



## Ohio Revised Code Section 122.4020 Application requirements.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) An application for a program grant under the Ohio residential broadband expansion grant program shall include, at a minimum, the following information for an eligible project:

(1) The location and description of the project, including:

(a) The residential addresses in the unserved or tier one areas where tier two broadband service will be available following completion of the project;

(b) A notarized letter of intent that the broadband provider will provide access to tier two broadband service to all of the residential addresses listed in the project;

(c) A notarized letter of intent by the broadband provider that none of the funds provided by the program grant will be used to extend or deploy facilities to any residential addresses other than those in the unserved or tier one areas that are part of the project.

(2) The amount of the broadband funding gap and the amount of state funds requested;

(3) The amount of any financial or in-kind contributions to be used towards the broadband funding gap and identification of the contribution sources, which may include, but are not limited to, any combination of the following:

(a) Funds that the broadband provider is willing to contribute to the broadband funding gap;

(b) Funds received or approved under any other federal or state government grant or loan program;

(c) General revenue funds of a municipal corporation, township, or county comprising the area of the eligible project;



- (d) Other discretionary funds of the municipal corporation, township, or county comprising the area of the eligible project;
- (e) Any alternate payment terms that the broadband provider and any legislative authority in which the project is located have negotiated and agreed to pursuant to section 122.4025 of the Revised Code;
- (f) Contributions or grants from individuals, organizations, or companies;
- (g) Property tax assessments made by the municipal corporation under Chapter 727. of the Revised Code, township under section 505.881 of the Revised Code, or county under section 303.251 of the Revised Code.
- (4) The source and amount of any financial or in-kind contributions received or approved for any part of the overall eligible project cost, but not applied to the broadband funding gap;
- (5) A description of, or documentation demonstrating, the broadband provider's managerial and technical expertise and experience with broadband service projects;
- (6) Whether the broadband provider plans to use wired, wireless, or satellite technology to complete the project;
- (7) A description of the scalability of the project;
- (8) The megabit-per-second broadband download and upload speeds planned for the project;
- (9) A description of the broadband provider's customer service capabilities, including any locally based call centers or customer service offices;
- (10) A copy of the broadband provider's general customer service policies, including any policy to credit customers for service outages or the provider's failure to keep scheduled appointments for service;



- (11) The length of time that the broadband provider has been operating in the state;
  - (12) Proof that the broadband provider has the financial stability to complete the project;
  - (13) A projected construction timetable, including the anticipated date of the provision of tier two broadband service access within the project;
  - (14) A description of anticipated or preliminary government authorizations, permits, and other approvals required in connection with the project, and an estimated timetable for the acquisition of such approvals;
  - (15) A notification from the broadband provider informing the department of development of any information contained in the application, or within related documents submitted with it, that the provider considers proprietary or a trade secret;
  - (16) A notarized statement that the broadband provider accepts the condition that noncompliance with Ohio residential broadband expansion grant program requirements may require the provider to refund all or part of any program grant the provider receives;
  - (17) A brief description of any arrangements, including any subleases of infrastructure or joint ownership arrangements that the broadband provider that submitted the application has entered into, or plans to enter into, with another broadband provider, an electric cooperative, or an electric distribution utility, to enable the offering of tier two broadband service under the project;
  - (18) Other relevant information that the department determines is necessary and prescribes by rule;
  - (19) Any other information the broadband provider considers necessary.
- (B) To meet the requirement to provide proof of financial responsibility in the application, the broadband provider may submit publicly available financial statements with its application.