

TOWN OF LIBERTY GROVE PUBLIC MEETING

Technology Committee *via Zoom*

Date: Monday, February 7, 2022

Time: 5:00 pm

Place: Liberty Grove Town Hall, 11161 Old Stage Road *Via Zoom

Agenda:

1. Call to order
2. Roll call
3. Approve Agenda
4. Approve Minutes: 12/6/2021
5. Public input
6. Status reports:
 - a. 2021 Business Continuity Project
 - b. County plans for \$5,000,000 ARPA funds
7. Town-wide Broadband and Timeline
8. Review of IT Committee Mission Statement
9. 2023 PSC Grant
10. Future meeting
11. Adjourn

****All agenda items will include discussion and possible action. Deviation from listed order may occur****

****Audience members must ask for permission, during public input, to speak on agenda items ****

Anastasia Bell, Clerk/Treasurer

Members of the Town Board or any other Town Committee, who are not members of the body whose meeting agenda is published in this notice, are entitled, as any other citizen of the Town of Liberty Grove, to attend this meeting in an unofficial capacity. It is possible the attendance of one or more non-members may create a quorum of the membership of another body. Such a quorum is unintended, and the non-members are not meeting for the purpose of exercising the powers or duties attendant upon their membership on any Town Committee or Board.

Town of Liberty Grove is inviting you to a scheduled Zoom meeting (teleconferencing). Join Zoom Meeting:

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Meeting ID: 821 0019 1450

Passcode: 837644

If the link doesn't work, go to <https://zoom.us/>, click the "Join a meeting" button and enter the meeting ID and Password when prompted.

To find your local number visit <https://zoom.us/u/atMFqvZKe>. To join the meeting by telephone dial one of the numbers below based on your location.

(312) 626-6799 US (Chicago)

(646) 558-8656 US (New York)

(253) 215-8782 US (Tacoma)

(301) 715-8592 US (Germantown)

(346) 248-7799 US (Houston)

(669) 900-9128 US (San Jose)

Town of Liberty Grove
Minutes of the Technology Committee meeting on December 6, 2021
(This meeting was posted correctly)

Agenda:

1. Call to order
2. Roll call
3. Approve Agenda
4. Approve Minutes: 11/1/2021
5. Public input
6. Status Reports:
 - a. EV charger installation at the Community Center
 - b. 2021 Business Continuity Project
 - c. 2022 PSC Grant Project
 - d. DCEDC Broadband Engineering Study
7. Presentation by Kurt Kiefer on Baileys Harbor Broadband efforts
8. Joining Baileys Harbor for Broadband Efforts
 - a. Finley Study Extension
 - b. Liberty Grove Community Broadband interest survey
9. 2023 PSC Grant Application and Funding
10. Remaining 2021 Technology Budget Funds
11. Future meeting
12. Adjourn

Chair David Studebaker called the meeting to order at 4:02pm. Committee members Cathy Ward, and Les Keepper were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell and 4 members of the public via Zoom. Committee member Dan Watts was absent.

Ward moved, Keepper second to approve the agenda as posted. Passed 3-0.

Studebaker moved, Ward second to approve the 11/1/2021 minutes as presented. Passed 3-0.

Public Input – None.

EV Charger – Kalms reported that the electrical work is scheduled for this spring.

Business Continuity Project – Keepper reported that the inventory is complete.

2022 PSC Grant Project – Studebaker reported the kick off meeting was held with Nsight. They are expected to complete the project in one construction season once the current line and pole placements concerns are resolved. At this time, overhead versus underground installation will be determined by the engineers, and customers will not have a choice.

DCEDC Broadband Study – Studebaker reported that the report was provided. A new committee is being formed for the next phase which is implementation. Committee member John Downch connected to the meeting.

Baileys Harbor Broadband Efforts – Kurt Kiefer, of Baileys Harbor, indicated that the Finley study provides the necessary cohesive data. The results confirm fiber is the only solution from a technology standpoint and this has become an infrastructure issue. Baileys Harbor is hoping to find federal and/or state funding options for 40% - 60% of the installation estimated to cost \$65,000 per mile.

Finley Study Extension – Kifer reported that Baileys Harbor is considering spending \$6,000 to have Finley determine the fiber engineering. Liberty Grove would need to contact Finley for an estimate.

Town Broadband Interest Survey – Kifer reported that Baileys Harbor used the Town subscriber list, the Community Association mailing list, and the survey is available on their website.

2023 Grant Application and Funding – Studebaker reported that Nsight has not committed to a future grant project at this time. It was the consensus that funding could be sought for the entire project and grants could then be applied for to expenses as they occur whereas applying for grants at the beginning is making very little progress. **Keeper moved, Studebaker second** to recommend the Town Board seek funding to provide broadband fiber to the entire Town of Liberty Grove. The motion was amended to include a cost not to exceed 12 million. Roll call vote on the amended motion with Ward, Keepper, Studebaker, and Dwonch voting aye, no nays. Passed 4-0.

2021 Technology Budget – Bell reported on the amounts for operating budget, capital, and encumbered projects.

The next Technology Committee meeting will be Monday, February 7, 2022 at 5:00pm.

Ward moved, Dwonch second to adjourn at 6:07pm. Passed 4-0.

Respectfully Submitted,
Anastasia Bell, Clerk/Treasurer

Project Relation to ARPA Rules

Project would qualify under the Broadband expenses and under the lost revenue.

Project Budget

Sources

2022 ARA Funds	152,500
2023 ARA Funds	222,500
2024 ARA Funds	625,000
Total Sources	1,000,000

Uses

2022 Program Expenses	
FT Coordinator	112,000
Start Up	10,000
Professional Development and Training	3,000
Programming / Grants	27,500
2023 Program Expenses	
FT Coordinator	114,500
Operations	5,000
Professional Development and Training	3,000
Grants	100,000
2024 Program Expenses	
FT Coordinator	117,000
Operations	5,000
Professional Development and Training	3,000
Grants / Network Buildout	500,000
Total Uses	1,000,000

County considering child care, housing, addiction treatment for \$5.3 million in federal funding

by [Andrew Phillips](#) January 18, 2022

Part one of a series on how Door County's use of \$5.3 million in federal funding could affect social and economic issues in the community.

The Door County government is considering projects to bolster child care, help fund the construction of new affordable housing and create a new long-term addiction recovery center as part of its use of the more than \$5.3 million the county will receive through the federal American Rescue Plan. Also on the county's list of proposals for the funding are efforts to kick-start a new county-wide broadband internet initiative, fund new groundwater testing and invasive species control, and provide training and new address signs county-wide for emergency services.

The County Board's finance committee on Monday reviewed [the proposals](#) and forwarded them on to the full County Board. The County Board will begin considering them at its Jan. 25 meeting.

The county will receive \$5,374,185 under the 2021 law, which contains elements intended to stimulate faster economic growth over the long term. That funding will be delivered in two payments, and the county already has received the first payment, county administrator Ken Pabich said at a Jan. 12 public hearing about the funding.

The money must be used for costs incurred since March 3, 2021, Pabich said. It must be obligated by the end of 2024 and must be spent by the end of 2026.

