

Application to DHCD Submitted through CAMS

Botetourt County

Botetourt/Lumos/Dominion VATI to Serve Arcadia 2024

Application ID: 107412192023100338
Application Status: Pending
Program Name: Virginia Telecommunication Initiative 2024
Organization Name: Botetourt County
Organization Address: 57 South Center Drive
Daleville, VA 24083
Profile Manager Name: Tony Zerrilla
Profile Manager Phone: (540) 928-2102
Profile Manager Email: tzerrilla@botetourtva.gov

Project Name: Botetourt/Lumos/Dominion VATI to Serve Arcadia 2024
Project Contact Name: Ken McFadyen
Project Contact Phone: (540) 580-1232
Project Contact Email: kmcfadyen@botetourtva.gov
Project Location: 57 S CENTER DR
DALEVILLE, VA 24083-3001
Project Service Area: Botetourt County

Total Requested Amount: \$4,588,119.00

Required Annual Audit Status: Accepted

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Budget Information:

Cost/Activity Category	DHCD Request	Other Funding	Total
Telecommunications	\$4,588,119.00	\$1,147,030.00	\$5,735,149.00
Construction	\$4,588,119.00	\$1,147,030.00	\$5,735,149.00
Total:	\$4,588,119.00	\$1,147,030.00	\$5,735,149.00

Budget Narrative:

Botetourt County and Lumos, in partnership with Dominion Energy, respectfully request a Virginia Telecommunications Initiative (VATI) grant in the amount of \$4,588,119 to deliver broadband connectivity to 623 addresses in the Arcadia and Munford communities in Botetourt County, north of Buchanan. The total project cost is \$5,735,149. The project seeks to utilize an existing 22 miles of middle mile network completed by Dominion and to construct 61.6 miles of conduit and estimates with Lumos (total of 83.6 miles), serving 7 addresses per mile in what is a rural area of the county. Dominion and Lumos are providing a cash match or private investment to the project in the amount of \$ 1,147,030, which equals a 20% provider match. The VATI request per address is \$7,365 and the total project cost per address is \$9,206. The total project cost per mile of conduit constructed is \$ 68,602.

Questions and Responses:

1. Project Description and Need

Describe why and how the project area(s) was selected. Describe the proposed geographic area including specific boundaries of the project area (e.g. street names, local and regional boundaries, etc.). Attach a copy of the map of your project area(s). Label map: Attachment 1 – Project Area Map.

Answer:

Botetourt County, Dominion Energy, and Lumos Networks appreciate the opportunity to submit this Virginia Telecommunications Initiative (VATI) proposal to further achieve universal coverage of broadband Fiber-to-the-Home service throughout the remainder of Botetourt County in areas currently unserved by acceptable broadband connectivity. The need for universal coverage of quality, affordable broadband service for our residents and businesses is clear in the studies that Botetourt County has prepared in recent years and in recent economic development accomplishments.

The project area is located north of Buchanan in the Arcadia and Munford communities. Interstate 81, CSX & Norfolk Southern Railroads, and the James River traverse the project area. The project area also borders the George Washington & Jefferson National Forest and Blue Ridge Parkway and is adjacent to Bedford and Amherst counties.

This VATI grant proposal seeks to deliver Fiber-to-the-Home (FTTH) broadband connectivity to 623 addresses utilizing the construction of 61.6 miles of new conduit, in addition to leveraging an existing 22-mile middle mile network at a projected total cost of \$5,735,149. The VATI request per address is \$7,365 and the total project cost per address is \$9,206. The total project cost per mile of conduit constructed is \$ 68,602.

This VATI proposals follows two previous successful VATI projects and a DHCD-funded CARES expansion project in Botetourt County serving a total of approximately 1,500 addresses and culminates the County's work to deliver broadband connectivity to every residence and business, begun in 2017 with the broadband demand study.

The project map is attached. This VATI proposal follows three previous successful VATI projects in Botetourt County serving a total of approximately 3,070 addresses and culminates the County's work to deliver broadband connectivity to every residence and business, begun in 2017 with the broadband demand study.

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2. List existing providers in the proposed project area and the speeds offered. Describe your outreach efforts to identify existing providers and how this information was compiled with source(s).

Answer:

Botetourt County is aware of five (5) ISPs in the county, including: Comcast, Lumos, the Craig-Botetourt Electric Cooperative (CBEC), Shentel, and most recently Cox. Botetourt County has a working relationship with four of these five providers. The County has generally used FCC data and local research to identify the providers. For this specific project area, Shentel appears to serve 82 locations with speeds at or above 100/20 Mbps.

3. Describe if any areas near the project have received funding from federal grant programs, including but not limited to Connect America Funds II (CAF II), ACAM, ReConnect, Community Connect, and Rural Digital Opportunity Funds (RDOF). If there have been federal funds awarded near the project area(s), provide a map showing these areas, verifying the proposed project area does not conflict with these areas. Label Map: Attachment 2 – Documentation on Federal Funding Area.

Answer:

Lumos has been awarded ACAM funding to provide service to 2,639 addresses in Botetourt County. Lumos will deliver speeds greater than 25/3 Mbps in the ACAM project area. The 2,639 addresses to be served by Lumos through ACAM are not included in this VATI application.

