

# IceMiller

BROADBAND AND TELECOMMUNICATIONS TEAM

## TECHNICAL & FINANCIAL **Feasibility Study**

PREPARED FOR:

Miami County Board of  
Commissioners



THOMAS P. MILLER & ASSOCIATES

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# EXECUTIVE SUMMARY

In response to the Request for Qualifications (“RFQ”) issued on November 15, 2021, Miami County Board of Commissioners selected Ice Miller, LLP as the consultant to develop a Technical and Financial Feasibility Study (“Study”) for Miami County, Indiana with an emphasis on the underserved. Miami County was designated as an official Broadband Ready Community by the Indiana Broadband Office in October 2022. This designation shows that the community is working to reduce barriers to broadband infrastructure investment. Although the plan hereinafter does not specifically identify or fund projects, it maps areas of the county that continue to need broadband infrastructure, identifies the project areas that will provide the greatest return on investment, and designs a thoughtful strategy for informed investment.

Over the years, internet access has shifted from a luxury to a necessity, given its role in communication, business, education, socialization, and service delivery. Every household and business needs options for robust, high-speed internet to operate and sustain. However, we have already reached the tipping point in broadband in which, if an area has not already seen service expansion, it is unlikely to do so due to lack of perceived return on investment for private providers.

There are two primary tactics to encourage broadband build-out in such areas in today’s ecosystem:

1. Financially incentivize the build-out; or
2. Reduce build-out costs.

Both of these approaches are explored in the Study and contemplated in developing our recommendations:

- Maintain a broadband deployment asset repository of space available for access/ lease broadband expansion to reduce costs, enhance efficiencies, and facilitate build-out.
- Establish local procurement programs to target areas of need.
- Engage Internet Service Providers through collaborating with Planning and Zoning to host regularly scheduled community meetings, providing citizens an opportunity to learn about the projects underway, highlight areas that remain unserved, and have a direct connection to providers.
- Enact a Dig-once Policy to facilitate broadband deployment by encouraging conduit and/ or fiber installation when public rights-of-way are excavated or otherwise opened. To supplement the Dig-once Policy, we further recommend consideration of a policy requiring that any new subdivision/ development in the county have at least conduit, ideally both conduit and fiber, installed.
- Contribute to a local incentive program for broadband deployment and digital inclusion programming in Miami County.
- Remain technology-neutral, so long as deployments are scalable to the speed and reliability goals set forth herein.

Specific to addressing the needs of PreK-12 broadband services, particularly residential services for students, teachers, and administrators, we recommend:

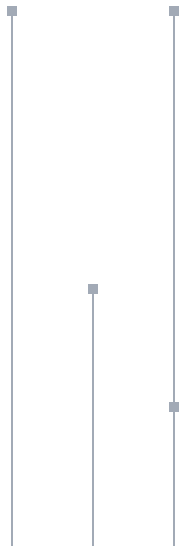
- Exploring opportunities and encouraging providers to locate/ co-locate provider equipment at school locations.
- Funding residential broadband services through the Federal Communications Commission's Emergency Connectivity Fund and similar private provider offerings.
- Providing communications through data collected for the free lunch program to share information with households about the Affordable Connectivity Program.

There is no silver bullet to solving all of Miami County's broadband connectivity and digital inclusion needs. To incentivize such build-out, we recommend:

- Establish local procurement programs to target areas of need.
- Consider establishing an Infrastructure Development Zone for areas particularly struggling with access.
- Utilize Private Activity Bonds to fill in funding gaps in rural areas where a majority of households lack access.

In addition to general residential uses, there is a clear need to expand service to address local work-from-home opportunities. This is further explored in the Gap Analysis contained herein.

**Special thanks to the Miami County Board of Commissioners for their support and guidance throughout the development of this plan.**





# BROADBAND OVERVIEW

“Broadband” is not a single technology, but a term that describes a range of technologies that provide reliable high-speed Internet access. While earlier broadband network deployments utilized digital subscriber lines (“DSL”) or cable, ensuring sufficient fiber and wireless availability has become a priority for residents, businesses, and community organizations across the country.<sup>1</sup>

## FIBER

Fiber optic lines pulsate light through insulated glass tubes, transmitting massive amounts of data at superfast speeds. Fiber is often described as “future-proof” infrastructure. In practical terms, this means that once the fiber optic lines are buried or strung aerially, they do not need to be replaced to enhance download/upload speeds. Instead, only the electronics that transmit or receive the data need changed to respond to increased demands. As a result, although fiber is one of the more expensive solutions up front, it may be a proportionally lower-cost solution over time. Fiber networks are also generally easier to operate and maintain and often require less troubleshooting than other connections. However, to have fiber-optic service, one needs to live in proximity to where the network already exists, which is mostly limited to dense urban areas with high incomes.

## MOBILE WIRELESS

The “fifth generation” mobile wireless, or 5G, will be the next mobile wireless telecommunications standard. While much of the population has heard the promise of 5G through television commercials and headlines, what has not been clear to the public is that **there are different types of 5G deployments:**

- *Low-band 5G* — uses a similar frequency range to 4G (between 600-850 megahertz (MHz)) and provides a “nationwide 5G” experience.
- *Mid-band 5G* — the most widely deployed band, it often operates between 2.5-3.7 gigahertz (GHz) at download speeds of around 100-900 Mbps. Transmissions in the mid-band spectrum can travel several miles, depending on how equipment is configured.
- *High-band/ mmWave 5G* — is an ultra-high frequency that can achieve download speeds in gigabits per second (“Gbps”) and will provide unprecedented bandwidth and speed. Unlike the other “types” of 5G, mmWave has limited distances (currently only 200 to 350 yards/ a few thousand feet in optimal conditions) and limited ability to pass through certain material, affecting its deployment in partitioned environments.

Many mobile providers attempt to make “5G” synonymous with mmWave deployments; however, the economics of mmWave require dense traffic environments and specific use cases. To that end, mobile providers will focus mmWave deployments on major metropolitan areas, downtown areas, entertainment districts, hospitals, manufacturing facilities, convention centers, school campuses, sporting venues, shopping areas and targeted business locations.

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<sup>1</sup> Although low-orbit satellite deployments, such as SpaceX Starlink, are receiving significant attention, to-date these networks are supplemental to local fiber and wireless needs, not a replacement. There is no silver bullet to solving all broadband connectivity needs.

Traditional satellite service differs from low-orbit satellite in several ways, including that it has multiple service tiers. Traditional satellite providers serve mostly residents and small/ medium businesses as opposed to enterprise organizations. Service is available to schools/ community centers as an enterprise group, but these require custom builds.

A benefit to satellite service is that it is quick to market and can be installed in only 3-4 days. Further, satellite can serve an entire area without the need for any infrastructure within that area. However, the service requires line of sight from the ground position to the satellite orbit location. Modern satellite technologies can adjust for some interferences, but extreme weather, mountains, buildings, tree cover, etc. can interfere with the line of sight.

## FIXED WIRELESS

It has been said that “[b]etween [wired] broadband and mobile broadband sits fixed-wireless broadband technology.”<sup>ii</sup> Fixed wireless systems broadcast high-speed Internet using radio frequencies/ spectrum from a vertical asset, such as a tower, that is connected to a wired backhaul network, to receivers, such as rooftop dishes or a fixed antenna connected to a router, installed on the user’s property.<sup>ii</sup> Generally, fixed wireless communicates between two fixed endpoints, otherwise referred to as point-to-point (“P2P”) telecommunications. A signal transmitted from one tower communicating with multiple antennas — i.e., point-to-multi-point telecommunication (“P2MP”) — is also available but is generally more limited in range due to the widely fanned beam. Traditional fixed wireless solutions require “line-of-sight” between the broadcast radio and the receiver (i.e., the radio can “see” the receiver without interference) and topography and interferences such as rain or haze can challenge this line-of-sight.



# FEDERAL AND STATE BROADBAND DATA & MAPPING

It is important to note at the outset of this analysis that federal broadband data to-date has been notoriously flawed, leading to inaccurate, overstated coverage. Although a variety of organizations have released broadband maps and analyses, the source of these maps is predominantly the providers' FCC Form 477 data.

Broadband providers are required to file their fixed broadband coverage data with the FCC twice each year using the FCC's Form 477.<sup>iii</sup> In their Form 477 submissions, so long as the reporting provider “does or *could* . . . *without an extraordinary commitment of resources*”<sup>iv</sup> serve at least one location within a census block, the provider can depict the entire census block as served by broadband at the reported speed.<sup>v</sup>

Census blocks are the smallest unit of geography defined by the United States Census Bureau (the “Census Bureau”). In urban areas, a census block may be smaller than a tenth of a square mile; however, in rural areas, such as Miami County, a census block can encompass many square miles. With simply one location being the determining factor as to whether an entire area is “served,” overstated coverage—particularly in the larger census blocks—is inevitable.<sup>vi</sup> Not only does this inflate coverage, but it creates uncertainty as to local broadband competition, perpetuates broadband access and affordability issues, and exacerbates digital divides.

The FCC recently released the Broadband Serviceable Location Fabric (“Fabric”). The Broadband Serviceable Location Fabric is a dataset of all locations in the United States and Territories where fixed broadband internet access service is or could be installed. Government entities, broadband providers and certain other entities can access the Fabric.

While efforts are underway at the FCC to improve national broadband data, detailed in Appendix A, recognizing the current limitations of FCC data, we analyzed and compared multiple datasets for as accurate of an estimate of fixed broadband coverage in Miami County:

- **Indicators of Broadband Need map created by the United States Department of Commerce, National Telecommunications and Information Administration (“NTIA”):<sup>vii</sup>**

This map incorporates multiple data sources to depict U.S. broadband availability including the American Community Survey (“ACS”) collected by the U.S. Census Bureau (the “Census”), speed test organizations Ookla and Measurement Lab (“M-Lab”), and Microsoft.

- **Purdue Center for Regional Development (“PCRD”) Digital Divide Index (“DDI”):<sup>viii</sup>**

The DDI consolidates data from the 5-year American Community survey and the FCC Form 477. The DDI measures the physical broadband access, adoption, and socioeconomic characteristics that may limit use, skills, and motivation for Internet use. The DDI is composed of two scores: the infrastructure/adoption (“INFA”) score and the socioeconomic score (“SE”).

The INFA score consists of variables related to broadband adoption and infrastructure. These variables include the percentage of the population in 2019 without access to 100 Mbps download/ 20 Mbps upload fixed broadband, median advertised upload and download speeds, percentage of homes without Internet access or non-subscription, and percentage of homes with no computing device. When computing the INFA, more weight is given to broadband access, percent of homes without Internet access or not subscribing (“NIA”), and percent of homes with no computing devices (“NCD”) than upload and download speeds.

“Accurate connectivity data is the foundation for investments in our nation’s broadband infrastructure as Congress and federal agencies use data collected by the Federal Communications Commission [] to determine gaps in connectivity and the level of funding needed to address these disparities. Unfortunately, connectivity data provided to the FCC is often inaccurate and inflated — leaving many communities overlooked and disconnected.”

—National Association of Counties

Source: <https://www.naco.org/resources/featured/understanding-true-state-connectivity-america>



The SE score groups five variables that are known to impact the adoption of technology. These variables include the percentage of the population who is 65 or older, percentage of the population 25 and over with less than a high school degree, individual poverty rate, percentage of noninstitutionalized population with a disability, and a new digital inequality indicator called the Internet income ratio (“IIR”) measure. The IIR is calculated by dividing the number of homes that make less than \$35,000 per year without Internet access by the number of homes making \$75,000 or more per year without Internet access. To put it simply, the greater the IIR, the greater the inequality on Internet access based on household income.

- **State of Indiana Broadband Map:** Using the FCC Form 477 data as a baseline, this map incorporates multiple data sources to depict broadband speed, available providers, and accessible connectivity throughout the State of Indiana.
- **Indiana Farm Bureau Speed Test:** The Indiana Farm Bureau formed the Indiana Broadband Strategic Partnership (“IBSP”) in conjunction with the Cook Medical Group, Duke Energy Foundation, Indiana association of Realtors, Radius Indiana, and the Regional Opportunity Initiative to create a map that incorporates multiple data sources to create and depict broadband speed in Indiana. This information could be used to challenge future federal broadband maps. The Indiana Farm Bureau gave us access to their tool for the purposes of this study.



# BROADBAND DEPLOYMENT IN MIAMI COUNTY:

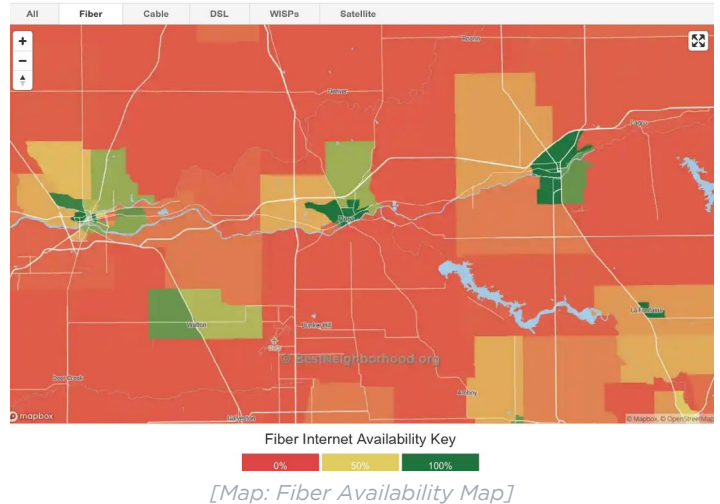
In accordance with the RFQ, we performed a broadband infrastructure inventory in Miami County including internet service providers (“ISPs”), public and privately owned fiber, and existing carrier coverage.

In this section we analyze the areas of Miami County that are well-served, underserved, and unserved by broadband, as well as area broadband subscription/ adoption trends. This section is followed by an Asset Analysis of existing infrastructure to support closing residual broadband gaps in Miami County. By showcasing the gaps in existing broadband infrastructure on a macro level, County leaders can focus resources on areas where broadband deployment is most needed and reaches the greatest population.

## INVENTORY OF EXISTING PROVIDERS AND FIBER-OPTIC PATHS

Existing fiber coverage in Miami County is limited:

- There is no long-haul fiber in Miami County.
- Middle mile/ metro fiber is depicted in the following map and centralized around Peru, which shows a middle-mile ring owned by MetroNet Fiber. Additional middle mile fiber cuts through Miami County, predominantly along Rt. 24, by Intelligent Fiber Network (“IFN”). However, Wabash, in the neighboring county, shows significant middle mile fiber coverage by Windstream, and expanded coverage north to south by IFN.
- Last-mile fiber is also centralized in and around Peru and is too provided by MetroNet Holding. Fiber is available in 30.52% of Miami County. Areas in green have fiber internet service, where areas in yellow or red may not. The most widely available provider is MetroNet.



**Long-haul** refers to network connection over long distances, such as nationwide, between various towns, cities, and other political subdivisions.

**Middle-mile** (or Metro Networks) often refers to the network connection between the last-mile and internet. For example, in a rural area, the middle mile would connect the town’s network to a larger metropolitan area where it interconnects with major broadband carriers.

**Last-mile** is the final leg of an internet connection between a service provider and the customer. For example, the last-mile is the connectivity (from a service provider) that comes into someone’s home or business that allows them to use the internet.

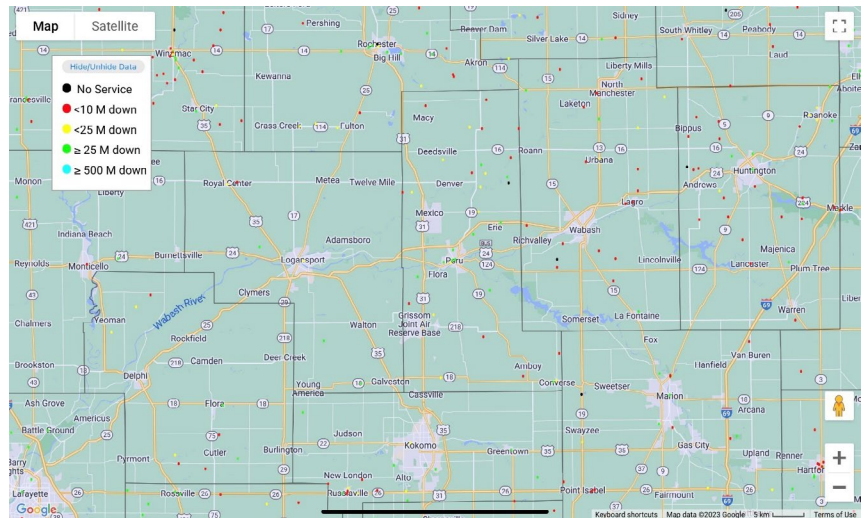
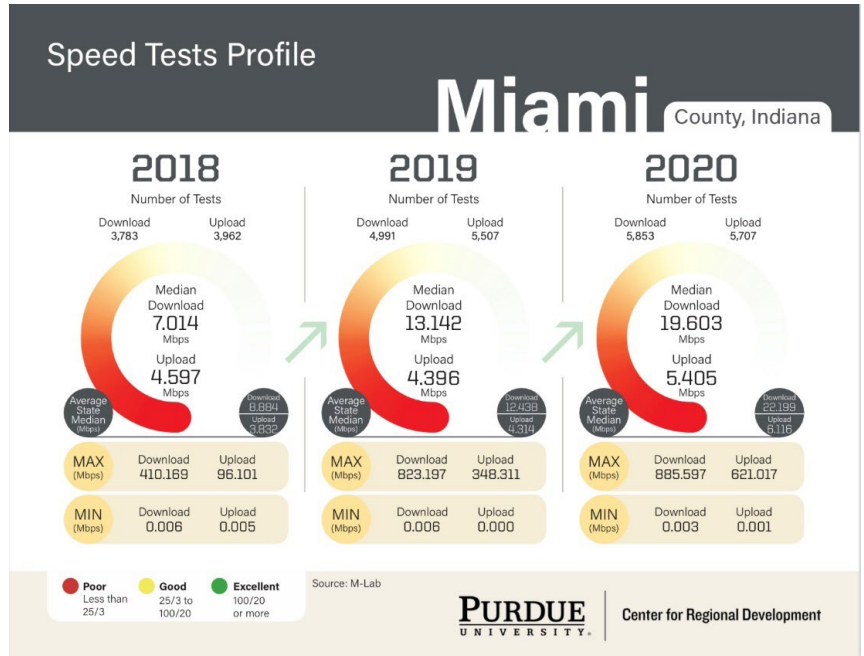
## Residential Access

Areas of Miami County that lack access at 25 Mbps download/ 3 Mbps upload are depicted in the following maps and charts.

As discussed previously, the FCC’s current definition of “broadband” is 25 Mbps download/ 3 Mbps upload. According to Miami County’s Speed Tests Profile, issued by the Purdue Center for Regional Development, median and maximum download and upload speeds within the county have increased, and minimum download and upload speeds have decreased, since 2018; however, median speeds are still below 25 Mbps download (although median upload speeds have been above 3 Mbps).

Similar results were shown in the Indiana Farm Bureau Speed Test results for Miami County, prior to this Study, although Comcast Cable Communications (“Comcast”) and Hughes Network Systems (“HughesNet”) shows results above 25 Mbps download at 159.60 and 31, respectively.<sup>2</sup>

As explained previously, the Purdue Center for Regional Development Digital Divide Index tool combines a census block’s SE and INFA scores to calculate the overall DDI score in that tract. A score of 100 indicates the highest digital divide. If a tract has a higher INFA score than a SE score, PCRD recommends taking steps to improve broadband infrastructure; if a tract has a higher SE score than INFA score, PCRD recommends taking steps to increase digital literacy and exposure to the benefits of technology.



[Map: Indian Farm Bureau Speed Test Map]

<sup>2</sup> It is important to note that the sample size for the Farm Bureau Speed Test at the time of drafting was 309. An additional 65 responses were needed for a 35% margin of error. An overall challenge with speed test data is that it captures one moment in time and network usage at 1AM could look significantly different from IPM, for example. Further, speed test data may not capture the network capabilities at a location if the subscribers opted to sign up for a lower cost service package, whether out of choice or financial necessity.

# GAP ANALYSIS

In this section we analyze the areas of Miami County that are well-served, underserved, and unserved by broadband, as well as area broadband subscription/ adoption trends. This section is followed by an Asset Analysis of existing infrastructure to support closing residual broadband gaps in Miami County. By showcasing the gaps in existing broadband infrastructure on a macro level, such an analysis will enable County leaders to focus resources on areas where broadband deployment is most needed and reaches the greatest populations.

Using the PCRD DDI, the scores of both the SE and INFA are combined to calculate the overall DDI score. A score of 100 indicates the highest digital divide. If a community has a higher INFA score than a SE score, PCRD recommends that it take steps to improve broadband infrastructure; if a community has a higher SE score than INFA score, PCRD recommends that it take steps to increase digital literacy and the exposure of the benefits that technology gives the population.

**The INFA score is higher than the SE score in every census tract in Miami County, indicating that the community should take steps to improve broadband infrastructure.**

While this Analysis was to mainly focus on improving broadband infrastructure, the community should also seek to improve local digital inclusion efforts, discussed further below. **For example, 12-15% of County households report not having a device with which to access the internet from home.**

This is further confirmed by analyzing the NTIA Indicators of Broadband Need Map, which depicts relatively widespread coverage at 25 Mbps download/ 3 Mbps upload according to the FCC Form 477 (understanding this is likely inflated), compared to those without internet access according to the American Community Survey data. The discrepancy between these maps indicates that there may be an issue with broadband (and device) affordability in Miami County.

**The ACS and speed test data from Ookla indicate that most issues with broadband access are in the southern part of the county, with additional areas lacking coverage in the west, north, and northwest.**

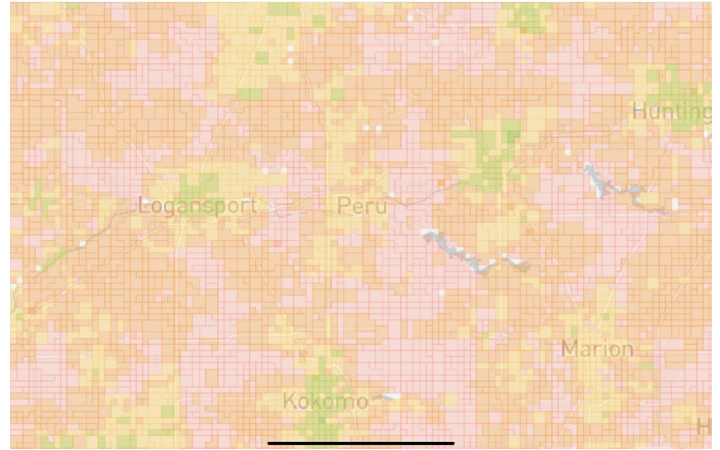
## Purdue’s Center for Regional Development’s Digital Divide Index - Miami County

Tract #	Demographics					Broadband			Score		
	Age 65+	Less than HS Degree	Poverty Rate	Disability	Internet Income Ratio	Median Download (Mbps)	Median Upload (Mbps)	Pop No. No Access	Digital Divide Score	Socioeconomic Score	Infrastructure Score
18103952700 (SW Miami Cty.)	17.7	13.2	15.5	11.5	6.39	152.6	14.8	89.4%	29.82	26.5	17.99
18103952600 (Amboy Area)	17.5	12.3	7.5	15.3	15.42	44.1	4.3	100%	30.55	26.58	18.79
18103952800 (Central Miami Cty.)	13	26.7	12.9	14.2	3.25	199.7	17.4	86.8%	26.89	21.65	20.5
18103952100 (Oakdale Area)	25.1	8.7	5	16.9	5.28	119.4	15.2	85%	31.14	27.63	18.72
1810395200 (N. Miami Cty.)	19.5	11.2	9.1	15.1	2.03	26.2	5.8	99.2%	26.2	29.43	17.30

[Chart: DDI Chart]

**Broadband is particularly of concern in the southeastern portion of Miami County near Amboy.** However, Ookla speed test data indicates access challenges north of Mexico and along the Wabash County border. Finally, incorporating data from the American Community Survey, a pocket of Miami County north of Peru and near Oakdale is also shown to need broadband coverage at speeds of 25 Mbps download/ 3 Mbps upload or higher.

As would be anticipated, the further from Peru in Miami County, the more likely that coverage is being provided via wireless coverage as opposed to a wired connection. As would further be expected, depicted coverage decreases as the speed tier increases and more coverage gaps become apparent. For example, while maximum available advertised broadband download speeds for residential wired internet are greater than 1,000 Mbps (or 1 Gbps [“Gig”]) in the Peru area, the maximum available advertised broadband download speeds for residential wired internet are less than 25 Mbps download in the Amboy area.



[Map: BroadbandNow Broadband Provider Availability Map]



## PROJECTED BUILD-OUT

Below is an overview of planned build-out in Miami County as a result of various federal and state programs. This overview is not exhaustive, and additional build-out projections are included in the Plan for Engaging Broadband Providers, provided further on in this Plan.

### The Connect America Fund (CAF)/ Rural Digital Opportunities Fund (RDOF)

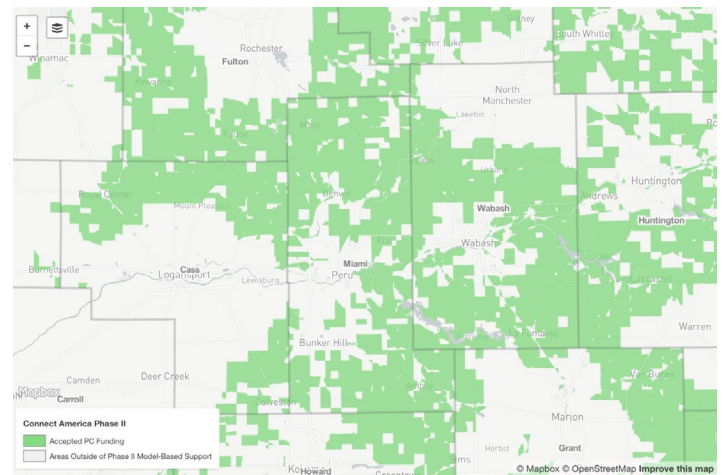
Formerly the FCC’s High-Cost Support Program, the Connect America Fund is the USF program targeted to rural areas. The FCC has taken numerous steps in recent years to reform this program to focus on ensuring fixed and mobile broadband access for unserved Americans.

Under the Connect America Fund program, support was provided to certain qualifying companies to build out broadband coverage to rural areas that were considered “high-cost” to serve. On April 29, 2015, the FCC announced details of CAF Phase II and offered \$1.7 billion in subsidies to larger, price cap carriers (the incumbent local exchange carriers or “ILECs”) to build-out at least 10 Mbps download/ 1 Mbps upload broadband service in select areas on a state-by-state basis (which is a lesser speed than the FCC’s definition of broadband service).

The FCC’s objective under its later CAF Phase II auction was to “distribute the funds it ha[d] available for price cap areas where the incumbent ETC decline[d] to make a state-level commitment in such a way as to bring advanced services to as many consumers as possible in areas where there is no economic business case for the private sector to do so.”<sup>3</sup>

Further, the Alternative Connect America Cost Model (“ACAM”) provided funding to rate-of-return carriers that voluntarily elected to transition to a new cost model for calculating high-cost support, in exchange for meeting certain build-out obligations. Carriers that elected ACAM funding are required to deploy at least 10 Mbps download/ 1 Mbps upload service to the identified eligible area by the close of 2026, in addition to various build-out milestones in the interim years.

The following map details the projected impacts of CAF Phase II on Miami County:



[Map: FCC CAF Phase II Map]

It is particularly important to note that the required 10 Mbps download/ 1 Mbps upload build-out requirement under the aforementioned CAF programs does not meet the current federal definition of broadband.

Building off the CAF Phase II Auction, in 2019-2020, the FCC established the \$20.4 billion Rural Digital Opportunity Fund (“RDOF”) to bring high-speed fixed broadband service to rural homes and small businesses. RDOF is a two-round reverse action for \$20.4 billion in subsidies that will be allocated over the next 10 years in equal monthly installments.

- Phase I of RDOF provides \$16 billion to target areas that are “wholly unserved” by broadband at 25 Mbps download/ 3 Mbps upload.
- Phase II of RDOF provides \$4.4 billion to target areas that are “partially unserved”, and any areas not won in Phase I, after the FCC updates its availability data through the Digital Opportunity Data Collection, as detailed in the Service and Infrastructure Analysis.<sup>ix</sup>

<sup>3</sup> In the Matter of Connect Am. Fund, 64 Communications Reg. (P&F) 1565 (F.C.C. May 26, 2016).

**Recipients of RDOF funds must: \***

- offer commercially at least one voice and one broadband service meeting the relevant service requirements to all locations within the awarded area within the specified time;
- accept the deployment schedule to be determined by the carrier and not the FCC;
- file annual reports, build-out milestone certifications, and data on the locations receiving service with the Universal Service Administrative Company (“USAC”); and
- offer at least one broadband and voice service at rates that are reasonably comparable to the rates for similar service in urban areas.

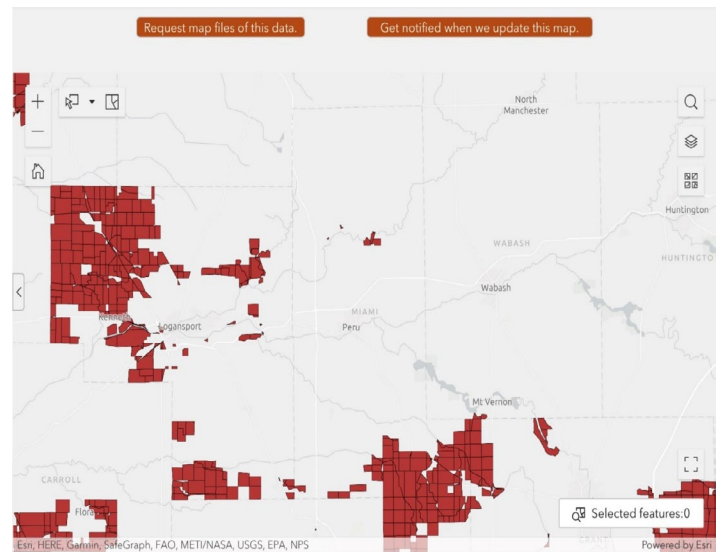
Bidding to the RDOF program was conducted by census block and the weighting system favored bids for higher-speed, lower-latency service.<sup>xi</sup> RDOF recipients can use any fixed broadband service (i.e., fixed wireless, fiber, etc.), but will need to deploy at least 25 Mbps download/ 3 Mbps upload service and complete and offer such service to 40% of the required locations in a state by the end of the third year; an additional 20% of locations in subsequent years; and 100% of locations by the end of the sixth year. According to the FCC, there will be auditing and penalties for failing to meet build-out requirements.

