



## Ohio Revised Code

### Section 122.4041 Weighted scoring system priorities.

Effective: May 17, 2021

Legislation: House Bill 2 - 134th General Assembly

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(A) The scoring system established under section 122.4040 of the Revised Code shall prioritize applications, from highest to lowest weight, in the following order:

(1) Eligible projects for unserved areas, rather than tier one areas;

(2) Eligible projects located within distressed areas as defined under section 122.19 of the Revised Code;

(3) Eligible projects that are receiving or have been approved to receive any financial or in-kind contributions towards the broadband funding gap identified in the application under division (A)(3) of section 122.4020 of the Revised Code, including the amounts and proportions of the contributions;

(4) Eligible projects for which the proposed construction will utilize state rights-of-way or otherwise require attachment to, or use of, public facilities or conduit to provide tier two broadband service to an eligible project;

(5) Eligible projects based on proposed upstream and downstream speeds and the scalability of the tier two broadband service infrastructure proposed to be deployed to speeds higher than twenty-five megabits per second downstream and three megabits per second upstream;

(6) Eligible projects based on each of the following, in equal measure, without favoring one broadband provider over another:

(a) Demonstrated support, supported by evidence, for community and economic development efforts in, or adjacent to, the projects, including the provision of tier two broadband service to commercial and nonresidential entities as a result of, but not funded directly by, the program;



- (b) The broadband provider's experience, technical ability, and financial capability in successfully deploying and providing tier two broadband service;
  - (c) The length of time the broadband provider has been providing tier two broadband service in the state;
  - (d) The extent to which funding is necessary to deploy tier two broadband service infrastructure in an economically feasible manner to the eligible project;
  - (e) The ability of the broadband provider to leverage nearby or adjacent tier one or tier two broadband service infrastructure to facilitate the proposed deployment and provision of tier two broadband service to the eligible project;
  - (f) If existing tier one or tier two broadband service infrastructure exists in the area of the eligible project, the extent to which the project utilizes or upgrades the existing tier one or tier two infrastructure, rather than duplicates it;
  - (g) The eligible projects' location within Ohio opportunity zones as defined under division (A)(2) of section 122.84 of the Revised Code.
- (B) The development services agency may include in the weighted scoring system any other factors it determines to be reasonable, appropriate, and consistent with the purpose of facilitating the economic deployment of tier two broadband service to unserved or tier one areas. The factors included under this division shall be considered after the weighted factors described in division (A) of this section.