Lumos has been awarded EA-CAM locations in Botetourt County, but they do not overlap with the proposed project area in this application.

Bath-Alleghany-Rockbridge Electric Cooperative, through the Rural Electric Co-Op Consortium, were awarded RDOF and CAF-II support to deliver broadband connectivity to approximately 77 RDOF and 388 CAF II addresses in northern Botetourt County adjacent to the Rockbridge County line. It is our understanding that BARC may be seeking a waiver to be released from its commitments to serve these 465 addresses.

Please see Attachment 2 for additional information.

4. Overlap: To be eligible for VATI, applicants must demonstrate that the proposed project area(s) is unserved. An unserved area is defined as an area with speeds below 100/20 Mbps and with less than 25% service overlap within the project area for wireless projects and 20% for wireline projects. Describe any anticipated service overlap with current providers within the project area. Provide a detailed explanation as to how you determined the percentage overlap. Label Attachment: Attachment 3 – Documentation Unserved Area VATI Criteria.

Answer:

82 of 623 locations in the proposed project area, or 13.2%, are currently served with speeds at or above 100/20 Mbps. It will be necessary to pass these 82 locations with fiber to reach the 541 unserved locations in the proposed project area. To determine the percentage overlap, Lumos used service availability data at an address level from the FCC's Broadband Data Collection to identify the 82 locations and verify that they are currently served with broadband by Shentel.

Please see Attachment 3 for additional information.

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5. Total Passings: Provide the number of total serviceable units in the project area. Applicants are encouraged to prioritize areas lacking 25 Megabits per second download and 3 Megabits per second upload speeds, as they will receive priority in application scoring. For projects with more than one service area, each service area must have delineated passing information. Label Attachment: Attachment 4 – Passings Form.
- Of the total number of VATI passings, provide the number of residential, business, non-residential, and community anchors in the proposed project area.
 - If applicable, of the total number of RDOF passings, provide the number of residential, business, non-residential, and community anchors in the proposed project area.
 - If applicable, provide the number of passings that will require special construction costs, defined as a one-time fee above normal service connection fees required to provide broadband access to a premise. Describe the methodology used for these projections.
 - If applicable, provide the number of passings included in the application that will receive broadband access because special construction costs have been budgeted in the VATI application. Describe the methodology used for determining which passings with special construction costs were budgeted in the application.
 - Provide the number of passings in the project area that have 25/3 Mbps or less. Describe the methodology used for these projections. (up to 15 points)

Answer:

- Total Passings: 623
 - Residential: 599
 - Business (non-home based): 20
 - Community Anchors: 4
- Total RDOF Passings in Project Area: 77
 - Residential: 77
- Passings in Project Area without Special Construction Costs Required: 521
 - Residential: 497
 - Business (non-home based): 20
 - Community Anchors: 4
- Passings with Special Construction Costs budgeted in the Application: 102
 - Residential: 102
- Number of Passings with Speeds at 25/3 Mbps or below in Project Area: 541
 - Residential: 541

Methodology used for determining which passings with special construction costs were budgeted in the application: Lumos determined which passings had drop distances greater than 500 feet by manually measuring the distance from the street centerline to the broadband serviceable location using ArcGIS software.

Methodology used for projecting the number of passings in the project area that have 25/3 Mbps or less: This application includes 465 unserved locations that were funded under RDOF or CAF II because they lack speeds of 25/3 Mbps, plus an additional 76 unserved locations that were identified using service availability data from the FCC's Broadband Data Collection and feedback from Botetourt County.

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6. Describe if any blocks awarded in Rural Digital Opportunity Fund (RDOF) are included in the VATI application area. If RDOF areas are included in the VATI application, provide a map of these areas and include information on number of passings in RDOF awarded areas within the VATI application area, and Census Block Group ID number for each block group in the project area. Label Attachment: Attachment 5 – RDOF Awarded Areas Form in VATI Area

Answer:

Bath-Alleghany-Rockbridge Electric Cooperative (BARC), through the Rural Electric Co-Op Consortium, were awarded RDOF support to deliver broadband connectivity to approximately 77 addresses in northern Botetourt County adjacent to the Rockbridge County line in Census Block Group # 510230402002. It is our understanding that BARC may be seeking a waiver to be released from its commitments to serve these 77 addresses; therefore, we included the same 77 locations in our proposed project area.

7. **For wireless projects only:** Please explain the ownership of the proposed wireless infrastructure. Please describe if the private co-applicant will own or lease the radio mast, tower, or other vertical structure onto which the wireless infrastructure will be installed.

Answer:

Not applicable.

8. Network Design: Provide a description of the network system design used to deliver broadband service from the network's primary internet point(s) of presence to end users, including the network components that already exist and the ones that would be added by the proposed project. Provide a detailed explanation of how this information was determined with sources. Provide information on how capacity for scalability, or expansion, of how the network can adapt to future needs. If using a technology with shared bandwidth, describe how the equipment will handle capacity during peak intervals. For wireless projects, provide a propagation map for the proposed project area with a clearly defined legend for scale of map. Label Map: Attachment 6 – Propagation Map Wireless Project.

