



## Ohio Revised Code

### Section 122.4041 Weighted scoring system priorities.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) As used in this section, "passes" means the residential addresses in close proximity to a broadband provider's broadband infrastructure network to which residents at those addresses may opt to connect.

(B) The scoring system required under section 122.4040 of the Revised Code shall include the factors and scoring rubric as described in divisions (C) to (J) of this section. Applications for a grant under the Ohio residential broadband expansion grant program shall be prioritized from the highest to the lowest point score under those factors and rubric.

(C) Of a possible maximum score of three hundred points, the score for eligible projects for unserved and underserved areas shall be calculated as the sum of the following:

(1) The point value determined by multiplying three hundred times the percentage of passes in unserved areas of the application;

(2) One half of the point value determined by multiplying three hundred times the percentage of passes in underserved areas of the application.

(D) Of a possible maximum score of two hundred points, the score for broadband service speed, based on a graduated scale, shall be:

(1) Twenty-five points for broadband speeds that are one hundred megabits per second downstream or greater and twenty megabits per second or greater upstream, but less than two hundred fifty megabits per second downstream and fifty megabits upstream;

(2) Fifty points for broadband speeds that are two hundred fifty megabits per second or greater downstream and fifty megabits or greater per second upstream, but less than five hundred megabits per second downstream and one hundred megabits per second upstream;



(3) One hundred points for broadband speeds that are five hundred megabits per second or greater downstream and one hundred megabits per second or greater upstream, but less than seven hundred fifty megabits per second downstream and two hundred fifty megabits per second upstream;

(4) One hundred twenty-five points for broadband speeds that are seven hundred fifty megabits per second or greater downstream and two hundred fifty megabits per second or greater upstream, but less than one gigabit per second downstream and five hundred megabits per second upstream;

(5) One hundred fifty points for broadband speeds that are one gigabit per second or greater downstream and five hundred megabits per second or greater upstream, but less than one gigabit per second upstream;

(6) Two hundred points for broadband speeds that are one gigabit per second or greater downstream and one gigabit per second or greater upstream.

(E)(1) Of a possible maximum score of one hundred fifty points, the score for rating broadband service cost shall be the sum of divisions (E)(1)(a) and (b) of this section as follows:

(a) Of a possible maximum of seventy-five points, the number of points equal to the application's grant cost percentile multiplied by seventy-five;

(b) Of a possible maximum score of seventy-five points, the number of points equal to one half of the application's percentage of eligible project funding from all sources other than the Ohio residential broadband expansion grant program.

(2)(a) For each application submission period, the broadband expansion program authority shall determine the grant cost percentile for each application submitted during that period. The authority shall determine the grant cost percentile by doing the following:

(i) Determining, for each individual application in the state, the total grant cost per eligible address in the application by calculating the quotient of the amount of program grant funds requested for the application divided by the number of eligible addresses in the application;



(ii) Ranking, from lowest to highest cost, all individual applications by total grant cost per eligible address;

(iii) Assigning each individual application a percentile based on its total grant cost per eligible address relative to all other applications' total grant cost per eligible address.

(b) Percentiles under division (E)(2)(a)(iii) of this section shall be assigned so that the highest percentile is assigned to the application with the lowest total grant cost per eligible address and percentiles for all other applications assigned based on each application's relative grant cost per eligible address.

(F) Of a possible maximum score of one hundred points, the score for providing tier two broadband service or greater to eligible addresses located in an eligible project shall be calculated as follows:

(1) Ten points for the number of eligible addresses equal to five hundred or more, but less than one thousand;

(2) Twenty points for the number of eligible addresses equal to one thousand or more, but less than one thousand five hundred;

(3) Thirty points for the number of eligible addresses equal to one thousand five hundred or more, but less than two thousand;

(4) Forty points for the number of eligible addresses equal to two thousand or more, but less than two thousand five hundred;

(5) Fifty points for the number of eligible addresses equal to two thousand five hundred or more, but less than three thousand;

(6) Sixty points for the number of eligible addresses equal to three thousand or more, but less than three thousand five hundred;



(7) Seventy points for the number of eligible addresses equal to three thousand five hundred or more, but less than four thousand;

(8) Eighty points for the number of eligible addresses equal to four thousand or more, but less than four thousand five hundred;

(9) Ninety points for the number of eligible addresses equal to four thousand five hundred or more, but less than five thousand;

(10) One hundred points for the number of eligible addresses equal to five thousand or more.

(G) Of a possible maximum score of fifty points, the score for local support for the application shall be calculated as follows:

(1)(a) Twenty-five points if the application includes a resolution of support from the board of county commissioners in the county where the eligible project is located; or

(b) If an application's eligible project spans multiple counties, of a possible maximum score of twenty-five points for resolutions adopted by boards of county commissioners, the number of points awarded on a pro rata basis based on the percentage of eligible addresses for the eligible project in each affected county for which the board of county commissioners adopted a resolution of support.

(2)(a) Fifteen points if the application includes a letter of support from a board of township trustees, village, or municipal corporation; or

(b) If an application's eligible project spans multiple townships, villages, and municipal corporations, of a possible maximum score of fifteen points for letters from boards of township trustees, villages, or municipal corporations, the number of points awarded on a pro rata basis according to the percentage of eligible addresses for the project in each affected village, municipal corporation, and unincorporated area of the township for which a board of township trustees, village, or municipal corporation submitted a letter of support;

(c) Ten points for letters of support from a local economic development agency or a chamber of



commerce that advocates for an area of the eligible project with the majority of eligible addresses in the application.

(H) Of a possible maximum score of seventy-five points, the score for broadband provider general experience and technical and financial ability shall be based on the judgment of the broadband expansion program authority. The authority may award partial points for scores awarded under division (H) of this section.

(I) Of a possible maximum score of seventy-five points, the score for broadband provider experience based on the number of years that the provider has been providing tier two broadband service shall be calculated as follows:

- (1) Ten points for four years, but less than five years of experience;
- (2) Twenty points for five years, but less than six years of experience;
- (3) Thirty points for six years, but less than seven years of experience;
- (4) Forty points for seven years, but less than eight years of experience;
- (5) Fifty points for eight years, but less than nine years of experience;
- (6) Sixty points for nine years, but less than ten years of experience;
- (7) Seventy-five points for ten or more years of experience.

(J)(1) Of a possible maximum score of fifty points, the score for county median income, based on the median county per capita income of the United States as determined by the most recently available data from the United States census bureau, shall be calculated as follows:

- (a) Zero points for a county median income that is equal to or greater than one hundred sixty per cent of the county median income;



- (b) Ten points for a county median income that is equal to or greater than one hundred forty per cent, but less than one hundred sixty per cent of the county median income;
  
  - (c) Twenty points for a county median income that is equal to or greater than one hundred twenty per cent, but less than one hundred forty per cent of the county median income;
  
  - (d) Thirty points for a county median income that is equal to or greater than one hundred per cent, but less than one hundred twenty per cent of the county median income;
  
  - (e) Forty points for a county median income that is equal to or greater than eighty per cent, but less than one hundred per cent of the county median income;
  
  - (f) Fifty points for a county median income that is less than eighty per cent of the county median income.
- (2) If an application's eligible project spans multiple counties, the points awarded as specified in division (J)(1) of this section shall be based on the percentage of eligible addresses for the eligible project in each affected county.