**The RDOF awards in Miami County are provided below:**

<b>Company Name</b>	<b>Locations</b>	<b>Amount</b>
LTD Broadband LLC	11	\$1,920.00
NRTC Phase I RDOF Consortium	552	\$665,295.00

The RDOF authorized blocks are centralized around the Amboy region of Miami County.

The NRTC Phase I RDOF Consortium includes the Miami-Cass REMC. The Miami-Cass REMC won \$4.7 million in total RDOF funding and will be required to serve multiple locations in Miami County as a result. Their build will help address connectivity issues in the southeast portion of Miami County discussed above.



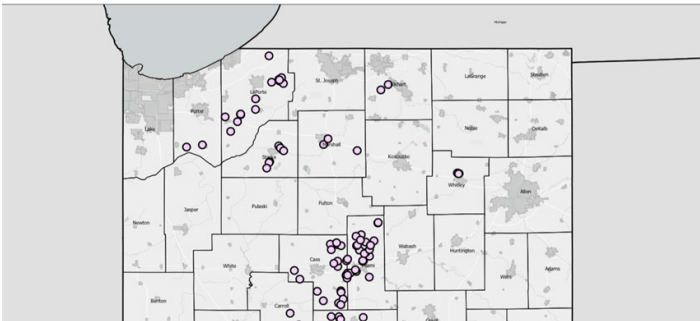
[Map: FCC RDOF Phase I Map]

## Next Level Connections Program

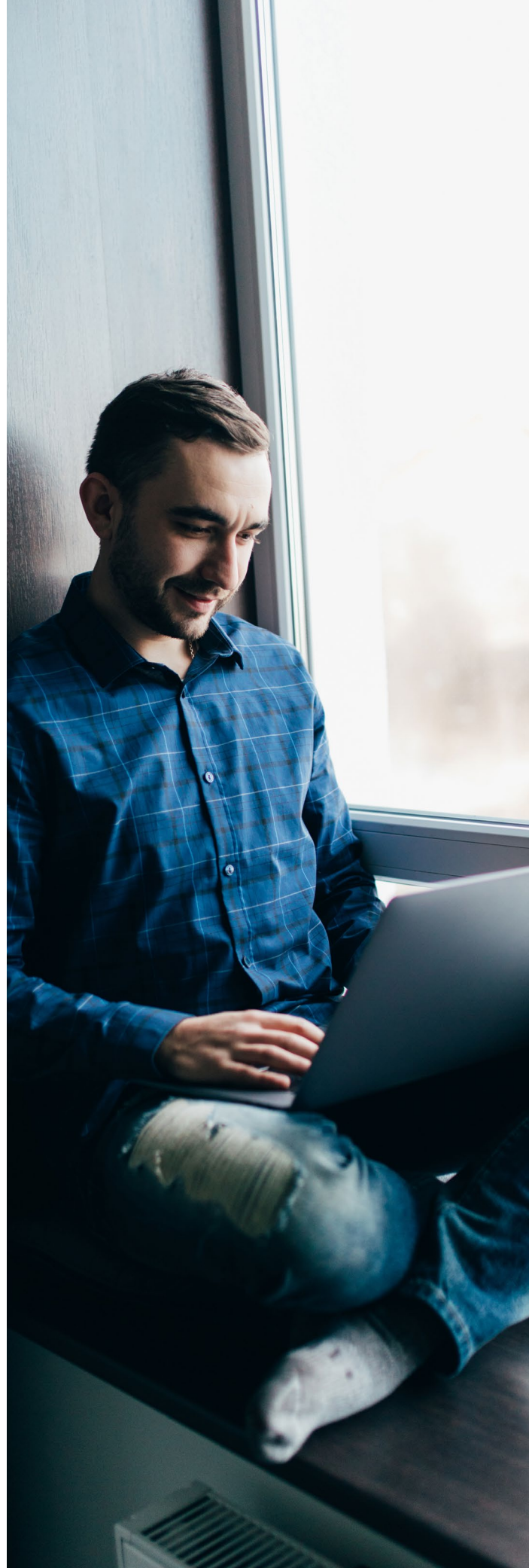
The Next Level Connections Program (NLC) will be detailed further in the Funding section of this Plan; however, it is noted here from a build-out perspective.

No awards were issued for Miami County through the NLC Program in Rounds 1 and 2; however, AT&T and Heartland REMC were awarded grants to serve Miami County Round 3 of the program. Miami-Cass was awarded \$211,200 in Round 4. The Miami-Cass REMC also received approximately \$6 million in the third round of the program and several of their awarded locations are in Miami County. An overview of these awards is below; however, several areas appear to be overflow from Heartland REMC's significantly more substantial award in Wabash County. OCRA has not issued a breakdown of awardees by county but a map of locations awarded in Round 4 can be found below.

OCRA ICP 4 Awarded



Although the NLC Program awards will incrementally heighten local connectivity, **we recommend that Miami County leaders do not delay any efforts to address broadband expansion locally, nor remove an opportunity for another provider to provide such service in anticipation of NLC build-out.**





# COUNTYWIDE BROADBAND SPEED TEST ANALYSIS

## Introduction

As reliable, affordable broadband connection becomes an essential part of daily life, rural communities nationwide are struggling to achieve a connection strong enough to keep pace with an increasingly digital world. The challenge is exacerbated by discrepancies between reported and achieved speeds, which can block communities from receiving federal funding in incentivize broadband buildout and infrastructure expansion and improvement.

An analysis of speed test results in Miami County, Indiana, paired with data about broadband providers and self-reported cost information can help to understand the quality of service that community members experience on the ground and can provide insight into and justification for continued investment in the county's broadband landscape.

## Key Findings

### Speed test results don't align with reported broadband speeds

Although one or more providers claim to serve almost 100% of the county at 25/3mbps or higher, most residents who participated in the speed test experience speeds lower than this threshold.

### Speeds are higher in Peru Township

Higher speeds are concentrated in Peru township and around Peru, Indiana - the most densely populated city in the county.

### Higher costs are not always correlated with higher speeds

Residents who report paying more for their broadband service do not necessarily receive faster service, and the correlation between the two is only marginal.

## Speed Test Survey Analysis and Results Survey Respondent Insights

Miami County, Indiana is roughly 60 miles Southwest of Ft. Wayne, Indiana, and is home to an estimated 36,000 people. Per the US Census Bureau, an estimated 79% of households in Miami County have a broadband subscription.

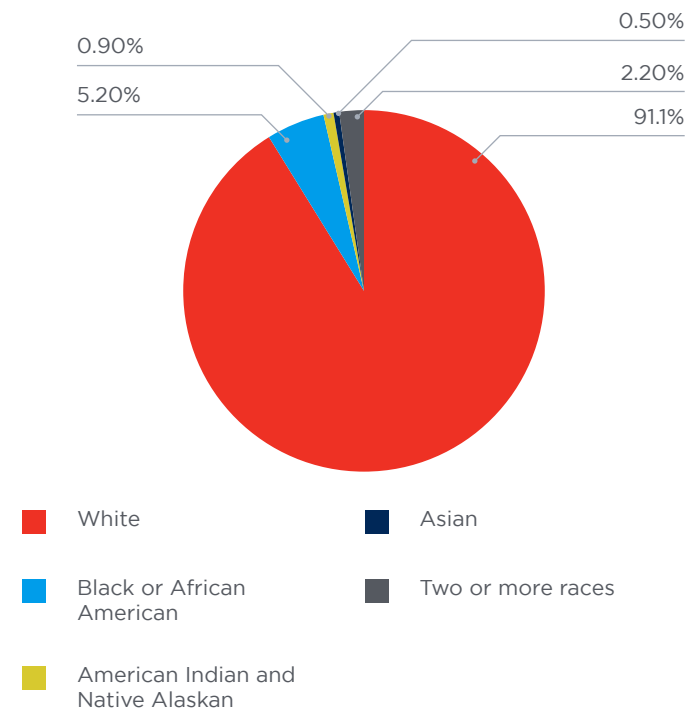
A survey response of 317 respondents yields a confidence interval of between 90% and 95% and a margin of error between 5 and 6.

## County Demographic Trends

Miami County is 91% white and 5.2% Black. This is less racially diverse than the State of Indiana, which is 84% white and 10% Black.

The county has a median household income of \$50,616, which can be compared to a state figure of \$58,235. Some 86% of the population over age 25 has attained a high school diploma, compared to the State of Indiana's 89%. The median home value is \$91,100, whereas the state's median home value is \$148,900.

## Miami County Population by Race



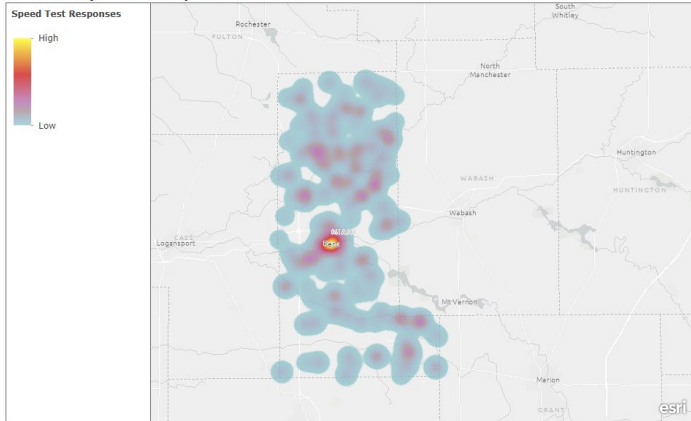
## Survey Respondents by Location

Speed test survey results were concentrated around Peru Indiana, the county’s most populous city. Peru Township collected 53 responses, with the second highest number of responses coming from Richland Township, with 51 responses. Responses were sparse on the southern end of the county, with the fewest responses coming from Clay Township at 7 responses, and the second fewest responses

Township	Responses
Allen Township	8
Butler Township	9
Clay Township	7
Deer Creek Township	9
Erie Township	17
Harrison Township	11
Jackson Township	26
Jefferson Township	26
Perry Township	31
Peru Township	53
Pipe Creek Township	20
Richland Township	51
Union Township	23
Washington Township	26



Miami County Broadband Speed Test Results



Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA | Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA

## Broadband Landscape

### Access Providers

Nineteen internet service providers are represented in the speed test survey results. The highest number of responses belong to AT&T, with 69 responses. Comcast yielded the second highest number of responses, with 47 responses. See below for a full list of providers and number of responses.

Internet Service Provider*	Responses
AT&T Services	69
Comcast Cable Communications	47
Hughes Network Systems	36
AT&T Mobility	34
CenturyLink	28
ViaSat	18
RTC Communications.	16
no service	16
Metronet	12
T-Mobile USA	9
Watch Communications	9
Cogent Communications	6
Verizon Business	5
Good Connections	4
Frontier Communications	2
SpaceX Starlink	2
Amazon.com	1
Farm Bureau Insurance	1
Medidata Solutions,	1
WideOpenWest Finance	1

*\* Speed test results identify the underlying provider of internet backhaul in some cases, not necessarily the consumer facing service provider. As a result, the penetration levels of some carriers are overstated in the above results.*

Because of their low response rate and, for the most part, lack of status as a publicly available consumer broadband product, results from Amazon.com, Farm Bureau Insurance, Medidata Solutions, and WideOpenWest Finance, Frontier Communications, and SpaceX Starlink will be excluded from provider-level analysis. It should be noted that many providers do not have sample sizes sufficient enough for provider-specific analysis to be representative of service available across the county, as service will vary based on proximity to infrastructure.

## Type of Internet Broadband Speed and Reliability

The term “broadband” refers to high speed internet, with the threshold to be considered “high speed” set at 25mbps upload and 3mbps download. Although speeds below 25/3mbps are considered “unserved,” more recent federal guidelines urge communities to strive for 100/100mbps. Recognizing that higher symmetrical speeds are difficult to achieve using wireless technology, recommendations and federal funding sources allow for 100/20mbps where practicable. Speeds below 100/20 are considered “underserved.”

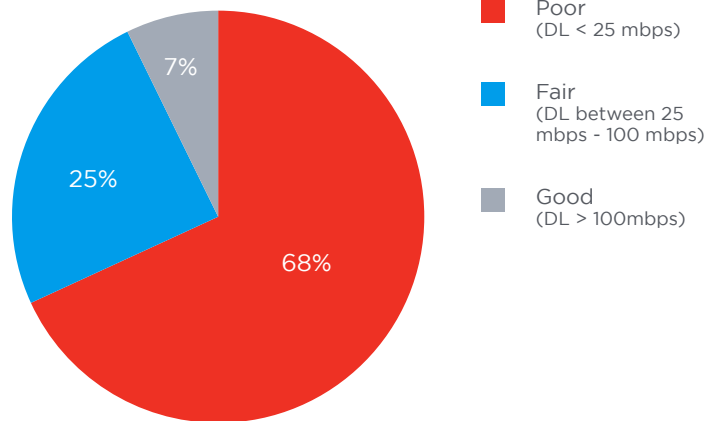
### Speed

Speeds recorded using the speed test survey distributed yielded results mostly below the 25/3mbps threshold, with some exceeding 25/3mbps. On the map below, speeds labeled “Poor” have a download speed below 25mbps, speeds labeled “Fair” have a download speed between 25mbps and 100mbps, and speeds labeled “Good” have a download speed of higher than 100mbps.

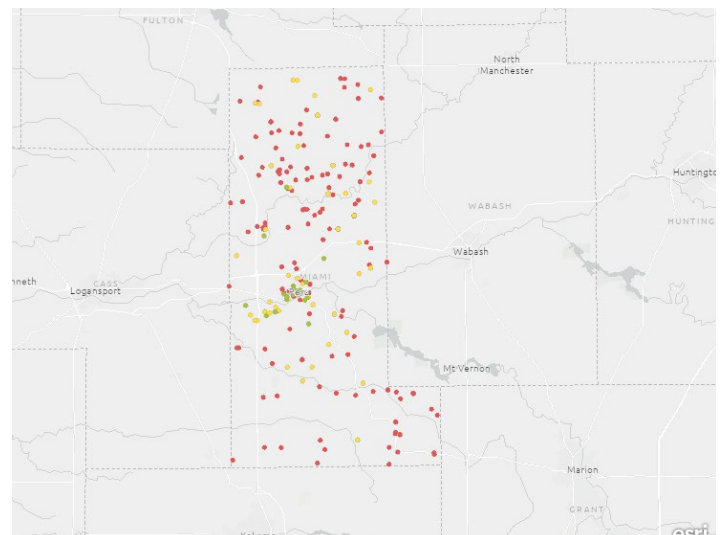
Of the 317 speed test results, 68% fell in the “Poor” category, 25% were categorized as “Fair,” and 7% were in the “Good” category.

Faster speeds are concentrated around Peru, Indiana. In line with broadband development patterns nationwide, the best infrastructure is positioned to serve areas with the greatest population density, where providers are more likely to be willing to fund buildout privately because they anticipate a faster return on investment and higher adoption rates. The slowest speeds and the fewest results occur in the southern-most end of the county, where the population is more dispersed than Peru and the surrounding area.

### Responses by Download Speed



### Miami County Broadband Speed Test Result

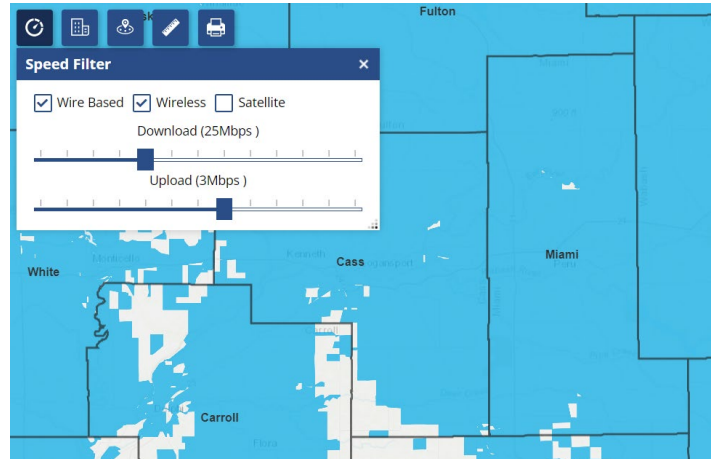


### Internet Speed Score

- Poor
- Fair
- Good

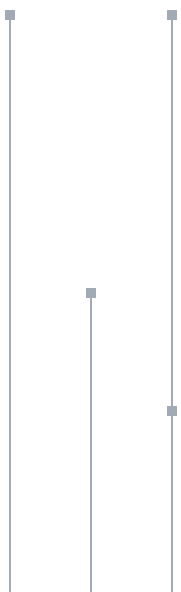
While the map above shows that many residents do not receive broadband service that can be considered adequate, a map of speeds reported by providers shows that nearly 100% of the county is covered by claims of service at or above 25/3mbps. This discrepancy could be the result of one or more factors.

- **Technology cannot achieve advertised speeds:** Often, broadband connection in rural areas relies on legacy technology or, in the case of wireless solutions, technology that struggles to reach the borders of its claimed geography due to inadequate signal strength, elevation changes, or inclement weather.
- **Residents are not maximizing speeds at home:** Although ethernet connections increasingly obsolete, providers must only meet service claims when a customer is plugged in to their router using an ethernet cable. If a resident is connecting to their home network wirelessly some speed may be sacrificed, especially if one or more walls separate them from their router. This regulation may feel frustrating especially to younger internet users, who have not typically expected to rely on an ethernet cable connection while using their personal computing device.
- **Residents are not adopting the fastest service option:** While a faster service may exist, especially in denser parts of the county, residents may feel priced out of the service and opt for a lower-cost solution.

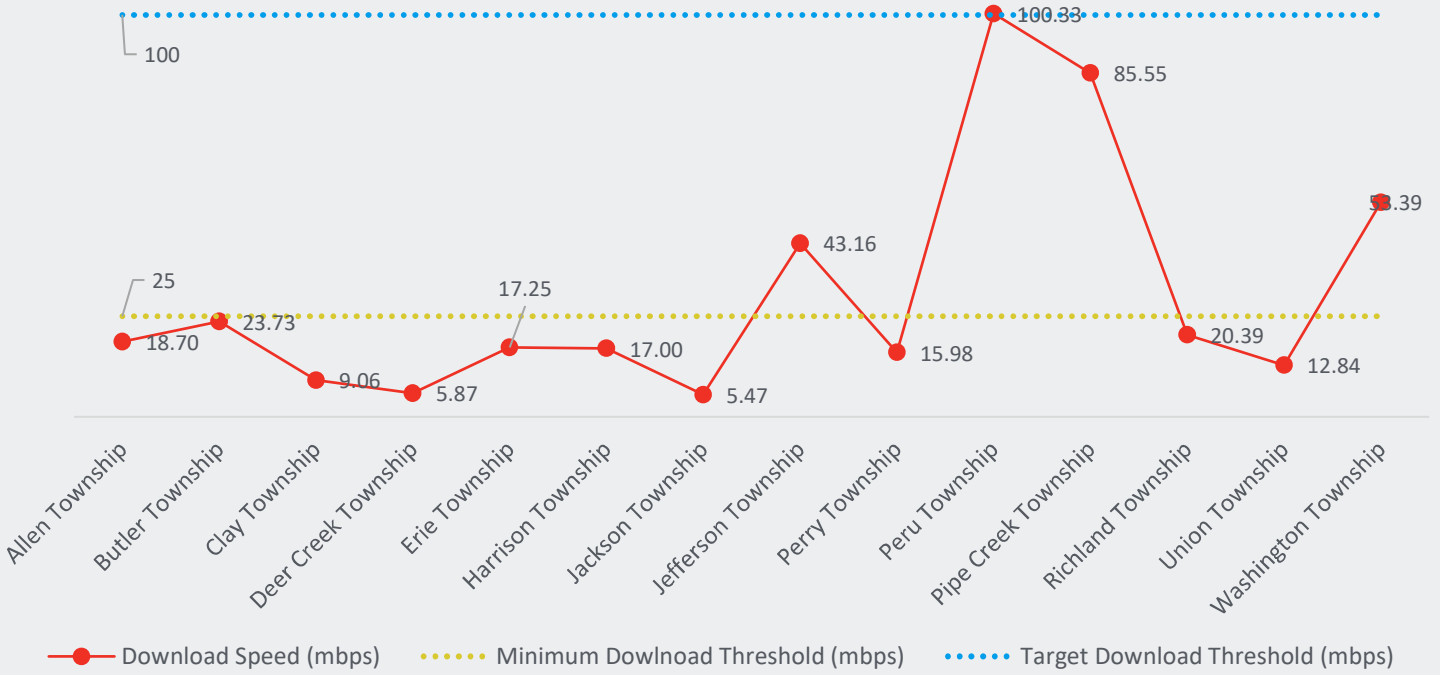


Although sample sizes in many townships are small, only four townships exceeded average download speeds of 25mbps, and only one exceeded 100mbps. Peru Township (53 respondents) achieved an average download speed of 100mbps, followed by Pipe Creek (20 respondents) with 85mbps and Washington (26 respondents) and Jefferson (26 respondents), with 53mbps and 43mbps, respectively. Slowest download speeds appear in Jackson (26 respondents) and Deer Creek (9 respondents) Townships, with 5.47mbps and 5.87mbps respectively.

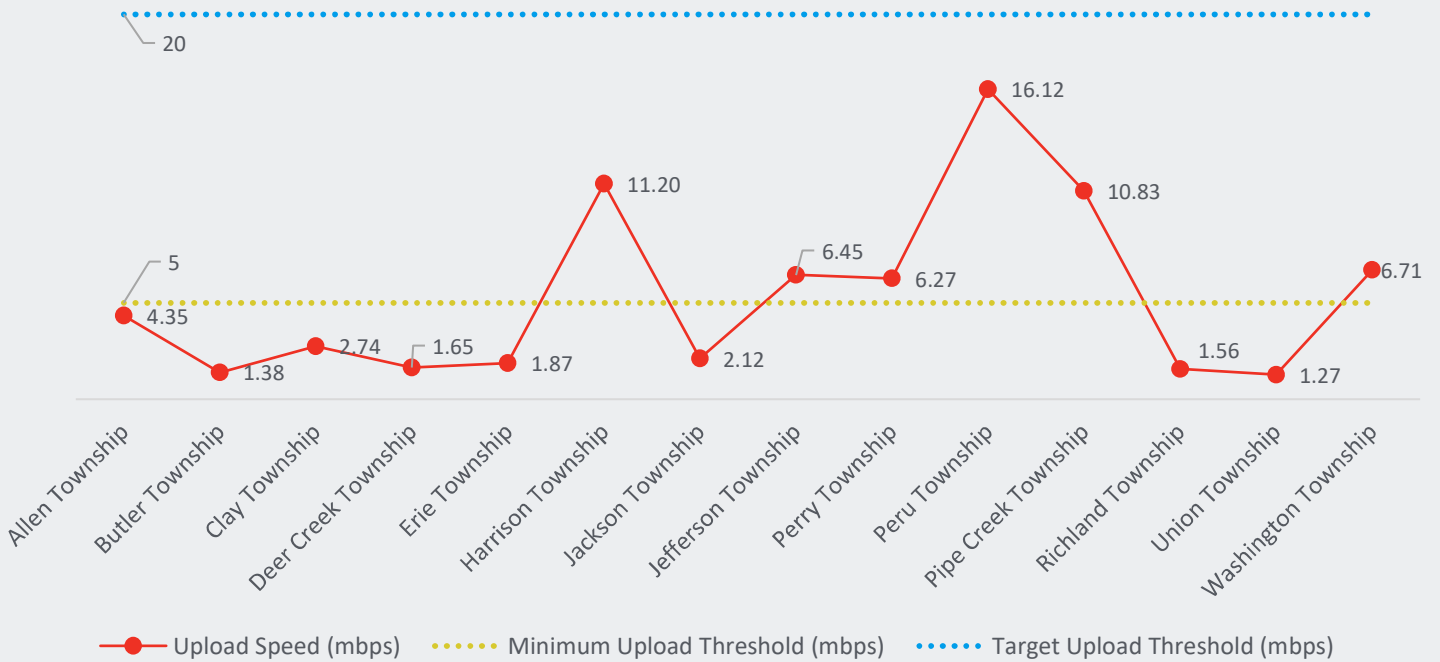
Few providers appear to achieve average download speeds of greater than 25mbps, with Comcast emerging as the fastest service option by a wide margin at an average download speed of 146mbps. Hydra Solutions, Metronet, and Verizon Business also had average download speeds exceeding 25mbps. No providers achieved upload speeds exceeding the upper threshold of 20mbps, but Metronet and Comcast came closest, at 18mbps and 16mbps, respectively.



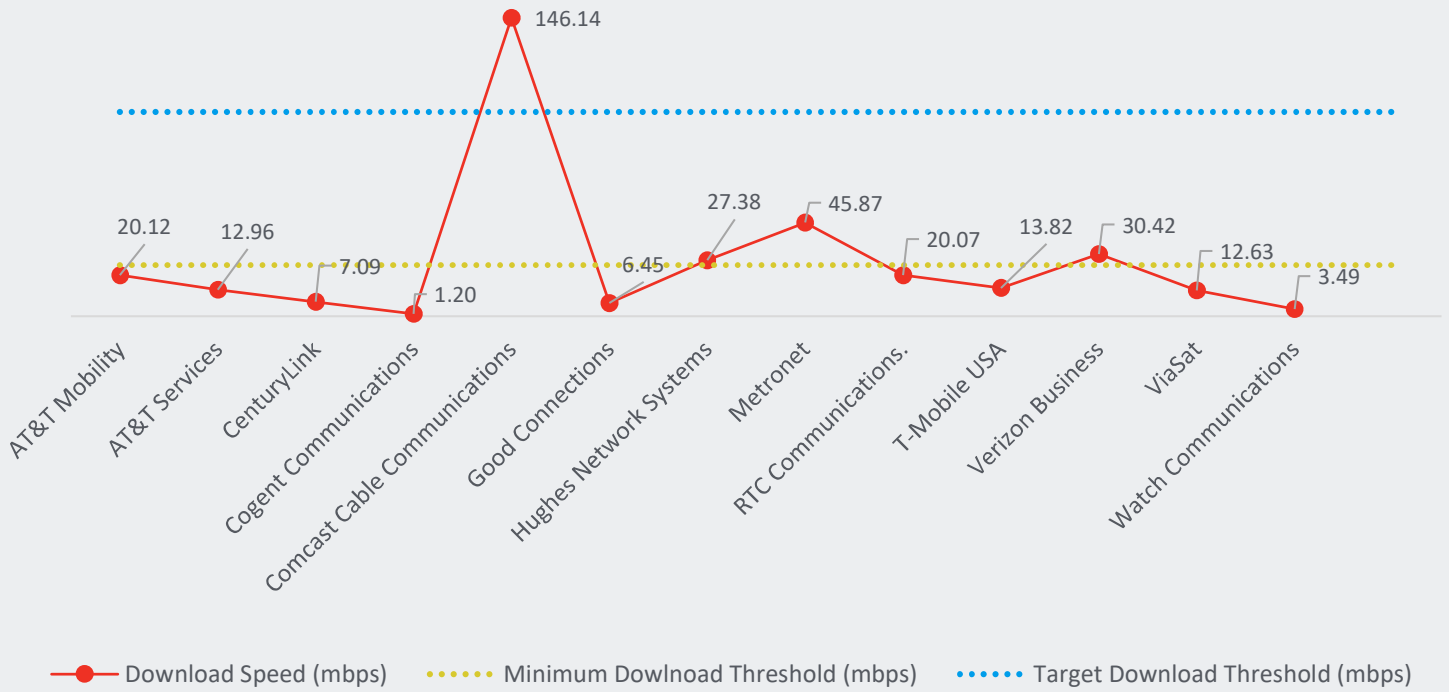
### Average Download Speeds by Township



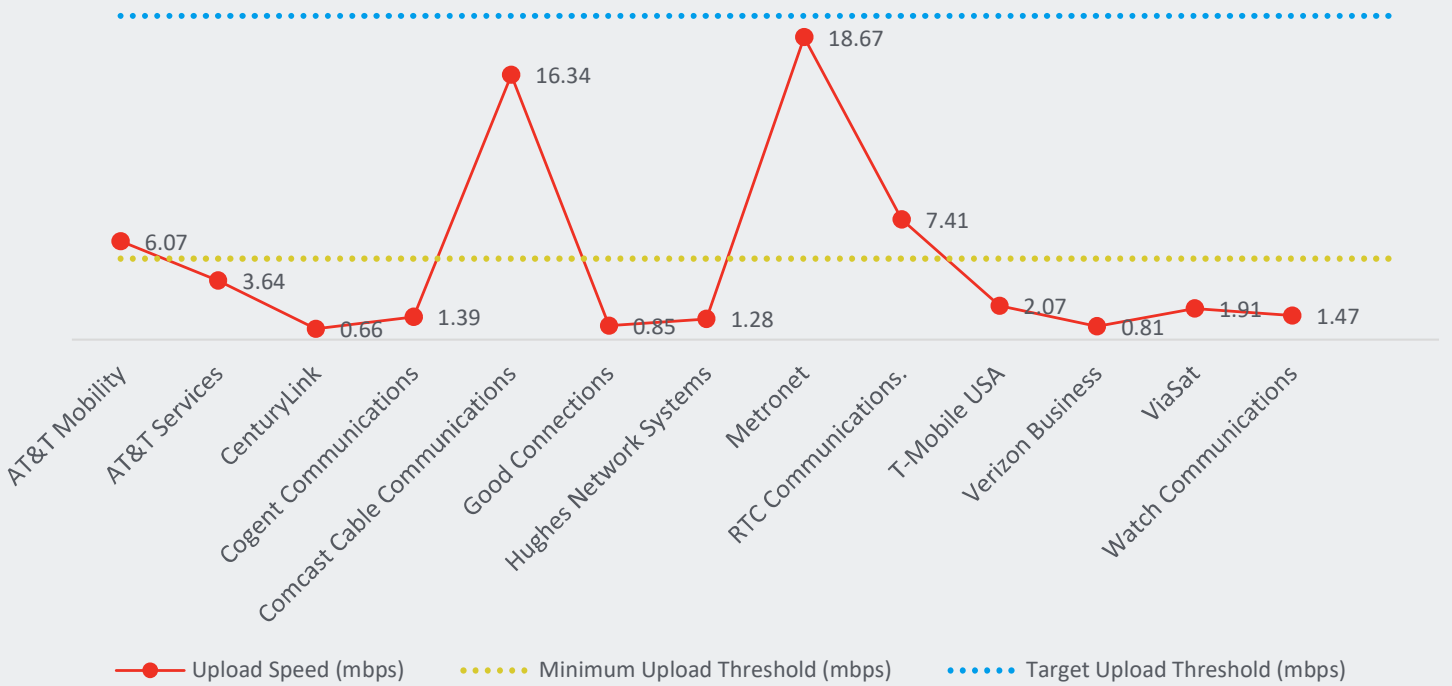
### Average Upload Speeds by Township



### Average Download Speeds by Provider



### Average Upload Speeds by Provider



## Broadband Affordability

The graph above, which depicts self-reported internet costs, shows the highest costs in Butler and Union Townships. These townships are the sole two communities where average costs are reported to exceed \$100 per month. Peru and Pipe Creek townships, where speeds are highest, have average monthly reported costs of approximately \$85 per month.

