to the census blocks GRM provided. We believe there is a problem with rural addresses on Google maps that may be contributing to the confusion.

Best-  
Matt

On Tue, Apr 4, 2017 at 2:21 PM, Behrens, Matt <[matt.behrens@iowa.gov](mailto:matt.behrens@iowa.gov)> wrote:  
Thanks Ed! Receipt acknowledged.

Would it be possible for Mediacom to complete and return the attached acknowledgement we submitted as part of our letter to you?

In reviewing your response, there are rural geocoding problems that are affecting address locations within census blocks. For the purposes of issuing an appeal decision in this case, it would be ideal if Mediacom could address its presence in the census blocks referenced by GRM, rather than the specific addresses.

Let us know if you have questions. Tom Slaughter (515-322-1128) is available to provide more assistance if desired.

Thanks-  
Matt

**Matthew N. Behrens**  
*Chief Technology Officer*  
*Deputy Chief Information Officer*  
*Office of the Chief Information Officer*  
*State of Iowa*  
*Office: (515) 281-5503*  
[matt.behrens@iowa.gov](mailto:matt.behrens@iowa.gov)

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