Answer:

Lumos will utilize part of its existing fiber infrastructure and Dominion Energy's middle mile network to extend its redundant fiber network to the project area. Lumos currently provides service utilizing its partnership with Calix for its Gigabit Passive Optical Network (XGS-PON). Utilizing ERPS ring topology, the solution provides redundant network paths to the access equipment in the field.

Lumos will utilize the XGS-PON cards in the access equipment to serve the project area. Lumos will build 18.5 underground miles and 43.1 aerial miles of fiber to serve all the addresses in the project area and will leverage Dominion Energy's 22 miles of middle mile fiber. From the XGS-PON card, Lumos will build fiber to a local convergence point (LCP) and place our splitters in this cabinet which will serve up to 32 customers per splitter. From the LCP cabinet to the customers, we will build distribution fiber out that will be spliced using multiports. The size of the multiports will vary depending on the expected number of homes in the area ranging from 4 up to 12 ports. From the multiport, Lumos will install a single fiber drop to each customer that will be plugged into the fiber Optical Network Terminal (ONT). The majority of Lumos ONTs are located indoors. Using this same format of deployment, Lumos currently offers service to over 100,000 addresses that can receive fiber services and up to 2 Gbps/2 Gbps speeds.

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9. Speeds: Describe the internet service offerings, including download and upload speeds, to be provided after completion of the proposed project. Detail whether that speed is based on dedicated or shared bandwidth, and detail the technology that will be used. This description can be illustrated by a map or schematic diagram, as appropriate. List the private co-applicant's tiered price structure for all speed offerings in the proposed project area, including the lowest tiered speed offering at or above 100/20 Mbps. (up to 10 points)

Answer:

Consumers will have access to Lumos' 100% fiber-to-the-premise internet services and its complete portfolio of symmetrical fiber broadband product profiles. All fiber Internet services allow for unlimited broadband data usage consumption, without throttling or data capping, and there are no contracts or term commitments. Fiber broadband speed packages are competitively priced as part of a strong value proposition centered on fast, reliable connections and 24/7 local support. See "Attachment 18 – Speeds" for current tiered price structure for consumers. Business customers may customize pricing by bundling services and other parameters and may choose fiber broadband profiles up to 8 Gbps/8 Gbps symmetrical. Speeds are based on dedicated bandwidth.

Lumos conducts speed tests in a manner consistent with DHCD and VATI requirements. This includes testing at the access point at the end-user location upon installation of service. Additionally, for VATI funded areas, Lumos uses management application software to regularly conduct automated speed tests for a random subset of locations at times of peak network usage.

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10. Explain how the proposed project achieves universal broadband coverage for the locality or fits into a larger plan to achieve universal broadband coverage for the locality. If applicable, explain the remaining areas of need in the locality and a brief description of the plan to achieve universal broadband coverage. (up to 50 points)

Answer:

Universal broadband fiber connectivity is currently lacking for approximately 1,000 locations in Botetourt County. Generally, Lumos has the ability to provide connectivity throughout Botetourt County, although there may be small pockets outside the Lumos ILEC footprint where it would be more economically feasible for the incumbent to serve.

This VATI proposal seeks to deliver fiber connectivity to 623 addresses. Of this count of 623 addresses, 541 addresses currently have service less than 25/3 Mbps (i.e. enhanced DSL copper service). 48 of 623 homes are currently passed with fiber but would be required to pay for a long drop upon ordering service. An additional 54 homes in the project area will have a long drop. These passings will not require any additional special construction costs beyond those budgeted for in the VATI application.

Among these addresses, this VATI expansion project seeks to serve 599 residential addresses, 20 businesses, and 4 community anchors (churches).

In 2017, Botetourt County estimated that approximately 30% of homes lacked broadband connectivity. There are approximately 15,000 residential structures in the county, which suggested in 2017 that 4,500 of these structures lacked broadband connectivity. In further reviewing the availability of fiber infrastructure, we have learned that the estimate is approximately twice what was determined in 2017. In working with our partners with the Department of Housing and Community Development, Commonwealth of Virginia Office of Broadband, and internet service providers, we have canvassed the county to determine where service is unavailable. Also, through frequent press releases, reports to the Board of Supervisors, and the formation and meeting of the Botetourt County Broadband Commission, we have raised awareness of the county's emphasis on delivering broadband connectivity to our residents and businesses. Our county website has included a portal for residents to provide their physical address and information, including broadband lack of availability that we have in turn used to locate dead spots.

In 2018, Botetourt County convened a broadband summit with national broadband experts to raise awareness and to address needs and opportunities. These and many other efforts have resulted in three previously funded VATI projects serving 3,070 addresses. This proposal seeks to serve an additional 473 addresses. Botetourt County leadership has also testified to the State Corporation Commission to provide support to Dominion Energy's broadband expansion project in the Arcadia area of the county. Going forward, the Botetourt County Department of Community Development is drafting comprehensive plan and ordinance amendments that would require developers to require broadband infrastructure in subdivisions and in residential and commercial developments. Botetourt County is committed to ensuring that broadband infrastructure investments made today are enhanced in the future by maintaining universal coverage throughout the county.