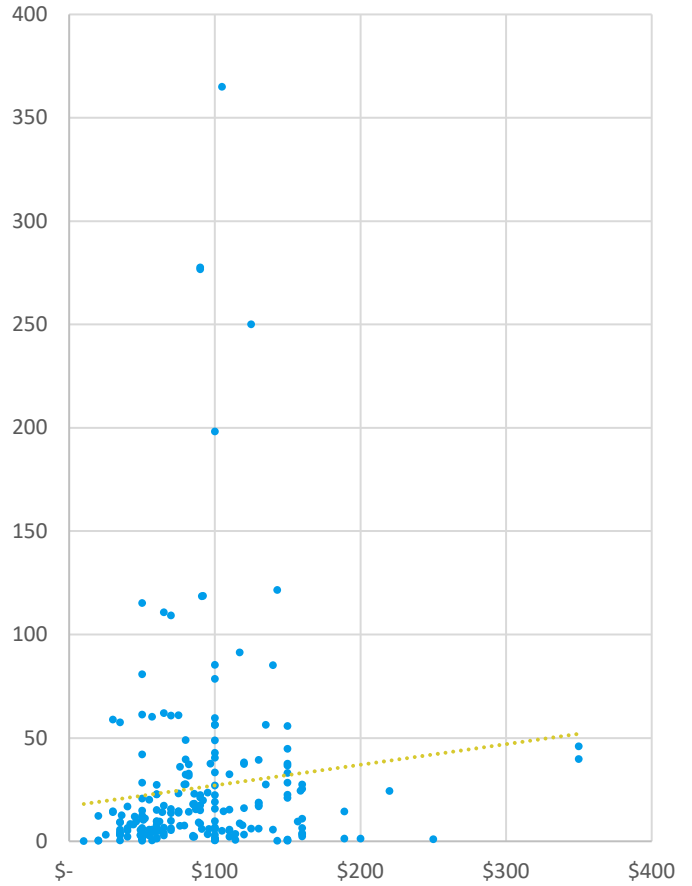
It should be noted that Allen Township and Deer Creek Township, which appear to have the lowest internet costs on average, also have the lowest number of responses regarding internet costs.

The visual below shows the very marginal correlation between reported cost and recorded speed – the slope of the trendline is nearly flat, meaning that customers who report paying higher monthly costs are likely not getting faster service in exchange.

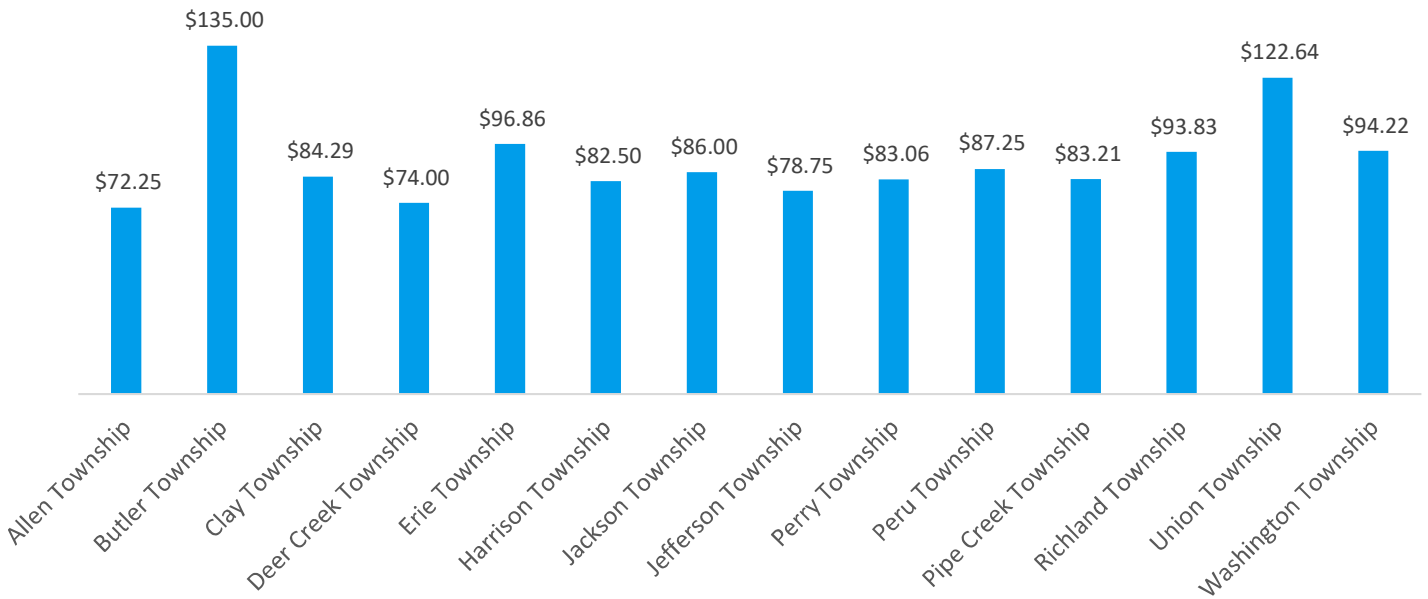
## IN SUMMARY

While speeds in Peru may be adequate, more rural residents on the whole do not have access to high-speed internet and in many cases are paying for service they do not receive. Infrastructure investment is needed to ensure that residents can participate in increasingly digital daily activities.

Download Speed (mbps) & Cost per Month



Download Speed (mbps) & Cost per Month

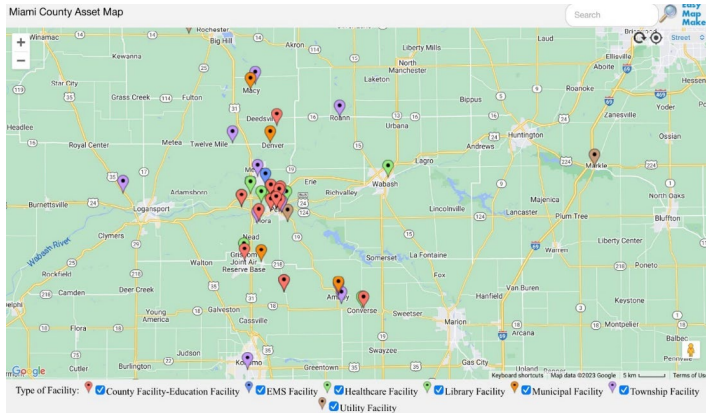




# ASSET INVENTORY

Fiber, fixed wireless, DSL, cable, and satellite are all available within Miami County,<sup>4</sup> but there is significant opportunity for enhanced investment in fiber, especially as compared to neighboring counties. **A cost-effective tactic for communities to encourage and facilitate enhanced broadband expansion is to reduce build-out costs and one approach to doing so is to utilize existing infrastructure.** With a clearer picture provided on broadband access, or lack thereof, it is next important to determine whether existing assets could be used to facilitate broadband expansion.

The following map provides a vertical asset inventory of facilities that may be available for broadband purposes in Miami County.



[Map: Asset map]

<sup>4</sup> The Project Team was asked not to include traditional satellite coverage in our analysis of broadband coverage in Miami County.







Type of Facility	Site Name
Education Facility	Maconaquah School Corporation
Education Facility	North Miami Community Schools
Education Facility	Oak Hill United School Corporation
Education Facility	Peru Community Schools
Education Facility	Elmwood Primary Learning Center
Education Facility	Peru Christian Academy
Education Facility	Ivy Tech - Peru Campus
Education Facility	Miami County Adult Education Center
County Facility	County Commissioners Office
County Facility	Miami County Recorder
County Facility	Miami County Auditors Office
County Facility	Miami County Council Office
County Facility	Miami County Assessor
County Facility	Miami County Treasurer
County Facility	County Building and Planning Commission
County Facility	Health Department
County Facility	County Highway Department
County Facility	County EDA
County Facility	Miami County Soil & Water Conservation
County Facility	County Surveyor
County Facility	Department of Weights and Measures
Municipal Facility	City of Peru
Municipal Facility	Town of Amboy
Municipal Facility	Town of Bunker Hill
Municipal Facility	Town of Converse
Municipal Facility	Town of Denver
Municipal Facility	Town of Macy
Township Facility	Allen Township
Township Facility	Butler Township
Township Facility	Clay Township
Township Facility	Deer Creek Township
Township Facility	Erie Township
Township Facility	Harrison Township

Type of Facility	Site Name
Township Facility	Jackson Township
Township Facility	Jefferson Township
Township Facility	Perry Township
Township Facility	Peru Township
Township Facility	Pipe Creek Township
Township Facility	Richland Township
Township Facility	Union Township
Township Facility	Washington Township
Library Facility	Peru Public Library
Library Facility	Converse-Jackson Township Public Library
Healthcare Facility	Wabash - Miami County Home Health Care
Healthcare Facility	Area Five Agency on Aging & Community Services
Healthcare Facility	Community Health Center of Miami County
Healthcare Facility	VA Northern IN Healthcare System Peru CBOC
Healthcare Facility	Blair Ridge Health Campus
Healthcare Facility	Dukes Memorial Hospital
Healthcare Facility	Aperion Care
Healthcare Facility	Hickory Creek
Healthcare Facility	Miami County Medical Center
Healthcare Facility	IHC Peru
Utility Facility	Miami-Cass County REMC
Utility Facility	Peru Municipal Utilities
Utility Facility	Fulton County REMC
Utility Facility	Wabash County REMC
Utility Facility	Duke Energy
EMS Facility	Miami County EMS
Misc.	Miami County Co-Op Extension Office

As further detailed in the recommendations sections that follow, we recommend that Miami County maintain and regularly update the above asset inventory in order to identify the tools available to facilitate broadband.



# ENGAGEMENT OF BROADBAND PROVIDERS

Company*	Current Presence in Miami County	Coverage by Zip Code	Applied for NLC Program in Miami County	Registered for OCRA Subsidy Program	Registered for OCRA Line Extension Program	RDOF Recipient	Participate in ACP	Speeds	Availability	Pricing
<b>AGILE NETWORKS</b> <a href="#">Website</a>										\$59.95-\$99.95
<b>AT&amp;T</b> <a href="#">Website</a>		46970 - Peru						Up to 24 Mbps	75.20%	\$55 - \$65
		46914 - Bunker Hill						Up to 100 Mbps	11.70%	\$55 - \$65
		46919 - Converse						Up to 100 Mbps	77.40%	\$55 - \$65
		46911 - Amboy						Up to 100 Mbps	71.10%	\$55 - \$65
		46958 - Mexico						Up to 100 Mbps	15.40%	\$55 - \$65
		46959 - Miami						Up to 100 Mbps	6.50%	\$55 - \$65
<b>BERRYCOMM</b> <a href="#">Website</a>										
<b>CENTURY LINK</b> <a href="#">Website</a>		46951 - Macy						Up to 100 Mbps	7.70%	\$50 - \$65
		46974 - Roann						Up to 100 Mbps	56.20%	\$50 - \$65
		46926 - Denver						Up to 100 Mbps	95.10%	\$50 - \$65
		46958 - Mexico						Up to 100 Mbps	100.00%	\$50 - \$65

Offer Additional Low-cost Program	Contract Timeline	Type of Service in Miami County	Notes	Identified Barriers to Additional Build Out
	2 years required. To disconnect it's \$99 or they can pay \$99 upfront and not have an agreement		Currently does not provide service in Miami County. Their overall plan is to partner with states, counties, and service providers to enable broadband for all through innovation, investment and integration of network services.	
	N/A	IPBB, Fixed Wireless	<p>Serve North Central Indiana from Northern Noblesville to Rural Center and all places in between. Largest markets are those newly entering into Cicero and Howard County. Had most longevity in Cass County and will be tying that network into neighboring county. Miami is a county in which they are interested in expanding - has a network that expands to the base and headquarters is in Kokomo. Will have egress and plant for redundancy. Service is FTTH - BerryIT is their sister company that does construction for incumbents. Has a lot of experience with network engineering and construction.</p>	<p>Available funding - great place to do business, low barrier to entry, friendly local leaders. Local procurement would be of interest.</p>
	N/A	IPBB, Fixed Wireless		
	N/A	IPBB, Fixed Wireless		
	N/A	IPBB, Fixed Wireless		
	N/A	IPBB, Fixed Wireless		
N/A	IPBB			
			<p>Won Round 4 OCRA Dollars. Serve North Central Indiana from Northern Noblesville to Rural Center and all places in between. Largest markets are those newly entering Cicero and Howard County. Had most longevity in Cass County and will be tying that network into neighboring county. Miami is a county in which they are interested in expanding - has a network that expands to the base and headquarters is in Kokomo. Will have egress and plant for redundancy. Service is FTTH - BerryIT is their sister company that does construction for incumbents. Has a lot of experience with network engineering and construction.</p>	
N/A	N/A	DSL; Fiber		
N/A	N/A	DSL; Fiber		
N/A	N/A	DSL; Fiber		
N/A	N/A	DSL; Fiber		

Company*	Current Presence in Miami County	Coverage by Zip Code	Applied for NLC Program in Miami County	Registered for OCRA Subsidy Program	Registered for OCRA Line Extension Program	RDOF Recipient	Participate in ACP	Speeds	Availability	Pricing
<b>COMCAST</b> <a href="#">Website</a>	✓			✓	✓			Up to 1.2 Gbps download / 35 Mbps upload		
<b>COMTECK INDIANA</b> <a href="#">Website</a>	✓	46919 - Converse						Up to 500 Mbps	59.00%	\$39.95 - \$199.95

Offer Additional Low-cost Program	Contract Timeline	Type of Service in Miami County	Notes	Identified Barriers to Additional Build Out
All Comcast offers available (Internet Essentials)		Hybrid fiber (FTTN) and Coax to the home	Serves Bunker Hill, Grissom Air Base, Peru (and surrounding areas to City Limits - Indian Oaks Golf Club, etc.) and Mexico and Denver in Miami County. Is in the process of enhancing network to boost upload speeds to symmetrical speeds for 200 - multi Gbps speeds (over the next 3 years or so). Promotions and discounts are offered based on other services selected, including paperless billing and autopay, so pricing is not exact same across the board.	Not aware of any Miami-specific barriers. Haven't had significant interaction with the County but would like to expand. Typically prefer own middle mile network to have control over repairs. Local dollars would be of interest. Is building FTTP for grant-funded builds. Anticipate that the areas that remain unserved are very high-cost. Plus, with Next Level Connections prohibiting build-out to RDOF areas, it curbs applications.
N/A	None required	Fiber	Only offers service in Indiana	

Company*	Current Presence in Miami County	Coverage by Zip Code	Applied for NLC Program in Miami County	Registered for OCRA Subsidy Program	Registered for OCRA Line Extension Program	RDOF Recipient	Participate in ACP	Speeds	Availability	Pricing
<b>EARTHLINK</b> <a href="#">Website</a>	✓	46970 - Peru						Up to 75 Mbps	45.00%	From \$49.95
		46910 - Akron						Up to 75 Mbps	45.00%	From \$49.95
		46914 - Bunker Hill						Up to 75 Mbps	45.00%	From \$49.95
		46951 - Macy						Up to 75 Mbps	39.00%	From \$49.95
		46911 - Amboy						Up to 75 Mbps	45.00%	From \$49.95
		46974 - Roann						Up to 75 Mbps	29.00%	From \$49.95
		46926 - Denver						Up to 75 Mbps	45.00%	From \$49.95
		46958 - Mexico						Up to 75 Mbps	45.00%	From \$49.95
		46959 - Miami						Up to 75 Mbps	45.00%	From \$49.95
<b>FOURWAY.NET</b> <a href="#">Website</a>	✓	46910 - Akron						Up to 25 Mbps	32.30%	\$49.99 - \$149.99
		46951 - Macy						Up to 25 Mbps	65.50%	\$49.99 - \$149.99
		46926 - Denver						Up to 25 Mbps	9.00%	\$49.99 - \$149.99
<b>FRONTIER COMMUNICATIONS</b> <a href="#">Website</a>	✓	46910 - Akron				✓		N/A	83.20%	\$49.99 - \$149.99
		46951 - Macy				✓		N/A	86.10%	\$49.99 - \$149.99
		46974 - Roann				✓		N/A	12.70%	\$49.99 - \$149.99



Offer Additional Low-cost Program	Contract Timeline	Type of Service in Miami County	Notes	Identified Barriers to Additional Build Out
N/A	N/A	Fiber, DSL		
N/A	N/A	Fiber, DSL		
N/A	N/A	Fiber, DSL		
N/A	N/A	Fiber, DSL		
N/A	N/A	Fiber, DSL		
N/A	N/A	Fiber, DSL		
N/A	N/A	Fiber, DSL		
N/A	N/A	Fiber, DSL		
N/A	N/A	Fiber, DSL		
			Offers services in two states.	
Offers for select Healthcare professionals serving in rural areas or residents of rural areas.	N/A	DSL		
	N/A	DSL		
	N/A	DSL		

Company*	Current Presence in Miami County	Coverage by Zip Code	Applied for NLC Program in Miami County	Registered for OCRA Subsidy Program	Registered for OCRA Line Extension Program	RDOF Recipient	Participate in ACP	Speeds	Availability	Pricing
<b>GOOD CONNECTIONS</b> <a href="#">Website</a>	✓	46914 - Bunker Hill						Up to 50 Mbps	98.20%	\$37.45 - \$90.95
		46919 - Converse						Up to 50 Mbps	45.00%	\$37.45 - \$90.95
		46911 - Amboy						Up to 50 Mbps	74.60%	\$37.45 - \$90.95
		46959 - Miami						Up to 50 Mbps	74.60%	\$37.45 - \$90.95
<b>HEARTLAND REMC</b> <a href="#">Website</a>	✓		✓	✓		✓	✓	Packages differ by market, but all communities receive up to 1 gig symmetrical. Some have minimum 100 some have minimum 250 Mbps.	No service	\$49 - \$129
<b>HOOSIER BROADBAND</b> <a href="#">Website</a>	✓	46970 - Peru						Up to 1500 Mbps	100.00%	\$49.99 - \$99.95
		46914 - Bunker Hill						Up to 1500 Mbps	100.00%	\$49.99 - \$99.95
		46951 - Macy						Up to 1500 Mbps	81.00%	\$49.99 - \$99.95
		46911 - Amboy						Up to 1500 Mbps	100.00%	\$49.99 - \$99.95
		46974 - Roann						Up to 1500 Mbps	54.90%	\$49.99 - \$99.95
		46926 - Denver						Up to 1500 Mbps	98.20%	\$49.99 - \$99.95
		46958 - Mexico						Up to 1500 Mbps	100.00%	\$49.99 - \$99.95











































Offer Additional Low-cost Program	Contract Timeline	Type of Service in Miami County	Notes	Identified Barriers to Additional Build Out
N/A	N/A	Fixed Wireless	Only offers service in eastern Howard County and southern Miami County	
N/A	N/A	Fixed Wireless		
N/A	N/A	Fixed Wireless		
N/A	N/A	Fixed Wireless		
Has a low-cost program on their own that is married to ACP - if you qualify for ACP then you qualify for their low-cost program (~\$49); E-rate; haven't yet participated in Healthcare Connect but would and have SPIN.	2 years; longer for businesses	Fiber	Serves Wells, Wabash, and Huntington, but also serves some of the neighboring counties. Currently in an active deployment right now - has about 3,000 customers connected, and that number grows daily. Not a large footprint in Miami County. Customers don't even have to sign up for service for them to bring fiber into the home and make it "fiber ready" - they can sign up later. If they go back after the fact, they charge a few hundred dollars. They will send letters and postcards and make calls when they will be in the area - require the homeowner to sign an underground agreement giving approval to be on property and to disclose any private easements.	
N/A	N/A	Fixed Wireless		
N/A	N/A	Fixed Wireless		
N/A	N/A	Fixed Wireless		
N/A	N/A	Fixed Wireless		
N/A	N/A	Fixed Wireless		
N/A	N/A	Fixed Wireless		
N/A	N/A	Fixed Wireless		

Company*	Current Presence in Miami County	Coverage by Zip Code	Applied for NLC Program in Miami County	Registered for OCRA Subsidy Program	Registered for OCRA Line Extension Program	RDOF Recipient	Participate in ACP	Speeds	Availability	Pricing
<b>HUGHESNET</b> <a href="#">Website</a>	✓	46970 - Peru					✓	Up to 25 Mbps	100.00%	\$64.99 - \$159.99
		46910 - Akron					✓	Up to 25 Mbps	100.00%	\$64.99 - \$159.99
		46914 - Bunker Hill					✓	Up to 25 Mbps	100.00%	\$64.99 - \$159.99
		46919 - Converse					✓	Up to 25 Mbps	100.00%	\$64.99 - \$159.99
		46951 - Macy					✓	Up to 25 Mbps	100.00%	\$64.99 - \$159.99
		46911 - Amboy					✓	Up to 25 Mbps	100.00%	\$64.99 - \$159.99
		46974 - Roann					✓	Up to 25 Mbps	100.00%	\$64.99 - \$159.99
		46926 - Denver					✓	Up to 25 Mbps	100.00%	\$64.99 - \$159.99
		46958 - Mexico					✓	Up to 25 Mbps	100.00%	\$64.99 - \$159.99
<b>KING STREET WIRELESS</b> <a href="#">Website</a>	✓	46974 - Roann						N/A	5.50%	N/A
<b>MIAMI CASS REMC/ DBA BROADWAY BROADBAND</b> <a href="#">Website</a>	✓		✓	✓		✓	✓	N/A	Small percentage in Miami County. Not opposed to expanding once other projects done.	N/A

Offer Additional Low-cost Program	Contract Timeline	Type of Service in Miami County	Notes	Identified Barriers to Additional Build Out
N/A	2 years	Satellite		
N/A	2 years	Satellite		
N/A	2 years	Satellite		
N/A	2 years	Satellite		
N/A	2 years	Satellite		
N/A	2 years	Satellite		
N/A	2 years	Satellite		
N/A	2 years	Satellite		
N/A	2 years	Satellite		
N/A	N/A	Fixed Wireless		
N/A	N/A	Fiber		

Company*	Current Presence in Miami County	Coverage by Zip Code	Applied for NLC Program in Miami County	Registered for OCRA Subsidy Program	Registered for OCRA Line Extension Program	RDOF Recipient	Participate in ACP	Speeds	Availability	Pricing
<b>ROCHESTER TELEPHONE COMPANY (RTC)</b> <a href="#">Website</a>	✓	46910 - Akron	✓	✓	✓	✓	Up to 1000/500	N/A	N/A	

Offer Additional Low-cost Program	Contract Timeline	Type of Service in Miami County	Notes	Identified Barriers to Additional Build Out
N/A	N/A	N/A	<p>“Fixed wireless service does dip into Miami County but the coverage is not perfect. This is one of the reasons they are moving towards a 100% FTTH network and sunsetting their fixed wireless product. Interested in Middle Mile NOFO for Miami County.</p> <p>Seeing poor behavior from other providers that are competing to simply block others. For example, the amount of LTD RDOF awarded in Pulaski is significantly slowing the deployment of fiber in that county. In Marshall County we saw Comcast bid \$0 on multimillion dollar builds to keep folks out.</p>	<p>Density in the Northern portion (NE and NW) - 1 to 2 people per mile. A few of those towns have Comcast built into them already which is a challenge. Duke Energy pole attachments are challenging - timeliness (but Duke’s footprint in Miami Co is limited and is more REMC). State can take a while to get permits back to providers for underground, as well as railroads - cost and time for both. RR permits can take 8 weeks. Currently, as we work through our build out in Fulton County - supply chain, labor, increasing costs with downward pressure on consumer costs are items we struggle with. When it comes to adoption - education is tough. A lot of the expansion we’re engaged in today is dependent on grants.</p>

Company*	Current Presence in Miami County	Coverage by Zip Code	Applied for NLC Program in Miami County	Registered for OCRA Subsidy Program	Registered for OCRA Line Extension Program	RDOF Recipient	Participate in ACP	Speeds	Availability	Pricing	
<b>WATCH COMMUNICATIONS</b> <a href="#">Website</a>		46970 - Peru						Up to 100 Mbps	99.40%	\$59.99 - \$120	
		46914 - Bunker Hill						Up to 100 Mbps	100.00%	\$59.99 - \$120	
		46919 - Converse						Up to 100 Mbps	99.80%	\$59.99 - \$120	
		46911 - Amboy						Up to 100 Mbps	99.70%	\$59.99 - \$120	
		46974 - Roann						Up to 100 Mbps	89.40%	\$59.99 - \$120	
		46926 - Denver						Up to 100 Mbps	18.00%	\$59.99 - \$120	
		46958 - Mexico						Up to 100 Mbps	100.00%	\$59.99 - \$120	
		46959 - Miami						Up to 100 Mbps	100.00%	\$59.99 - \$120	
<b>XFINITY</b> <a href="#">Website</a>		46970 - Peru						150, 300, and 1 Gig Symmetrical for residential; businesses are a la carte, ICB	82.20%		
		46910 - Akron							43.70%	58.85; \$86.80; \$118	
		46914 - Bunker Hill								26.20%	\$58.85; \$86.80; \$118
		46911 - Amboy								3.80%	\$58.85; \$86.80; \$118
		46926 - Denver								40.70%	\$58.85; \$86.80; \$118
		46958 - Mexico								100.00 %	\$49.00-\$199.98
		46959 - Miami								100.00 %	\$49.00-\$199.98



Offer Additional Low-cost Program	Contract Timeline	Type of Service in Miami County	Notes	Identified Barriers to Additional Build Out
Offers ACP, Student, Teacher, and Military discounts	N/A	Fixed Wireless		
Lifeline Benefit Program	N/A	Fixed Wireless		
Lifeline Benefit Program	N/A	Fixed Wireless		
Lifeline Benefit Program	N/A	Fixed Wireless		
Lifeline Benefit Program	N/A	Fixed Wireless		
Lifeline Benefit Program	N/A	Fixed Wireless		
Lifeline Benefit Program	N/A	Fixed Wireless		
Lifeline Benefit Program	N/A	Fixed Wireless		
N/A	N/A	Fixed Wireless/ Fiber		
N/A	N/A	Fixed Wireless/ Fiber		
N/A	N/A	Fixed Wireless/ Fiber		
N/A	N/A	Fixed Wireless/ Fiber		
N/A	N/A	Fixed Wireless/ Fiber		
N/A	N/A	Satellite		
N/A	N/A	Satellite		

# IDENTIFICATION OF OBSTACLES

In this section, we identify potential obstacles to broadband deployment in Miami County, including physical obstacles, legal/ statutory/ regulatory obstacles, and more. Underneath each obstacle we then list the associated recommendation, each of which is further discussed in the Recommendations section of the Plan.

While overcoming these obstacles can incentivize further build-out, not all need to be addressed simultaneously to expand broadband. By identifying these obstacles, Miami County stakeholders can decide how to best promote broadband deployment – i.e., which obstacles are more easily surmountable.

## **OBSTACLE 1: COORDINATING LOCAL BROADBAND PROVIDER EFFORTS**

It is both a benefit and a challenge that Miami County has such a high number of broadband service providers present in the county. Among the challenges is that the presence of so many providers, especially those with similar footprints, can lead to available service being overestimated in Miami County on federal broadband maps. The more areas that are depicted as served, the less Federal and/or State funds may be targeted to Miami County.

Coordinating build-out among so many providers can also be challenging and opportunities to enhance efficiencies and reduce costs, such as by ensuring that multiple providers are given access to open trenches, existing fiber and conduit, and opportunities to co-locate on existing infrastructure, have likely been missed.

## **OBSTACLE 2: BROADBAND ADOPTION VERSUS COST-PER-PASSING**

There are two key barriers to broadband expansion occurring in a community at a pace that aligns with local demand: lack of population density and/or challenging area topography. A challenging local topography can increase the capital expenditures needed to build-out a broadband network. With lack of population density, even if every household in an area signs up for service, it may be insufficient for the provider to recoup its investment in the build-out. Broadband providers will have different “take rates” needed to secure a return on investment (“ROI”) based on their company’s economics. Additionally, challenging geographic topography such as numerous hills or significant crossing required due to numerous streams/lines can increase build out costs and provide economic challenges for providers. Communities with one or both of these challenges will be less likely to see investment in local broadband expansion.

Network access is only one piece of the broadband puzzle: the other is adoption/subscription to the access that is available, and local residential economics are creating further challenges in Miami County.

Broadband access has shifted from a luxury to a necessity, given its role in communication, business, education, socialization, and service delivery. Every household and business needs options for robust high-speed internet to operate and sustain. However, we have already reached the tipping point in broadband in which, if an area has not already seen service expansion, it is unlikely to do so due to lack of perceived return on investment for private providers for reasons stated above. In such areas, there are two primary tactics to encourage broadband build-out:

1. Financially incentive broadband expansion, such as through local contributions; and/or
2. Reduce build-out costs, such as to access to existing infrastructure.

### **OBSTACLE 3: THE COMPLEXITY OF APPLYING FOR AND COMPLYING WITH FEDERAL BROADBAND FUNDING PROGRAMS**

As stated above, one tactic to encouraging broadband expansion is to financially incentive its construction. Historically, many communities that were interested in launching and/or encouraging broadband initiatives were unprepared to fund such projects. However, a silver lining of the COVID-19 pandemic is it solidified that access to robust, reliable, affordable broadband is imperative, and, as a result, we are seeing unprecedented amounts of federal and state dollars for its expansion.

We provide an analysis of these dollars, as well as traditional financing tools, in the Funding section of this Plan. As detailed therein, in some instances, Miami County and/or its political subdivisions may be an eligible applicant, in other programs a public or private entity/partner may be eligible to apply, and in certain circumstances a combination of the two, a public-private partnership (“P3”) may be the most appropriate applicant.

### **OBSTACLE 4: STATUTORY AND REGULATORY REQUIREMENTS**

Broadband deployment has many land use considerations and implications. For example:

- County rights-of-way (“ROW”) must be a minimum of twenty (20) feet from the highway centerline and permitted operations must not interfere with existing structures in the ROW without written permission of the County Highway Department.
- In Miami County, any public or private utility or other contractor wishing to use county highways or ROWs, shall obtain written consent from the Board of Commissioners before proceeding.
- In the County, all easements for electric lines, communication lines or other facilities, at all times be subject to the superior right of the county for general highway purposes. If deemed necessary from time to time, the county may move, remove, or alter or modify said electric lines, communication lines or other facilities.
- All public or private utilities or other contractors will indemnify and hold harmless the county for any and all liability incurred as a result of the construction, maintenance, or operations in the county right-of-way.
- In addition, any communication tower established may not be at a height greater than 250 feet on agriculture zoned land, 200 feet in industrial zoned land, and no tower shall be greater than 150 feet in a general business zoned district within the county. A tower may not be located within one (1) mile from any other wireless communication tower, nor within 500 feet of any residential dwelling, and not within 300 feet of any state or county road, measured from the right-of-way line.
- Construction of a communication tower in Miami County shall be designed and constructed so that more than one wireless communication company may attach equipment to the tower. Once a tower ceases to be used for one year, it shall be removed.
- In addition to County roads, the Indiana Department of Transportation (INDOT) has rules governing broadband infrastructure in highway ROW. A permit is needed to work in any INDOT ROW and all construction within the highway ROW must conform to such rules.