The county's proposals for the funding include:

Initiatives to improve child care options in Door County, including by bolstering home-based child care providers and funding a new coordinator position at United Way of Door County to oversee child care efforts. The proposal is designed to complement the projects funded by the [\\$3.5 million state grant](#) that United Way was awarded last month. The coordinator position also would oversee the implementation of that grant. (Total cost: \$438,500)

- The purchase of a building to house a new sober living facility, which would be operated by an outside firm and would provide long-term treatment for people recovering from addiction. Door County residents who need treatment for addiction currently receive it outside the county, county Health and Human Services director Joe Krebsbach said at the finance committee meeting Monday. The county has seen increases in residents struggling with heroin and meth addiction in recent years, Krebsbach said. (Total cost: Estimated at \$575,000)
- Efforts to significantly increase the county's supply of affordable housing, including by providing funding for a new revolving loan fund for affordable housing construction and a planned 45-unit affordable housing development in Sister Bay. Both projects already have secured additional funding or tax credits. (Total cost: \$500,000 for the revolving loan fund; \$500,000 for the Sister Bay development)
- Creating a county broadband coordinator position and providing community grants to begin expanding broadband internet access county-wide. These efforts would be among the first steps toward implementing a plan for county-wide broadband access laid out in [a 2021 report](#) commissioned by the Door County Economic Development Corporation. (Total cost: \$1 million)
- New training and new address signs county-wide for emergency services. This would include sponsoring the education of four EMTs, two advanced EMTs, and two paramedics per year for three years. Students would have to commit to work for the county Emergency Services department for a set length of time. It also would

include the installation of new, two-sided blue address signs placed perpendicular to the road throughout the county, replacing all existing green, single-sided address signs. (Total cost: \$72,000 for the training program; an estimated \$800,000–\$1 million for the address signs)

- Efforts to expand groundwater testing and invasive species control. This would include a preliminary screening of about 20 private wells for what the county refers to as “emerging” contaminants on which little to no data exists. It also would include controlling 120 acres of non-native Phragmites, which the county describes as a priority invasive species. (Total cost: \$280,500 for groundwater testing; \$204,500 for invasive species control)

At the public hearing last week, representatives from three nonprofits — Advocates In-Home Care, Do Good of Door County, and Help of Door County — also requested assistance through the county’s American Rescue Plan funding. Pabich said the county could establish a process for those and other nonprofits to apply for funding.

The federal funding could provide solutions to long-standing issues in the county, County Board vice chair Susan Kohout said at the public hearing. Kohout is a member of the finance committee. “It isn’t very often that the county has money like this,” Kohout said. “It’s kind of a once-in-a-generation or maybe once-in-a-lifetime opportunity to address some of these things that have been problems for a long, long time.”

To read more details about the proposals, [click here](#). The proposals start on page 18 of the document.

The Door County Board of Supervisors is scheduled to meet at 10 a.m. on Tuesday, Jan. 25 and will begin reviewing these proposals.

Door County must implement fiber based broadband to all homes and businesses NOW

Summary:

In order to survive and thrive as an economically viable place, Door County must implement utility quality, high speed, affordable fiber optic broadband service throughout the County. The time for us to act is NOW! Would you live here without electricity?

The list of benefits of offering high quality, high speed and affordable broadband to residents, businesses and visitors is almost endless.

While each municipality is responsible for controlling their own destiny, including funding, the County is responsible for overall coordination and assistance with the tasks that affect all the local efforts.

Door County is already feeling the effects of the poor broadband service available in much of the County. Many younger visitors aren't as excited to come here as they used to be. That includes families with children. Property values suffer when they don't have adequate broadband service. Businesses can't operate here when they don't have adequate broadband service. Residents, visitors and businesses already have difficulty accessing services and information they need to fully enjoy being in Door County.

If we don't act to implement high quality, high speed and affordable fiber optic broadband service throughout the County very soon, Door County will slowly but surely become a less desirable place to live, work, visit or have a business.

As a result of the massive federal broadband implementation funding programs arriving, we have a once in a lifetime opportunity. NOW is the time for our County to act.

Door County must implement fiber based broadband to all homes and businesses NOW

The following describes the importance and value of providing 100% of the homes and businesses in Door County with direct access to a fiber optic broadband connection i.e. Fiber To The Premises – FTTP (or to the Home – FTTH).

There are many ways that high speed, high quality, affordable broadband provided to all homes and businesses will benefit our County. Some examples:

- Telehealth; Mayo Clinic is now promoting Telehealth services to provide easier, more frequent access to consultation and treatments. Telehealth lowers the cost of providing service. Door County Medical Center is ready to provide more Telehealth services here, but has been constrained by the poor broadband access in most of the County. Talk to the DCMC CEO for more information.
- Work from home; this applies not only to current residents but to those workers (some with families) who would love to move here and work from home. During the pandemic this has not just been a preferred option for many; it has been a requirement
- Attract young families to move here. Younger folks don't just want good broadband, their lifestyles demand it
- Access to remote education of all levels, K-12 school, college, graduate and professional degree education; supporting two or more simultaneous connections within a home requires a high speed, high volume broadband connection
- Shopping – every one of us now shop online!
- Allows our local small businesses to better serve customers, to sell online for local pickup or delivery (keeping the revenue here), to be incubated from rural homesteads, to process credit cards during the busy season
- Allows businesses to be located off the main highway in more affordable locales. During the pandemic, many of our small businesses have survived by going on-line. Without good internet, they are at a significant disadvantage. Supporting business off the beaten path will also help to encourage visitors go off the beaten path. As a local official recently said, "Internet access has become as important as road access."
- Video conferencing now includes attending government meetings, church and social groups in addition to informal gatherings and family visits. People now expect to share in their community via virtual meeting attendance. What was special before the pandemic has become normal and required.
- Entertainment, including streaming. Streaming requires a connection that handles high data volumes. Two connections in a home doing streaming or games begs for a fiber connection, Instances would include an adult streaming and a student at class, someone watching a movie or sporting event and another person attending a meeting or playing a game, or two students.
- Better access to online social media, required by families, singles and older folks too
- Support for smart home technology including security cameras, locks, thermostats, etc. This is very important to seasonal home owners.
- Improved real estate prices; homes without adequate broadband suffer reduced prices or even lack of buyer interest. The same is true for both short and long term rental properties without adequate broadband.

- Visitors who are younger and those with families are discouraged from coming if they cannot access high speed broadband like they have at home. Even on vacation they want to check in at work, visit with distant friends and family, check in at home, access local site and activity information online, make reservations, access streaming entertainment, play video games
- Real time access by all of us to weather, news, traffic information
- Allows multiple simultaneous users in the same household or business site
- Many of the above capabilities (such as telehealth, education, social media, entertainment, security, shopping, conferencing and others) support aging in place, increasing the quality of life for our older population. The ability to age in place allows people to live longer, happier and at lower cost in their own homes, with less drain on public resources.
- Supports precision agriculture farming where equipment in the field is directly connected to broadband for real time information exchange
- Supports farmer access to markets (local, regional, national and global), to agricultural information for all types of ag business, to county and university ag experts
- Supports doing business or academic research online
- Allows large data transfers to store backups of critical data “in the cloud” and retrieve large sets of data from businesses, academics, government or cloud storage
- Supports sending and receiving high volume data such as large statistics files, high resolution graphic, high resolution sound files (these tasks require high upload speeds, matching the requirements for high download speeds)
- Universal availability of affordable, high quality broadband is a critical component of addressing affordable housing. Even those on the most limited incomes need good broadband access, just like they need access to electricity.

Door County suffers from the classic digital divide. One-third of the County can access Spectrum cable and relatively high speed broadband (if they can afford it). The other two-thirds of Door County have poor or no access to useful and affordable broadband. The inequalities and lack of access is exacerbating the economic divide in Door County. Many of the people who are served by Spectrum are unhappy with what they have. They feel they are overcharged and poorly serviced – ask the subscribers (also see the survey done by Finley).

The speeds Spectrum provides (200 or 300 Megabit per second down, much much slower up) are easily surpassed by what a fiber network can provide. The upper speed limits of fiber broadband have yet to be discovered by scientists, but 50 gigabit synchronous (same speed down and up) networks are under development in industrial labs today. Even in research labs, cable maxes out at about 1 gigabit down and a fraction of that up.