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11. Project Readiness

Describe the current state of project development, including but not limited to: planning, preliminary engineering, identifying easements/permits, status of MOU or MOA, and final design. Prepare a detailed project timeline or construction schedule, identifying specific tasks, staff, contractor(s) responsible, collection of data, etc., and estimated start and completion dates. Applicants are encouraged to extensively discuss, where applicable, easements relating to railroad crossings, federally-owned lands and parks, partnerships with the Virginia Department of Transportation, and mobile home parks. Applicants must include Memorandums of Understanding (MOUs) or Memorandums of Agreement (MOAs) between applicants (drafts are allowable). Label Attachments: Attachment 7 – Timeline/Project Management Plan; Attachment 8 – MOU/MOA between Applicant/Co-Applicant; (up to 10 points)

Answer:

The project area has passed initial engineering reviews and financial commitments within Lumos. The final design is a pending funding award. In the Excel attachments, the timeline and project management plan are included that lays out all the major tasks, staffing, start and completion dates.

Lumos has identified the railroad crossings necessary to complete this project and has a good track record of working with its railroad partners early in a project so that the crossings do not become an issue and potentially delay project completion. In addition, Lumos meets regularly with VDOT to review Lumos projects and discuss and resolve issues related to permitting.

The Memorandum of Agreement between Lumos and Botetourt County is drafted and ready for approval pending a favorable VATI decision. A separate MOU between Dominion Energy, Lumos, and Botetourt County has been drafted and ready for approval pending a favorable VATI decision.

12. Has the applicant or co-applicant received any VATI grants? If so, provide a list of these grants, with a detailed summary of the status of each.

Answer:

Botetourt County has successfully closed out two VATI projects between 2018 and 2023, with the Craig-Botetourt Electric Cooperative and Lumos, totaling 1,169 addresses. Currently, Botetourt County is administering a third VATI project with Lumos to serve an additional 1,901 addresses.

Botetourt County and Lumos administered a VATI expansion to 548 addresses in the Buchanan/Springwood area of Botetourt County. The DHCD/VATI project number is 2021-003. The VATI grant of \$1,364,337 was matched with \$1,254,000 in Botetourt County and Lumos funds for a 52% local/private match to serve 548 addresses. The total project cost per address served was \$4,778 and the VATI award per address served was \$2,490. The project has been completed and the broadband closeout report has been accepted by DHCD.

Currently, Botetourt County and Lumos are administering a VATI expansion to 1,901 addresses. The DHCD/VATI project number is 2022-008. The VATI grant of \$3,084,796 was matched with \$4,824,937 in Botetourt County and Lumos funds for a 61% local/private match to serve 1,901 addresses. The total project cost per address served is \$4,161 and the VATI award per address is \$1,623.

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13. Matching funds: Complete the funding sources table indicating the cash match and in-kind resources from the applicant, co-applicant, and any other partners investing in the proposed project (VATI funding cannot exceed 80 percent of total project cost). In-kind resources include, but are not limited to: grant management, acquisition of rights of way or easements, waiving permit fees, force account labor, etc. Please note that a minimum 20% match is required to be eligible for VATI, the private sector provider must provide 10% of the required match. If the private co-applicant cash match is below 10% of total project cost, applicants must provide financial details demonstrating appropriate private investment. If applicants and co-applicants are seeking to include prior expended funds as matching funds, Attachment 11 must be completed. Label Attachments: Attachment 9 - Funding Sources Table; Attachment 10 – Documentation of Match Funding; Attachment 11 - Prior Expended Match Form

Answer:

Botetourt County, Lumos, and Dominion propose with this VATI project to leverage Dominion's middle mile network that has been constructed in the project area. The middle mile network enables the last mile network to be built by Lumos as the ISP. The project area is geographically challenging, which resulted in this partnership and leveraging of resources to accomplish the goal of Fiber to the Home for the 623 addresses. The VATI request of \$4,588,119 amounts to 80% of the total projected project cost and Dominion and Lumos private investments amount to 20% of the remaining sources to accomplish the project. The private investments total \$1,147,030.

14. Leverage: Describe any leverage being provided by the applicant, co-applicant, and partner(s) in support of the proposed project. (up to 10 points)

Answer:

Botetourt County's Office of Communications will collaborate with Broadband Marketing initiatives to further engagement with the community. This will be accomplished by social media marketing, utilizing traditional media outlets, and also working with influencers within the community. The emphasis for communications will be placed on informing the Botetourt community of project progress with delivering connectivity and celebrating milestone successes. Botetourt County Libraries has a robust online presence and can incorporate additional programming as connectivity increases to the 623 addresses.

<https://web.botetourtva.gov/library/online-library/>

15. Communications Plan: Describe efforts to keep the public informed of project progress and the broadband adoption plan.

a. Explain how you plan on communicating the project status to stakeholders, including but not limited to County leadership, project areas residents, etc. (Up to 10 points)

b. Explain how you plan to promote customer take rate, including marketing activities, outreach plan, and other actions to reach the identified serviceable units within the project area. Provide the anticipated take rate and describe the basis for the estimate. (up to 10 points)

c. Describe any digital literacy efforts to ensure residents and businesses in the proposed project area sufficiently utilize broadband. Please list any partnering organizations for digital literacy, such as the local library or cooperative extension office.