## **RECOMMENDATIONS TO ADDRESS THE ABOVE OBSTACLES:**

### **Utilize and maintain the Asset Inventory provided with this Study:**

We recommend that private providers seeking to expand in Miami County be provided with Asset Inventory created as part of this Study, and that such inventory continue to be updated and maintained by the County GIS Department.

Miami County can further support use of such assets by enacting dig-once and asset management policies (including what entities currently utilize such assets, barring confidentiality requirements) to facilitate broadband deployment by encouraging use of space available for access/lease for wireless broadband expansion (e.g. rooftops, streetlights, communication towers, municipal electric poles, certain flag poles, water towers under municipal ownership, water tanks), as well as wired expansion (e.g., dark fiber, existing conduit). Once created, such infrastructure can be leased to providers to facilitate deployment.

A major cost barrier to broadband expansion, particularly wired broadband, is the cost of excavating existing roadways or otherwise digging, boring, or trenching into the ground. A dig-once policy is a commonsense method to reducing the cost of infrastructure deployment.

Dig-once policies typically require that broadband providers be notified when public rights-of-ways are excavated/opened so that they can have the opportunity to install broadband infrastructure, including conduit and/or fiber optics. Such policies often require that dedicated internet conduit be laid in the right-of-way during new construction to prepare for future broadband needs. (citation). A dig-once policy is a common-sense method of reducing the cost of communications infrastructure deployment. However, Miami County should think broadly when implementing a dig-once policy – broadband infrastructure does not simply have to be buried alongside a roadway project or in coordination with a telecommunications project.

A dig-once policy can help get additional conduit and fiber under the ground however, this is only one approach to broadband expansion – the other is above ground. One approach to doing so is enacting a broadband asset management policy to facilitate use of existing vertical infrastructure. Such infrastructure should not be limited to traditional micro and macro communications towers.

In addition, we encourage collaboration with area municipalities to ensure that their publicly owned infrastructure available for broadband expansion is included. For example, water towers and tornado sirens could be utilized with the appropriate propagation studies.

Other sites for consideration are those utilized by public and private utility providers. There are also many privately owned sites in Miami County that could serve as a co-location site and aid in coverage expansion, including grain silos.

### **Issue a County-led procurement process to encourage build-out in target areas:**

Historically, governments were forced to be reactive as opposed to proactive when it pertained to broadband build-out within their communities – they simply had to wait until the private provider built out. We have already reached the tipping point in broadband access in which, if a large carrier has not yet expanded service to an area, they are unlikely to do so due to a perceived inability to create a return on investment. As a result, those areas that are more populous show stronger service coverage than less dense, more rural areas of the region. This aligns with the broadband access experience across Indiana and the United States.

Two approaches that Miami County can take to encourage local provider expansion and enhance competition among private entities in the shorter term include:

1. Subsidizing costs through a procurement, grant/loan funds, or financing; and/or
2. Reducing costs of build-out through expedited permitting, reduced processes, etc. Our recommendations above are examples of this approach.

Although fiber is one of the more expensive solutions up front, it may be a proportionally lower cost solution in the long run. Additionally, fiber networks are generally easier to operate and maintain and often require less troubleshooting than other connections. However, fixed wireless’ use of airwave transmission alleviates the need for infrastructure-and-maintenance-dependent phone or cable lines. Further, unlike mobile broadband systems, which are limited by the capacity of they system and frequently institute a cap on usage or charge a high premium above a defined usage level, fixed wireless broadband is not as sensitive to capacity issues and monthly plans typically allow for unlimited usage. As a result, it is often a more affordable broadband service option.

We recommend that Miami County open this opportunity to all area providers to see who will provide the best option to do all of the following:

1. Partner with Miami County;
2. Build-out broadband service at speeds of 100 Mbps download/ 20 Mbps upload, or greater,<sup>5</sup> at the lowest cost/most cost-effective construction rate, targeting specific areas;
3. Provide such service to the greatest number of Miami County residents, businesses, and community anchor organizations;
4. Provide such service at an affordable price to Miami County residents; and
5. Utilize the greatest amount of existing infrastructure within Miami County, identified in the Asset Inventory.

In addition to its own funds, we recommend that Miami County leadership engage leaders in local jurisdictions within Miami County to determine whether they would be willing to contribute funds to projects targeting their area.

Below is a list of government units in Miami County that received ARPA second round funding:

<b>Peru</b>	\$1,249,055.37
<b>Bunker Hill</b>	\$96,429.84
<b>Macy</b>	\$22,549.40
<b>Denver</b>	\$50,528.63

This funding should also help in overcoming make-ready costs (i.e., the costs of getting an existing utility pole ready for the fiber)<sup>6</sup> and other labor shortages. For example, additional “points/funds” could be awarded if applicants (1) utilize existing assets as identified herein, (2) incorporate digital inclusion efforts as discussed further below, and (3) partner with local training programs (e.g., offer staff as instructors) and / or commit to hiring from those programs, as also discussed below.

<sup>5</sup> In order to align with American Rescue Plan, the Infrastructure Investment and Jobs Act, and other federal program requirements.

<sup>6</sup> Make-ready costs assessed by an electric utility are higher in urban areas compared to rural. One rule of thumb for a per foot estimate of overhead engineering and make-ready cost would be -\$3.00 per foot (-\$10,000-\$20,000 per mile).

Other counties have prioritized building out by self-created zones, U.S. census tracts, or simply as the areas shown to lack broadband service according to available mapping tools. We recommend that Miami County Commissioners issue a procurement that prioritizes geographical units within the county – doing so would not create exclusivity as additional providers could continue to expand in those areas but would give additional predictability and enable Miami County to set its expectations for build-out to ensure county-wide consistent speeds. Examples of such procurement documents from other jurisdictions are attached as **Appendix D**. However, we do not recommend simply copying and pasting language from another community – any RFP should be tailored to Miami County and be approved by the County’s regular Purchasing Team and the County Prosecutor.

Enhancing awareness of local provider efforts will benefit Miami County as it seeks to inform its citizens, and benefit providers as they try to determine possible subscription rates for an area.

Many local providers have stated that they would be interested in a local procurement process.

### **Address local digital inclusion challenges:**

Challenges to what has been historically called “broadband adoption” typically falls into one or both of two categories: (1) affordability (including devices, monthly costs, and one-time costs); and (2) a need for enhanced digital skills. Local providers that were engaged in this process addressed the cost of broadband adoption, such as the cost of fiber, supply chain, and labor shortages that has put the downward pressure on consumer costs. This demonstrates local affordability.

To address the affordability issues in Miami County we recommend distributing information on the Affordable Connectivity Program (“ACP”) and other proven low-cost options. As a result of these programs, qualifying families may be able to secure robust, high-speed service for no cost.

The ACP was created under the Federal Infrastructure Investment and Jobs Act (“IIJA”). Formerly the FCC’s Emergency Broadband Benefit Program (“EBB”), the ACP subsidizes broadband service for eligible households – defined as those that suffered income loss during the pandemic or meet other need-based criteria, such as eligibility for school lunch programs. The subsidy is provided at a lower rate than the EBB program (down to \$30 from an original of \$50 per month) to extend its longevity across the 5-year budget window. Certain participating providers have committed to offering a \$30/month packaging, meaning that ACP-eligible households with access to that provider’s service will be able to subscribe to at-home internet with zero out-of-pocket cost.

Additional provider materials on their low-cost programs are provided in Appendix E and whether a provider is enrolled in the ACP is designated in the provider engagement section of the Study.

### **As of December 2022, the ACP program had 1,061 subscribers in Miami County, Down from 1,379 in October 2022.<sup>7</sup>**

In the EBB program, only 400 eligible households enrolled in Miami County. Assuming there are thousands of eligible households in Miami County there is a significant gap between eligible households enrolling and an opportunity to help Miami County families get affordable options.

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<sup>7</sup> Universal Service Admin. Co., ACP Enrollment and Claims Tracker, available at <https://www.usac.org/about/affordable-connectivity-program/acp-enrollment-and-claims-tracker/#enrollment-and-claims-by-zipcode-and-county> (last visited, Jan. 10, 2023).

# DEFINITION OF ACCEPTABLE SPEEDS AND RELIABILITY

The COVID-19 pandemic highlighted the need for, and in many locations persisting lack of, broadband access and digital inclusion to support remote work, telehealth, distance learning, e-government, entertainment, and more. Communities of all size increasingly find themselves in the precarious balancing act of trying to streamline costs for utilities, water and waste management, economic development, transportation, and telecommunications, while simultaneously trying to improve services. Examples of such initiatives are below, and their future implementation should be considered when determining acceptable broadband speeds and reliability in Miami County:

- **Energy and Utilities:** The private sector, including several utility providers in Miami County, has begun to offer digital and automated solutions for energy and utility monitoring. Such technology enables utility operators to become more efficient with supervisory control and data acquisition (“SCADA”) systems and real-time reporting, ultimately reducing cost to provide residential utility services (in turn saving consumers money as well). High-speed connectivity also enables faster communication between operations centers and production sites, remote generation monitoring, energy savings sensors, grid, and supply service management.
- **Transportation and Parking:** Intelligent transportation systems, including connected/autonomous vehicles (“CAVs”), smart parking meters, and more, can provide convenience, enhanced safety, and reduce local carbon footprint. High-speed connectivity also enables just-in-time supply chain management, traffic data collection, and more.
- **Public Safety:** There are many “smart city” implementations available in public safety including police body and in-car cameras, cloud storage of video data, crime prevention through data mining, and contact tracing and other disease prevention.
- **Health:** Broadband access and the ability to utilize live video conferencing, remote patient monitoring, and mobile health tools has transformed the way healthcare services are provided to patients. New avenues created by telehealth and telemedicine services have resulted in faster treatment and better service.<sup>xii</sup>
- **Agriculture:** High-speed connectivity enables GPS soil mapping, seed and fertilizer counts, irrigation and grain-bin monitoring, precision farming/ agriculture, and more.
- **Communication:** Infrastructure such as digital billboards, signage, and kiosks facilitates efficient information sharing between local governments and their constituents, and enhanced service delivery.
- **Manufacturing:** High-speed connectivity enables 3D printing, design simulation, agile scheduling, real-time inventory management, optimal material handling, training (e-learning), sales management, social media product-marketing, and more.
- **Access to Food & Retail:** High-speed connectivity enables access to food, grocers, and retail, and increased retail & e-retail activity.

The FCC **currently defines broadband as speeds of 25 megabits per second (“Mbps”) download (what a user “pulls” from the internet) and 3 Mbps upload (what a user “pushes” to the internet)**, which can be delivered via a wired, wireless, or satellite connection. While 25 Mbps download/ 3 Mbps upload may currently be sufficient for some users, **an end-user’s true broadband needs and experience are dependent upon a variety of factors including their online activities, the number of devices connected to the network, and type of network to which they connect.** Acceptable speeds and reliability will also differ depending on the end user – speeds required by residents are likely to vary greatly from those needed for a business or community anchor institution. Further, the current federal benchmark was established in 2015<sup>8</sup>, far in advance of the COVID-19 pandemic and has fallen behind numerous broadband technology advancements since that time. As a result, higher speed requirements, although varied, are included in newer state and federal broadband funding programs. For example:

- The Indiana Connectivity Program requires at least 50 Mbps download/ 5 Mbps upload, with preference for 100 Mbps symmetrical service (in accordance with the American Rescue Plan (“ARP”) Guidelines), and gigabit connectivity for schools and rural health clinics.
- Other federal programs, such as those established under the Infrastructure Investment and Jobs Act (“IIJA”), require 100 Mbps download/ 20 Mbps upload.
- Research commissioned by the Fiber Broadband Association estimated that a household of four requires 131 Mbps download/ 73 Mbps upload, and this will grow to 2,141 Mbps (2.141 Gbps) download/ 2,044 Mbps (2.044 Gbps) upload by 2030. The same report estimated that, if the current growth rates continue over the next decade, the average U.S. fixed broadband speeds will be 1,500 Mbps download/ 599 Mbps upload by 2030.<sup>xiii</sup>

**We recommend that any local government investment in/ contribution to broadband expansion in Miami County require speeds of at least 100 Mbps download/ 20 Mbps upload.**

We recommend the above speed based on a variety of considerations, including compliance with current State and Federal broadband funding programs. Setting 100 Mbps download/ 20 Mbps upload as a floor ensures that Miami County can be served by different broadband service delivery methods, including wired and wireless, which provides a multiple provider, service, and price options for area consumers; and helps ensure that areas that have been left behind in broadband do not remain without access for years to come. For example, there are areas of Miami County today that, barring significant financial contribution, may not show a sufficient return on investment for fiber expansion and require wireless deployments in the interim. However, just as the federal government is expected to revisit its broadband speed definition, the above benchmark in Miami County leadership should continually be reevaluated to ensure that rural areas are not subjected to sub-standard service and that the latest broadband technologies are being deployed locally.

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<sup>8</sup> Experts anticipate that this definition will be increased under the Biden Administration, and some question the efficacy of defining broadband by speed.



# RECOMMENDATIONS

## POLICIES AND ACTIONS TO PROMOTE BROADBAND DEPLOYMENT

In this section, we provide a set of initial projects and proactive actions to promote local broadband deployment. These projects and actions were developed considering all information gathered in the previous tasks under this Plan, such as existing infrastructure, gaps in the same, and the overall broadband landscape in Miami County.

The National Digital Inclusion Alliance (“NDIA”) maintains a list of activities that local governments and coalitions should consider which includes:<sup>xiv</sup>

- Internet Access
  - Expansion of free public Wi-Fi (boosting Wi-Fi at public buildings parking lots, nearby housing, etc.);
  - Providing easily accessible and user-friendly information about free and low-cost internet options from wireline and mobile providers;
  - Providing subsidies for home broadband service;
  - Supporting gap networks (hyper local networks built to address affordability); through regulation, technical assistance, bulk equipment purchasing, and funding;
  - Locally funded broadband deployment grantees are required to have a low-cost offer;
  - Locally funded broadband deployment grantees are required to financially support digital inclusion programs; and
  - Provides financial support to local organizations conducting outreach and guidance for federal broadband programs.
- Device Access
  - Providing subsidies for devices;
  - Providing financial support of nonprofit computer refurbishers who sell devices at a discounted rate; and
  - Provides computers to non-profit refurbishers which will then be made available to low-income households.
- Tech Support and Digital Literacy
  - Provides or funds tech assistance hotlines, digital navigator programs (1:1 device, connectivity, and tech support); and
  - Funds digital literacy training.
- Planning and Coordination Capacity
  - Coordinates, provides facilitation/administrative support, provides technical assistance for and/or funds local coalition building; standalone digital equity plan or digital equity components in a local plan;to digital equity.

**RECOMMENDATION: Enact a dig-once policy to facilitate broadband deployment by encouraging conduit and/ or fiber installation when public rights-of-way are excavated or otherwise opened.**

As stated at the outset of the Plan, there are two primary tactics to encouraging broadband build-out: (1) financially incentivizing, or (2) reducing costs. This recommendation speaks to the latter of those two.

A barrier to broadband expansion, particularly wired broadband, is the cost of excavating existing roadways or otherwise digging, boring, or trenching into the ground. A dig-once policy is a common sense method to reduce infrastructure deployment costs. If appropriately developed, dig-once policies can allow multiple ISPs and utility companies to simultaneously install infrastructure, without digging multiple trenches. For example, dig-once policies typically require that ISPs be notified when public rights-of-way are excavated/ opened so that they can be given the opportunity to install broadband infrastructure. Such policies often require that dedicated internet conduit be laid in the right-of-way during construction to prepare for future broadband needs.

However, installation should not be limited to infrastructure for use by private broadband providers, nor should the County limit its thinking as to what is encompassed in the policy, knowing that broadband infrastructure does not have to be exclusively buried along a roadway project. The County and its local political subdivisions should also seek to have dedicated conduit and/ or installed for future broadband needs. Broadband providers, utility companies, the County, and others, all as applicable, can then share in the project costs.

- ✓ **Boston** was one of the first major cities in the country to implement a dig once policy, adopted in 1988. In the first few years of adoption, all excavators in the public ROW were required to install a bank of four 1.5-inch conduit during construction. The cost to lease the conduit was a one-time fee of the inflation-adjusted value of the original construction cost of the conduit, plus an annual fee of \$5 per foot. Over the past year, the policy was modified to require excavators to install 4-inch shadow conduit for the City and other future users. Future users will be required to lease space in the conduit from the shadow builder before being allowed to dig again in that corridor. The lease price is the initial value of construction for the right of entry (or equivalent) in addition to an annual fee of \$5 per foot.<sup>xv</sup>
- ✓ The **City of Berkeley, California**, does not have a dig once ordinance but it has municipal policies aimed at reducing the impact of construction in the public ROW for telecommunications systems. These policies mandate that any excess capacity in existing or future duct, conduit, manholes, or handholes be made available by the excavator for use by third parties. Also, a prospective excavator has to coordinate major construction efforts in the Public ROW with other utility companies through City-sponsored utility coordination meetings. In new developments, a provider would contact the developer to determine whether any surplus conduit exists and whether any joint trenching or boring projects are feasible. In a new installation that would require excavation, the provider must install within existing infrastructure whenever sufficient excess capacity is available on reasonable financial terms. Also, the City does not allow a company to excavate if the street has been reconstructed in the preceding five-year period.<sup>9</sup>
- ✓ The **City of Bellevue, Washington**, does not have a dig once requirement. However, the City conditions development projects on the excavator providing the City with conduit through the length of the frontage and also possible street lighting and/or signal upgrades. Every transportation project that constructs on the sidewalk is required to install conduit.<sup>10</sup>

9 Technical Guide to Dig Once Policies (2017), Columbia Telecommunications Corporation, Retrieved from <https://www.ctcnet.us/wp-content/uploads/2017/05/CTC-White-Paper-Dig-Once-20170414.pdf>.

10 Id.

✓ The Central Coast Broadband Consortium (CCBC) is a group of local governments that aims to promote broadband availability, access, and adoption in **Monterey, Santa Cruz, and San Benito counties in California**. The CCBC has developed a model shadow conduit policy for the local governments that allows for the installation of additional conduit in the public ROW when a construction permit is requested by a telecommunications or utility service provider. The model policy allows the jurisdiction to open a 60-day window to notify all other known telecommunications and utility providers in order to coordinate with the placement of conduit in the PROW. The permit applicant would be the lead company and the other providers would piggyback on the installation. Under California law, the lead company has the ability to charge fees for the installation of communications conduit in the PROW. One of the goals of the CCBC through this policy is to increase providers.

✓ The City of Gonzales, California, developed a dig once policy for public works projects, including construction and maintenance of transportation and utility infrastructure. Excavators in the public ROW are required to install communications conduit. An exception is allowed if the City determines there is insufficient cost benefit. The City developed common standards related to the conduit, including:

- Use of PVC Schedule 40 material (color orange)
- Laid to a depth of not less than 18 inches below grade in concrete sidewalk areas, and not less than 30 inches below finished grade in all other areas when feasible, or the maximum feasible depth otherwise
- A minimum 2-inch diameter<sup>11</sup>

✓ The City of Santa Cruz, California, implemented a dig once policy with the aim to foster telecommunications market competition and to create a provision for the installation or upgrade of telecommunications cable or conduit for City use. Staff notifies all excavators in the City of the opportunity to join the open trench and helps coordinate efforts for multiple parties to join the dig. City staff works with contractors to identify the most cost-effective approach consistent with City requirements to obtain upgrades in the public ROW. The City also enacted a moratorium on standalone construction in the excavation area, in order to protect the PROW after the excavation.

✓ The City of San Francisco, California, developed a dig once ordinance that modifies the city's Public Works Code provisions governing utility excavation – specifically, the Code's requirements for coordination 5 The Department of Public Works (DPW) can only approve an application for an excavation permit if the applicant's plans include the installation of communications facilities (e.g. conduit) that meet the Department of Technology (DT) specifications, unless DT has opted out of the excavation project.

Excavators (both internal and external) are required to place conduit for the use of DT as well as conduit available for leasing. DT is responsible for the excavator's incremental costs. The city requires proposing the installation of four 1-inch conduit with manholes at regular intervals. The shadow conduit is required to be placed in a joint trench above the excavator's conduit.

To supplement the Dig-once Policy, we further recommend consideration of a policy requiring that any new subdivision/development in Miami County have at least conduit, ideally conduit and fiber, installed.

The County should be prepared that some entities may push back to both of these approaches (see Obstacle 3 above). One approach to limiting such pushback is to make implementing these policies as easy as possible. For example, both of these policies could, in part, be run through Planning & Zoning to continue to supplement the information it can provide as Miami County's "one-stop-shop" for broadband. Planning & Zoning could then provide the list of area broadband providers included in this Plan to any entity seeking to construct in the ROW and/ or develop.

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<sup>11</sup> Id.

**RECOMMENDATION: Encourage Co-Location with Schools to Address PreK-12 Broadband Service Needs.**

Programs to address PreK-12 broadband service needs can be delineated into two categories: (1) physical assets (i.e., hotspots and networks), and (2) support programming (e.g., low-cost offers and training programs).

Ongoing efforts to expand physical broadband assets should be performed using the recommendations provided throughout this plan. **This includes exploring opportunities and encouraging provider to locate/ co-locate provider equipment at school locations.** In addition, the following programs are available specifically for PreK-12 broadband:

**The Emergency Connectivity Fund**

One opportunity to fund residential broadband services for students, teachers, and administrators is through the FCC’s Emergency Connectivity Fund (“ECF”).

The ECF reimburses schools and libraries for the purchase of laptop and tablet computers, Wi-Fi hotspots, and other eligible equipment; as well as broadband connections for students, school staff, and library patrons who would otherwise lack access. All schools, libraries, and consortia of schools and libraries that are eligible for the FCC’s E-rate program are also eligible for support through the ECF, even if they are not participating in E-rate.<sup>xvi</sup> Most not-for-profit schools and public and private libraries are eligible for the E-Rate program. Under the program rules, schools and libraries are prohibited from reimbursements for eligible equipment and services purchased solely for use by the school or library.

The ECF is not a permanent program and will expire at the earliest of: (1) once all the money is committed; (2) September 30, 2030; or (3) once the Secretary of the Federal Department of Health and Human Services determines that the U.S. is no longer in the “COVID-19 Emergency Period”, in which case the program shall end on the June 30th that first occurs after the date that is 1 year after the date of such determination.

The FCC announced its third and *final* funding window on March 23, 2022 to award at least \$1 billion in funding.<sup>xvii</sup> This application window will open on April 28, 2022 and close on May 13, 2022. This funding must be used for purchases made between July 1, 2022 and December 31, 2023, and can cover a maximum of 12 months of eligible service costs. The program is administered by the Universal Service Administrative Co. (USAC). USAC and the FCC will review and process applications on a rolling basis.

To apply schools, libraries and consortia must complete ECF FCC Form 471 on USAC’s ECF Portal. Before applying, applicants must have an active FCC Registration Number (FRN) and a SAM.gov registration if they are invoicing on behalf of applicants. Schools must also be prepared to provide estimates of how many students have unmet needs. Once their form is reviewed, applicants will receive a Funding Commitment Decision Letter (FDCL) approving or denying their requests.

**Provider Offerings**

Spectrum also offers **Stay Connected K-12**, which allows schools to offer at-home high-speed, cable broadband access direct to students, educators, and staff. A flyer for this program is attached as **Appendix D**.

# POTENTIAL BROADBAND-RELATED INCENTIVES

Below are a series of potential broadband-related incentives to attract providers to the community and encourage last-mile investment.

## ESTABLISH LOCAL PROCUREMENT PROGRAM TO TARGET AREAS OF NEED

As provided previously, applications to the Indiana Next Level Connections Grant program have been limited in Miami County. This leads to two questions: **(1) how can Miami County better align local strategies with State actions in order to see more dollars locally for broadband expansion; and (2) what actions can Miami County take to incentivize local build-out?**

In future rounds of this program, and other federal grant programs to which such providers may apply, we recommend that the County lend its support through letters of support and, as approved County leadership, financially in order to supplement the possible points that an application could receive and its likelihood of award.

Further, if Miami County is willing to contribute some of its residual ARPA funds,<sup>12</sup> or other dollars available for broadband, the County could issue its own local procurement to encourage build-out to key areas of need/ for the areas not awarded under State and Federal programs, or otherwise not targeted under such programs. This could be issued on a full county basis or targeted to specific regions. In addition, while it is our understanding that the eventual goal is fiber-to-the premise (“FTTP”) county-wide, Miami County could require one type of technology (e.g., fiber or wireless), or a hybrid fiber-wireless solution.

We recommend that evaluation criteria for any such program award points according to greatest number of people served with the highest speed and reliability for the least amount of money. In addition, we recommend that any such award require:

- Provider compliance with the speed and reliability metrics established herein;
- Alignment with the dig-once concepts set forth herein (i.e., collaboration with other projects to align construction activities);
- Utilization of assets compiled in the Broadband Asset Inventory in order to reduce costs;<sup>13</sup>
- Participation in the Affordable Connectivity Program (“ACP”), as discussed further in the funding section below, or a comparable low-cost service program for families in need; and
- Compliance with local procedures established through the Broadband Ready Communities Program and any additional requirements associated with the applicable funding source.

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<sup>12</sup> These funds must be encumbered by the end of 2024 and spent by the close of 2026.

<sup>13</sup> These funds must be encumbered by the end of 2024 and spent by the close of 2026.

## **We recommend prioritizing these areas as follows:**

### **Census Tract 18103952700 – Southwest Miami County**

- According to the PCR DDI, this tract has a higher INFA score than SE score, indicating that investment needs made into broadband infrastructure. This census tract also has the second lowest DDI score.
- There is a gap in Southwest Miami County in state and federal broadband investment, unlike Northern Miami County, this region has fewer assets in the inventory, and locations awarded in OCRA Round 4. This area was also not included in RDOF Phase I Funding.
- This area has 89.4% of residents with no access to 100/20 Mbps broadband and 17.5% with no access at all.

### **Census Tract 18103952600 – Southeast Miami Miami County**

- According to the PCR DDI, this tract has a higher INFA score than SE score, indicating that investment needs made into broadband infrastructure;
- There is a gap in Southeast Miami County for state and federal investments, although there are some locations near Amboy that were approved to be connected through RDOF Phase 1.
- There is no access to 100/20 Mbps broadband in this area and many residents lack access at all.

### **Census Tract 18103952100– Central Miami County (Oakdale Area)**

- According to the PCR DDI, this tract has the highest INFA score, indicating the largest need for investment in broadband infrastructure, and the lowest depicted available speeds.
- This area is in proximity to the fiber located in Peru that can be leveraged to build out a last mile network.
- This area has a high percentage of the population with no internet access, but one of the highest median broadband speeds.

### **Census Tract 1810395200 – Northern Miami County**

- According to the PCR DDI, this tract has the highest INFA score, indicating the largest need for investment in broadband infrastructure, and one of the highest percentage of population with no access. This area has the highest DDI score
- There has been recent awards made in the Next Level Connection Program Round 4 in this area that can be leveraged to reach more homes at a lower cost.
- However, this tract has one of the lowest median speeds and one of the highest number of homes without 100/20 Mbps broadband access, and no access at all.
- This area also has a significant amount of the asset inventory.

### **Census Tract 18103952800 – Central West Miami County**

- According to the PCR DDI, this tract has a higher INFA score than SE score, indicating that investment needs made into broadband infrastructure. This census tract also has the lowest DDI score.
- However, this area has the highest median broadband speed and the lowest number of homes that lack access.
- This area also has the lowest INFA score.

## Infrastructure Development Zone

Indiana Code 6-1.1-12.5-4<sup>xviii</sup> authorizes a county executive to adopt an ordinance designating a geographic territory as an Infrastructure Development Zone (“IDZ”), which provides that eligible infrastructure located within the zone is exempt from property taxation. A public hearing must be conducted prior to the establishment of the ordinance, with proper notice of the hearing prescribed by IC5-3-1, and must include the following findings:

- Adequate eligible infrastructure is not available in the zone.
- Providing a property tax exemption to a person for investing in eligible infrastructure in the zone will provide:
  - opportunities for increased natural gas usage, increased availability of broadband service, advanced services, and public water or wastewater service; and
  - economic development benefits; in the zone.

If an infrastructure development zone is established under this process, eligible infrastructure located in the zone is exempt from property taxation. “Eligible Infrastructure” for purposes of the program includes *“Facilities and technologies used in the deployment and transmission of broadband service, however defined or classified by the Federal Communications Commission, or advanced services (as defined in 47 CFR 51.5) by a provider of broadband service or advanced services.”*

Zones may be a “geographic territory” with no size limitations; therefore, **an entire county may be designated as an IDZ for purposes of the program.**

Three sample ordinances for Broadband-specific IDZ’s in Indiana are included as **Appendix C**.

An Infrastructure Development Zone may be particularly beneficial in southwestern Miami County and the southeastern region near Amboy, (Census Tract 18103952700). This area has limited available assets listed in the asset inventory, there is very low connectivity and limited locations will be reached with OCRA funding awarded in Rounds 3 and 4.

Daviess County Economic Development Corporation (“DCEDC”) is presenting a proposal to the County Council and County Commissioners to designate all of Daviess County as an Infrastructure Development Zone. The DCEDC is partnering with RTC Communications, which is headquartered in Daviess County and will provide RTC a 10-year property tax exemption, not a tax abatement as long as RTC meets the requirements set forth in the ordinance by DCEDC. This project/proposal is unique in that it would create a countywide public-private partnership where RTC would invest up to \$15 million for the installation of the infrastructure and an additional \$5 million would come from local, state and federal grants. This project would add another 400 miles of fiber connectivity to many of the underserved parts of Daviess County, in addition to the 500 miles of broadband that RTC has already installed.

In rural markets, fiber construction costs can range from \$40,000 to \$80,000 per mile, which is why fiber expansion is a challenge, thus creating a need for partnerships of many organizations and people to bring broadband to rural areas

## Private Activity Bonds

While much has been released on the various grant programs, a lesser discussed tool is that of Private Activity Bonds (“PABs”) under the Federal Infrastructure Investment and Jobs Act.