In his online presentation on Jan. 26, 2022, the administrator of the USDA Rural Utility Service referred to fiber broadband as the “future proof” solution. When technology advances and a fiber network is upgraded, only the relatively low cost electronic components at the ends of the fiber need to be updated. The fiber itself, the part that requires the major investment to install, does not need to change. Copper based cable upgrade capabilities are very limited and costly compared to fiber upgrades.

We are finally on the verge of making some significant progress toward fiber in Door County. Washington Island Electric Coop is in the midst of a project to install fiber optic connections to

every home and business on the island. They are working with Nsight Teleservices. Liberty Grove, also partnering with Nsight, was just approved for a PSC grant for a \$600,000+ pilot project to start installing fiber services. Baileys Harbor is moving ahead with the initial engineering design effort with Nsight for fiber optic infrastructure throughout their Town. Other Towns are in the early stages of exploring an Nsight relationship.

Nsight Teleservices, the parent company of Cellcom, is a local company, headquartered in Green Bay, founded in 1910. Brigid Riordan, the current CEO, is the fourth generation of the Riordan family to head up the company. Nsight currently offers broadband services in several areas surrounding Green Bay, utilizing both fixed wireless and, more recently, fiber optic based service. Their project completed in 2021 was a full FTTP build-out in the Village of Luxemburg in Kewaunee County. Nsight has been an excellent partner in local broadband efforts. They deliver on their promises and, when it's required, go the extra to do so.

Efforts that are in the beginning stages and those that follow should be coordinated at the County level. It is important to help the local municipalities understand and experience the benefits of working cooperatively with each other. County coordination can help:

- ensure the various projects maximize the overall effective use of available resources, not duplicating efforts, not creating design conflicts between project segments and not leaving necessary items unaddressed
- ensure all the efforts are designed and developed consistent with the recommendations provided by Finley in the DCEDC initiated study
- ensure communications between the DC municipalities regarding broadband implementation efforts are reliable and complete
- maximize our opportunities for access to and use of various government funding sources – in some cases, a single funding may involve multiple DC municipalities along with a private partner or partners
- coordinate construction work
- identify and resolve common issues that arise relating to things such as right of ways, utility pole access, underground and aerial installations, interactions with State agencies, interactions with higher level management within Wisconsin Electric
- make sure the final total County broadband network has sufficient capacity at the beginning as well as being expandable in the long term to support the predicted high data volume growth needs of the next few decades
- make sure the final County network has a coherent design, will operate efficiently and can attract a desirable Internet Services Provider (ISP) partner (or cooperating partners) to operate the end result

The County can assist right now by helping fund the initial design work in individual municipalities. The County can help access federal & state funds for construction. The County can help by working with the State and with utility companies to facilitate our projects and reduce costs. Other areas where the County can be of service to the local projects will arise.

We must use Finley's report as the basis for proceeding to implement a County-wide broadband network, with the ultimate goal of every home and business in Door County having access to high speed, high quality, affordable broadband services based on a fiber optic platform. This goal

is critical to the future economic health of Door County and to many quality of life issues. Issues like those listed above - education, work from home, age in place, remote health services delivery, precision agriculture and on and on. There are many other ways adequate broadband can affect our lives nowadays. Especially if it is made universally available like telephone and electric service. Ask the people living in your District. Ask the small businesses in your District. Ask your local real estate salespeople and rental property owners. Talk to people in your District who would like to start a business but cannot access that necessary utility service – broadband.

Right now we have a once in a lifetime opportunity. It can affect life like rural electrification and rural telephone service did. A high quality, high speed, affordable broadband service implementation will benefit every segment of our local economy; every resident, every business, every visitor. Major funding opportunities are now coming from federal and state agencies. The Finley study will help us document our needs. We also have to show how we will address those needs. That should be done via detailed engineering implementation design studies done for each of our municipalities. Baileys Harbor and Liberty Grove are already in discussion with Nsight to do exactly that.

This is up to us. If we don't do it, it won't happen. Concrete action must start with the County Board and the Town and Village Boards – now! We must show that we are committed to make this happen. Our willingness and our commitment for our local municipalities to provide the funds necessary to make this happen are critical. We must convince those in control of state and federal funds that we deserve their help, whether that comes in the form of grants or low cost, long term loans.

If we let this opportunity pass Door County by, there will never be another chance like this in our lifetimes to have such a major, positive, life changing effect on our County and its people.

For the Liberty Grove Town Board meeting on Wed. Feb 2

1. **Action recommended:** Revoke the commitment to spend up to \$6,500 to have Finley Engineering extend their DCEDC study to provide more detail about Liberty Grove. When the effort was discussed with Nsight Teleservices, Nsight stated that Finley's additional information would not add meaningful information to what Nsight would have to do themselves in putting together a full-fledged project engineering design effort. Nsight said this would essentially be a wasted expenditure. After a discussion between Finley and Nsight, Finley agreed.
2. **Action options:**
 - a. Do nothing further now. Result: little or no progress until 2023.
 - b. Approve a detailed project design for Liberty Grove by Nsight. A rough estimate by Nsight for the cost of a buildout in Liberty Grove is \$55,000 to \$60,000 per mile of road. A more exact figure requires completion of the detailed engineering design effort. That effort will cost about \$150,000. It could be done this year if you approve proceeding. It will provide a detailed plan for a full fiber build-out of Liberty Grove including an accurate cost estimate. Two or three weeks ago the Baileys Harbor Town Board approved that same design work be done for their Town.
 - c. Extend the current Northport project west to include some or all of the Gills Rock area. Depending on the specific area covered, the total cost would likely be \$1 million to \$1.5 million. This project could be wholly funded by Liberty Grove or we could apply for a PSC grant for up to 60% of the project cost. Grant applications are due by March 17. Because these grants are funded by state bonding, they include a lien on the assets until the bonds are paid off.
 - d. Following having the build-out design (b above), proceed directly with a full Town-wide buildout

Option b is required at some point. Doing it now moves us ahead more quickly. Option b can be done in combination with option c or d.

Notes: The Baileys Harbor Broadband Committee is currently negotiating for Nsight to become their ISP. An equivalent agreement will be needed for Liberty Grove and Nsight as part of the current Northport project.

The PSC has said they will not approve grant funding for a design project.

The Door County's current proposed budget for broadband project support for 2022 for the County is a total of \$27,500 which means the County has very little funds allocated to such work.

Re the necessary/probable sequence of events:

- 1) Before our current PSC Grant funded project can go forward, we will have to conclude an ISP agreement with Nsight to cover those 44 homes and 1 business. I hope we can use the same agreement format currently being worked on by Baileys Harbor's Broadband Committee and Nsight.
- 2) We have to decide ASAP if we want to submit a grant application for the March 17 deadline. Otherwise there won't be time for Nsight to put the application together. Although I hate to look at it this way, our risk of saying "Let's go for it" is very low.
 - a. We can start on the application, then decide not to submit it.
 - b. If we submit it, we might not win.
 - c. If we win and then decide to back out, as long as we don't take any money, we can just withdraw.
 - d. If we win and want to proceed, we have to come up with the stated matching funds. To have a shot at winning, we have to commit to 40% in matching funds; more is better.
- 3) Before we can actually do any new work in the field, we will have to have detailed design engineering done on whatever area that new work covers.
- 4) We can submit a new grant application before having the detailed design work done. Nsight will make a smart guess at the cost – but there is some risk to that if the guess is very far off (low) as the grantee (Liberty Grove) has to swallow the cost over the grant estimate.
- 5) If we want to do work beyond our current grant project done in 2022, we must have detailed design done on the area where the work will be done. Even if we think we may only want to commit to another 100 or 200 premises across the Gill Rock area, I don't think we should just do the design work for the whole town, i.e. the whole \$150,000 worth, i.e. not piecemeal it.
- 6) During the detailed design process or at its completion will be the time to decide whether we are going to proceed in stages or the whole shebang. Possible reasons for going in stages:
 - a. The effort to do the whole Town is too big to get it done in one construction season (almost certain).
 - b. There aren't the resources (materials, manpower, other) available to do the job in one construction season (almost certain). The longer we wait to decide what we're doing, the more likely this will be a problem because available resources will be committed to others.
- 7) If we don't want to worry about the next PSC grant (March 17 deadline), we should focus on the detailed design issue. This may be the smart path – go with the idea of financing the whole thing on our own, do the design and then work on the financing with the data available from the having done the detailed design. Later this year the Federal Infrastructure \$ will start to flow. If we have our design in hand and our ISP agreement with Nsight in place, we will be "shovel ready" to apply for the big bucks to cover 40% to 60% of our project. I'm speculating but it's the same planning approach I'm seeing others do. This logic does not preclude applying in March for some PSC money.

