



Ohio Revised Code

Section 122.40 Definitions for R.C. 122.40 to 122.4077 - residential broadband expansion.

Effective: October 3, 2023

Legislation: House Bill 33

As used in sections 122.40 to 122.4077 of the Revised Code:

(A) "Application" means an application made under section 122.4013 of the Revised Code for a program grant.

(B) "Broadband funding gap" means the difference between the total amount of money a broadband provider calculates is necessary to construct the last mile of a specific broadband network and the total amount of money that the provider has determined is the maximum amount of money that is cost effective for the provider to invest in last mile construction for that network.

(C)(1) "Broadband provider" means one of the following:

(a) A video service provider as defined in section 1332.21 of the Revised Code;

(b) A provider that is capable of providing tier one or tier two broadband service and is one of the following:

(i) A telecommunications service provider;

(ii) A satellite broadcasting service provider;

(iii) A wireless service provider as defined in section 4927.01 of the Revised Code.

(2) "Broadband provider" does not include a governmental or quasi-governmental entity.

(D) "Eligible addresses" means residential addresses that are in an unserved area or a tier one area.



(E) "Extremely high cost per location threshold area" means an area in which the cost to build high speed internet infrastructure exceeds the extremely high cost per location threshold established by the broadband expansion program authority under section 122.407 of the Revised Code.

(F) "Eligible project" means a project to provide tier two broadband service access to eligible addresses in an unserved area or tier one area of a municipal corporation or township that is eligible for funding under sections 122.4013 to 122.4046 of the Revised Code.

(G) "Last mile" means the last portion of a physical broadband network that connects an eligible project to the broader network used to provide tier two broadband service, and to which both of the following apply:

(1) It includes other network infrastructure in the last portion of the network that is needed to provide tier two broadband service to eligible addresses as part of an eligible project, but does not include network infrastructure in any portion of the network that is outside of the last portion.

(2) It is not required to be, or limited to, a specific distance measurement of one mile or any other specific distance.

(H) "Ohio residential broadband expansion grant program" means the program established under sections 122.40 to 122.4077 of the Revised Code.

(I) "Program grant" means money awarded under the Ohio residential broadband expansion grant program to assist in covering the broadband funding gap for an eligible project.

(J) "Satellite broadcasting service" has the same meaning as in section 5739.01 of the Revised Code.

(K) "Telecommunications service" has the same meaning as in section 1332.21 of the Revised Code.

(L) "Tier one broadband service" means a retail wireline broadband service capable of delivering internet access at speeds of at least twenty-five but less than one hundred megabits per second downstream and at least three but less than twenty megabits per second upstream.



(M) "Tier two broadband service" means a retail wireline broadband service capable of delivering internet access at speeds of one hundred megabits per second or greater downstream and twenty megabits per second or greater upstream. "Tier two broadband service" may include, in an extremely high cost per location threshold area, fixed wireless broadband service.

(N) "Tier one area" means an area that has access to tier one broadband service but not tier two broadband service. "Tier one area" includes an area where construction of a network to provide tier one broadband service is in progress and is scheduled to be completed within a two-year period. "Tier one area" excludes an area where construction of a network to provide tier two broadband service is in progress and is scheduled to be completed within a two-year period.

(O) "Unserved area" means an area without access to either tier one broadband service or tier two broadband service. "Unserved area" excludes an area where construction of a network to provide tier two broadband service is in progress and is scheduled to be completed within a two-year period.