- PABs are a debt financing tool that allows private entities to access the tax-exempt capital markets for qualifying projects through the issuance of tax-exempt bonds.
- PABs are issued by a conduit bond issuer (typically a county or municipality or national conduit issuer) “on behalf of” a private entity and allows for the type of private payment or private use that is typically prohibited in traditional tax-exempt bond issuances.
- The interest earned by investors on PABs is not subject to federal and certain state income tax.
- PABs are an attractive financing option due to access to the tax-exempt capital market and lower cost of capital,<sup>xix</sup> and PAB investors are willing to accept a lower interest rate.

As further discussed below, the Infrastructure Investment and Jobs Act expanded the definition of qualifying PAB projects to include “qualified broadband projects.” This allows PABs to be issued for these types of projects, subject to volume cap limitations and notice requirements.

The Infrastructure Investment and Jobs Act included \$65 billion for broadband. Among this was a \$600 million provision for Private Activity Bonds. Based on the Rural Broadband Financing Flexibility Act, this provision allows states to issue PABs to finance broadband deployment, **particularly for projects in rural areas where most households lack such access.**

**Eligible Areas:** An Eligible Area is defined as one or more census block groups in which more than 50% of the residential households do not have access to at least 25 Mbps download/ 3 Mbps upload broadband.<sup>xx</sup>

**Qualified Broadband Projects:** A Qualified Broadband Project is any project designed to provide broadband service of at least 100 Mbps download/ 20 Mbps upload to an “Eligible Area” where at least 90% of the locations were not served with broadband speeds at that level before the project.<sup>14</sup>

However, even if a project is a “Qualified Broadband Project,” in order to utilize PABs, there must be a volume cap allocation available in the state. In addition, there are certain notice provisions, in addition to the standard Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) notice, publication and approval required in connection with the issuance of tax-exempt PABs.

President Biden announced the American Jobs Plan in Pittsburgh, Pennsylvania on March 31, 2021 seeking to, in part, bring “affordable, reliable, high-speed broadband to every American, including the more than 35% of rural Americans who lack access to broadband at minimally acceptable speeds.” On July 28, 2021, the President and bipartisan members of Congress announced agreement on the Infrastructure Investment and Jobs Act (H.R. 3684) (the “IIJA”), which included approximately \$550 billion in new federal investment in various infrastructure, including broadband. The Infrastructure Investment and Jobs Act passed the U.S. Senate in late August 2021 and passed the House in November 2021. On Monday, November 15, 2021, President Biden signed the bill into law.

<sup>14</sup> Kevin Taglang, Bond, Broadband Bonds (Feb. 4, 2022), BENTON INSTITUTE, <https://www.benton.org/blog/bonds-broadband-bonds>.



## Volume Cap

Congress limits the number of PABs that states can use by setting an annual state volume limit known as a “Volume Cap.”<sup>15</sup> The State of Indiana’s total volume cap for all categories of PABs will be approximately \$745,000,000 for calendar year 2022. Indiana Code 5-1.2-16 allocates volume cap to the agencies and purposes in the following manner: Indiana Finance Authority (IFA) (9%), ISMEL (Indiana Secondary Market for Education) (1%), IHCDA (Indiana Housing & Community Development Authority) (28%), LIM (Manufacturing projects issued locally) (40%), and LIC (Multi-family housing issued locally) (20%). This would provide approximately \$65,000,000 for exempt facilities, which is the applicable category for “qualified broadband projects” in Indiana. There is a carryforward volume cap amount that may be available to the Indiana Finance Authority (“IFA”) that would increase the amount of volume cap allocable to qualified broadband projects.

IFA allocates Indiana’s private activity bond volume, or “volume cap.” All issuers in the State of Indiana apply to the IFA for volume cap, which is awarded on a competitive basis under the IFA’s “Volume Cap Guidelines.”<sup>15</sup> Applications for volume cap allocations are submitted to and review by IFA (and other agencies depending on the type of project). Below is a summary of the steps necessary to apply for volume cap allocation in connection with the issuance of PABs:

1. Engage bond counsel with experience in PABs.<sup>16</sup>
2. Determine how much volume cap allocation can be requested, and under which of the above categories.
3. Submit the application to IFA. Once reviewed and approved, IFA will deliver notice that the applicant received an allocation of volume cap.
4. Within ten days of receiving notice of an allocation of volume cap, the applicant must inform IFA of their intent to use the volume cap allocation and pay the applicable fees.<sup>17</sup>
5. The bond counsel, project owner, bond issuer, and underwriters work together to get a notice of issuance filed by the earlier of the following dates: (i) 90 days from the date the award is made, or (ii) the day before the IFA’s December Board meeting.

<sup>15</sup> For more information on the IFA volume cap program and to find applications and the full program guidelines, visit <https://www.in.gov/ifa/tax-exempt-bond-programs/volume-cap-program/>.

<sup>16</sup> Ice Miller LLP is one of the top ranked bond counsel firms in the nation, and frequently acts as bond counsel for the issuance of PABs.

<sup>17</sup> The fee for obtaining an allocation of volume cap is \$500.00 for awards \$3 million and under and \$1,000 for awards over \$3 million per award of volume cap, due only after the applicant receives an award of volume cap. The Fee will be due in the office of the IFA by 5:00 p.m. ten days after the applicant receives facsimile notice that it received an allocation of volume cap.

### Examples of PABs for Qualifying Broadband Projects:

**Privately Owned:** A private entity could work with a conduit issuer to issue tax-exempt bonds on its behalf to pay the costs of a county-wide Qualified Broadband Project. Although the issuer of a PAB would be a government (or quasi-governmental) entity, the PAB would be a financing tool for the private company in which the proceeds of the PABs are loaned to the private company and that private company is solely responsible for repaying the debt and owning the system. The private would then either hire an operator/manager or lease the project to broadband provider(s) or to another third party to operate the network.

**Government Owned:** The Qualified Broadband Project could be government-owned, financed through PABs, and operated and maintained by a private entity through a lease or management contract. A government-owned broadband project would not need seek a volume cap allocation.

Qualified broadband projects fall under the category of exempt facilities in connection with the IFA's volume cap program. The pertinent IFA application guidelines are summarized below:

1. **Deadlines and Procedures:** Qualified broadband projects are eligible to apply for volume cap: (i) after the regular October manufacturing award if IFA determines that substantial volume is available, or (ii) carry forward. Such projects may be considered at an earlier date, if the demand for other types of projects has been met and IFA determines that substantial amounts of volume cap still are available.
2. **Limitation.** The \$10,000,000 IFA-imposed limit on volume cap awards does not apply to qualified broadband projects. A qualified broadband project is only eligible for one award of volume cap unless (i) the qualified broadband project is requesting more than \$10,000,000, or (ii) the qualified broadband project receives partial funding at the end of a calendar year due to a lack of volume cap.

**IIJA Notice Requirements:** The issuer of a PAB for a Qualified Broadband Project must notify broadband service providers of the project and its scope and provide each broadband provider at least ninety (90) days to respond.<sup>xxii</sup> The notice must include a request for information regarding the providers' ability to deploy, manage and maintain a broadband network capable of providing internet speeds of 100 Mbps download/ 20 Mbps upload in the Eligible Area.<sup>18</sup>

**Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) Requirements:**

The TEFRA requirements (applicable to all tax-exempt PABs) are as follows:

- Either the local government or the conduit issuer issuing the PABs must approve the issuance of the PABs;
- The county or municipality where the Qualified Broadband Project will be located must approve the issuance of the PABs;
- A public hearing must be held in connection with the proposed issuance of the PABs and the location and nature of the Qualified Broadband Project; and
- Public notice must be given as to the time and location of the public hearing, the description of the Qualified Broadband Project and the maximum principal amount of the PABs proposed to be issued.

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<sup>18</sup> Kevin Taglang, Bond, Broadband Bonds (Feb. 4, 2022), BENTON INSTITUTE, <https://www.benton.org/blog/bonds-broadband-bonds>.



# IDENTIFY FUNDING SOURCES

A silver lining of the COVID-19 pandemic is it solidified that access to robust, reliable, affordable broadband is imperative, and, as a result, we are seeing unprecedented amounts of federal and state dollars for its expansion. Below, we provide an analysis of these dollars, as well as traditional financing tools. In some instances, Miami County and/or its political subdivisions may be an eligible applicant, in other programs a public or private entity/partner may be eligible to apply, and in certain circumstances a combination of the two, a public-private partnership (“P3”) may be the most appropriate applicant. Regardless of the source, it is important that Miami County remain organized and diligent regarding broadband funding opportunities.

## STATE BROADBAND FUNDING

The Next Level Connections grant program is a component of Governor Holcomb’s \$1 billion Next Level Connections initiative, which was announced in 2019. The Governor’s Office, Lieutenant Governor’s Office, and the Indiana Office of Community and Rural Affairs (“OCRA”) have identified the following broadband goals for the program:

1. Increase access to unserved or underserved households, businesses, health clinics, and schools.
2. Increase adoption of school buildings and rural health clinics receiving 1 Gbps service.
3. Increase adoption of households and businesses receiving greater than 25 Mbps download/ 3 Mbps upload.
4. Create a public dashboard demonstrating metrics to measure goals.
5. Increase public sector/ philanthropic engagement in broadband service deployment projects.

The State of Indiana allocated \$270 million for the Next Level Connections broadband programs, including the grant program and the Indiana Connectivity Program, outlined further below. In the grant program’s first round, fourteen (14) projects across eighteen (18) counties were awarded \$28.41 million in grant dollars for local broadband build-out. In Round 2, forty-nine (49) projects across thirty-two (32) counties were awarded \$51 million in grant dollars for local broadband build-out. In Round 3, AT&T and Heartland REMC were awarded grants to serve Miami County. There were also additional awards granted to Miami-Cass and several locations will be served in Miami County for Round 4.

The Next Level Connections initiative also includes the Indiana Connectivity program, which aims to connect residents and businesses that lack access to 25 Mbps download/ 3 Mbps upload broadband with ISPs and assist in the expense of extending broadband to those locations.<sup>xxiii</sup> Compared to the Next Level Connections program, the Indiana Connectivity Program is a smaller grant initiative that is specifically targeting neighborhoods or “pockets” without connectivity.

Unlike other broadband programs in which private providers apply, homeowners and business owners apply for consideration under the Indiana Connectivity Program by entering their address and information to the Next Level Connections portal: [in.gov/ocra/broadband](http://in.gov/ocra/broadband). Indiana residents and businesses can also express their interest by calling the Indiana Broadband Connect Center at 833-639-8522 on business days between 8AM and 5PM, ET.

ISPs must register as a provider through the Next Level Connections Broadband portal in order to participate in the Indiana Connectivity Program. At least every three (3) months/ ninety (90) days, OCRA will provide registered providers with the residential and business addresses requesting service. Once residential and business locations that are eligible to apply enter their information into the portal, ISPs will have the opportunity to review these locations and submit bids to the state on the cost of providing service to such locations. Service providers will have ten (10) days to notify OCRA of service availability at the locations. After a service provider has identified addresses to which they seek to extend service, they have sixty (60) days to submit bids on those locations. These bids will then be reviewed within thirty (30) days by OCRA where awards will be given to the provider whose bid represents the lowest cost to the state for extension of service<sup>19</sup> The status of all projects will be publicly available on OCRA's website.

Funding limits for the Indiana Connectivity Program are outlined in IC 4-4-41-9. A per line extension cannot exceed \$25,000, and a per passing amount cannot exceed \$4,800. Bids must be submitted under the program to extend broadband at speeds of at least 50 Mbps download/ 5 Mbps upload, and priority will be given to those that provide symmetrical service of 100 Mbps or higher to as many addresses per line extension as possible, in accordance with the American Rescue Plan funding guidelines. Priority will also be given to bids that provide gigabit connections to schools and rural health clinics. Funding may also be available through the Next Level Connections Broadband Program to assist in extending broadband to these locations, following a 60-day bidding process. Once awarded, providers must complete their projects within nine (9) months of contract date.

Vanderburgh County, Indiana has partnered with AT&T in a public-private partnership to build fiber to 20,000 rural locations.<sup>xxiv</sup> The Vanderburgh County Commissioners voted on November 9, 2021 to approve the contract by AT&T. According to the public announcement of the partnership, the County will provide a \$9.9M grant, and AT&T will cover the remaining \$29.7 million investment. This partnership is a surprise to some as AT&T has spent the last handful of decades working its way out of rural America. The commission believes it has taken steps to build a foundation for digital infrastructure, which included the passage of its 2018 Broadband Ready Community Ordinance which removed barriers by creating a 10-day permitting process and the creation of a tax exemption for new broadband investment.<sup>xxv</sup> According to the contract, the coverage will benefit most of Vanderburgh County, will leave out Evansville, Darmstadt, and a few acres of land located on the northern border of the county because AT&T does not have phone coverage in those areas and there's nothing to build upon.<sup>xxvi</sup> The project should not take more than two years to complete and will allow residents to have the option of up to 2 gigabits and businesses up to 5 gigabytes of service.<sup>xxvii</sup>

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19 OCRA, Broadband funding opportunities, Indiana Office of Community and Rural Affairs (2021), Retrieved from <https://www.in.gov/ocra/broadband/>.

## FEDERAL FUNDING

There are a variety of federal broadband programs available, many of which are relatively new given the onset of COVID-19.

### The Infrastructure Investment and Jobs Act

The Infrastructure Investment and Jobs Act includes \$65 billion for broadband. NTIA will administer \$48.2 billion through six programs:

#### Grants to States for Deployment (BEAD Program) (~\$42.45 billion)

- This funding supports a formula-based grant program through NTIA, the Broadband Equity, Access, and Deployment (“BEAD”) Program, to provide funding to states, territories, the District of Columbia, and Puerto Rico for broadband deployment.
- The program does not favor particular technologies or providers.
- Projects will have to meet a minimum speed of 100 Mbps download/ 20 Mbps upload.
- Includes a 10% set-aside for high-cost areas and each state and territory receives an initial minimum allocation, a portion of which could be used for technical assistance and supporting or establishing a state broadband office.
- States will be required to have enforceable plans to address all of their unserved areas before they are able to fund deployment projects in such areas. After both unserved and underserved areas are addressed, states may use funds for anchor institution projects.

#### Inclusion (Digital Equity Act Program) (~\$2.75 billion)

- This includes the Digital Equity Act, which establishes three NTIA-administered grant programs (two formula-based programs and one competitive grant program) to promote digital inclusion and equity for communities that lack the skills, technologies, and support needed to take advantage of broadband connections. These programs are:
  - **State Digital Equity Planning Grant Program (\$60 million)** - This is a formula grant program for states and territories to develop digital equity plans.
  - **State Digital Equity Capacity Grant Program (\$1.44 billion)** - This is a formula grant program for states and territories to implement digital equity projects and support the implementation of digital equity plans.
  - **Digital Equity Competitive Grant Program (\$1.25 billion)** - is a discretionary grant program for specific types of political subdivisions to implement digital equity projects.
- The legislation also tasks NTIA with evaluating digital inclusion projects and providing policymakers at the local, state, and federal levels with detailed information about which projects are most cost-effective.

#### Middle Mile (Enabling Middle Mile Broadband Infrastructure Program) (\$1 billion)

- This provision creates a state grant program for the construction, improvement, or acquisition of middle-mile infrastructure.
- Eligible entities include telecommunications companies, technology companies, electric utilities, utility cooperatives, and more.

### **Tribal Grants (Tribal Broadband Connectivity Program) (~\$2 billion)**

- This provision provides additional funding to the Tribal Broadband Connectivity Program, which was established by the December COVID-19 relief package and is administered by NTIA. Grants from this program will be made available to eligible Native American, Alaska Native, and Native Hawaiian entities for broadband deployment, digital inclusion, workforce development, telehealth, and distance learning.

### **Affordability (Affordable Connectivity Program) (\$14.2 billion)**

- This provision devotes additional funds to the FCC’s Emergency Broadband Benefit Program, now called the Affordable Connectivity Program (“ACP”), which subsidizes broadband service for eligible households—defined as those that suffered income loss during the pandemic or meet other need-based criteria, such as eligibility for school lunch programs. The subsidy will be provided at a lower rate (down to \$30 from an original of \$50 per month) to extend its longevity across the 5-year budget window.
- Under the IJA, Indiana will receive a minimum allocation of \$100 million to help provide broadband coverage across the state, including providing access to the at least 217,000 Hoosiers who currently lack it. And, under the Infrastructure Investment and Jobs Act, 1,624,000 or 24% of people in Indiana will be eligible for the Affordability Connectivity Benefit, which will help low-income families afford internet access.

### **Support for Rural Areas (~\$2 billion)**

- This provision includes support for programs administered by the U.S. Department of Agriculture, including the ReConnect Program, that provide loans and grants (or a combination thereof) to fund the construction, acquisition, or improvement of facilities and equipment that provide broadband service in rural areas. Recipients are required to utilize \$5 million of their award for the establishment and growth of cooperatives to offer broadband.

### **Private Activity Bonds (\$600 million)**

- Based on the Rural Broadband Financing Flexibility Act, this provision allows states to issue Private Activity Bonds to finance broadband deployment, specifically for projects in rural areas where most households lack such access.

### **American Rescue Plan Act of 2021**

The \$350 billion American Rescue Plan (“ARP”) provides funds to state, local, territorial, and Tribal governments to provide foundation for a strong economic recovery from the pandemic.

From a broadband access perspective, the ARP Fiscal Recovery Funds (sec. 602 & 603) and the Coronavirus Capital Projects Fund (CCPF) (sec. 604)<sup>20</sup> are most pertinent. Applicants must request funds to the State and Local Fiscal Recovery Fund through the U.S. Treasury (Treasury) Submission Portal: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-fund/request-funding>.

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20 31 C.F.R. § 35 (2021).

## ARP Fiscal Recovery Funds (Sections 602 & 603)

While sections 602 and 603 contain the same eligible uses, section 602 applies to states, territories, and tribal governments and section 603 establishes a fund for metropolitan cities, counties, and non-entitlement units of local government (generally those with populations of less than 50,000). Thus, section 603 is most applicable to Miami County.

Per U.S. Treasury's Final Rule, eligible broadband projects are those designed to deliver service to unserved or underserved areas, defined as those with an identified need for additional broadband investment, that reliably meets or exceeds symmetrical speeds of 100 Mbps. In areas where such speeds are impracticable because of geography, topography, or excessive costs, projects must reliably deliver at least 100 Mbps download, at least 20 Mbps upload, and be scalable to a minimum of 100 Mbps symmetrical service. Funds can also be used for middle mile networks to provide reliable last-mile service.

- Other Eligible Uses:
  - Digital Literacy: Under section 603(c)(1)(A), funds can also be used to provide internet access or digital literacy assistance to populations facing negative economic impacts from COVID-19.
  - Pre-project Costs: Pre-project costs for broadband infrastructure planning and engineering are also eligible uses of the funds, as are technical assistance and evaluations that are directly tied to or reasonably expected to lead to commencement of an eligible project.<sup>21</sup>

ARP-funded project costs must be obligated by December 31, 2024,<sup>22</sup> however, the construction period for such projects runs until December 31, 2026.<sup>23</sup> Recipients do not have to submit plans for how they intend to use section 603: they are able to request funding allocated to them based on the funding formulas set forth by Treasury.

## The Coronavirus Capital Projects Fund (Section 604)

The second fund eligible for broadband projects under ARP is the Coronavirus Capital Projects Fund ("CCPF"),<sup>xxviii</sup> CCPF provides \$10 billion for states, territories, and Tribal governments to invest in broadband and other critical community hubs or capital assets that directly enable work, education, and health monitoring in response to COVID-19. As a result of the criteria, Miami County is not directly eligible for this program. However, eligible applicants, including the State of Indiana, must provide a plan detailing how they intend to use the allocated funds and why the communities they have identified have a critical need for access, affordability, reliability, and/ or consistency.

As a CCPF recipient, the State of Indiana is encouraged to address broadband affordability challenges when developing their programs and ensure that the service provider in a CCPF-funded project participate in federal programs that provide low-income consumers with subsidized broadband services, such as the ACP referenced earlier in this section. Once the State's full plan is determined, eligible project costs under CCPF include, but are not limited to, the following:

- Construction;
- Improvements and repairs to buildings;
- Pre-project development costs and uses, including data collection and feasibility studies;
- Community engagement and public feedback processes, equity assessments and planning, and needs assessments;

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21     Id.  
22     Id.  
23     Id.

- Permitting, planning, architectural design, engineering design, and work related to environmental, historical, and cultural reviews;
- Costs of repair, rehabilitation, construction, improvement, and acquisition of real property, equipment (e.g., devices and office equipment), and facilities (e.g., telecommunications equipment, including infrastructure for backhaul, middle, and last mile networks);
- Cost of leases for terms greater than one year of facilities required to provide qualifying broadband service, including infeasible right-of-use (IRU) agreements;
- Personnel costs including salaries and fringe benefits for staff and consultants (such as project managers, program directors, subject matter experts, equity consultants, grant administrators, financial analysts, accountants, and attorneys);
- Ancillary costs necessary to operationalize and put the capital assets to full use, including costs to increase broadband adoption and improve digital literacy;
- Costs associated with monitoring of and reporting in accordance with Treasury requirements, including award closeout costs; and
- Costs for collecting and measuring performance data and conducting activities needed to establish and maintain a performance management and evaluation system.





## Federal Broadband Grants

The following federal broadband grants are fully summarized in **Appendix D**.

Federal Grant Name	Programs Offered
<b>DEPARTMENT OF AGRICULTURE - RURAL DEVELOPMENT</b>	Community Connect Grant Program
	Distance Learning and Telemedicine Grants
	ReConnect Program
	Rural Broadband Access Loans and Loan Guarantees
	Telecommunication Infrastructure Loans and Loan Guarantees
<b>DEPARTMENT OF COMMERCE - ECONOMIC DEVELOPMENT ADMINISTRATION</b>	Public Works and Economic Adjustment Assistance Programs
<b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>	Community Development Block Grant
	Choice Neighborhoods - Planning
	Choice Neighborhoods - Implementation
<b>DEPARTMENT OF TRANSPORTATION</b>	Rebuilding American Infrastructure With Sustainability and Equity (RAISE) Grant Program
<b>DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY</b>	Building Resilient Infrastructure and Communities

# APPENDIX A: THE FCC'S DIGITAL OPPORTUNITY DATA COLLECTION

The FCC adopted the Digital Opportunity Data Collection (“DODC”) in August 2019, which Congress largely codified in the Broadband Deployment Accuracy and Technological Availability Act (“DATA ACT”) in March 2020, to improve federal broadband data.<sup>24</sup> The DODC was later renamed the Broadband Data Collection (“BDC”).

In accordance with the DATA Act, in July 2020, the FCC took further steps to improve broadband availability data by adopting broadband coverage and availability reporting requirements for fixed and mobile broadband service providers. In particular, the FCC will require providers to submit: (1) where the providers have actually built out broadband infrastructure such that they are able to provide service; and (2) where the providers could perform a standard broadband installation.<sup>25</sup> Among other requirements, all fixed and satellite service providers must report either polygon shapefiles or lists of addresses or locations that constitute their service areas.

On January 19, 2021, the FCC adopted additional rules for the BDC to ensure that it collects precise and accurate broadband deployment data.<sup>26</sup> The FCC specified which fixed and mobile broadband internet access service providers are required to report availability and/ or coverage data and adopted speed and latency reporting requirements for fixed service providers. The FCC also now requires fixed broadband internet access providers to report whether broadband services are offered to residential and/ or business customers (they do not have to submit community anchor institution coverage) and created a process whereby providers submit and respond to challenges to fixed and mobile coverage data. The FCC also now requires mobile service providers to submit, on a case-by-case basis, infrastructure information or on-the-ground test data to verify the provider’s coverage data. Additionally, mobile providers are now required to submit, for each 4G LTE or 5G new radio (“NR”) propagation map that they submit, heat maps showing the signal levels from each active cell site, and terrestrial fixed wireless services providers must report their base station coordinates.

On March 22, 2021, the FCC announced efforts to also collect consumer broadband experiences. A webpage on the FCC’s site ([www.fcc.gov/BroadbandData](http://www.fcc.gov/BroadbandData)) now includes a “share your broadband experience” form for consumers<sup>27</sup> The submitted experiences will inform the FCC’s Broadband Data Task Force, established in February 2021 by Acting Chairwoman Jessica Rosenworcel, to “implement long-overdue improvements to the agency’s broadband data and mapping tools.”<sup>28</sup> Further, the FCC has released a speed test app (“FCC Speed Test App”) to measure speeds through Android and iOS devices in order to further aid in its broadband data collection and deployment efforts.<sup>29</sup>

In July 2021, the FCC adopted rules to improve broadband mapping through the BDC to better identify connectivity gaps across the country.<sup>30</sup> In the future, the FCC’s broadband maps will include additional layers and functions, including where fixed broadband service is available, or could be connected within ten (10) business days using standard installation methods, on a house-by-house and location-by-location basis. The FCC will also standardize the location data using a “Broadband Serviceable Location Fabric,” i.e., a common dataset of all structures where mass market fixed broadband internet access service can be installed. Lastly, the FCC will incorporate systems and processes to validate and verify provider-submitted data, in addition to offering a challenge process that will allow parties to dispute the data contained on the maps.<sup>31</sup>

24 FCC website, (October 25, 2021), Broadband Data Collection, Federal Communications Commission, Retrieved from Digital Opportunity Data Collection | Federal Communications Commission ([fcc.gov](http://fcc.gov)).

25 FCC website, (July 16, 2020), Second report and order and third further notice of proposed rulemaking, Federal Communications Commission, Retrieved from <https://docs.fcc.gov/public/attachments/FCC-20-94A1.pdf>

26 FCC website, (January 19, 2021), FCC Takes Next Step to Collect More Precise Broadband Mapping Data, Federal Communications Commission, Retrieved from [https://www.fcc.gov/document/fcc-takes-next-step-collect-more-precise-broadband-mapping-data?utm\\_source=sendgrid&utm\\_medium=email&utm\\_campaign=Newsletters](https://www.fcc.gov/document/fcc-takes-next-step-collect-more-precise-broadband-mapping-data?utm_source=sendgrid&utm_medium=email&utm_campaign=Newsletters).

27 Veigle, Anne (March 22, 2021), FCC Reaches Out to Collect Consumer Broadband Availability Experiences, Federal Communications Commission, Retrieved from <https://www.fcc.gov/document/fcc-reaches-out-collect-consumer-broadband-availability-experiences>

28 Wiquist, Will (February 17, 2021), Acting Chairwoman Rosenworcel establishes Broadband data task force, Federal Communications Commission, Retrieved from <https://docs.fcc.gov/public/attachments/DOC-370049A1.pdf>

29 Kelly, Makena (April 12, 2021), The FCC wants you to test your internet speeds with its new app, The Verge.com, Retrieved from <https://www.theverge.com/2021/4/12/22379848/fcc-speed-test-app-google-apple-download-broadband-maps-coverage>

30 Veigle, Anne (July 16, 2020), FCC Adopts Rules for more Granular, Precise Broadband Availability Map Data Collection, Federal Communications Commission, Retrieved from <https://docs.fcc.gov/public/attachments/DOC-365573A1.pdf>

31 FCC website (August 6, 2021), Mobile Broadband Maps, Federal Communications Commission, Retrieved from <https://www.fcc.gov>.

In August 2021, the FCC also released new mobile coverage data for the country's largest cellular providers. This map allows consumers to search by address to better determine whether they should be able to make and receive voice calls or use wireless data. The FCC will use the data in this map to assist its ongoing efforts to develop and test the BDC systems and platforms.<sup>32</sup>

On February 22, 2022, the FCC's Broadband Data Task Force OEA announced the filing dates for the initial BDC availability data collection: data as of June 30, 2022, were due no later than September 1, 2022. They indicated that the notice of the initial filing date for the BDC did not alter the obligation of service providers to submit the semiannual Form 477 filing and that, until the Commission announces a sunset date for the Form 477 broadband deployment collection, all service providers are required to continue to submit Form 477 data.

In November 2022, the FCC released the Broadband Data Collection Fabric representing initial data submissions by broadband providers using the more granular data required under the new guidelines. States and local governments were given until January 13<sup>th</sup> to challenge the served locations.

In December 2022, the FCC sunset Form 477 submission obligations, leaving the BDC submission process as the primary mechanism for the agency to collect this data. Accordingly, all facilities-based providers of fixed and mobile broadband internet access or voice service must submit subscribership and availability data.

The FCC Broadband Data Task Force announced that the second Broadband Data Collection (BDC) filing window opened on January 3, 2023, and the required data submissions may be made at any time up until the deadline of March 1, 2023. The BDC process is now the FCC's primary broadband data collection mechanism and is superseding the 477 data collection process for broadband deployment information.

“. . . it has become increasingly clear that the fixed and mobile broadband deployment data collected on the Form 477 are not sufficient to understanding where universal service support should be targeted and supporting the imperative of our broadband-deployment policy goals.”

(<https://docs.fcc.gov/public/attachments/DOC-358433A1.pdf>)

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[gov/BroadbandData/MobileMaps](https://www.fcc.gov/BroadbandData/MobileMaps)

32 Veigle, Anne (August 6, 2021), FCC launches new mobile broadband map, Federal Communications Commission, Retrieved from <https://www.fcc.gov/document/fcc-launches-new-mobile-broadband-map>

# APPENDIX B: PROVIDER MATERIALS



## **New 'Access from AT&T' Plan + New Federal Benefit = Free Internet**

New low-cost broadband plans with speeds up to 100 Mbps and no data caps

**DALLAS** – February 7, 2022

AT&T\* is driving down the cost of home internet for eligible households to the best monthly rate possible – \$0. Available starting today, this free option is made possible by combining a new plan from our low-cost [Access from AT&T](#) program with federal benefits from the [Affordable Connectivity Program \(ACP\)](#).

### **Free internet sounds too good to be true. How is AT&T making this possible?**

The Access from AT&T program now provides faster internet plans with up to 100 Mbps of symmetrical speeds for \$30 per month, an increase from the 10 Mbps maximum provided in our original Access from AT&T plan. In addition, there's no cap on data usage with the new \$30 Access from AT&T plans.<sup>1</sup>

Customers who prefer our original Access from AT&T plans and have speeds of 10 Mbps or less available, don't have to worry. You can still take advantage of reliable internet with our \$5 - \$10 per month plans.<sup>2</sup>

All households that qualify for ACP will also qualify for our Access from AT&T program, including the newest speed tier. Eligible households that take advantage of the up to \$30 per month ACP benefit (or up to \$75 per month for those on qualified Tribal lands) can then receive internet service at no monthly charge.

### **How do I take advantage of free internet?**

First, confirm that you are eligible for the ACP benefit and get approved with the federal government's National Verifier at [acpbenefit.org](https://acpbenefit.org). Then, call us at (855) 2205211. We'll verify your ACP approval and set you up on a plan with the ACP benefit.

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You can choose to apply your ACP benefit to our Access from AT&T plan, or you can apply it to most of our existing AT&T Internet plans. [Check out](#) which AT&T internet plans are available in your area.

