

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete "section" and insert "sections 191.17, 191.21, and" 1  
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In line 3 of the title, after "energy" insert "and to make changes to the Ohio Broadband Pole Replacement and Undergrounding Program" 3  
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In line 4, delete "section" and insert "sections 191.17, 191.21, and" 5  
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After line 5, insert: 7

"Sec. 191.17. (A) Not later than sixty days after receiving an application forwarded by the department of development, the broadband expansion program authority shall award program reimbursements to the applicant for costs described in divisions (A) and (B) of section 191.21 of the Revised Code after reviewing the application, and establishing the applicant's eligibility for reimbursement under the Ohio broadband pole replacement and undergrounding program. ~~Except as provided in division (B) of this section, program~~" 8  
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(B) For pole replacement or mid-span pole installation 17

costs described under division (A) of section 191.21 of the 18  
Revised Code, reimbursements shall be in an amount equal to the 19  
lesser of ~~seven~~ either of the following: 20

(1) Seven thousand five hundred dollars ~~or seventy-five~~ 21  
multiplied by the number of pole replacements and mid-span pole 22  
installations in an application; 23

(2) Seventy-five per cent of the total ~~amount paid by the~~ 24  
applicant for each pole replacement or mid-span pole 25  
installation eligible costs therein. 26

~~(B)~~ (C) For undergrounding costs described under division 27  
(B) of section 191.21 of the Revised Code, ~~the authority shall~~ 28  
~~approve program reimbursements as provided in division (A) of~~ 29  
~~this section~~ shall be in an amount not to exceed seventy-five per 30  
cent of the total eligible costs therein, except that the 31  
reimbursements may not exceed the reimbursement amount that 32  
would be available under division ~~(A)~~ (B) of this section, if the 33  
applicant ~~had attached broadband infrastructure to utility poles~~ 34  
did a pole replacement or mid-span pole installation instead of 35  
undergrounding that infrastructure. 36

**Sec. 191.21.** If the broadband expansion program authority 37  
approves an application under the Ohio broadband pole 38  
replacement and undergrounding program, the following costs are 39  
eligible for reimbursement under the program: 40

(A) Actual and reasonable costs to perform a pole 41  
replacement or mid-span pole installation, including the amount 42  
of any expenditures to remove and dispose of an existing utility 43  
pole, purchase and install a replacement utility pole, and 44  
transfer any existing facilities to the new pole; 45

(B) Actual and reasonable undergrounding costs, including 46

the costs to dig a trench, perform directional boring, install  
conduit, and seal the trench, if the undergrounding is ~~either~~  
one of the following:

(1) Required by law, regulation, or local ordinance;

(2) More economical than the cost of performing a pole  
replacement;

(3) Needed because the process for obtaining access to  
poles is causing, or is reasonably anticipated to cause, a delay  
that will impact the ability of the applicant to meet deadlines  
required by an agreement or terms of support to provide  
qualifying broadband service to an address within an unserved  
area.

(C) (1) Costs of deploying qualifying broadband service for  
which the applicant is entitled to obtain full reimbursement  
from another governmental entity are not eligible for  
reimbursement under the program, except as provided in division  
(C) (2) of this section.

(2) If an applicant's costs for deploying such service are  
reimbursed in part by a governmental entity, the applicant may  
apply for and obtain reimbursement under the program for the  
portion of the eligible costs for which the applicant was not  
reimbursed.

(D) For applicants that obtain broadband grant funding  
from sources other than reimbursements under the program, the  
authority may require the applicants to maintain accounting  
records sufficient to demonstrate that the other grant funds do  
not fully reimburse the same costs as those reimbursed under the  
program."

In line 435, delete "section" and insert "sections 191.17, 191.21,

and" 76

In line 436, delete "is" and insert "are" 77

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 78

**Broadband Pole Replacement and Undergrounding Program** 79

**R.C. 191.17 and 191.21** 80

Modifies the reimbursement formula under the Broadband Pole Replacement and Undergrounding Program as follows: 81  
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--For actual and reasonable costs to perform a pole replacement or mid-span pole installation, reimbursements are equal to the lesser of \$7,500 multiplied by the number of pole replacements and mid-pole installations in an application, or 75% of the total eligible costs therein. 83  
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--For actual and reasonable undergrounding costs, reimbursements must not exceed 75% of the total eligible costs therein, but are limited to the reimbursement amount that would be available if the applicant did a pole replacement or mid-span pole installation instead of undergrounding that infrastructure. 88  
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Currently, the pole replacement or mid-span pole installation reimbursement is the lesser of \$7,500 or 75% of the total amount paid for each replacement or installation. The total reimbursement for undergrounding costs must not exceed what otherwise would be available if pole replacement or mid-span pole installation were done instead. 93  
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To the list of undergrounding costs that are eligible for	99
reimbursement, adds costs incurred if the undergrounding is	100
needed because the process for obtaining access to poles is	101
causing, or reasonably anticipated to cause, a delay that will	102
impact the ability of the provider to meet deadlines required by	103
an agreement or terms of support to provide qualifying broadband	104
service to an address within an unserved area.	105