Mission Statement
Technology Committee

The mission of the Liberty Grove Technology Committee is to recommend to the Town Board feasible solutions that address technology-related needs identified by the Town and/or Community and determined to benefit the governing unit, businesses, and the community of the Town of Liberty Grove.

Approved at the May 13, 2021 Technology Committee meeting.

Approved at the May 19, 2021 Town Board meeting.

Capital Tech

1/1/2018 - from 2018 budget	\$25,000.00	
Moved from 2017-for broadband forward	\$31,435.18	
End of year 2018		\$56,435.18
1/1/2019 - from 2019 budget	\$25,000.00	
10/16/19 - Moved from IT budget by Board approval	\$15,000.00	
End of year 2019		\$96,435.18
1/1/2020 - from 2020 budget	\$75,400.00	
10/21/20 - DCEDC Broadband Study support	-\$1,000.00	
12/2020 - 2018 Grant expenses	-\$65,131.71	
End of year 2020		\$105,703.47
1/1/2021 - from 2021 budget	\$12,000.00	
3/3/2021 - 2018 Grant expenses (pd to DCB)	-\$16,930.97	
6/28/2021 - moved to encumbered projects for PSC grant application	-\$75,000.00	
End of year 2021		\$25,772.50

BROADBAND EXPANSION GRANT APPLICATION

For Fiscal Year 2022

Primary Applicant (Name and Address):	Applications MUST be UPLOADED to ERF via the Commission's website, http://psc.wi.gov/apps35/ERF_upload/content/mymenu.aspx. Refer to section 2.3 for detailed instructions. Applications are due and MUST be uploaded to ERF no later than: March 17, 2022 at 4:00pm (16:00) Central Time. Late applications will not be accepted.	
	Contact for further information: PSCStatebroadbandoffice@wisconsin.gov	
	Date: December 1, 2021	
The Public Service Commission of Wisconsin is seeking applications for Broadband Expansion Grants. The Commission may award one or more grants during Fiscal Year 2022 to public and private entities that meet the eligibility requirements set forth in Wis. Stat. § 196.504. This grant round will be funded with bond proceeds authorized by the Wisconsin Building Commission pursuant to Wis. Stat. § 13.48(30). As such, successful applicants are subject to the requirements of Wis. Stat. § 13.48(30). Successful applicants will demonstrate a clear and achievable plan to improve broadband communications services in one or more underserved areas in the State.		
Applicant Certification: In signing this application, the undersigned verifies under penalty of perjury that the Applicant and its employees and agents have not, either directly or indirectly, entered into any agreement or participated in any collusion or otherwise taken any action in restraint of free competition with respect to this application; that no attempt has been made to induce any other person or firm to submit or not to submit an application; that this application has been independently arrived at without collusion with any other proposer, competitor or potential competitor; that this application has not been knowingly disclosed prior to the opening of applications to any other applicant or competitor; that all of the responses and representations of Applicant in this application are true and correct to the best of the undersigned's knowledge, information, and belief; and that Applicant agrees to, accepts, and will comply with all of the terms and conditions respecting this application and any award of a broadband expansion grant as may be established in a grant award Agreement.		
Name of Authorized Representative (Type or Print)	Title	Phone ()
Signature of Authorized Representative	Date	

SUMMARY OF GRANT APPLICATION

Primary Applicant Name	Amount of Broadband Grant Request (round to nearest dollar)
Federal Employer Identification No.	Amount of Matching Funds Pledged (round to nearest dollar)
Contact Name and Title	Total Cost of Proposed Project (round to nearest dollar)
Telephone Number	Project Name
E-mail Address(es)	Type of Proposed Broadband Service (FTTH, Cable, DSL, etc.)
Grant Manager, if different than Primary Applicant	Type of Proposed Project (Last-mile, Middle-Mile, backbone, other)
Grant Manager Contact Name	Grant Manager Email Address and Telephone Number
If the application proposes a public-private partnership, list the names, addresses, and FEINs of the partner companies or organizations	
Brief Project Description (2 sentences)	
Maximum Proposed Download Transmission Speed	Maximum Proposed Upload Transmission Speed
Minimum Proposed Download Speed to Customer Location	Minimum Proposed Upload Transmission Speed to Customer Location
County or Counties served by this project	Community or Communities served by this project
List of the broadband service providers, if any, currently serving the area the applicant proposes to serve	
Does proposed project serve an <i>unserved</i> area of the State, as defined in Section 1.4 of the application instruction? (yes/no)	Is the Applicant certified as a Broadband Forward! Community or Telecommuter Forward! Community, or does the grant project

	propose to serve a Broadband Forward! Community or Telecommuter Forward! Community? (yes/no)
For last mile projects or component the expected number of Business Locations that will have access to the improved broadband service (i.e., total business locations passed or with new service access).	For last mile projects or components the expected number of Residential Locations that will have access to the improved broadband service (i.e., total residential locations passed or with new service access).
Of the improved business locations, how many locations are <i>unserved</i> ?	Of the improved residential locations, how many are <i>unserved</i> ?
For providers that are eligible telecommunications carriers will the proposed broadband service be available to Lifeline customers? (yes/no)	Are there any programs available for low-income households to access low-cost service or discounts? (yes/no)
Is the internet service provider currently participating in the Emergency Broadband Benefit Program? (yes/no)	Is the internet service provider currently participating in the Department of Public Instruction and CESA purchasing's Digital Learning Bridge? (yes/no)
Did the internet service provider participate in the Public Service Commission's voluntary Broadband Coverage Data Collection in 2021? (yes/no)	

Table of Contents

1.0	GENERAL INFORMATION	1
1.1	Introduction and background	1
1.2	Scope of the program	1
1.3	Procuring and contracting agency	2
1.4	Definitions	2
1.5	Clarification and/or revisions to the specifications and requirements for grant application	3
1.6	Reasonable accommodations	4
1.7	Schedule of events	4
1.8	Grant term and funding	4
2.0	PREPARING AND SUBMITTING AN APPLICATION	5
2.1	General instructions	5
2.2	Incurring costs	5
2.3	Submitting the application	5
2.4	Designation of confidential and proprietary information	6
2.5	Multiple Applications	6
2.6	Withdrawal of application	6
3.0	GENERAL APPLICATION REQUIREMENTS	6
3.1	Application organization and format	6
3.2	Mandatory application requirements	8
4.0	APPLICATION SELECTION AND AWARD PROCESS	15
4.1	Objection period	15
4.2	Supplemental information	15
4.3	Evaluation for eligibility	16
4.4	Evaluation for merit	16
4.5	Evaluation criteria	16
4.6	Right to reject application and negotiate grant terms	18
4.7	Notification of award decision	18
4.8	No appeal process	18
5.0	GRANT AWARD AND TERMS AND CONDITIONS	18
5.1	Order awarding grants	18
5.2	Grant Agreement	19
5.3	Termination of grant award	19