**What if I would like to use my ACP benefit on plans other than Access from AT&T?**

Just ask! You can apply the ACP benefit to most of our existing AT&T Internet plans. That means qualified customers can save up to \$30 per month (up to \$75 per month on qualifying Tribal lands) on most plans that we offer. That includes our fastest plans on AT&T Fiber, with speeds up to 5-Gigs in more than 70 metro areas. <sup>2</sup>

Customers can also choose to apply the ACP benefit to their AT&T Prepaid or Cricket Wireless plan. The benefit is limited to one per household.

**I'm currently receiving the Emergency Broadband Benefit (EBB). What do I need to do?**

Nothing right now. Your current benefit will remain the same until March 1<sup>st</sup>. To receive the ACP benefit starting March 1<sup>st</sup> you may be contacted by the Universal Services Administrative Co. (USAC) to reverify your eligibility. If you qualified under the EBB COVID temporary loss of income criteria, the National Verifier will need to reverify your eligibility under different criteria prior to March 1.

The main thing to remember is that the monthly subsidy will decrease from the EBB program's \$50 maximum to up to \$30 under the ACP on March 1 (there is no change to the Tribal benefit).

**What people are saying:**

Ebony Ford from Atlanta says Access from AT&T provided critical support when she needed it most: "I had no car, no job, no money, no internet. I discovered the Access from AT&T program. It was the segue for me to be able to apply for benefits, look for childcare programs, look for jobs, attend training. It literally was my foundation to be able to get back on my feet. It all started with Access from AT&T." Check out this [video](#) to see more of Ebony's testimonial.



Cheryl Choy, SVP- Broadband Management & Strategy: “Making home internet affordable for low-income households is an important step toward closing the digital divide. The new Access from AT&T plan provides improved speeds, no data cap and works in concert with the federal ACP benefit. Free internet service can be the difference in getting homework done, being able to apply for a job, or receiving medical care.”

### **What else is AT&T doing to help close the digital divide?**

AT&T has a 3-year, \$2 billion commitment to address the digital divide through our low-cost broadband offers, participation in the ACP and charitable contributions through the AT&T Connected Learning program.

You can read more about what we are doing to close the digital divide [here](#).

#### Disclaimers

<sup>1</sup>Access Plans 10Mbps and below have data allowances. Customers who exceed those allowances may incur a \$10 fee. Through April 30, 2022, AT&T is waiving data overage fees for those Access AT&T customers.

<sup>2</sup>Limited availability in select areas. Internet speed claims represent maximum wired network service capability speeds to the home and recommended setup. Actual customer speeds are not guaranteed. Single device wired speed maximum 4.7Gbps. Visit [att.com/speed101](http://att.com/speed101) for details

#### **\*About AT&T Communications**

We help family, friends and neighbors connect in meaningful ways every day. From the first phone call 140+ years ago to mobile video streaming, we @ATT innovate to improve lives. AT&T Communications is part of AT&T Inc. (NYSE:T). For more information, please visit us at [att.com](http://att.com).

#### **For more information, contact:**

Jessica Swain  
AT&T Corporate Communications  
Phone: (415) 613-4267  
Email: [js056a@att.com](mailto:js056a@att.com)



## Connecting Communities to More with Access from AT&T

At AT&T, we're furthering our efforts to bridge the digital divide by offering new solutions that help households in your community stay connected to their work, education, healthcare, and more.

### What's new?

Access from AT&T, our low-cost program for home internet offered to limited-income households, has been enhanced so customers no longer have data caps and can also experience Internet speed plans of up to 100 Mbps.

- Previously, Access from AT&T provided speeds up to 10 Mbps.

And by [combining new plans](#) from our low-cost Access from AT&T program with federal benefits from the [Affordable Connectivity Program](#) (ACP), eligible households can take advantage of free internet.

### How is AT&T making this possible?

The new Access from AT&T<sup>1</sup> program provides faster internet plans with up to 100 Mbps of symmetrical speeds for \$30 per month with no cap on data usage.<sup>2</sup>

- Eligible households that take advantage of the new up to \$30 per month ACP benefit (or up to \$75 per month for those on qualified Tribal lands) and apply it to their Access from AT&T plan can then receive internet service at no monthly charge.

### How can my community take advantage of free internet?

First, households can confirm their eligibility for the new ACP benefit and get approved with the federal government's National Verifier at [acpbenefit.org](http://acpbenefit.org). Then, they can call us at (855) 220-5211, and we will verify ACP approval and set them up on a plan with the ACP benefit.

- All households that qualify and enroll with AT&T for ACP with their home internet will also qualify for our Access from AT&T program, including the newest speed tier.

### Can the ACP benefit be applied on plans other than Access from AT&T?

Eligible households can apply the ACP benefit to most of our existing AT&T Internet plans. That means qualified customers can save up to \$30 per month (or up to \$75 on qualifying Tribal lands) on most plans that we offer.

- That includes our fastest plans on AT&T Fiber, with speeds up to 5-Gigs in parts of more than 70 metro areas.<sup>3</sup>

Customers can also choose to apply the ACP benefit to their AT&T Prepaid or Cricket Wireless plan. The benefit is limited to one service per household.

1 Available in the [21 states](#) where AT&T offers wireless home internet services.

2 Access Plans 10Mbps and below have data allowances. Customers who exceed those allowances may incur a \$10 fee. Through April 30, 2022, AT&T is waiving data overage fees for these Access AT&T customers.

3 Limited availability in select areas. Internet speed claims represent maximum wired network service capability speeds to the home and recommended setup. Actual customer speeds are not guaranteed. Single device wired speed maximum 4.7Gbps. Visit [att.com/speed101](http://att.com/speed101) for details.

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## T-Mobile Expands 5G Home Internet Across Indiana, Kentucky and Ohio

*The Un-carrier is leveraging its leading 5G network to unlock more access to affordable, reliable broadband in 62 cities and towns across Indiana, Kentucky and Ohio.*

**BELLEVUE, Wash. — February 16, 2022** — On the heels of [debuting 5G Home Internet in the Big Game](#), T-Mobile (NASDAQ: TMUS) today announced they've expanded access to the service in 62 cities and towns across Indiana, Kentucky and Ohio, building on recent expansions across [the Southeast](#) and [Texas](#). Across the three states, more than three million people still have no access or only one choice when it comes to traditional home broadband. With this upgrade, T-Mobile Home Internet is now an option for nearly 5 million homes in the area. For towns like [Greensburg, IN](#) or [Morgantown, KY](#) — places where more than 25% of residents have no access to high-speed internet, T-Mobile is introducing a new option, helping to free customers from their landline ISPs.

In 2022, a reliable home broadband connection is crucial for just about everyone — for work, for school and for staying connected to loved ones. But during the height of the pandemic, [research showed](#) that technology barriers still prevent many workers from doing their job virtually, impacting low-income households at a much higher rate. Today, more than 40% of adults in low-income households do not have broadband service at home. Even worse, during the height of the pandemic, as families across the country transitioned their children to virtual learning, [studies showed](#) that hundreds of thousands of students in every state were unable to fully participate in a virtual classroom environment. In Indiana, Kentucky and Ohio alone, more than a million students were without an adequate high-speed internet connection. That's ridiculous. But those are just two examples of how traditional ISPs are failing Americans.

As part of T-Mobile's merger with Sprint, the Un-carrier committed to making fixed wireless internet a real option for millions of Americans, and with more than 30 million households already eligible for T-Mobile Home Internet nationwide, T-Mobile is making good on that commitment at a time when reliance on connectivity is at its highest.

### What People Are Saying

"Thousands more households now have access to fast, unlimited high-speed internet, thanks to T-Mobile," said Kentucky State Representative Mary Beth Imes, of Murray. "T-Mobile Home Internet has expanded access in Kentucky, bringing our state a real competitive option for broadband where many households are still left without any option or any good option. T-Mobile's investment in our communities is helping thousands of customers stay connected at a time when it matters most."

"In Akron, families rely on home broadband now more than ever before. But throughout the pandemic, options for reliable connectivity have been lacking, and for some households, non-existent," said Akron Mayor Dan Horrigan. "We're excited that T-Mobile's investment in their 5G network is paying off for our community, bringing a new option



for home broadband to homes here in Akron and making broadband access for our residents more equitable.”

“Today, we shared that we’re bringing more choice and competition to the broadband industry. Families in these communities deserve access to fast, reliable home internet, and we’re delivering just that with the power of our leading 5G network,” said Dow Draper, Executive Vice President of Emerging Products at T-Mobile. “People are fed up with having limited access and no competition. We’re expanding access in areas that desperately need another choice.”

#### About T-Mobile Home Internet

T-Mobile Home Internet is no-BS home internet for just \$50/month, period. Landline ISPs have been having their way for years - charging bogus fees on top of the monthly rate, increasing prices after a year, requiring long-term contracts, providing terrible customer service... the list goes on. And they’ve gotten away with it. But T-Mobile Home Internet is different.

- Home Internet customers get a flat price – it’s \$50/month, with Autopay. That’s it. No price hikes, ever.
- There’s no added taxes or fees, no equipment costs, no annual contracts, and no data caps.
- Setup is as easy as it gets — T-Mobile will mail the gateway directly to your home. Just plug it in, download the app and you’re connected in fewer than 15 minutes.
- You get speeds that will let you work, play, stream, chat, game and more.
- If you do have an issue, our dedicated team of experts are just a call or message away.
- And for a limited time, new Home Internet customers get a \$50 virtual prepaid card. That’s one month of service ON US!

#### Expanded Access

Access has recently expanded in 62 cities and towns across Indiana, Kentucky and Ohio, listed below. Availability is based on network capacity, which is increasing all the time. Check if T-Mobile Home Internet is available for your home at <https://www.t-mobile.com/isp>.

#### **Indiana**

- Angola
- Auburn
- Bloomington
- Bluffton
- Columbus
- Crawfordsville
- Elkhart-Goshen
- Fort Wayne

- Frankfort
- Greensburg
- Huntington
- Indianapolis-Carmel-Anderson
- Kendallville
- Kokomo
- Lafayette-West Lafayette
- Logansport
- Marion
- Michigan City-La Porte
- Muncie
- New Castle
- Richmond
- South Bend-Mishawaka

### **Kentucky**

- Bardstown
- Bowling Green
- Campbellsville
- Danville
- Elizabethtown-Fort Knox
- Frankfort
- Glasgow
- Lexington-Fayette
- Louisville/Jefferson County
- Madisonville
- Mayfield
- Middlesborough
- Murray
- Owensboro
- Richmond-Berea
- Somerset

### **Ohio**

- Akron
- Athens
- Cambridge
- Canton-Massillon
- Chillicothe
- Cincinnati
- Cleveland-Elyria
- Columbus

- Coshocton
- Dayton-Kettering
- Fremont
- Jackson
- Lima
- Mansfield
- Marietta
- Salem
- Sidney
- Springfield
- Toledo
- Washington Court House
- Steubenville
- Wooster
- Youngstown-Warren-Boardman
- Zanesville

**\$50 Prepaid Card:** Allow 8 weeks. Qualifying new line and timely redemption required. **No cash access & expires in 6 months.** Card issued by Sunrise Banks N.A., Member FDIC. **Home Internet:** During congestion, Home Internet customers may notice speeds lower than other customers due to data prioritization. Not available in all areas. Credit approval required. AutoPay: \$5/mo. discount may not reflect on 1st bill. Sales tax & regulatory fees included in monthly service price for qualifying accounts. For use only with T-Mobile Gateway for in-home use at location

provided at activation. If canceling service, return gateway or pay up to \$370. See [T-Mobile.com/OpenInternet](http://T-Mobile.com/OpenInternet) for network management and performance details.



## SPECTRUM INTERNET® ASSIST

Affordable, reliable high-speed Internet access for qualifying households



Spectrum Internet Assist is a low-cost, high-speed broadband service that provides qualifying households with Internet service for **\$17.99 per month**.

To qualify for Spectrum Internet Assist, a member of the household must be a recipient of one of the following programs:

- The National School Lunch Program (NSLP); free or reduced-cost lunch
- The Community Eligibility Provision (CEP) of the NSLP
- Supplemental Security Income (SSI) (age 65 and over only)

*Programs that do not qualify for Spectrum Internet Assist: Social Security Disability (SSD), Social Security Disability Insurance (SSDI), and Social Security Retirement and Survivor Benefits are different from Supplemental Security Income (SSI) and do NOT meet eligibility requirements.*

If you believe you may qualify, visit [SpectrumInternetAssist.com](http://SpectrumInternetAssist.com).

- Enter in your 5-digit ZIP code to see if Spectrum Internet Assist is available in your area.
- If available, you will receive direction to call 1-844-525-1574 to start the qualification process.
- If Spectrum Internet Assist is not available in your area, you will receive a coming-soon message and be asked to check back for updates.

### GET CONNECTED WITH HIGH-SPEED INTERNET FOR **\$17.99/MO**

Spectrum Internet Assist gives your household a reliable, blazing-fast connection to the world of information, education, entertainment and services that are available online.

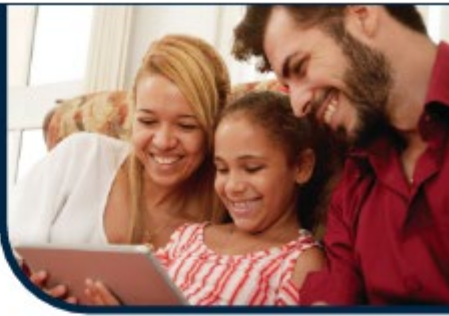
With Spectrum Internet Assist, you'll enjoy:

- 30 Mbps of Internet speed with NO data caps
- **FREE** Internet modem
- No contracts, ever
- Add fast in-home WiFi for \$5 more a month

To get started, visit:  
**[SpectrumInternetAssist.com](http://SpectrumInternetAssist.com)**

SPECTRUM INTERNET ASSIST: Limited time offer; subject to change; not transferable. Availability of offer based on eligibility and service address that has been pre-qualified. Offer valid to qualified residential customers who (i) have not subscribed to Charter Communications' Internet services within 30 days prior to requesting services under this offer, (ii) have no outstanding debt for any of Charter Communications' services that was incurred within 1 year prior to requesting services under this offer and (iii) have no outstanding debt to Charter Communications that was incurred for services provided under this offer and that are subject to Charter Communications' ordinary debt collection procedures. Equipment, taxes, fees and surcharges may be extra and subject to change during and after the term; installation and additional services are extra. Available Internet speeds may vary by address. Download speeds are up to 30 Mbps and upload speeds are up to 4 Mbps. WiFi Equipment, activation and installation fees may apply. Services subject to all applicable service terms and conditions, subject to change. Services not available in all areas. Restrictions apply. ©2019 Charter Communications.

# The Affordable Connectivity Program



Stay connected and save up to \$30/mo.\* on your Internet service.

Great news! You may be eligible to receive high-speed Internet service at no cost\* from Spectrum through the Affordable Connectivity Program (ACP).

This program was created to ensure eligible households like yours will have the services you need.

The need for fast, reliable Internet is more critical than ever and Spectrum is committed to bringing you the best speeds available. Find out if you are eligible for this great program and start enjoying fast Internet speeds. We look forward to welcoming you as a Spectrum Internet® customer.

#### QUALIFYING GROUPS:

- Lifeline eligible\*
- Pell Grant recipient
- Free or reduced school lunch or breakfast eligible
- Veterans Pension and Survivors Benefit

## SPECTRUM INTERNET®

for \$0/mo\*



HIGH-SPEED INTERNET AT NO COST\*

Depending on level of Spectrum Internet service.  
Benefit expires upon termination of ACP.

We've made it easy to find out if you qualify:

### 1 STEP 1: CONFIRM QUALIFICATION

Your household may qualify for the Affordable Connectivity Program. Visit [acpbenefit.org](http://acpbenefit.org) to find out more.

### 2 STEP 2: REDEEM YOUR SAVINGS WITH SPECTRUM

Call Spectrum at 1-833-660-0447 or visit [Spectrum.com/ACP](http://Spectrum.com/ACP) to sign up for high-speed Internet and save up to \$30 a month if you qualify.

If you are a current Spectrum Internet customer call 1-833-660-0447 to save up to \$30/mo. on your service.

### 3 STEP 3: ENJOY FAST INTERNET

Surf and stream with your Spectrum high-speed Internet service and home WiFi. A temporary monthly credit will be applied to your account.

# Spectrum

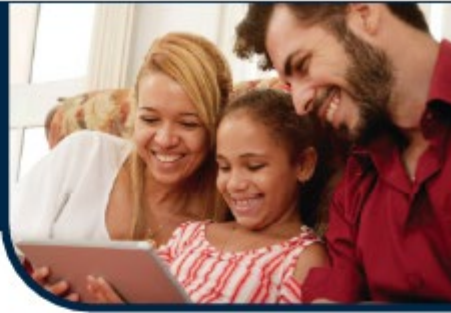
\*Affordable Connectivity Program (ACP): Program benefit limited to one per household; Limited time offer; benefit expires upon FCC's termination of the Program. Income eligibility requirements apply. A recurring credit of up to \$50/mo (\$75 in Tribal Lands) will be applied directly to eligible customers' accounts; customers are responsible for charges over \$50/mo. Standard rates apply following end of the Program period, may vary by location. Taxes and fees extra depending on the area and subject to change during and after the Program period; installation/network activation, equipment and additional services are extra. Services subject to all applicable service terms and conditions, subject to change. Services not available in all areas. Restrictions apply.

Programs that meet the Lifeline requirement are Medicaid, SNAP, SSI, Federal Public Housing Authority (FPHA) support and Veterans and Survivor's Pension benefit. Alternative Verification Process also eligible to qualify.

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# Programa de Conectividad Accesible



Sigue conectado y ahorra hasta **\$30/mes\*** en tu servicio de Internet.

¡Fabulosas noticias! Puedes ser elegible para recibir servicio de Internet de alta velocidad sin costo\* de Spectrum a través del Programa de Conectividad Accesible (ACP, por sus siglas en inglés).

Este programa fue creado para garantizar que los hogares elegibles como el tuyo tengan los servicios que necesitan.

La necesidad de un Internet rápido y confiable es más esencial que nunca y Spectrum se ha comprometido a traerte las mejores velocidades disponibles. Descubre si eres elegible para recibir este fabuloso programa y comenzar a disfrutar rápidas velocidades de Internet. Esperamos darte la bienvenida pronto como cliente de Spectrum Internet®.

#### GRUPOS QUE CALIFICAN:

- Elegible para recibir Lifeline\*
- Elegible para recibir desayuno o almuerzo escolar gratis o a bajo costo
- Beneficiario de la subvención Pell
- Pensión para Veteranos y Beneficio a Sobrevivientes

## SPECTRUM INTERNET®

por **\$0** /mes\*



**INTERNET DE ALTA VELOCIDAD SIN NINGÚN COSTO\***

*Depende del nivel de servicio de Spectrum Internet. El beneficio vence al finalizar el ACP.*

## Descubrir si calificas es fácil:

### 1 PASO 1: CONFIRMA QUE CALIFICAS

Tu hogar puede calificar para recibir el Programa de Conectividad Accesible. Para más información, visita [acpbenefit.org](http://acpbenefit.org).

### 2 PASO 2: RECLAMA TUS AHORROS CON SPECTRUM

Llama a Spectrum al **1-833-660-0447** o visita [Spectrum.com/ACP](http://Spectrum.com/ACP) para suscribirte y recibir Internet de alta velocidad ahorrando hasta \$30 al mes si calificas.

Si actualmente eres cliente de Spectrum Internet, llama al **1-833-660-0447** para ahorrar hasta \$30/mes en tu servicio.

### 3 PASO 3: DISFRUTA DE INTERNET RÁPIDO

Navega y haz streaming con tu servicio de Internet de alta velocidad y WiFi residencial. Se aplicará un crédito mensual temporalmente a tu cuenta.

# Spectrum

\*Programa de Conectividad Accesible (ACP, por sus siglas en inglés): El beneficio del programa se limita a uno por domicilio; oferta por tiempo limitado; el beneficio vence al finalizar el programa de la FCC. Aplican requisitos de elegibilidad por ingresos. Se aplicará un crédito periódico de hasta \$30/mes (\$75 en territorios tribales) directamente a las cuentas de clientes elegibles; los clientes son responsables de los cargos que excedan \$30/mes. Se aplican tarifas estándar una vez termine el período del programa; puede variar dependiendo de la zona. Los impuestos y cargos tienen un costo adicional dependiendo del área y están sujetos a cambios durante y después del período del programa; instalación/activación de red, equipos y servicios adicionales son extra. Servicios sujetos a todos los términos y condiciones de servicio vigentes; sujetos a cambios. Los servicios no están disponibles en todas las áreas. Aplican restricciones.

Los programas que satisfacen los requisitos de Lifeline son Medicaid, SNAP, SSI, ayuda de la Autoridad Federal de Vivienda Pública (FPHA, por sus siglas en inglés) y la Pensión para Veteranos y Beneficio a Sobrevivientes. Para calificar debes ser elegible en un proceso alterno de verificación.

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XXXX-XXXXXXX-XX

# APPENDIX C: IDZ SAMPLE ORDINANCES

# 2019-11

## DESIGNATION OF AN INFRASTRUCTURE DEVELOPMENT ZONE

WHEREAS, Indiana Code 6-1.1-12.5-4 et seq. authorizes the county executive to adopt an ordinance designating a geographic territory as an Infrastructure Development Zone; and

WHEREAS, Indiana Code 6-1.1-12.5-4 et seq. requires the county executive to conduct a public hearing, including the publishing of a notice in accordance with IC 5-3-1; and

WHEREAS, Indiana Code 6-1.1-12.5-4(3) authorizes the ordinance to establish the facilities and technologies used in the deployment and transmission of broadband service once the county executive can show: (A) adequate broadband services are unavailable in Hendricks County; (B) a business personal property tax exemption (other than for real property) is provided to a corporation as the corporation's services will provide (i) increased availability of broadband service; and (ii) economic benefits; in the designated zoning area of Hendricks County; and

**NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED** by the County Commissioners of Hendricks County, Indiana, as follows:

**Section 1. Designation of an Infrastructure Development Zone.** Hendricks County Commissioners shall adopt the following ordinance which shall read as follows:

1. In accordance with I.C. 6-1.1-12.5-4 the County Commissioners shall establish an Infrastructure Development Zone.
2. The Infrastructure Development Zone shall incorporate all of the unincorporated areas in Hendricks County.
3. The Infrastructure Development Zone shall provide broadband services to Hendricks County residents residing in the Infrastructure Development Zone.
4. The Infrastructure Development Zone shall include a business personal property tax exemption available to companies for certain infrastructure associated with the development of broadband technology.
5. The tax exemption for certain infrastructure shall only include the installation of fiber to homes, businesses, schools and publicly owned buildings. The exemption shall **not** be available for maintenance and refurbishment to existing facilities, land that the infrastructure is located on, fiber to cell towers or satellites, or long haul/pass thru fiber infrastructure.

6. The exemption shall only be available to broadband infrastructure projects that are completed within five (5) years from the date of passage of this ordinance, and upon approval of the Hendricks County Council.

**Section 2. Publication.** The county commissioners are hereby directed to file a copy of this ordinance with the appropriate entities and record the ordinance in the appropriate location.

**Section 3. Conflicting Ordinances.** Any ordinance or provision of any Ordinance of Hendricks County in conflict with the provisions of this Ordinance is hereby repealed.

**Section 4. Severability.** The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

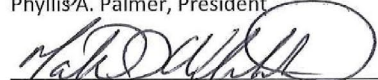
**Section 5. Effective Date.** This Ordinance shall be in full force and effect after its passage, approval by the County Commissioners and publication as required by law.

**PASSED AND ADOPTED** by the County Commissioners of Hendricks County, Indiana, on the 23rd day of April, 2019.

COUNTY COMMISSIONERS OF  
HENDRICKS COUNTY, INDIANA



Phyllis A. Palmer, President

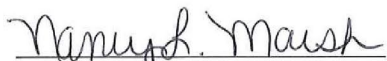


Matthew D. Whetstone, Vice President



Bob Gentry, Member

ATTEST:

  
County Auditor

**ATTACHMENT 1.**

The County Commissioners have made the following findings as required by Indiana Code 6-1.1-12.5-4 and should therefore adopt this Ordinance.

Upon conducting a public hearing on the proposal of the Ordinance, the County Commissioners find:

- (A) Hendricks County currently lacks the availability of adequate broadband services homes, businesses, schools and publicly owned buildings;
- (B) Equal education for the citizens of Hendricks County, Indiana, is limited by the lack of fiber to the homes and businesses in the county;
- (C) The growth of student enrollment is limited by the lack of fiber to the homes in the county;
- (D) Access to healthcare technologies is limited by the lack of fiber to the homes and businesses in the county;
- (E) The lack of fiber to businesses in the county is one of the largest threats to small business in Hendricks County, Indiana;
- (F) Providing a property tax exemption to corporations providing broadband services through the establishment of the Infrastructure Development Zone, will increase the availability of broadband services to the affected zone area, and will provide economic development benefits to the zone area encompassing Hendricks County.



---

**ORDINANCE 2019-17 AN ORDINANCE DESIGNATING AN INFRASTRUCTURE  
DEVELOPMENT ZONE**

WHEREAS, Indiana Code 6-1.1-12.5-4 et seq. authorizes the county executive to adopt an ordinance designating a geographic territory as an Infrastructure Development Zone; and

WHEREAS, Indiana Code 6-1.1-12.5-4 et seq. requires the county executive to conduct a public hearing, including the publishing of a notice in accordance with IC 5-3-1, such hearing was held on May 29, 2019; and

WHEREAS, Indiana Code 6-1.1-12.5-4(3) authorizes the ordinance to establish the facilities and technologies used in the deployment and transmission of broadband service once the county executive finds: (A) adequate broadband services are unavailable in Monroe County; (B) a business personal property tax exemption (other than for real property) is provided to a corporation as the corporation's services will provide (i) increased availability of broadband service; and (ii) economic benefits; in the proposed designated zoning area in Monroe County; and

**NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED** by the County Commissioners of Monroe County, Indiana, as follows:

**Section 1. Designation of an Infrastructure Development Zone.** Monroe County Commissioners shall adopt the following ordinance which shall read as follows:

1. In accordance with I.C. 6-1.1-12.5-4 the County Commissioners shall establish an Infrastructure Development Zone.
2. The Infrastructure Development Zone shall incorporate the areas depicted in Exhibit A.
3. The Infrastructure Development Zone shall provide broadband services to Monroe County residents residing in the Infrastructure Development Zone.
4. The Infrastructure Development Zone shall include a business personal property tax exemption available to companies for certain infrastructure associated with the development of broadband technology.
5. The tax exemption for certain infrastructure shall only include the installation of fiber to homes, businesses, schools and publicly owned buildings. The exemption shall **not**

be available for maintenance and refurbishment to existing facilities or land that the infrastructure is located on.

6. The exemption shall only be available to broadband infrastructure projects that are completed within five (5) years from the date of passage of this ordinance.

**Section 2. Findings.** The county commissioners make the following findings concerning the creation of an Infrastructure Development Zone.

- a. That adequate broadband service is not available in the area depicted in exhibit A.
- b. That no evidence was presented that would show inadequate Gas, Public Water or Wastewater utility.
- c. There are approximately 4500 homes in the area, studies show that broadband provides an annual savings of \$754 per home.
- d. Broadband promotes economic development by providing additional business, educational, medical treatment, and affordable housing options.
- e. The infrastructure placement costs make utility placement unlikely without subsidy.

So Ordained this 5 day of June, 2019.

MONROE COUNTY BOARD OF COMMISSIONERS

“YEAS”

“NAYS”

  
\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Julie Thomas, President


  
\_\_\_\_\_  
Lee Jones, Vice President

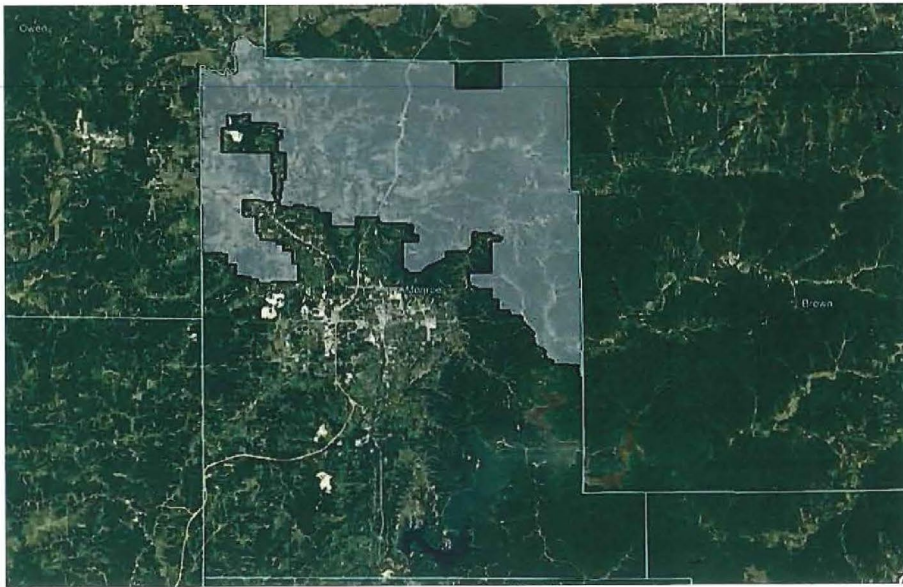
\_\_\_\_\_  
Lee Jones, Vice President

  
\_\_\_\_\_  
Penny Githens, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

ATTEST:

  
\_\_\_\_\_  
Catherine Smith, Monroe County Auditor



ORDINANCE NO. 2018-4

**ORDINANCE FOR THE DESIGNATION OF AN INFRASTRUCTURE  
DEVELOPMENT ZONE WITHIN MORGAN COUNTY, INDIANA**

WHEREAS, Indiana Code 6-1.1-12.5-4 et seq. authorizes the county executive to adopt an ordinance designating a geographic territory as an Infrastructure Development Zone; and,

WHEREAS, Indiana Code 6-1.1-12.5-4 et seq. requires the county executive to conduct a public hearing, including the publishing of a notice in accordance with IC 5-3-1; and,

WHEREAS, Indiana Code 6-1.1-12.5-4(3) authorizes the ordinance to establish the facilities and technologies used in the deployment and transmission of broadband service once the county executive determines the following:

1. Adequate broadband services are unavailable in Morgan County; and,
2. The provision of a business personal property tax exemption (other than for real property) to a person or company investing in infrastructure to provide broadband service to Morgan County will provide increased availability of broadband service, and certain economic benefits in the designated development zone in Morgan County; and,

WHEREAS, following a public hearing, the Morgan County Commissioners have made specific findings as set out in the attached Exhibit A.

**NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED** by the County Commissioners of Morgan County, Indiana, as follows:

**Section 1. Designation of an Infrastructure Development Zone.** Morgan County Commissioners adopt an Infrastructure Development Zone as set out herein, and specifically:

1. In accordance with I.C. 6-1.1-12.5-4, the County Commissioners establish an Infrastructure Development Zone.

2. The Infrastructure Development Zone shall incorporate all of the geographic area of Morgan County, including its incorporated cities and towns.
3. The Infrastructure Development Zone is established to encourage the development of broadband services to Morgan County residents residing in the Infrastructure Development Zone.
4. The Infrastructure Development Zone shall permit a business personal property tax exemption available to persons or companies for certain infrastructure associated with the development of broadband technology.
5. The tax exemption for broadband technology infrastructure shall only be permitted for the installation of fiber to homes, businesses, farms, schools and publicly owned buildings. The exemption shall **not** be available for maintenance and refurbishment to existing facilities, land the infrastructure is located on, fiber to cell towers or satellites, or long haul/pass thru fiber infrastructure.
6. The exemption shall only be available to broadband infrastructure projects completed within six (6) years from the date of passage of this ordinance.

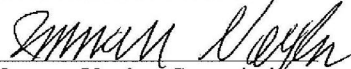
**Section 2. Conflicting Ordinances.** In the event any ordinance or provision of any Ordinance of Morgan County is in conflict with the provisions of this Ordinance, the provisions of this ordinance shall prevail.

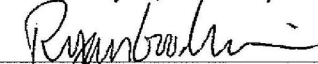
**Section 3. Severability.** The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

**Section 4. Effective Date and Miscellaneous Provisions.** This Ordinance shall be in full force and effect after its passage, approval by the County Commissioners and publication as required by law. This Ordinance shall be codified in the Morgan County Code of Ordinances. The County Commissioners are hereby directed to provide a copy of this ordinance to the Morgan County Assessor.

**PASSED AND ADOPTED** by the County Commissioners of Morgan County, Indiana,  
on the 16 day of July, 2018.

**BOARD OF COMMISSIONERS  
OF MORGAN COUNTY**

  
Norman Voyles, Commissioner

  
Ryan Goodwin, Commissioner

  
Brian Goss, Commissioner

ATTEST:

  
Dan Bastin, Morgan County Auditor

#### EXHIBIT A.

The County Commissioners have made the following findings as required by Indiana Code 6-1.1-12.5-4.

Upon conducting a public hearing on the proposal of the Ordinance, the County Commissioners find:

- (A) Morgan County currently lacks the availability of adequate broadband services for homes, businesses, farms, schools and publicly owned buildings;
- (B) Equal education for the citizens of Morgan County, Indiana, is limited by the lack of broadband service to the homes and businesses in the county;
- (C) The growth of student enrollment is limited by the lack of broadband service to the homes in the county;
- (D) Access to healthcare technologies is limited by the lack of broadband service to the homes and businesses in the county;
- (E) The lack of broadband service to businesses in the county is one of the largest threats to small business in Morgan County, Indiana;
- (F) Providing a property tax exemption to persons and corporations providing broadband services through the establishment of the Infrastructure Development Zone will increase the availability of broadband services to the affected zone area, and will provide economic development benefits to the zone area encompassing Morgan County.

# APPENDIX D: FEDERAL GRANT OPPORTUNITIES

There are a variety of broadband funds available at the federal level.

## U.S. DEPARTMENT OF AGRICULTURE RURAL UTILITIES SERVICE

Housed within the U.S. Department of Agriculture (USDA), the Rural Utilities Service (RUS) provides infrastructure improvements to rural communities, ranging from water and waste treatment to electric power and telecommunications services, collectively improving the quality of life for rural residents. Programs within USDA, each further detailed below, include:

- Community Connect Grants,
- Distance Learning & Telemedicine Grants,
- ReConnect Grant Program,
- Rural Broadband Access Loan and Loan Guarantee Program, and
- Telecommunications Infrastructure Loans & Guarantees

### Community Connect Grants<sup>xxix</sup>

USDA Community Connect Grants provide financial assistance to facilitate broadband service expansion in rural, economically challenged communities where service does not currently exist at speeds of 10 Mbps download/ 1 Mbps upload. Eligible applicants to the Community Connect Grant include:

- incorporated organizations,
- federally recognized tribes,
- state and local government,
- and any other legal entity including cooperatives, private corporations, or limited liability companies.

The program funds the following eligible project categories:

- Infrastructure Development
- Adoption and Digital Literacy and
- Public Computer Access

#### Indiana's USDA RUS State Director:

Dr. Terry Goodin  
Indiana State Director  
6875 Lakeside Boulevard  
Indianapolis, Indiana 43278-1996  
317-295-5760  
terry.goodin@usda.gov



Funds under Community Connect may be used for a variety of purposes including:

- the construction, acquisition, or leasing of facilities, spectrum, land, or buildings used to deploy broadband service.
- funding for at least two but no more than 10 Computer Access Points to be used in a Community Center, defined as a building within the proposed service area that provides access to the public, or a section of a public building with at least two (2) computer access points and wireless access, that is used for the purposes of providing free access to and/or instruction in the use of broadband internet service, and is of the appropriate size to accommodate this purpose. The Community Center must be open and accessible to area residents before, during, and after normal working hours and on Saturday and Sunday.
- the cost of providing free broadband service to community facilities, which have the same meaning as critical community facilities under the 1961 Consolidated Farm and Rural Development Act, section 306(a), for two years.
- the improvement, expansion, construction, or acquisition of a community center to provide online access to the public (less than 10% of the grant amount—or up to \$150,000—may be used for this purpose).

Beyond eligibility baselines and acceptable uses of funding, other grant considerations include, but are not limited to:

- the awardee must locate buildings constructed with Community Connect funds on property owned by the awardee.
- leasing expenses will only be covered through the “advance of funds period” included in the award documents.
- grantees must have the legal authority to provide, construct, operate, and maintain the proposed facilities or services.
- project located in rural areas with a population of 20,000 or less.
- serve a proposed funded service area where broadband services (10 Mbps / 1 Mbps) do not currently exist.
- applicant must agree to offer service at 25 Mbps / 3 Mbps to all residential and business customers within the service area.
- provide a community center in the service area with at least two Computer Access Points and wireless access at 25 Mbps / 3 Mbps at no charge for at least two years.
- partnerships with federal, state, local, private, or non-profit entities are encouraged.
- matching funds of at least 15% from non-federal sources are required.

Total funding available for the FY2021 program was \$35 Million with a maximum award of \$3 Million to each selected recipient. Grant recipients are required to provide matching contributions in cash or in-kind equal to 15% of the grant amount requested.

## Application requirements:

- Application for Federal Assistance
  - Completed Standard [Form 424](#)
  - SAM Registration and Supporting Documentation
- Executive Summary of the Project
- Scoring Criteria Documentation
  - In ranking applications, the agency will consider the following criteria based on a scale of 100 possible points:
    - Proposed Funded Service Area Needs (up to 50 points)
      - The economic characteristics
      - Educational challenges
      - Health care needs
      - Public safety issues
    - Stakeholder Involvement (up to 40 points)
      - Documents that demonstrate the participation and support by local residents
    - Management Experience of Key Personnel (10 points)
- System Design
  - Network Diagram
  - Environmental Questionnaire provided in the Notice of Funding Opportunity
- Service Area Demographics
- Scope of Work
  - Construction Build-out/Project Milestones
  - Project Budget
- Community-Oriented Connectivity Plan
- Financial Information and Sustainability
  - Historical Financial Statements
  - Pro Forma Financial Statement – Single Application
  - Pro Forma Financial Statement Assumptions
- Statement of Experience
- Evidence of Funding Commitments from Other Sources
- Compliance with Other Federal Statutes and Regulations
  - Assurance Agreement<sup>xxx</sup>
  - Certificate Regarding Flood Hazard Area Precautions
  - Applicant Certification Federal Collection policies for Commercial Debt
  - Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Certification
  - Certificate Regarding Architectural Barriers

## Community Connect Grants

### What does this program do?

The grant program offers financial assistance to eligible applicants that will construct broadband networks that provide service on a community-oriented connectivity basis in rural areas.

### Who may apply for this program?

Eligible applicants include:

- State and local governments
- Federally recognized Tribes
- Nonprofits
- For-profit corporations
- Limited liability companies

#### What is an eligible area?

Rural areas that lack broadband service as defined in the most recent funding announcement are eligible.

#### How may the funds be used?

- The construction, acquisition, or leasing of facilities, spectrum, land or buildings used to deploy broadband service for:
  - all residential and business customers located within the Proposed Funded Service Area
  - all participating essential community facilities (such as public schools, fire stations, public libraries, and public safety stations)
- The cost of providing broadband service free of charge to the essential community facilities for 2 years
- Up to 10 percent of the grant may be used for the improvement, expansion, construction, or acquisition of a community center that provides online access to the public

#### Are there other requirements?

Other program requirements include:

- Documentation supporting the scoring criteria
- An executive summary of the proposed project
- Grantees must have legal authority to provide, construct, operate and maintain the proposed facilities or services
- Partnerships with other federal, state, local, private, and nonprofit entities are encouraged
- For additional details, see [7 CFR, 1739](#)

Matching funds of at least 15 percent from non-federal sources are required and can be used for operating costs.

#### How do we get started?

- Application windows for this program are announced through the national office on a periodic basis.
- Program Resources are available online at [rd.usda.gov](http://rd.usda.gov) (includes forms, guidance, certifications, etc.)

## Who can answer questions about this program?

- Email us at [community.connect@usda.gov](mailto:community.connect@usda.gov)
- Contact our Loan Origination and Approval Division at (202) 720-0800
- Contact your [General Field Representative](#)

## What governs this program?

- [7 CFR, Part 1739](#)

## Why does USDA Rural Development do this?

The Community Connect program helps rural communities receive access where broadband service is least likely to be commercially available, but where it can make a tremendous difference in the quality of life for people and businesses. The projects funded by these grants help rural residents tap into the enormous potential of the Internet for jobs, education, healthcare, public safety and community development.

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**NOTE: Because citations and other information may be subject to change, please always consult the program instructions listed in the section above titled “*What Governs This Program?*” You may also contact your [local office](#) for assistance. You will find additional forms, resources, and program information at [rd.usda.gov](http://rd.usda.gov). *USDA is an equal opportunity provider, employer, and lender.***

Last Updated December 2019

## DISTANCE LEARNING AND TELEMEDICINE GRANTS<sup>xxxI</sup>

The USDA Distance Learning and Telemedicine (“DLT”) program helps rural communities use telecommunications to connect and overcome remoteness and low population density. In FY2021, Congress allocated \$57 million in DLT funding. After applying \$18 million to award projects from the prior fiscal year, approximately \$44.5 million was available—a combination of funds not allocated from the previous year, in addition to the new funds allocated for FY2021. The award ceiling for this program is \$1M with an award floor of \$50,000.

The purpose of this grant program is to assist rural communities in acquiring distance learning and telemedicine technologies to provide the link between local teachers and medical service providers who serve rural residents and other professionals located at distances too far to access otherwise.

For both the distance learning and telemedicine programs, eligible applicants include most state and local government entities, federally recognized tribes, non-profits, for-profit businesses, and a variety of other entities. A minimum 15% match is required for grant-only awards, and it cannot be supplied by another federal source. Although matching contributions generally are required to be in the form of cash, matches can be in-kind in the form of a grant-eligible contribution.

Eligible uses of DLT grant funds include:

- Acquisition and legal ownership of eligible capital assets such as:
  - broadband facilities (limited to 20% of the grant) - broadband facilities must undergo substantial environmental review
  - audio, video, and interactive video equipment
  - terminal and data terminal equipment
  - computer hardware, network components, and software
  - inside wiring and other infrastructure to further distance learning and telemedicine services
- Acquisition of instructional programming that is a capital asset
- Acquisition of technical assistance and instruction for using eligible equipment

In scoring applications, “rurality” based on 2010 census population is 40 of the total possible 120 points (i.e., the applicant area cannot be too close in proximity to a non-rural area). Funded applications must receive a score of at least 20 on rurality. Projects must also be located in rural areas with a population of 20,000 or less. Applicants can confirm the “rurality” of the community using 2010 Census population data from the Census website, while the determination of the proximity of urban areas should be made using the DLT Map included in the application materials, which is also based on the 2010 Census.<sup>xxxii</sup>

Ultimately, through its DLT program, USDA is seeking projects that are sustainable and meet the long-term needs of a rural area.

## Application requirements:

- Completed Standard Form 424
- Site Worksheet<sup>33</sup>
- Executive Summary of the Project, including Publicly Releasable Project Description
- Scoring Criteria Documentation
  - Rurality
  - Economic Need
  - Special Consideration
  - Need for Services and Benefits
- Matching Requirements
  - Minimum matching requirement must equal 15% of the grant amount requested and generally must be in the form of cash and may not be from federal funds unless specifically authorized by federal statute
- Scope of Work
  - Specific activities to be performed
  - Who will carry out activities
  - Timeframes for accomplishing objectives
  - Budget for all capital expenditures
- Financial Information and Sustainability
- Statement of Experience
- Telecommunications Systems Plan
  - Capabilities and Description of Telecommunications Equipment
  - Complete Listing of all Telecommunications Equipment
  - Description of the consultations with telecommunications carriers
  - A diagram or map of the proposed system overlaid with a geographic map of the service area
  - Sites (hub, hub/end-users, or end-users) that will participate in the project and where equipment is located
- Evidence of Legal Existence and Authority to Contract with the Federal Government
  - Evidence of Legal Existence
- Environmental Impact and Historic Preservation (indicate which document was provided)
  - Environmental Impact Survey
  - Environmental Questionnaire
- Evidence of Consultation with USDA State Director for Rural Development

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<sup>33</sup> Worksheet, U.S. Department of Agriculture Rural Development, Retrieved from <https://www.rd.usda.gov/sites/default/files/dlt-worksheetsfy2021.xlsx>.

# USDA Distance Learning & Telemedicine Grant Program (DLT)

## Opportunity to Apply for Funding

The USDA begins accepting applications for funding under the DLT program on April 5, 2021. Applications must be received no later than June 4, 2021, to be eligible for funding under this grant opportunity.

- The Agency encourages applicants to consider projects that will promote equity and economic opportunity in rural America, specifically those that advance the following key priorities:
  - Containing the COVID-19 pandemic
  - Ensuring racial equity
  - Rebuilding our rural economy and
  - Addressing the climate crisis.
- Congress provided USDA Rural Development \$57 million in DLT funding in Fiscal Year (FY) 2021. As it was authorized to do, the Agency applied \$18 million from FY 2021 to award projects from the prior fiscal year. Approximately \$44.5 million is available. This amount includes \$39.2 million in funds appropriated for FY 2021 as well as funds totaling \$5.3 million which were not awarded during FY 2020.
- The Agency also reserves the right to increase funding for applications should additional appropriations become available for the same purposes.

### What does this program do?

This grant program helps rural communities acquire the technology and training necessary to connect educational and medical professionals with students, teachers, and patients in rural areas.

### Who may apply for this program?

Eligible applicants that provide education or health care services through telecommunications facilities, include:

- State and local governmental entities
- Federally recognized Tribes
- Nonprofit organizations
- For-profit businesses
- Consortia of eligible entities

### What is an eligible area?

The intent of the DLT program is to benefit rural areas with populations of 20,000 or less.

### How may funds be used?

Grant funds may be used for:

- Audio, video and interactive video equipment
- Broadband facilities that support distance learning or telemedicine
- Computer hardware, network components and software
- Acquisition of instructional programming
- Acquisition of technical assistance and instruction for using eligible equipment

### What kinds of funding are available?

Grants funds are awarded through a nationally competitive process. Funding is not currently available for DLT loans or loan / grant combinations.

### What are some grant requirements?

- Awards can range from \$50,000 to \$1 million
- A minimum 15 percent match is required and cannot be from another federal source

### How do we get started?

- Application windows for this program are announced through the national office on a periodic basis
- Program Resources are available online at [rd.usda.gov](http://rd.usda.gov) (includes forms, guidance, certifications, etc.)
- Check back here or contact your General Field Representative for additional information

### Who can answer questions?

Contact a General Field Representative that serves your area. Call (202) 720-0800 or email [dlinfo@usda.gov](mailto:dlinfo@usda.gov).

### What governs this program?

- Code of Federal Regulation: 7 CFR Part 1734

### Why does USDA Rural Development do this?

The DLT program helps rural residents tap into the enormous potential of modern telecommunications and the Internet for education and health care, two of the keys to economic and community development.

**NOTE: Because citations and other information may be subject to change, please always consult the program instructions listed in the section above titled "What Governs This Program?" You may also contact your local office for assistance. You will find additional forms, resources, and program information at [rd.usda.gov](http://rd.usda.gov). USDA is an equal opportunity provider, employer, and lender.**

Last Updated April 2021

## RECONNECT LOAN AND GRANT PROGRAM<sup>xxxiii</sup>

The USDA ReConnect Loan and Grant program offers loans, grants, and loan/ grant combinations to facilitate broadband deployment in rural areas.<sup>xxxiiv</sup>

Funds under the ReConnect program are awarded to projects with a financially stable business model to bring high-speed broadband to rural homes, businesses, farms, ranches, and community facilities such as first responders, health care, and schools. For purposes of the program, rural areas are those *not* located within:

- a city, town, or incorporated area that has a population of greater than 20,000; or
- an urbanized area adjacent to a city or town that has a population greater than 50,000.

In order to be eligible for the ReConnect Program funding in the latest round, an applicant must propose to serve an area that is currently without fixed broadband service at speeds of 100 Mbps download and 20 Mbps upload, and a commit to building facilities capable of providing broadband at speeds of 100 Mbps download and upload (symmetrical) to every location in its proposed service area.

Applicants are required to build their proposed network within five (5) years of award and provide broadband service to every household, farm, and business located in the proposed service area.

Eligible applicants include states and local governments, including any agency, subdivision, instrumentality, or political subdivision thereof; corporations; limited liability companies and limited liability partnerships; cooperative organizations; and others less applicable to the Miami County region. The entity that applies for the funding must own the resultant infrastructure.

Awards are to be used to fund:

- the construction or improvement of facilities required to provide fixed broadband service, including fixed wireless;
- reasonable preapplication expenses in an amount not to exceed 5% of the award; or
- the acquisition of an existing system that does not currently provide sufficient access to broadband for upgrading that system to meet the requirements of this regulation.



USDA is to provide up to \$1.15 billion in loans and grants to continue to expand broadband availability in rural areas. An applicant may request funding from one of the following categories:

- 100% Grant: Up to \$350 million is available for grants with a max amount of \$25 million and at least a 25 percent match of the cost of the overall project;
- 100% Grant for Tribal Governments and Socially Vulnerable Communities: Up to \$350 million is available for grants with a max amount of \$25 million;
  - Socially vulnerable community means a community or area identified in the Center for Disease Control's Social Vulnerability Index with a score of .75 or higher.
- 50% Loan / 50% Grant: Up to \$250 million is available for loan-grant combinations. The max amount that can be requested is \$25 million for the loan and also for the grant. The interest rate for the loan will be set at the Treasury rate; or
- 100% loan: Up to \$200 million is available for loans. The max amount requested is set at \$50 million with a minimum of \$100,000. The interest rate for a 100% loan will be set at a fixed 2%.

In making its funding decisions, the USDA will also consider, among other things, the economic needs of the community to be served; the extent which a provider will offer affordable service options; a project's commitment to strong labor standards; and whether a project is serving tribal lands or is submitted by a local government, Tribal Government, non-profit or cooperative.

**Application requirements:**

- Information on the applicant and the project including the estimated dollar amount of the funding request.
- An executive summary that includes, but is not be limited to, a detailed description of existing operations; key management; the applicant's workforce; interactions between any parent, affiliated or subsidiary operation; the proposed project; and the source of the matching and other funds;
- A description of the Proposed Funded Service Area ("PFSA") including the number of premises passed;
- Subscriber projections for broadband, video and voice services and any other service that may be offered.
- A description of the proposed service offerings and the associated pricing plan that the applicant proposes to offer;
- A map, utilizing the RUS mapping tool,<sup>xxxv</sup> of the PFSAs identifying the areas without sufficient access to broadband and any Non-Funded Service Area ("NFSA") of the applicant. If an applicant has multiple NFSAs, they can elect to submit each NFSA individually or as a single file through the mapping tool;
- A description of the advertised prices by competitors in the same area;
- A network design and all supporting information as detailed in §1740.64, which includes:

- Description of the proposed technology used to deliver broadband;
  - Demonstrate that all areas in the PFSA can be offered service;
  - Network diagram, identify cable routes, wireless access points;
  - Any other equipment required to operate the network;
  - A buildout timeline and milestones for implementation of project; and
  - A capital investment schedule showing that the system can be built in five (5) years.
- Resumes of key management personnel, a description of the organization's readiness to manage a broadband services network, and an organizational chart showing all parent organizations and/ or holding companies (including parents of parents, etc.), and all subsidiaries and affiliates;
  - A legal opinion that:
    - Addresses the applicant's ability to enter into the award documents;
    - Describes all material pending litigation matters;
    - Addresses the applicant's ability to pledge security as required by the award documents; and
    - Addresses the applicant's ability to provide broadband service under state or tribal law.
  - Summary and itemized budgets of the infrastructure costs of the proposed project, including, if applicable, the ratio of loans to grants and any other sources of outside funding. The summary must also detail the amount of matching and other funds and the source of these funds. If the matching and other funds are coming from a third party, a commitment letter and support that the funds are available must also be submitted.
  - A detailed description of working capital requirements and the sources of those funds;
  - Unqualified, comparative audited financial statements for the previous calendar year from the date the application is submitted;
  - The historical and projected financial information required in §1740.63;
  - All information and attachments required in the RUS Online application system;
  - A scoring sheet, analyzing any scoring criteria set forth in the funding announcement opening the application window;

- A list of all the applicant's outstanding and contingent obligations as required in §1740.63;
- All environmental information as required by §1740.27;
  - Requirements listed in 7 CFR part 1970
  - Complete an Environmental questionnaire
  - Provide a description of program activities
  - Submit all other environmental documentation as requested in the application system or by the Agency after application is submitted
- Certification from the applicant that agreements with or obligations to investors do not breach the obligations to the government under the standard Award Documents located on the Agency's web page, especially distribution requirements, and that any such agreements will be amended so that such obligations are made contingent to compliance with the Award Documents. Such certification should also specifically identify which, if any, provisions would need to be amended;



## RURAL BROADBAND ACCESS LOAN AND LOAN GUARANTEE PROGRAM<sup>xxxvi</sup>

The USDA Rural Broadband Access Loan and Loan Guarantee Program furnishes loans and loan guarantees for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service to eligible rural areas.

The purpose of this grant program is to provide funding for projects that offer broadband service at or beyond specific broadband lending speeds, which RUS determines in the respective publication in the Federal Register. RUS established the minimum rate-of-data transmission of 25 megabits downstream and 3 megabits upstream for both mobile and fixed service.

Eligible applicants to the Loan and Loan Guarantee Program include corporations, limited liability companies, cooperatives or mutual organizations, state or local governments, and federally recognized tribes. However, the proposed funded service areas must be completely contained within a rural area or composed of multiple rural areas where at least 15% of the households are unserved; no part of the proposed funded service area has three or more incumbent service providers; and no part of the area overlaps with the service area of current RUS borrowers.

The program funds the following eligible loan types:

- Cost-of-Money Loans in the form of direct loans from the USDA RUS, Direct 4-Percent Loans which bear interest at 4% on each advance made to the borrower and
- Other Loan Guarantees provided by third party lenders, of which the RUS will guarantee up to 80% of the principal amount of the loan.

Eligible uses of loan and loan guarantee funds include:

- the construction, improvement, and acquisition of facilities required to provide service at the broadband lending speed including facilities required for providing other services through the same facilities.
- Refinancing of an outstanding obligation from another telecommunications loan made by the USDA (up to 40% of the requested amount).
- Pre-loan expenses including market surveys, consultant costs and fees (up to 5% of the requested amount).
- the cost of leasing facilities required to provide service at the broadband lending speed.
- acquisition, depending on the circumstances.

In addition to eligibility requirements listed above, applicants must also meet the following eligibility requirements:

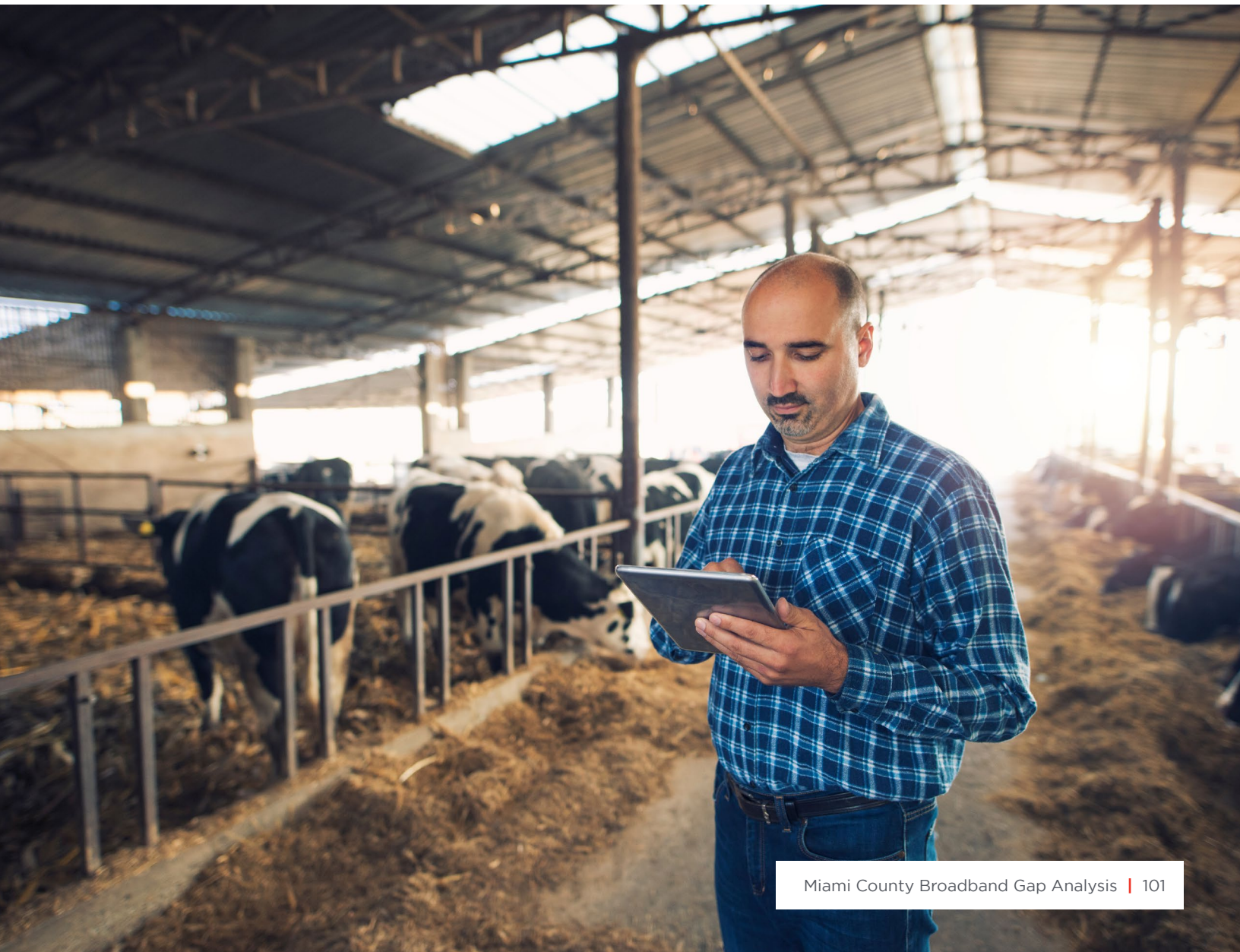
- A project must also be located in rural areas with a population of 20,000 or less ([map](#)).
- At least 15% of the households in the Proposed Funded Service Area do not have access to broadband service ([map](#)).
- No part of the Proposed Funded Service Area has three or more incumbent service providers.
- Non-duplicative of other borrowers or service areas funded by the RUS Telecommunications Program.

As a condition to financing, an applicant must demonstrate an equity contribution in an amount that is at least 10% of the requested loan amount at the of application submitted.

New application periods for the Rural Broadband Access Loan and Loan Guarantee Program are announced on a regular basis. However, due to the significant amount of grant funds available for broadband, **we do not recommend Miami County pursue such loans or loan guarantees at present.**

In addition to the application requirements listed above in the ReConnect Loan and Grant Program, the following requirements are also required for a complete application under this program:

- Complete copies of audited financial statements for the two years preceding the application submission.
- Scoring sheet, analyzing the scoring criteria set forth in the most recent NOFO.
- Additional items that may be required by the Administrator through a notice in the Federal Register.



## Rural Broadband Access Loan & Loan Guarantee

### What does this program do?

**This loan and loan guarantee program offers financial assistance to eligible applicants that will construct, improve, or acquire facilities and equipment needed to provide service at the broadband lending speed as defined in the most recent funding announcement in eligible rural areas.**

### Who may apply for this program?

**Eligible applicants that may be organized on a for-profit or nonprofit basis, include:**

- **Corporation**
- **Limited Liability Company (LLC)**
- **Cooperative or mutual organization**
- **A state or local unit of government**
- **Federally recognized Tribes**

#### **What is an eligible area?**

Eligible areas must be completely contained within a rural area or composed of multiple rural areas.

- At least 15 percent of the households in the proposed area must not have access to broadband service as defined in the most recent funding announcement
- No part of the proposed area may have three or more incumbent service providers
- No part of the proposed area may overlap with the service area of current RUS borrowers or grantees

#### **How may funds be used?**

This program provides funding for:

- The construction, improvement, and acquisition of facilities required to provide service at the broadband lending speed as defined in the latest funding announcement
- Refinancing of existing RUS debt with certain restrictions
- An acquisition, under certain circumstances and with restrictions
- For additional details, see [7 CFR 1738](#)

#### **What kind of funding is available?**

- **Direct loans:** Cost-of-Money Loans

#### **What are the loan terms?**

- In general Loan Terms are limited to the expected composite economic life of the assets to be financed plus 3 years
- Interest rates are set at the time funds are advanced

#### **How do we get started?**

- Application periods for this program are announced through the national office on a periodic basis
- Program Resources are available online at [rd.usda.gov](http://rd.usda.gov) (includes forms, guidance, certifications, etc.)

## TELECOMMUNICATIONS INFRASTRUCTURE LOANS & LOAN GUARANTEES<sup>xxxvii</sup>

The USDA Telecommunications Infrastructure Loans & Loan Guarantees program provides financing for the construction, maintenance, improvement, and expansion of telephone service and broadband in rural areas. Cost-of-money loans from RUS are available, as are hardship loans and loan guarantees of up to 80%, which allow private lenders to extend credit to qualified borrowers in rural areas.

