

226.1

**ARTICLE 12**

226.2

**TELECOMMUNICATIONS**

226.3 Section 1. Minnesota Statutes 2016, section 116J.394, is amended to read:

226.4 **116J.394 DEFINITIONS.**

226.5 (a) For the purposes of sections 116J.394 to 116J.398, the following terms have the  
226.6 meanings given them.

226.7 (b) "Broadband" or "broadband service" has the meaning given in section 116J.39,  
226.8 subdivision 1, paragraph (b).

226.9 (c) "Broadband infrastructure" means networks of deployed telecommunications  
226.10 equipment and technologies necessary to provide high-speed Internet access and other  
226.11 advanced telecommunications services for end users.

226.12 (d) "Commissioner" means the commissioner of employment and economic development.

226.13 (e) "Last-mile infrastructure" means broadband infrastructure that serves as the final leg  
226.14 connecting the broadband service provider's network to the end-use customer's on-premises  
226.15 telecommunications equipment.

226.16 (f) "Middle-mile infrastructure" means broadband infrastructure that links a broadband  
226.17 service provider's core network infrastructure to last-mile infrastructure.

226.18 (g) "Political subdivision" means any county, city, town, school district, special district  
226.19 or other political subdivision, or public corporation.

226.20 (h) "Satellite broadband equipment" means a satellite dish or modem installed at a  
226.21 broadband user's location in order to receive broadband service from a satellite broadband  
226.22 provider.

226.23 (i) "Satellite broadband provider" means an entity that provides broadband service by  
226.24 means of wireless signals transmitted between communication stations orbiting the earth  
226.25 and satellite broadband equipment installed at a broadband user's location.

226.26 (j) "Satellite dish" means a parabolic aerial installed on a building exterior that receives  
226.27 signals from and transmits signals to a satellite broadband provider's satellite communication  
226.28 station orbiting the earth.

226.29 (k) "Underserved areas" means areas of Minnesota in which households or businesses  
226.30 lack access to wire-line broadband service at speeds of at least 100 megabits per second  
226.31 download and at least 20 megabits per second upload.

227.1 ~~(k)~~ (l) "Unserved areas" means areas of Minnesota in which households or businesses  
227.2 lack access to wire-line broadband service, as defined in section 116J.39.

227.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

227.4 Sec. 2. Minnesota Statutes 2016, section 116J.395, subdivision 2, is amended to read:

227.5 Subd. 2. **Eligible expenditures.** (a) Grants may be awarded under this section to fund  
227.6 the acquisition and installation of:

227.7 (1) middle-mile and last-mile infrastructure that support broadband service scalable to  
227.8 speeds of at least 100 megabits per second download and 100 megabits per second upload;  
227.9 and

227.10 (2) satellite broadband equipment installed on the premises of a broadband user located  
227.11 in an unserved area that can support broadband speeds of at least 25 megabits per second  
227.12 download and three megabits per second upload.

227.13 (b) Grants may be awarded under this section to fund monthly satellite broadband service  
227.14 charges for a period of 12 months for a subscriber whose satellite broadband equipment has  
227.15 been partially funded by a grant under paragraph (a), clause (2).

227.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

227.17 Sec. 3. Minnesota Statutes 2016, section 116J.395, subdivision 5, is amended to read:

227.18 Subd. 5. **Application contents.** An applicant for a grant under this section shall provide  
227.19 the following information on the application:

227.20 (1) the location of the project;

227.21 (2) the kind and amount of broadband infrastructure or satellite broadband equipment  
227.22 to be purchased for the project;

227.23 (3) evidence regarding the unserved or underserved nature of the community in which  
227.24 the project is to be located;

- 227.25 (4) the number of households passed that will have access to broadband service as a  
 227.26 result of the project, or whose broadband service will be upgraded as a result of the project;
- 227.27 (5) significant community institutions that will benefit from the proposed project;
- 227.28 (6) evidence of community support for the project;
- 227.29 (7) the total cost of the project;
- 228.1 (8) sources of funding or in-kind contributions for the project that will supplement any  
 228.2 grant award;
- 228.3 (9) evidence that no later than six weeks before submission of the application the applicant  
 228.4 contacted, in writing, all entities providing broadband service in the proposed project area  
 228.5 to ask for each broadband service provider's plan to upgrade broadband service in the project  
 228.6 area to speeds that meet or exceed the state's broadband speed goals in section 237.012,  
 228.7 subdivision 1, within the time frame specified in the proposed grant activities;
- 228.8 (10) the broadband service providers' written responses to the inquiry made under clause  
 228.9 (9); and
- 228.10 (11) any additional information requested by the commissioner.
- 228.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 228.12 Sec. 4. Minnesota Statutes 2016, section 116J.395, subdivision 7, is amended to read:
- 228.13 Subd. 7. **Limitation.** (a) No grant awarded under this section may fund more than:
- 228.14 (1) 50 percent of the total cost of a project; under subdivision 2, paragraph (a), clause  
 228.15 (1);
- 228.16 (2) 50 percent of the total cost of satellite broadband equipment installed at user locations,  
 228.17 up to \$300; or
- 228.18 (3) \$600 in monthly satellite broadband subscription charges.
- 228.19 (b) Grants awarded to a single project under this section must not exceed \$5,000,000.
- 228.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.