1.0 GENERAL INFORMATION

1.1 Introduction and background

The Public Service Commission of Wisconsin (Commission) is seeking applications for Broadband Expansion Grants. The Commission may award one or more grants during Fiscal Year 2022 to public and private entities that meet the eligibility requirements set forth in Wis. Stat. § 196.504. Pursuant to Wis. Stat. § 13.48(30), the Building Commission may authorize the issuance of general obligations of the State to fund grants under the Broadband Grant Expansion program. If the Building Commission authorizes borrowing under Wis. Stat. § 13.48(30)(c), and if, for any reason, a grant funded from the proceeds of such borrowing is not used for the construction of broadband infrastructure, as specified in Wis. Stat. 13.48(30)(b), the State shall retain an ownership interest in the project funded from the grant equal to the amount of those proceeds. Successful applicants will demonstrate a clear and achievable plan to improve broadband communications services in one or more underserved areas in the State.

The purpose of this document is to provide interested persons with information to enable them to prepare and submit an application for a Broadband Expansion Grant authorized under Wisconsin Statute § 196.504.

If you have questions about this information, please contact
PSCStatebroadbandoffice@wisconsin.gov.

1.2 Scope of the program

1.2.1 Program description

Applicants eligible under Wisconsin Statute § 196.504 may apply for a grant for the purpose of offsetting the construction costs of extending broadband service in underserved areas of the State.

1.2.2 Program objectives

- a. Permit individuals that reside in areas of the State that have fewer than two broadband service providers to have access to broadband service.
- b. Ensure that grant funds are used for the construction of broadband facilities and are not used to subsidize the expenses of a telecommunications provider or the monthly bills of telecommunications customers.

1.3 Procuring and contracting agency

This request for applications is issued by the Commission, which is the sole point of contact for the State of Wisconsin during the selection process. The person responsible for managing the grant application process is Alyssa Kenney, State Broadband and Digital Equity Director.

The grant award(s) resulting from this application process will be administered by the Public Service Commission of Wisconsin. The grant administrator will be Kristy Nieto, Division Administrator, Division of Digital Access, Consumer and Environmental Affairs.

1.4 Definitions

The following definitions are used throughout the application.

Agency or Commission means the Public Service Commission of Wisconsin.

Applicant means an individual or organization submitting an application in response to this request for grant applications.

Broadband service means a communications service designed to provide end users with a reliable two-way data transmission, with a minimum speed of at least 25 mbps for download transmission and 3 mbps for upload transmission, but does not include a commercial mobile radio service or a broadband service in which a stand-alone satellite provider connects directly to the end user with a satellite connection.

Economic development has the meaning given in Wis. Stat. § 196.796(1)(c).

Fixed wireless service has the meaning given in Wis. Stat. § 77.51(3rn), except that it does not include mobile wireless service, as defined in § 77.51(7k), or telecommunications services, as defined in § 77.51(21n), transmitted through the use of satellite.

Grantee or recipient means an applicant awarded a broadband expansion grant.

Scalable means that the broadband network has the ability to increase parameters relating to the size of the network while maintaining the quality of its broadband service.

State means State of Wisconsin and includes the Commission.

Telecommunications has the meaning given in Wis. Stat. § 196.01(9m).

Underserved area means an area of this State delimited by a census block boundary, as defined by the U.S. Department of Commerce, or more granular advertised internet access areas, as defined in the Wisconsin Broadband Map, that is served by fewer than 2 broadband service providers providing a broadband

service with a speed of 25 Megabits per second (Mbps) for download transmission and 3 Mbps for upload transmission, but does not include a commercial mobile radio service or a broadband service in which a stand-alone satellite provider connects directly to the end user with a satellite connection. An underserved area includes an area that an applicant has demonstrated in its application is underserved notwithstanding the fact that the proposed service area lies within a census block that has been designated as served in the Broadband Coverage Map.

Underserved area means an area of this State that is not served by an internet service provider offering an internet service that is all of the following:

1. Fixed wireless service or wired service.
2. Provided at actual speeds of at least 5 Mbps for download transmission and 600 Kbps for upload transmission.

1.5 Clarification and/or revisions to the specifications and requirements for grant application

Any questions concerning this application must be submitted in writing via email on or before February 15, 2022, to:

Email address:

PSCStatebroadbandoffice@wisconsin.gov

Subject line:

Broadband Expansion Grant Application Question

If an applicant discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this application, the applicant should notify the Public Service Commission immediately by emailing PSCStatebroadbandoffice@wisconsin.gov. The applicant should describe the error and request modification or clarification of the application.

If it becomes necessary to provide additional clarifying data or information, or to revise any part of this application, revisions, amendments, and/or supplements will be provided on the grant webpage and to all recipients of this initial application.

Any contact with State employees concerning this application is prohibited, except as authorized by the grant administrator (Kristy Nieto) during the period from date of release of the application until the date on which the grant award is released.

1.6 Reasonable accommodations

The Commission will provide reasonable accommodations, including the provision of informational material in an alternative format, for qualified individuals with disabilities upon request. If you think you need accommodations, contact Alyssa Kenney at (608) 267-9138 or Alyssa.Kenney@wisconsin.gov.

1.7 Schedule of events

Listed below are dates and times of actions related to this application. If the Commission finds it necessary to change any of the dates and times in the schedule of events listed below, it will do so by issuing a supplement to this application.

	DATE	EVENT
1.8	Dec 1, 2021	Date of issue of the application instructions
	Feb 15, 2022, 4 PM CT	Last day for submitting questions and requests for clarification
	March 16, 2022 4 PM CT	Last day to request uploading assistance
	March 17, 2022 4 PM CT	Applications due from applicants (deadline for uploading to ERF).
		Applications are public.
	March 18, 2022	All applications are posted on ERF under docket number 5-BF-2022 and available for public inspection (including objections) immediately upon filing.
	April 14, 2022 4 PM CT	Last day for submitting an objection to a grant application
	April 21, 2022 4 PM CT	Last day for submitting a response to an objection

Grant term and funding

The performance period for these grants will begin on the date of the Commission's (written) Order, subject to any objections, and ends after 24-months or in accordance with the grant Agreement.

2.0 PREPARING AND SUBMITTING AN APPLICATION

2.1 General instructions

The evaluation of an application and selection of an applicant for an award will be based on the information submitted in the application. Failure to respond to each of the requirements in the application may adversely affect the evaluation of the grant application.

Elaborate applications (e.g., expensive artwork, digital pop-ups), beyond that sufficient to present a complete and effective application, are not necessary or desired.

2.2 Incurring costs

Neither the Commission nor the state of Wisconsin is liable for any cost incurred by applicant in preparing this application, nor are these costs reimbursable should a grant be awarded.

2.3 Submitting the application

Applicants must upload to ERF an electronic PDF copy of all application materials by 4:00pm (16:00) Central Time on March 17, 2022. Applications MUST be date and time stamped by the Commission's Electronic Regulatory Filing (ERF) system on or before the date and time that the application is due. Late applications will be rejected. Receipt of an application by the State mail system or United States Postal Service does not constitute receipt of an application for purposes of this grant.

To upload documents to the ERF system, you must be a registered user. (It is only necessary to register once, ERF registration carries over year-to-year.) Instructions for completing the registration are provided on the ERF website. Allow extra days when registering for a corporate account.

