

8.79 Targeted service areas — determination — criteria.

1. The determination of whether a communications service provider facilitates broadband service meeting the tier 1, tier 2, or tier 3 download and upload speeds specified in the definition of targeted service area shall be determined or ascertained by reference to broadband availability maps or data sources that are identified by the department by rule. The department shall periodically make renewed determinations of whether a communications service provider facilitates broadband service at or above the tier 1, tier 2, or tier 3 download and upload speeds specified in the definition of targeted service area, which shall, to the extent updated maps and data sources are available at the time, include making such determinations prior to each round of grant applications solicited by the department pursuant to [section 8.91](#). The department is not required to make renewed determinations of whether a communications service provider facilitates broadband service at or above the tier 1, tier 2, or tier 3 download and upload speeds specified in the definition of targeted service area more frequently than once in any calendar year.

2. The department shall establish procedures to allow challenges to the department's finding on whether an area meets the definition of targeted service area.

3. All findings and determinations made pursuant to [this section](#) shall exclude mobile wireless or satellite data, capabilities, and delivery mediums.

[2015 Acts, ch 120, §31](#)

[C2016, §8B.10](#)

[2019 Acts, ch 159, §5](#); [2020 Acts, ch 1078, §4, 5, 17](#); [2021 Acts, ch 47, §2, 5, 6](#); [2024 Acts, ch 1185, §59, 85](#)

[C2025, §8.79](#)