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Lumos will employ a robust marketing communications program designed to inform, educate, and promote fiber services to potential customers. Various marketing instruments create integrated marketing campaigns that communicate at various touchpoints before, during, and after fiber Internet services become available. Elements integrated marketing campaigns utilize printed and digital assets to drive the greatest opportunity for acceptance and are supplemented with traditional marketing programs that include press releases, social media marketing, direct mail, broadcast, out of home, and print communication. Botetourt County's Office of Communications will collaborate with Lumos to further engagement with the community. This will be accomplished by social media marketing, utilizing traditional media outlets, and also working with influencers within the community.

Lumos Pre-Construction Neighborhood Activation Activities: Letters, post cards, street teams and digital assets communicate multiple times with applicable addresses within a new fiber available service area. The communications educate and inform consumers on the benefits of fiber technology, and transition to promotional offers as we bring the "Network of the Future" to their respective neighborhoods. Methods include an initial correspondence letter to make the introduction of the brand and the project; door hangers to create awareness of construction activity and present an opportunity for gathering email addresses for future marketing communications; digital communications like email, landing pages, or special areas on website to ensure reach, information, and capture interest; construction crew handout to create awareness in field and direct users where to find more information; outbound campaigns for calling potential users to inform and promote; construction direct mail as a reminder communication of construction; and press release and social media marketing.

Lumos Post-Construction Neighborhood Activation Activities: After fiber construction is complete in a new neighborhood, communication efforts transition to integrated marketing outreach programs. Similar tactics may be used to attract both consumer and business prospects, and messaging can be tailored to include area specific offers or special promotions. Communications are supported by a comprehensive digital presence and mobile-friendly website that showcases company, product, and technology information. The primary purpose of these communications is the acquisition of new customers. Methods include email and other digital communications which can be customized; direct mail to create visual communication; blog, testimonial and social media strategy to feature stories that promote the use of broadband in a digital environment; street teams that communicate special offers in specific areas; outbound sales and calling campaigns; events, sponsorships, out of home, broadcast, and print; and advertising through an array of community and event sponsorships.

Based on past projects in unserved grant funded areas, Lumos anticipates its take-rate reaching around 60% in the proposed project area.

Digital literacy efforts: Lumos is interested in exploring opportunities with local governments and non-profits to partner on programs that support digital literacy. We would be interested in providing resources in a train-the-trainer framework. Generally, we are open to getting creative with our public-private partnerships. Lumos VP of Market Development, Derek Kelly, sits on the board of the Kramden Institute in North Carolina which refurbishes old computers for those in need and offers digital literacy classes. In addition, Lumos has embraced efforts such as working with a North Carolina-based startup, Invenire, to create virtual experiences for small museums, allowing students from across the state and elsewhere to experience local history without getting on a bus. Another example is a monetary donation Lumos recently made to the Public Library in Clayton, North Carolina, to provide devices for the library's children's room, building on the library's existing programming that supports elementary aged children. These are just a few examples of our partnerships through which we cater to individual localities. We are interested in hearing from local communities about their specific needs and addressing them accordingly.

Botetourt County Libraries also deliver digital literacy programs to the community, as evidenced by the letter of support from Julie Phillips included in this VATI proposal.

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16. Project Management: Identify key individuals who will be responsible for the management of the project and provide a brief description of their role and responsibilities for the project. Present this information in table format. Provide a brief description of the applicant and co applicant's history and experience with managing grants and constructing broadband communication facilities.

Answer:

Based upon strong experience and accomplishments with two previous VATI projects for Botetourt County and Lumos, the following individuals compose the project management team for this VATI project proposal.

Chief Administrative Official for Botetourt County- Gary Larrowe, County Administrator- responsible for general oversight of the project in coordination with the Project Management Team.

Chief Administrative Official for Lumos- Brian Stading, CEO- responsible for general oversight of the engineering, design, and construction of the project in coordination with the Project Management Team.

Grant/ Project Manager- Ken McFadyen, Director of Economic Development- reviews and presents grant disbursement requests to the Economic Development Authority and ensures that all grant reporting will be submitted to DHCD; coordinates activities among the Project Management Team and DHCD. Andrew Stevenson and Tim Pressley with Lumos will support Mr. McFadyen with compliance matters.

Financial Manager- Tony Zerrilla, Botetourt County Director of Finance- reviews and recommends grant disbursement requests; ensures transfers of funds from the Board of Supervisors to the Economic Development Authority to cover approved expenditures.

Project Architect/Engineer/ISP- David Smith, Chief Network Officer (CNO), and Dan Fishback, Vice President of Outside Plant and Construction- responsible for the day-to-day progress with the engineering, design, and construction of the project, to and responsible for submitting detailed pay requests to the Financial Manager on a frequent basis.

Project Management- Rachel Brewster, Sr. Manager Outside Plant Strategy and Implementation, and Shandie Bradshaw, Outside Plant Delivery Project Manager, are responsible for coordinating activities on a day-to-day basis with Mr. Smith.

Marketing and Public Relations- John Spilman and Derek Kelly with Lumos, and Tiffany Bradbury, with Botetourt County, coordinate public information and marketing strategies directed toward the project's future customers. They provide public information regarding project timelines and ongoing progress updates. They field customer inquiries and promote the work of the project, the County, Lumos, and the Commonwealth's VATI program.

Attorneys- for Botetourt County and the Economic Development Authority - Mike Lockaby- responsible for drafting and finalizing grant agreements on behalf of the Board of Supervisors and Economic Development Authority.