Applications MUST be UPLOADED to ERF by going to the Commission's website, <https://psc.wi.gov/Pages/Home.aspx>; log into the ERF system using your user name and password; then select 'ERF Upload;' then select 'Upload Document' from the options on the ERF webpage.

- On the webpage entitled 'Upload Document', select 'Public' as appropriate; and select the circle for 'Existing Docket.' In the three boxes for 'Docket ID,' enter the docket number: 5-BF-2022. Select 'Check Docket.' If you have correctly entered the docket number, the ERF system will display the docket caption: 'FY 2022 Broadband Expansion Grants.' **Applications must be uploaded to the correct ERF docket folder.**

- On the first data entry line, use the tab marked 'Browse' to find the application document on your computer, select 'Application' for Document Type, and enter 'BB App [insert name], [insert project]' for Document Description. All applications will be electronically time-stamped when uploaded properly.
- The Commission strictly enforces the filing deadline. Staff recommends completing the filing the day before the due date in order to leave time for filing issues.

The applicant must contact the application manager, Alyssa Kenney, by telephone number at (608) 267-9138 or by email at Alyssa.Kenney@wisconsin.gov, by 4:00pm (16:00) CT on March 16, 2022, if assistance is needed in submitting an application electronically.

2.4 Designation of confidential and proprietary information

The full application must be filed publicly. Do not include confidential or proprietary information in your application.

2.5 Multiple Applications

Multiple applications from an applicant are permissible; however, each application must conform fully to the requirements for submission. Each application must be submitted separately and labeled with a distinct project name using the "BB App [insert name], [insert project]" naming convention.

2.6 Withdrawal of application

Applicants may withdraw an application in writing at any time up to the application closing date and time. To accomplish this, the applicant must submit a written request to withdraw the application, and the request must be signed by an authorized representative of the applicant and submitted to the application manager.

3.0 GENERAL APPLICATION REQUIREMENTS

3.1 Application organization and format

The application should be typed. A handwritten application will not be accepted. The application, including the cover sheet, summary of grant application, budget and narrative is limited to 30 pages. Additional information, surveys, letters of support and agreements is not limited but *the review panel will use only the first*

ten pages of attachments in developing the merit list. The application should be assembled as follows:

- PAGE 1: The first page of the application should be the cover sheet of these application instructions. Fill in the information requested in the blank boxes, sign the attestation, and include as the first page of the grant application. An editable Word version of the page is available on the Commission's website on the Broadband Expansion Grants webpage.
- PAGE 2-3: The second and third page of the application should be the Summary of Grant Application, included as the second and third page of these application instructions. An editable Word version of the Summary page is also available on the Broadband Expansion Grants webpage.
- PAGE 4: The fourth pages of the application should be the Summary of Project Budget and Funding Statement. Use the spreadsheet available on the Broadband Expansion Grants webpage. Save it as a PDF or scan it to add it to your application as page four. In addition to including it in the PDF application, you must also upload it separately to ERF in Excel format – see below.
- PAGE 5+: Map or Maps. A clear static map(s) of the project boundaries and locations of the project area and description or key as needed.
- PAGE 6-30: Subsequent Pages through up to 30 should be the narrative of the application that will be evaluated and scored. Format all remaining pages of the application to print on 8.5" x 11" paper size. The information on these pages must correspond to the headings and subheadings in Section 3.2 that are marked in bold font. Use these headings and subheadings in your application.
- Attachments and supplemental materials should be ordered such that the first 10 pages will be used as material for developing the merit list, additional material beyond page 40 will not be considered by the screening panel.
- Convert the entire application to PDF format before uploading it to the Commission's ERF system. Do not include digital pop-ups or executable files in your application. See Section 2.3 for uploading details.
- After uploading the PDF application to ERF, upload to ERF your original Excel version of the Summary of Project Budget and Funding Statement. Use the spreadsheet available on the Broadband Expansion Grants webpage. See the spreadsheet for additional instructions. See Section 2.3 for uploading details.
- A geospatial file of the proposed project **must** be emailed to pscbroadbanddata@wisconsin.gov **by the application due date**.

3.2 Mandatory application requirements

An applicant must include the following information in its application to be eligible for this grant and the application must demonstrate satisfaction of indicated requirements.

3.2.1 Applicant identification and contact information

- a. The name and address of the entity applying for the grant, and the mailing address, telephone number and e-mail address of one or more contact persons representing the applicant.
- b. If the application proposes a public-private partnership, the identity and contact information for all application partners.
- c. The application must show that the applicant is an organization, a telecommunications utility, or a city, village, town, or county that has established a legal partnership or joint venture arrangement with an otherwise qualified organization or telecommunications utility, and as such meets the eligibility requirements set forth in Wis. Stat. § 196.504(1).

3.2.2 Description of the project

- a. A static map and description of the area of the State that will be affected by the proposed project.

The map must be accompanied by:

- A URL reference to a spatial file (Geodatabase / Feature Class, or Shapefile or KML) showing the proposed service area. A spatial file including census blocks that intersect the proposed project area is also acceptable.
 - The geospatial file of the proposed project must be emailed to pscbroadbanddata@wisconsin.gov by the application deadline.
 - PSC staff can provide support to ensure an accurate spatial file is delivered to the Commission. Please contact the State Broadband Office mapping team for mapping assistance at PSCBroadbandData@wisconsin.gov.
- b. If the project area lies within a census block designated as served on the PSC Broadband Map, provide additional documentation to demonstrate the actual broadband service that is available in the proposed project area.

- c. An explanation of how the proposed project will increase broadband access. Include information about the:
 - Potential and expected number of households served, including number of unserved and underserved locations.
 - Potential and expected number of businesses served, including number of unserved and underserved locations.
 - Expected number of seasonal residents and tourists served.
 - Estimated download and upload speed of the broadband service packages available for purchase.
- d. A statement whether the proposed project is targeting the “last mile,” “middle mile,” or backbone portion of the broadband infrastructure.
- e. A description of the broadband service to be provided, including estimated download and upload speeds, whether the speed is based on dedicated or shared bandwidth, and the technology that will be used. This description may be illustrated by a map or schematic diagram, as appropriate.
- f. For middle mile projects:
 - Identify last mile broadband service providers that will connect to the middle mile facility.
 - If the participation of last mile providers is uncertain or cannot be disclosed publicly at the time of the application, describe the providers that could interconnect under appropriate circumstances.
 - How long would it take for last mile connections to result?
 - Describe process for use of right-of-way (ROW) in collaboration with others digging or burying facilities (Dig Once program, etc.).
- g. A schedule by which the applicant intends to complete the components of the proposed project. The project period is up to 24 months.

3.2.3 Itemized Budget (all amounts should be rounded to the nearest dollar)

- a. In addition to the Summary of Project Budget that is included as page 3, applicants should include a price list or quote for any equipment the applicant intends to purchase, including capital expenditures. The application should also indicate whether any facilities involved would be owned, rented, or leased.
- b. The application must show that the grant, if awarded, will not subsidize the expenses of a telecommunications provider or the monthly bills of telecommunications customers. For purposes of this grant program,

subsidize means a contribution to the operating costs, including profit, of the telecommunications provider.

- c. The application must show that the grant funds requested will be used for the sole purpose of constructing broadband infrastructure in the underserved areas covered by the application. Construction of broadband infrastructure may include any of the following:
- Project planning that takes place during the performance period.
 - Obtaining construction permits.
 - Construction of facilities, including construction of both “middle mile” and “last mile” infrastructure.
 - Installation and testing of the broadband service.