The program funds the following eligible loan types:

- Cost-of-Money Loans in the form of direct loans from the USDA Rural Utilities Service,
- Loan Guarantees through the Federal Financing Bank (FFB), and
- Hardship Loans in the form of direct loans from the USDA Rural Utilities Service.

Eligible entities include state and local governments; federally recognized tribes; non-profits including cooperatives and limited dividend or mutual associations; and for-profit businesses that are corporations or limited liability companies. An eligible area for the Telecommunications Infrastructure Loans and Loan Guarantees is a rural area or town with 5,000 or less residents; an area without telecommunications facilities; or an area where the applicant is the recognized telecommunications provider.

Additional eligibility requirements include:

- borrowers must have legal authority to provide, construct, operate, and maintain the proposed facilities or services.
- all facilities financed with the aid of federal dollars must be used for a public purpose.
- recipients may not duplicate similar services available in the same area.

Partnerships with other federal, state, local, private, and non-profit entities are also encouraged.

Eligible uses of Telecommunications Infrastructure Loan and Loan Guarantee funds include improvements; expansions; construction; acquisitions, in certain cases; and refinancing, in certain cases.

Applications for the program are accepted year-round.<sup>xxxviii</sup> However, similar to the Rural Broadband Loan and Loan Guarantee Funds, due to the significant amount of grant funds available for broadband projects, **we do not recommend Miami County pursue such loans.**

### Application requirements:

- Completed RUS [Form 490](#)
- An Area Coverage Survey (“ACS”) specified in 7 CFR 1737.31 to determine the location, number, and telephone service requirements of subscribers in a service area;
- The Loan Design plan and associated costs for the proposed construction
- Various supplementary information specified in [7 CFR 1737.22](#):
- Names of attorney and manager, and certified copies of board resolutions selecting them
- Certified copy of articles of incorporation showing evidence of filing with the Secretary of State and in county records.

- Certified copies of bylaws and board minutes showing their adoption.
- Certified sample stock certificates.
- Amounts of common and preferred stock issued and outstanding.
- Names, addresses, business affiliations, and stockholdings of the manager, officers, directors, and other principal stockholders (those owning at least 20 percent of borrower’s voting stock).
- Certified copies of real estate deeds showing all recording information.
- Service agreements, such as for management or system maintenance.
- Certified copies of existing leases, except those for vehicles, furniture and office equipment, and computer equipment.
- Certified copies of existing franchises.
- Information on any franchises required as a result of the proposed loan project.
- FCC authorizations.
- For toll, operator office, traffic, and Emergency Alert System(“EAS”) agreements, the names of all parties to the agreement, the type of agreement, and the effective and termination dates of the agreement and annexes, and the exchanges involved.
- Copies of rate schedules. (A copy of the tariff must be available for review by the RUS field representative.)
- Executed copy of [RUS Form 291, “Certification of Nonsegregated Facilities”](#).
- A sketch or map showing the existing and proposed service areas.
- (A certification (which is included on RUS Form 490, “Application for Telephone Loan or Guarantee”) that the borrower has been informed of the collection options listed below that the Federal government may use to collect delinquent debt.
- A certification, signed by the president of the borrower, that the borrower is participating in the State’s telecommunications modernization plan.<sup>34</sup> This certification is not required if the borrower is seeking a guaranteed loan.
- The following must be submitted by borrowers seeking subsequent loans:
  - Certified financial statements for the last 3 years.
  - Toll settlement statements and related data.
  - Present exchange rates and any pending changes.
  - Environmental review documentation in accordance with 7 CFR part 1970.
  - A “Certification Regarding Lobbying” for loans, or a “Statement for Loan Guarantees and Loan Insurance” for loan guarantees, and when required, an executed Standard Form LLL, “Disclosure of Lobbying Activities.”<sup>35</sup>

<sup>34</sup> For additional information concerning the plan, see [7 CFR part 1751, subpart B](#).

<sup>35</sup> See section 319, Public Law 101-121, [31 U.S.C. 1352](#)



- Executed copy of Form AD-1047, “Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions.”
    - Borrower’s determination of loan maturity, including information noted in § 1735.43(a), as required, which states that approved RUS loans must be repaid with interest within a period that, rounded to the nearest whole year, equals the expected composite economic life of the facilities to be financed, as calculated by RUS.
  - In states in which the borrower must obtain state regulatory commission approval, approved depreciation rates for items under the regulatory authority’s jurisdiction.
  - A statement that the borrower is or is not delinquent on any Federal debt, such as income tax obligations or a loan or loan guarantee from another Federal agency. If delinquent, the reasons for the delinquency must be explained and RUS will take such explanation into consideration in deciding whether to approve the loan. RUS Form 490, “Application for Telephone Loan or Guarantee,” contains a section for providing the required statement and any appropriate explanation.
  - Any other supporting data required by the Administrator.
- For borrowers requesting funds for construction or refinancing, the following must be submitted:
    - Copies of all bonds, notes, mortgages, and contracts covering outstanding indebtedness proposed to be refinanced.
    - (2) For each note or bond, the name of the creditor, original amount of debt and amount as of last year-end, purpose of debt, dates incurred and due, interest rates, and repayment terms.
    - (3) Justification for refinancing and evidence that the underlying loan to be refinanced would have been eligible for RUS financing under the RE Act.
  - For all applications that request funding for retail broadband, the application must include:
    - The identity of the applicant
    - A project description
    - A map of the areas to be served including the identification of the associated census blocks
    - The amount and type of funding requested
    - The status of the application
    - The estimated number and proportion of households and businesses in the proposed funded service area without fixed retail broadband service, whether terrestrial or wireless, excluding mobile and satellite service.

## DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION

The U.S. Economic Development Administration (“EDA”), a bureau within the U.S. Department of Commerce, leads the federal economic development agenda by promoting innovation and competitiveness, and preparing American regions for growth and success in the global economy.<sup>xxxix</sup> EDA has multiple programs that can be utilized for broadband, which are further detailed below.

The following provides a complete list of documents required for a complete application based on the type of EDA assistance: construction, design, and engineering (without a construction component), non-construction, and Revolving Loan Fund (“RLF”).

- One [Form 424](#) (Application for Federal Assistance) from each co-applicant, as applicable.
- One Budget Narrative that clearly identifies and justifies how funds in each line item of the budget (Form SF-424A) will be used to support the proposed project.
- Documentation of Matching Share for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable. This should be attached to Form ED-900 (Section B.10.d of the form).
- One Form CD-511 (Certification Regarding Lobbying) from each co-applicant, as applicable.
- One Form SF-LLL (Disclosure of Lobbying Activities) from each co-applicant, as applicable.

Applications for construction assistance (including applications for design and engineering with construction activities) must include:

- One Form SF-424C (Budget Information—Construction Programs) per project.
- One Budget Narrative that clearly identifies and justifies how funds in each line item of the budget (Form SF-424C) will be used to support the proposed project. \*Please note: In lieu of a separate Budget Narrative, this information may be included in the Preliminary Engineering Report as required by Section C of the ED-900C.
- One Form SF-424D (Assurances—Construction Programs) from each co-applicant, as applicable.
- One Form ED-900 (General Application for EDA Programs). Applicants seeking ACC funding should note this information as a part of their response to Section B.1 of the form.
- One Form ED-900A (Additional EDA Assurances for Construction or Non-Construction Investments) from each co-applicant, as applicable.
- One Form ED-900B (Beneficiary Information Form) from each beneficiary of the proposed project, as applicable.
- One Form ED-900C (EDA Application Supplement for Construction Programs) and accompanying supporting documentation, e.g., Preliminary Engineering Report. Form ED-900C requires, among other things, a description of real property acquisition, which should include any past or proposed use of eminent domain.

- One Form ED-900E (Calculation of Estimated Relocation and Land Acquisition Expenses).
- One Environmental Narrative that will enable EDA to comply with its NEPA responsibilities. A narrative outline that details required components may be accessed in EDA's website at: [http://www.eda.gov/files/012\\_Environmental\\_Narrative\\_Template.zip](http://www.eda.gov/files/012_Environmental_Narrative_Template.zip). Page 21 of 45
- One Applicant's Certification Clause (see Appendix A to the environmental narrative noted above) completed separately and signed by each co-applicant, as applicable.
- Map of project site.

Applications for design and engineering assistance only (without a construction component) must include:

- One Form SF-424C (Budget Information—Construction Programs).
- One Form SF-424D (Assurances—Construction Programs) from each co-applicant, as applicable.
- One Form ED-900 (General Application for EDA Programs). Applicants seeking ACC funding should note this information as a part of their response to Section B.1 of the form.
- One Form ED-900A (Additional EDA Assurances for Construction or Non— Construction Investments) from each co-applicant, as applicable.
- One Form ED-900D (Requirements for Design and Engineering Assistance).
- An Environmental Narrative that will enable EDA to comply with its NEPA responsibilities. A narrative outline that details required components may be accessed in EDA's website at: [http://www.eda.gov/files/012\\_Environmental\\_Narrative\\_Template.zip](http://www.eda.gov/files/012_Environmental_Narrative_Template.zip).
- One Applicant's Certification Clause (see Appendix A to the Environmental Narrative noted above) completed separately and signed by each co-applicant, as applicable.

Applications for non-construction assistance must include:

- One Form SF-424A (Budget Information—Non-Construction Programs).
- One Form SF-424B (Assurances—Non-Construction Programs) from each co-applicant, as applicable, unless as part of the registration process for SAM each co-applicant has already completed the assurances for non-construction programs. In that case, each co-applicant must inform EDA that this was completed in SAM.
- One Form ED-900 (General Application for EDA Programs). Applicants seeking ACC funding should note this information as a part of their response to Section B.1 of the form. Page 23 of 45
- One Form ED-900A (Additional EDA Assurances for Construction or Non— Construction Investments) from each co-applicant, as applicable.

**Before applying for EDA funds, we recommend contacting the regional representative who represents Indiana:**

Ellen Heinz  
 230 South Dearborn Street, Suite 3280  
 Chicago, IL 60604-1512  
 P: 312-505-4953  
 E: [ehein@eda.gov](mailto:ehein@eda.gov)

Applications for RLF assistance must include:

- One Form SF-424A (Budget Information—Non-Construction Programs).
- One Form SF-424B (Assurances—Non-Construction Programs) from each co-applicant, as applicable, unless as part of the registration process for SAM each co-applicant has already completed the assurances for non-construction programs. In that case, each co-applicant must inform EDA that this was completed in SAM.
- One Form ED-900 (General Application for EDA Programs).
- One Form ED-900A (Additional EDA Assurances for Construction or Non— Construction Investments) from each co-applicant, as applicable.
- One Form ED-900F (Supplement for Revolving Loan Fund Applications).
- One Draft RLF plan that addresses all components required by EDA’s regulation at 13 C.F.R. § 307.9.

## **PUBLIC WORKS<sup>XL</sup>**

The EDA Public Works program helps revitalize, expand, and upgrade physical infrastructure in distressed communities to enable the community to attract new industry, encourage business expansion, diversify their economies, and generate jobs and investment. Program investments are attributed to a variety of projects, such as technology-based facilities that utilize distance learning networks, smart rooms, and smart buildings; multitenant manufacturing; business and industrial parks with fiber optic cable; and telecommunications and development facilities.

To be eligible for funding under the program, a project must demonstrate:

- alignment with at least one of the EDA’s investment priorities,
- the potential to increase the capacity of the community to promote job creation and private investment in the area,
- the likelihood that the project will achieve its anticipated outcomes, and
- financial and management capacity to successfully implement the proposed project.

There are no submission deadlines for the Public Works program. EDA will accept applications on an ongoing basis until the publication of a new Notice of Funding Opportunity, cancellation of the current NOFO, or all available funds have been expended. EDA intends to review applications within 60 days of receipt.

## ECONOMIC ADJUSTMENT ASSISTANCE<sup>xLi</sup>

The EDA Economic Adjustment Assistance (“EAA”) program provides technical, planning, public works, and infrastructure assistance to regions experiencing adverse economic impacts from a decline in manufacturing, changing trade patterns, natural disaster, environmental changes, and regulations, and more. The program provides state and local entities with either:

- strategy grants to support the development, updating, or refinement of a Comprehensive Economic Development Strategy (“CEDS”); or
- implementation grants to support the execution of activities identified in a CEDS.

Specific activities can be funded as separate investments or as multiple elements of a single investment. As the most flexible program within the EDA, the EAA uses the following criteria in determining grant recipients:

- ability to achieve the desired results,
- ability to quickly create jobs,
- extent to which the project would enable the region to become more prosperous,
- the relative economic distress of the region,
- the applicant’s performance under previous federal financial assistance awards, and
- the comparative feasibility of the applicant to achieve its intended outcomes.

As part of ARP, Congress also provided EDA approximately \$3 billion for economic development assistance programs to help communities “prevent, prepare for, and respond to coronavirus.”<sup>xliii</sup> Communities can use EDA ARP funding to construct public works and facilities that will support economic recovery, including the deployment of broadband for purposes including supporting telehealth and job skills remote learning. All political subdivisions are eligible to apply for EDA ARP funding regardless of per capita income or unemployment rate statistics. The performance period varies depending on the proposed project, but generally is 24 months.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”)

### Community Development Block Grants

The HUD Community Development Block Grant (“CDBG”) program provides annual grants on a formula basis to states, cities, and counties to develop housing and expand economic opportunities, primarily for low - and moderate-income people.<sup>xliiii</sup> Authorized under the Housing and Community Development Act of 1974, the CDBG program was designed to:

- empower communities to design and implement strategies tailored to their needs,
- emphasize consolidated planning to strengthen partnerships between government of all levels and the private sector, and
- provide technical assistance activities.

Eligible CDBG grantees include cities of Metropolitan Statistical Areas (MSAs); metropolitan cities with populations of 50,000+ people; qualified urban counties with populations of at least 200,000; and states and insular areas.

States also have the opportunity to administer CDBG funds for non-entitlement areas that do not receive CDBG funds directly from HUD. Non-entitlement areas are cities with populations of less than 50,000 (except cities that are designated principal cities of Metropolitan Statistical Areas), and counties with populations of less than 200,000.

CDBG funds can be used in the following eligible project categories:

- Economic Development,
- Homeownership Assistance,
- House Rehabilitation,
- Housing Acquisition,
- Land Acquisition to Support New Housing
- Microenterprise Programs,
- New Housing Construction or
- Public Facilities and Improvements

CDBG funds can be used for a variety of activities including, but not limited to:

- acquisition of real property,
- relocation and demolition,
- rehabilitation of residential and non-residential structures,
- construction of public facilities and improvements,
- public services,
- homeownership assistance,
- activities relating to energy conservation and renewable energy resources; and
- provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities.

CDBG funds may also be used to install wiring, fiber optic cables, and permanently affixed equipment such as receivers for areas to receive broadband/internet access.<sup>xliv</sup>

Within the CARES Act, Congress provided \$5 billion for the CDBG Program to go to states, metropolitan cities, urban counties, and insular areas. At least 70% of every grant must be expended for activities that benefit low- and moderate-income people by providing housing; a permanent job; a public service, including digital skills classes; or access to new or significantly improved infrastructure. The remaining 30% may be used to eliminate blighted conditions or address an urgent need for which the grantee has no other funding.

## Choice Neighborhoods

The HUD Choice Neighborhoods program helps communities transform neighborhoods by redeveloping severely distressed public and/or HUD assisted housing and catalyzing improvements in the neighborhood, property, housing, businesses, services, and schools.

The purpose of this grant program is to leverage public and private investment to support locally driven strategies that address struggling neighborhoods through a comprehensive approach for transformation. Eligible applicants include public housing authorities, local governments, tribal entities, and non-profits who hold a 501(c) status.

The Choice Neighborhoods program is focused on three core goals:

- 1. Housing:** Replace severely distressed public and assisted housing with high-quality mixed-income housing that is well-managed and responsive to the needs of the surrounding neighborhood;
- 2. People:** Improve outcomes of households living in the target housing related to employment and income, health, and children's education; and
- 3. Neighborhood:** Create the conditions necessary for public and private reinvestment in distressed neighborhoods to offer the kinds of amenities and assets, including safety, good schools, and commercial activity, that are important to families' choices about their community.

Eligible project activities within the *planning* category include:

- Performing comprehensive needs assessments to inform the development of the Transformation Plan,
- Performing comprehensive and integrated planning that addresses the challenges and gaps in services and assets identified through the needs assessments,
- Conducting technical planning studies concerning local development issues, priorities, or suggested approaches,
- Developing Transformation Plans, including governance strategy that will provide long-term accountability and secure commitments to collaborate long-term to ensure successful implementation,
- Conducting public hearings, meetings, websites, etc. for stakeholder involvement regarding the Transformation Plan,
- Data collection and analysis to track impacts and
- Conducting site visits, research or participating in community of practice.

Eligible project activities within the *action activities* category include:

### Program Point of Contact(s):

The Choice Neighborhoods Program Office can be contacted by email at: [choiceneighborhoods@hud.gov](mailto:choiceneighborhoods@hud.gov).

- Reclaiming and recycling vacant property into community gardens, pocket parks, farmers markets or land banking (with maintenance),
- Beautification, placemaking and community arts projects, such as creative signage to enhance neighborhood branding, murals and sculptures, specialty streetscaping or garden tool loan programs,
- Owner-occupied home or business façade improvement programs,
- Neighborhood broadband/Wi-Fi infrastructure and installation (service not eligible through the grant),
- Fresh food initiatives, such as farmers markets and mobile fresh food vendors and
- Gap financing for economic development projects that are ready for implementation.

Eligible Project Activities under the *implementation* category include:

- Construction, acquisition, or rehabilitation of public, assisted, and affordable housing (available to households earning 80 -120 percent of AMI) that incorporates sustainable design principles, including energy efficiency,
- Acquisition, demolition, or disposition of properties, including Federal Housing Administration-Real Estate Owned properties,
- Providing supportive supports for residents,
- Partnering with employers and for-profit and non-profit organizations to create jobs and job training opportunities,
- Relocation assistance under Section 8 of the United States Housing Act of 1937,
- Activities that promote sustainable neighborhoods and incorporate principles of sustainable design and development,
- Critical community improvements as define further below,
- Endowments,
- Conversion of vacant or foreclosed properties,
- Architectural and engineering work,
- Administrative costs and
- Legal fees.



The program also allows for up to 15% of funding to be utilized for Critical Community Improvements for the following activities:

- Financing for commercial and economic development projects,
- Neighborhood business façade improvement programs,
- Place-making projects,
- Neighborhood broadband,
- Revolving loan funds for business attraction and retention,
- Streetscape improvements above and beyond the locality's norm,
- Programs to improve housing in the neighborhood surrounding the target housing subject of this application and
- Acquisition of underutilized land for new parks, community gardens, community facilities or other uses approved by HUD.

The period of performance is 24 months for a planning grant, 42 months for a planning and action grant, and 72 months for an implementation grant.

**Application requirements:**

- Disclosure of Lobbying Activities
- HUD Applicant Recipient Disclosure Report
- Planning Grants Table of Contents
- Key Eligibility Data form
- Certification of Severe Physical Distress
- Leverage documentation cover sheet
- Choice Neighborhoods Planning Grant Application Certification
- Previous Participation Certification<sup>xlv</sup>
- Certification of Consistency with the Consolidated Plan<sup>xlvi</sup>
- Opportunity Zone Certification
- Promise Zone Certification Form (HUD Form 501533)<sup>xlvii</sup>, which is used by Federal agencies to document that an application or proposal should receive preference for certain federal programs

## DEPARTMENT OF TRANSPORTATION

### RAISE Grant

The Consolidated Appropriations Act of 2021 appropriated \$1 billion for the U.S. Department of Transportation (“US DOT”) to award for Rebuilding American Infrastructure with Sustainability and Equity (“RAISE”) Grants.<sup>xlviii</sup> The grants are capital investments that will have a substantial impact at the local or regional level.<sup>36</sup> The focus of this program is to fund critical improvements to local, state, and federal transportation infrastructure that result in good-paying jobs, improve safety, apply transformative technology, and explicitly address climate change and racial equity. Additionally, when awarding this money, DOT will not award more than \$30 million for eligible planning, preparation or design of eligible projects that don’t result in construction with FY 2021 RAISE funding, of which they will award a minimum of \$10 million to projects located in or directly benefiting areas of persistent poverty.<sup>37</sup>

The FY 2021 Appropriations Act states that RAISE grants may not be less than \$5 million unless located in a rural area, then it’s a \$1 million floor with a stipulation of grants not being greater than \$25 million.<sup>38</sup> A grant match of 20% is required as well. Additionally, a single state cannot be awarded more than 10% (\$100M) of the funds made available for RAISE grants and no more than 50% shall be awarded to rural and urban projects.<sup>39</sup> Funds will be available for obligation (starts when applicant and DOT enter into a written agreement) through September 30, 2024.<sup>40</sup> Further, all RAISE funds must be used by September 30, 2029 or they will no longer be available for the dedicated project.<sup>41</sup>

Eligible applicants for RAISE grants are local, state, tribal and U.S. territories, governments, including port authorities, transit agencies, metropolitan planning organizations, and other various state or local subdivisions.<sup>xlix</sup> Additionally, more than one state or jurisdiction can submit a joint application as long as an applicant is identified as the primary point of contact and primary recipient.<sup>l</sup>

Eligible projects for RAISE grants are surface transportation capital projects that include but are not limited to:

- highway, bridge, or other road projects eligible under title 23, United States Code,
- public transportation projects eligible under chapter 53 of title 49, United States Code,
- 11 passenger and freight rail transportation projects,
- port infrastructure investments,
- intermodal projects, and
- projects investing in surface transportation facilities located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government.<sup>42</sup>

#### Program Point of Contact(s):

The RAISE Grant Program Office can be contacted by email at: [BUILDgrants@dot.gov](mailto:BUILDgrants@dot.gov).

<sup>36</sup> Notice of Funding Opportunity for the Department of Transportation’s National Infrastructure Investments (i.e., the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program) under the Consolidated Appropriations Act, 2021. (April 13, 2021.). Retrieved from U.S. Department of Transportation: <https://www.transportation.gov/sites/dot.gov/files/2021-04/FY%202021%20RAISE%20grants%20NOFO%20%28Final%29.pdf>.

<sup>37</sup> Id.  
<sup>38</sup> Id.  
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<sup>42</sup> Id.

DOT will evaluate such projects on safety, environmental sustainability, quality of life, economic competitiveness, state of good pair, innovation, and partnership.<sup>43</sup> Additionally DOT will assess/ prioritize transportation projects that are coordinated with economic development, affordable housing, water and waste infrastructure, power and electric infrastructure, land use plans, and broadband.<sup>44</sup>

Out of the factors DOT will use to evaluate the project applications, innovation is of high importance as it deals with broadband. When assessing such projects, DOT will consider the extent to which the applicant uses innovative strategies including, innovative technologies, project delivery, or financing.<sup>45</sup> Within innovative technologies is the deployment of broadband and the installation of high-speed networks concurrent with the transportation project construction (i.e., dig-once implementations, as discussed in the Policy Analysis section of this Assessment).<sup>46</sup>

If an applicant is proposing to adopt innovative technology, the application should demonstrate the applicant’s capacity to implement those innovations and understanding of applicable Federal requirements, including permitting, approvals, exemptions, waivers, or other procedural actions, and the effects of those innovations on the project delivery timeline. Additionally, each applicant selected for RAISE grant funding must demonstrate effort to consider climate change and environmental justice impacts and improve racial equity and reduce barriers to opportunity.

Activities that are eligible under RAISE planning grants are the planning, preparation, or design of eligible capital projects.<sup>47</sup> In addition, activities related to multidisciplinary projects or regional planning may include:

- development of master, comprehensive, or corridor plans,
- planning activities related to the development of a multimodal freight corridor,
- development of port and regional port planning grants, including State-wide or multi-port planning within a single jurisdiction or region, and
- risk assessments and planning to identify weaknesses and address the transportation system’s ability to withstand probable occurrence or recurrence of an emergency or major disaster.<sup>48</sup> Under the NOFO, a project is designated as urban if located within an urbanized area with a population greater than 200,000 in the 2010 census; if a project is located outside an urbanized area with the same population standards, it is designated as a rural project.<sup>49</sup>

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43     Id.  
44     Id.  
45     Id.  
46     Id.  
47     Id.  
48     Id.  
49     Id.

Broadband deployment as a standalone project is not eligible, however, if the construction of transportation project will allow concurrent installation of high-speed broadband networks, the applicant should such activities and how they support the innovative selection criteria.<sup>ii</sup>

Additionally, areas of persistent poverty in any county that has consistently had greater than or equal to 20% of the population living in poverty during the preceding 30 years as measured by the 1990 and 2000 decennial census; any census tract with a poverty rate of at least 20%; or any territory of the U.S.<sup>iii</sup> Under the RAISE grants, there is no minimum grant size for planning projects relating to poverty areas and the secretary of DOT may increase the federal share of 80% to pay for certain costs.<sup>50</sup>

A proposed project may contain multiple components that may be carried out by other parties besides the applicant. Each applicant is limited to three applications.<sup>51</sup> Instructions for the submission, content and form of submission can be found at: [www.transportation.gov/RAISEgrants](http://www.transportation.gov/RAISEgrants). The project narrative should be clear and entail information necessary for DOT to determine the project satisfies the requirements set forth by DOT as well as provide a detailed statement of work, project schedule, budget, and include a table of contents including maps and project location.<sup>52</sup>

DOT recommends that the project narrative follow the basic outline below to address the program requirements and assist evaluators in locating relevant information:

- Project Description
- Project Location
- Grant Funds, Sources and Uses of all Project Funding
- Selection Criteria
- Environmental Risk Review
- Benefit Cost Analysis

DOT further recommends applications include the following sections:

- Project Description
- Project Location
- Grant Funds, Sources and Uses of Project Funds
- Selection Criteria
- Primary Selection Criteria
- Benefit Cost Analysis

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50 Id.  
51 Id.  
52 Id.

# DEPARTMENT OF HOMELAND SECURITY – FEDERAL EMERGENCY MANAGEMENT AGENCY

## Building Resilient Infrastructure and Communities

The Federal Emergency Management Agency (“FEMA”) Building Resilient Infrastructure and Communities (“BRIC”) program makes federal funds available to states, U.S territories, Indian tribal governments, and local communities for pre-disaster mitigation activities. Total funding available for the FY 2020 program was \$500 Million with a max award of \$600,000 for state allocation and \$50 Million for national competition. The fund requires a 25% grant match with a period of performance of 36 months. FEMA anticipates the applications for the next program cycle to be due by January 2022.

The guiding principles of the program are to:

- support state and local governments, tribes, and territories through capability- and capacity-building to enable them to identify mitigation actions and implement projects that reduce risks posed by natural hazards.
- encourage and enable innovation while allowing flexibility, consistency, and effectiveness.
- promote partnerships and enable high-impact investments to reduce risk from natural hazards with a focus on critical services and facilities, public infrastructure, public safety, public health, and communities.
- provide a significant opportunity to reduce future losses and minimize impacts on the Disaster Relief Fund.
- support the adoption and enforcement of building codes, standards, and policies that will protect the health, safety, and general welfare of the public, consider future conditions, and have long-lasting impacts on community risk reduction, including for critical services and facilities and for future disaster costs.

The program funds the following eligible project categories:

**Capacity and Capacity-Building (C&CB):** activities which enhance the current workforce to expand or improve the administration of mitigation assistance, building cost activities, partnerships, project scoping, mitigation planning and planning related activities, and other activities.

**Mitigation projects** are cost-effective projects designed to increase resilience and public safety; reduce injuries and loss of life; and reduce damage and destruction to property, critical services, facilities, and infrastructure.

**Management costs** are those associated with financial assistance to reimburse the Recipient and subrecipient for eligible and reasonable indirect costs, direct administrative costs, and other administrative expenses associated with a specific mitigation measure or project.

**Direct technical assistance** is assistance to build a community’s capacity and capability to improve its resiliency to natural hazards and to ensure stakeholders are capable of building and sustaining successful mitigation programs, submitting high-quality applications, and implementing new and innovative projects that reduce risk from a wide range of natural hazards.

### Program Point of Contact(s):

Indiana’s State Hazard Mitigation Officers (SHMO)  
Torrey Glover

Indiana Department of Homeland Security  
Indiana Government Center South  
302 West Washington Street, Room E-208A  
Indianapolis, Indiana 43204-2767  
317-234-6556  
tglover1@dhs.in.gov

Eligible applicants under the program include States, District of Columbia, U.S. territories, Indiana tribal governments. According to the Notice of Funding Opportunity, local governments, including cities, townships, counties, special district governments, and Indian tribal governments (including federally recognized tribes who choose to apply as sub-applicants) are considered sub-applicants and must submit sub-applications for financial assistance or letters of interest for non-financial Direct Technical Assistance to their state/territory/tribal Applicant agency.

In addition to eligibility requirements listed above, applicants must meet the following eligibility requirements:

- Sub-applicants are required to have a FEMA-approved Local or Tribal Hazard Mitigation Plan in accordance with 44 CFR Part 201 by the Application deadline and at the time of obligation of grant funds for mitigation projects and C&CB activities (with the exception of mitigation planning).
- States and territories that have had a major disaster declaration under the Stafford Act in the 7 years prior to the annual Application period start date are eligible to apply to FEMA for federal assistance under BRIC (Applicants). As a result of numerous major disaster declarations, all states, territories, and the District of Columbia were eligible to apply in FY2020.

Mitigation projects must be cost-effective and designed to increase resilience and reduce risk of injuries, loss of life, and damage and destruction of property, including critical services and facilities. This means the project, as documented by the Applicant, achieves the following goals:

- Addresses a problem that has been repetitive or poses a risk to public health and safety and improved property if left unresolved;
- Satisfies applicable cost-effectiveness requirements through completion of a Benefits-to-Cost Analysis (BCA) conducted in compliance with OMB Circular A-94 as discussed in Section A.10, Performance Metrics;
- Contributes, to the extent practicable, to a long-term solution to the problem it is intended to address; and
- Accounts for long-term changes to the areas and entities it protects and has manageable future maintenance and modification requirements.

### Application requirements:

- Application for Federal Assistance
- Grants.gov Lobbying Form
- SF-424A, Budget Information (Non-Construction)
  - Construction - SF-424C
- SF-424B, Standard Assurances (Non-Construction)
  - Construction - in addition to or instead of SF-424B
- SF-LLL, Disclosure of Lobbying Activities
- Indirect Cost Agreement or Proposal

### Additional requirements based on program type include:

- Non-financial Direct Technical Assistance Letter of Interest
- Management Costs
- Benefit-Cost Analysis for Mitigation Projects
- Go/No-Go Milestones
- National Environmental Policy Act Requirements for Mitigation Projects
- Acquisition Project Requirements for subrecipients



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