DHCD Telecommunication and Broadband Project Manager — [Name and Title] for the Virginia Department of Housing & Community Development, will provide technical assistance and general oversight to ensure the project's compliance with VATI guidelines and DHCD policy and will conduct regular compliance reviews throughout the DHCD contract period. The Telecommunication and Broadband Project Manager may attend Project Management Team meetings as her/his schedule allows.

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17. Project Budget and Cost Appropriateness

Budget: Applicants must provide a detailed budget that outlines how the grant funds will be utilized, including an itemization of equipment, construction costs, and a justification of proposed expenses. If designating more than one service area in a single application, each service area must have delineated budget information. For wireless projects, please include delineated budget information by each tower. Expenses should be substantiated by clear cost estimates. Include copies of vendor quotes or documented cost estimates supporting the proposed budget. Label Attachments: Attachment 12 – Derivation of Costs; Attachment 13 - Documentation of Supporting Cost Estimates. (up to 10 points)

Answer:

Botetourt County and Lumos, in partnership with Dominion Energy, respectfully request a Virginia Telecommunications Initiative (VATI) grant in the amount of \$4,588,119 to deliver broadband connectivity to 623 addresses in the Arcadia and Munford communities in Botetourt County, north of Buchanan. The total project cost is \$5,735,149. The project seeks to utilize an existing 22 miles of middle mile network completed by Dominion and to construct 61.6 miles of conduit and estimates with Lumos (total of 83.6 miles), serving 7 addresses per mile in what is a rural area of the county. Dominion and Lumos are providing a cash match or private investment to the project in the amount of \$ 1,147,030, which equals a 20% provider match. The VATI request per address is \$7,365 and the total project cost per address is \$9,206. The total project cost per mile of conduit constructed is \$ 68,602.

18. The cost benefit index is comprised of state cost per unit passed. Individual cost benefit scores are calculated and averaged together to create a point scale for a composite score. Provide the following:

- a. Total VATI funding request

- b. Number of serviceable units
(up to 125 points)

Answer:

a. Total VATI funding request: \$4,353,296

b. Number of serviceable units: 623

19. Commonwealth Priorities (Up to 50 points)

Additional points will be awarded to proposed projects that reflect Commonwealth priorities. If applicable, describe the following:

- a. Businesses, community anchors, or other passings in the proposed project area that will have a significant impact on the locality or region because of access to broadband.

- b. Unique partnerships involved in the proposed project. Examples include electric utilities, universities, and federal/state agencies.

- c. Digital equity efforts to ensure low to moderate income households in the proposed project area will have affordable access to speeds at or above 100/20 mbps, include information regarding the internet service provider's participation in the Affordable Connectivity Program

- d. The co-applicant's efforts to mitigate supply chain constraints, including labor shortages and order-to-delivery delays on telecommunications materials required to construct broadband networks.

- e. The applicant's and co-applicant's efforts to promote broadband adoption, including, but not limited to: telehealth, smart farming, e-entrepreneurship, and distance learning.

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Botetourt County and Lumos are principally addressing the Commonwealth's priorities through identifying opportunities to deliver digital equity to low to moderate income households in the proposed project area. Specifically, the northern section of Botetourt County generally has a median family income approximately 84% that of Botetourt County's overall median family income. Botetourt County's median family income is \$71,110 according to the 2020 Census. The Buchanan/ Springwood census tract in the northern section of the county has a median family income of \$59,911, which is 84% that of the overall median family income. In terms of how we are providing digital equity, the VATI project budget includes an allocation of \$204,000 for long drops. Lumos' policy for long drops is to request an additional installation fee from subscribers whose structures are located more than 500 feet from the main conduit. For this project we have identified 102 of the 623 addresses to be served as requiring a long drop. It is a reasonable expectation that many of these addresses represent households that have median family incomes at or below the Buchanan/ Springwood median family income of \$59,911. These households would otherwise face a disproportionate expense to connect to essential broadband services without the special construction and long drops expense being covered as a VATI project expense.

To help users stay connected for less, Lumos is proud to participate in the FCC's Affordable Connectivity Program where eligible households may save up to \$30 per month on any Lumos Fiber Internet plan, or even qualify for free service when paired with our \$30 100/100 Mbps offering.

A total of twenty (20) businesses and 4 (four) community anchors will gain access to fiber broadband because of this project. The four community anchors are churches and include Mt. Olivet United Methodist, Grace Church, Cedar Bluff Baptist, and Jennings Creek Gospel Church.

Lumos efforts to mitigate make-ready and other permitting requirements anticipated for network deployment include its partnership and regular communications with Dominion Energy which will help mitigate issues and delays due to make-ready work. Lumos understands that Dominion Energy has worked with the US Forestry Service on permitting. In addition, Lumos meets regularly with VDOT to review Lumos projects and discuss and resolve issues related to permitting.