3.2.4 Priority factors supporting the application

- a. **Matching funds.** A description of the matching funds the applicant will invest in the proposed project, if any. For each element, indicate the type of match (cash, salary expense, or in-kind contribution). If the application is submitted by a partnership, identify the partner responsible for providing each element of the proposed matching funds. *Note: The requirement for this information is satisfied via inclusion of the completed Funding Statement as page 4 of the application.*
- If available, provide documentation to support an offer of matching funds (minutes of a town board meeting, a letter from a prospective customer or local government official, etc.).
 - Matching funds contributions must be a firm commitment of funding to the project. Contributions that vary based on the amount of actual sales, customer contributions, or other criteria will not be given weight.
- b. **Public-private partnerships.** If the public-private partnership is memorialized in a joint venture agreement or other writing, provide a copy of that agreement. If the partnership has not been reduced to a written agreement, provide a short description of the management role, financial commitment, or other contribution to the project for each participating partner.
- In scoring this element, information regarding active engagement of diverse communities in the planning, permitting, or marketing of the project will be given weight as well.

- c. **Existing broadband service.** A list of the broadband service providers, if any, currently serving the area the applicant proposes to serve. In scoring this element, the following factors will be taken into account:
- The degree to which the proposed project avoids duplicating existing broadband infrastructure.
 - The application of a wireless broadband service provider proposing significant overlap with existing broadband service in addition to service to an unserved area will not be given priority consideration.
 - Provide a list of all landline broadband service providers (DSL, cable or fiber to the home) and fixed wireless broadband service providers that overlap the footprint of the proposed broadband project.
 - If known, provide an estimate of the customers within the proposed footprint that are served by competing landline and fixed wireless broadband service providers, and the download/upload speeds offered by those competing service providers.
 - Provide a list of mobile wireless broadband service providers that overlap the footprint of the proposed project.
 - If known, provide an estimate of the customers within the proposed footprint that are served by competing mobile wireless broadband service providers, and the download/upload speeds offered by those competing service providers. (The presence of existing mobile wireless providers does not contribute to or affect the evaluation of existing broadband service in the project area for purposes of priority consideration, but provides a more complete picture of the broadband options available to residents.)
 - For middle mile projects, describe the unserved and underserved areas that the middle mile route will transit. In scoring this element, the following factors will be taken into account:
 - The number of unserved and underserved service locations that could potentially connect through the proposed middle mile route.
 - The degree to which the middle mile route will reduce the cost of extending fiber to the premises broadband service to business and residential service locations in an unserved or underserved area.
 - The degree to which the proposed middle mile route avoids duplicating existing and planned fiber to the premises broadband infrastructure.
- d. **Project impact.** A description of the geographic area and the population, both in terms of absolute numbers and likely users, which will be served by the proposed project. Indicate the number of anticipated residential and

business customers in the project area, if known. Explain the speed and quality of internet service that will be available. Include information about the range of packages available for purchase. Provide details on any low-income access programs and steps the project will take to support adoption.

- e. **Scalability.** A description of how the proposed project could expand or improve the broadband service it delivers, while maintaining the quality of its broadband service. This description should include specific projected increases in the following parameters that are known at the time of the application:

- The number of users.
- The number of network nodes.
- The number of services provided.
- The geographic area served by the project.
- The number of aggregation points in middle mile project.

This description may also include a discussion of possible growth potential that is outside the commitment the applicant is making as part of its application.

For middle mile projects, describe the spare or unused fiber capacity in the route and any future projects planned to use that capacity in the future. For purposes of the question, planning can mean either specific uses already the subject of contract or serious negotiation, or tentative uses that may or may not actually be contracted for in the future.

- f. **Economic development.** A description of how the proposed project will promote job growth or retention, expand the property tax base or improve the overall economic vitality of the municipality or region. This description may be supplemented with a letter from one or more persons discussing the potential economic impact the project could have for that individual or business. In scoring this element, the following factors will be taken into account:

- A discussion of potential economic impact the project could have for an individual business located in the project area.
- An explanation of how an improved download and upload transmission speed could better support a specific business in the project area.
- An explanation of the likely impact improved broadband service could have on residential property values, supported by local sales data if available.
- A demonstration of how improved broadband service to a residential portion of the project could benefit a telecommuting population.

- A demonstration of how the speeds and service being offered by the project fits with current and future economic needs of the community and local businesses.
- g. **Effect upon broadband service to adjacent areas.** A description of whether the proposed project will or will not impair the ability of a broadband service provider or competing broadband service provider to extend broadband service to areas adjacent to the proposed project area.

3.2.5 Other information supporting the application

- a. A description of applicant's history or experience constructing broadband communications facilities in the State and elsewhere.
 - If applicable, an applicant must comment upon the status of all prior broadband expansion grant projects, including the type of broadband technology used, the facility route actually built or installed, the number of residential and business customers actually connected, and other relevant details of the prior project(s).
 - An applicant may also comment on broadband construction projects undertaken in prior years that were not funded in part by the Broadband Expansion Grant program.
- b. A description of how the proposed project will or will not duplicate existing broadband infrastructure.
- c. A description of an applicant's financial ability to undertake the proposed broadband construction project.
This may include information such as the number of years the company has been in operation, documentation of successful completion of similar infrastructure projects, evidence that sufficient funds are available to cover project expenditure and match, customer turn-over rates, and credit rating.
- d. For middle mile projects, state the terms under which the applicant will make its middle mile fiber resource available to last mile providers. Without disclosing project-specific or customer-specific negotiated rates for service or access, state whether access to the middle mile fiber resource will be offered to last mile providers at a rate that is reasonable and common to the industry. Describe any restrictions or limits that may limit the availability or interconnection with the middle mile route.
- e. For middle mile routes, state the amount of fiber capacity, by number of fiber strands in a cable, that the applicant has been reserved for public use.

Describe any commitment or tentative discussion indicating the local government or State agency that might use those fiber strands, and for what purpose. Describe any restrictions or limits that may limit the public use (e.g. a possible use conflicts with an existing program covering the same subject matter).

- f. A description of how the proposed project will affect the ability of individuals to access health care service from home, including any impact upon the costs of those services.
 - Specific information from a hospital or clinic in the project area that currently uses or intends to use home-based telemedicine equipment to enhance access health care service would best illustrate this point.
- g. A description of how the proposed project will affect the ability of students to access educational opportunities from home.
 - Specific information on the likely number of students that will benefit from improved access to educational opportunities from home would be useful.
 - Specific information regarding educational programs that are currently available for students in the project area would be useful.
- h. A description of actions taken by a city, village, town, or county in support of the grant application that have not been discussed in the context of a public-private partnership above, including but not limited to:
 - The contribution of funds, easements or permissions to use publicly-owned real estate, construction materials, or other items of value to the grant project.
 - The contribution of in-kind assistance to the grant project in the form of waived fees and expenses for obtaining use permits and permissions.
 - The contribution of other items of benefit to the grant project, such as public outreach and education, vehicles, water, etc.
 - Certification as a Broadband Forward! Community or Telecommuter Forward! Community.
- i. Letters and messages in support of the application submitted by prospective customers, local government officials, and other interested persons.
- j. Any other equitable factor that the applicant desires to discuss, including one or more of the factors in Wis. Stat. § 196.03(6) that the applicant believes its project would advance. In discussing this element, the following information may be useful:

- Technical support and training materials that the applicant intends to provide.
- Information that the applicant intends to use to promote better broadband adoption and use.
- A description of a program or outreach to provide assistance to individuals of low income.

4.0 APPLICATION SELECTION AND AWARD PROCESS

4.1 Objection period

The Commission will provide a period during which interested persons may review the grant applications that have been submitted and file written comments objecting to an application under review. Objections to a grant application must be filed under docket 5-BF-2022, using the ERF system. Objections are due by **4:00pm (16:00) Central Time on April 14, 2022**. An objection must identify and discuss an error of fact, or policy or statutory requirement that the application has contravened. Late filed comments objecting to an application will not be accepted nor given weight during the review process.