Lumos efforts to promote broadband adoption: Lumos is committed to making the internet accessible for everyone. That's why we offer a range of plans to fit consumers' needs and budgets. We use various methods to increase awareness and adoption of Lumos Fiber Internet services such as press releases, direct mail, door hangers, yard darts, online and radio advertising, door-to-door sales, field marketing outreach at community events, and groundbreaking and ribbon-cutting celebrations. Our regular engagement with local officials and involvement with local Chambers of Commerce are important ways we increased awareness of the Lumos brand and maintain good relations with the community. We're committed to providing customers with regional customer service and technical support 24 hours a day, 365 days a year. If you have a question or a problem, you're never without help. Additionally, with Lumos Total Home Wi-Fi you can enjoy a worry-free experience, from professional installation to ongoing support and management. We're here to remotely monitor, manage, and troubleshoot any issues along the way managed by our expert and regionally based customer service team that has above average net promoter ratings.

Botetourt County estimates that there are approximately 1,500 residents in the county who are remote workers. During 2023, the County leadership has initiated a program to identify and support remote workers in the county. Much of this initiative involves community outreach and promotion of broadband that allows county residents to engage in remote work. Moreover, the county estimates that approximately 2,300 residents are considered by the IRS to be non-employers, or self-employed in some capacity. Here too, the county is promoting e-entrepreneurship as it relates to these non-employers because of the reasonable certainty that many of these residents are working from home and leveraging broadband connectivity to conduct their businesses.

Application to DHCD Submitted through CAMS

Botetourt County

Botetourt/Lumos/Dominion VATI to Serve Arcadia 2024

20. Additional Information

Please attach any letters of support from stakeholders. If the applicant is not a locality(s) in which the project will occur, please provide a letter of support from that locality.

Attachment 14 – Letters of Support.

Provide the two most recent Form 477 submitted to the FCC, or equivalent, as well as point, polygon, and, for wireless providers, RSSI shapefiles for the project area **in .zip file form**. With attachments 17 through 20, attach any other information that the applicant desires to include. Applicants are limited to four additional attachments.

Label Additional Attachments as:

- a. Attachment 15 – Two most recent Form 477 submitted to the FCC or equivalent
- b. Attachment 16 - Point and Polygon shapefiles, in.zip file form, showing proposed passings and project area
- c. Attachment 17 - For wireless applicants: shapefiles, in .zip file form, indicating RSSI projections in the application area
- d. Attachment 18 – XXXXXXXX
- e. Attachment 19 – XXXXXXXX
- f. Attachment 20 – XXXXXXXX

Answer:

We appreciate the opportunity to submit this VATI proposal to the Virginia Department of Housing & Community Development.

Attachments:

Map(s) of project area, including proposed infrastructure

Attachment1ProjectAreaMap1219202352836.pdf

Documentation of Federal Funding (CAF/ACAM/USDA/RDOF, etc...) in and/or near proposed project area.

Attachment2DocumentationofFederalFundingArea1219202352904.pdf

Documentation that proposed project area is unserved based on VATI criteria

Attachment3DocumentationUnservedAreaVATICriteria1219202352949.pdf

Application to DHCD Submitted through CAMS

Botetourt County

Botetourt/Lumos/Dominion VATI to Serve Arcadia 2024

Timeline/Project Management Plan

Attachment7TimelinePMP1219202363139.pdf

MOU/MOA between applicant/co-applicant (can be in draft form)

Attachment8MOUMOAbetweenApplicantCoApplicants1219202380146.pdf

Letters of Support

Attachment14LettersofSupport1219202380311.pdf

Two most recent Form 477 submitted to the FCC or equivalent

Attachment15TwomostrecentForm477submittedtotheFCCorequivalent1219202352620.pdf

Point and Polygon shapefiles, in.zip file form, showing proposed passings and project area

Attachment16PointShapefiles1219202352711.zip

Optional

Attachment16PolygonShapefiles1219202352735.zip

Optional

Attachment18Speeds1219202371433.pdf

Documentation of Match Funding

Attachment10DocumentationofMatchFunding1219202380225.pdf

Derivation of Cost/Project Budget (Use template provided)

Attachment12DerivationofCosts1219202380256.pdf

Funding Sources Table (Use template provided)

Attachment9FundingSourcesTable1219202380208.pdf

Prior Expended Match Form (use template provided)

Attachment11PriorExpendedMatchForm1219202380242.pdf

Application to DHCD Submitted through CAMS

Botetourt County

Botetourt/Lumos/Dominion VATI to Serve Arcadia 2024

Passings Form (Use template provided)

Attachment4PassingsForm1219202380130.pdf

Documentation of RDOF awarded area in VATI project Area (Use template provided)

Attachment5RDOFAwardedPassingsInVATIApplicationArea612022828191219202370021.pdf

Botetourt – Greyledge / Buffalo (FTTP)