An applicant may respond to any objection filed by an interested party. A response to an objection must be filed under docket 5-BF-2022, using the ERF system. Responses are due by **4:00pm (16:00) Central Time on April 21, 2022**. Late filed responses objecting to an application will not be accepted nor given weight during the review process.

The Commission will only accept public comments. Criticism of applications based upon confidential and other non-public service data will not be given weight in the evaluation process.

Any communication with the Commission in support of an application must be included as a supporting document within the application. Comments in support of an application received by separate letter, separate ERF filing, or e-mail message before, during, or after the application is filed will not be accepted nor given weight during the review process.

4.2 Supplemental information

An applicant may request that the Commission accept supplemental information relating to an application that was otherwise timely filed. The Commission may request that an applicant submit supplemental or clarifying information,

consistent with the application requirements. If received and accepted, supplemental information will be incorporated into the application and evaluated by the Commission using the criteria set forth in Section 4.5 to determine which applications should receive a grant award.

4.3 Evaluation for eligibility

Applications will be reviewed by an evaluation committee for eligibility. An applicant must submit information in its response that demonstrates that it meets the eligibility requirements in Section 3.2.1.c. Commission staff will prepare a summary briefing memorandum for the Commission's consideration, and will identify in that briefing memo any application that in the opinion of the evaluation committee or Commission staff does not meet the eligibility criteria set forth in Wis. Stat. § 196.504(1).

4.4 Evaluation for merit

Applications will also be reviewed by the evaluation committee on the basis of merit and ranked using the criteria stated in Section 4.5. The applications, objections and responses, the evaluation committee's merit ranking, and the staff briefing memorandum will then be forwarded to the Commission for final decision. An applicant may not contact any member of the evaluation committee without the express approval of the grant administrator (Kristy Nieto).

4.5 Evaluation criteria

4.5.1 Applications will be evaluated using the applicant's response to the topics and information requested in Section 3.2. The information provided in response to these sections will be used by the evaluation committee and the Commission to determine the relative merit of each application.

4.5.2 An applicant must include information in its response that demonstrates and verifies it meets the requirements in 3.2.3.b and c.

4.5.3 After review pursuant to Section 4.3, the committee shall evaluate and rank the applications based upon the following factors:

- a. Matching funds (10 points). An application will receive higher priority based on the percentage of matching funds the applicant proposes to invest in its project and the variety of sources of matching funding provided by partners and others.

- b. Public-private partnerships (10 points). An application that includes a city, village, town, or county as a participating partner, in partnership with a telecommunication provider or other private organization and exhibits active community engagement shall receive priority.
 - c. Existing broadband service (15 points). An application proposing to serve an unserved area shall receive priority. The priority will be based on the percent of the project that reaches unserved location. An application proposing a middle mile route will receive priority credit based upon the degree to which the proposal will reduce the cost of extending fiber to the premises broadband service to business and residential service locations in an unserved or underserved area, and the number of service locations affected. The application of a wireless broadband service provider proposing significant overlap with existing broadband service in addition to service to an unserved area is not entitled to priority under this subsection.
 - d. Project impact (15 points). An application that proposes to serve a larger geographic area, a larger number of customers or communities in an area or provide a higher performance service shall receive higher priority than one that serves a comparatively smaller geographic area, fewer number of potential customers or communities in an area or slower service as compared with the cost of the project.
 - e. Scalability (5 points). An application that demonstrates a commitment to increase the size or scope of its broadband network in the future shall receive priority. An application that discusses possible growth potential, but declines to make a specific commitment regarding future growth of the broadband network, shall receive a lesser priority.
 - f. Economic development (10 points). An application that demonstrates the potential to promote job growth or retention, expand the property tax base or improve the overall economic vitality of the municipality or region shall receive priority.
 - g. Effect upon broadband service to adjacent areas (5 points). An application that demonstrates that it will not impair the ability of a competing broadband service provider to extend broadband service to areas adjacent to the proposed project shall receive priority.
- 4.5.4 As part of weighing the above factors, the evaluation committee and Commission will consider the following:
- The total number of persons served by a given application when compared to applications of equal priority.

- The degree to which the proposed project will duplicate existing broadband infrastructure.
- The degree to which an applicant proposing a middle mile project will offer to make its middle mile fiber resource available to all last mile providers at rates that are reasonable and common to the industry.
- The degree to which an applicant proposing a middle mile project will reserve and make available a portion of the fiber route for a qualified public use.
- The degree to which the proposed project will enhance the ability of individuals to access health care service from home.
- The degree to which the proposed project will enhance the ability of students to access educational opportunities from home.
- The download and upload transmission speeds the application proposes to provide.
- The degree to which the application demonstrates that the broadband service provider is prepared, from both an operational and financial perspective, to undertake the proposed project.

4.6 Right to reject application and negotiate grant terms

The Commission reserves the right to reject any application as filed, and negotiate the terms of a grant award, including the award amount, with the selected applicant prior to offering the grant. If negotiations cannot be concluded successfully with an applicant, as determined solely by the Commission, the Commission may withdraw its award offer.

4.7 Notification of award decision

Refer to Section 5.1.

4.8 No appeal process

Wisconsin Statute § 196.504 does not specify an appeal process. However, the applicant may have other general remedies under other provisions of Wis. Stat. chs. 196 and 227 if the applicant believes it is aggrieved by any final award determination. This provision is for information purposes only and is not a determination by the Commission that the applicant has any protest or appeal rights with respect to the Commission's decision in this grant cycle.

5.0 GRANT AWARD AND TERMS AND CONDITIONS

5.1 Order awarding grants

The Commission will determine in writing which applicants will receive a Broadband Expansion Grant by issuing an Order awarding grants in the appropriate proceeding. The Order will also specify certain terms and conditions that the Commission finds appropriate and necessary for the administration of the approved grant projects. All entities and organizations that submit a grant application will be notified in writing of the Commission's decision.

5.2 Grant Agreement

The Order will require that each approved grant applicant enter into a grant agreement with the Commission. The grant agreement will confirm the grant award, including the amount of the grant award, the scope of the project and the terms and conditions ordered by the Commission. The grant award is not final until the applicant signs and returns the grant agreement. A signed grant agreement is due to the Commission no later than 60 days following the date of issuance of the grant agreement to the applicant. Failure to complete and return the grant agreement by the due date may result in cancellation of the award.

5.2.1 The Order awarding grants and the grant agreement, including any amendments, will together constitute the entire agreement of the State and the applicant, and will supersede any representations, commitments, conditions, or agreements made orally or in writing prior to the issuance of the Order.

5.2.2 Failure of an applicant to comply with the Commission's Order or grant agreement, as amended, may result in cancellation of the award.

5.3 Termination of grant award

The Commission may terminate a grant award, at any time at its sole discretion by delivering written notice to the applicant/grant award recipient. Upon termination, Grant Recipient must return all Grant Award funds previously disbursed. If Grant Recipient wishes to cancel the Project, Grant Recipient may submit a written request to the Commission requesting that the Commission approve the termination of the Grant Award. If the Commission grants the request, Grant Recipient must return all Grant Award funds previously disbursed. If the Commission determines that the Recipient is not in compliance with Wis. Stat. § 13.48(30) and has violated the terms of the Grant Agreement, the Commission shall give written notice, and the Recipient shall have 30 days to cure such violation. If the Grant Recipient does not cure the violation, the State shall

retain an ownership interest in the project funded from the grant equal to the amount of those proceeds, as specified in Wis. Stat. 13.48(30(b)).