\$1,512K

155 Households

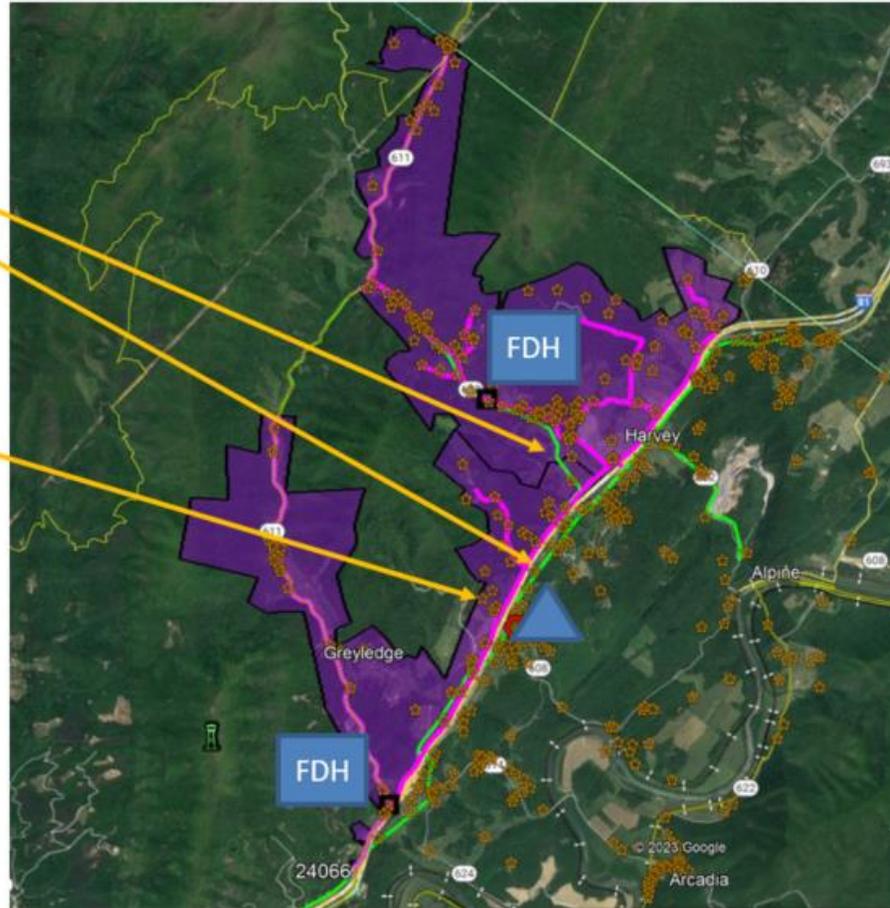
Dominion IRU
Fiber

New ODC-1000 w/ E7
XGSPON + Cisco 55A2 +
- \$50K

Place 100 KFT
Fiber/ 2 FDHs / 38
MDTs / 30 SC
\$1,462K



-  Grant Eligible HH
-  Dominion Pole



Botetourt – Alpine / Dillon (FTTP)

\$2,067K

241 Households

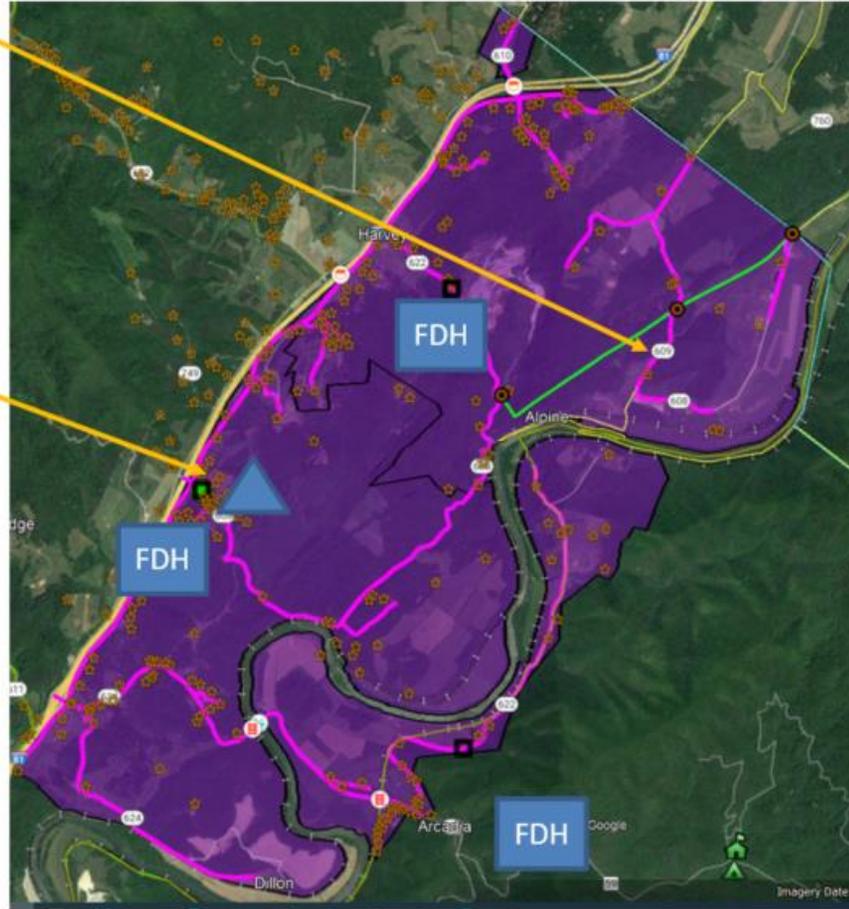
Dominion IRU
Fiber

New ODC-1000 w/ E7
XGSPON + Cisco 55A2 +
- \$50K

Place 143 KFT
Fiber/ 3 FDHs / 33
MDTs / 29 SC
\$2,017K



-  Grant Eligible HH
-  Dominion Pole



Confidential

Botetourt – Munford (FTTP)

\$907K

89 Households

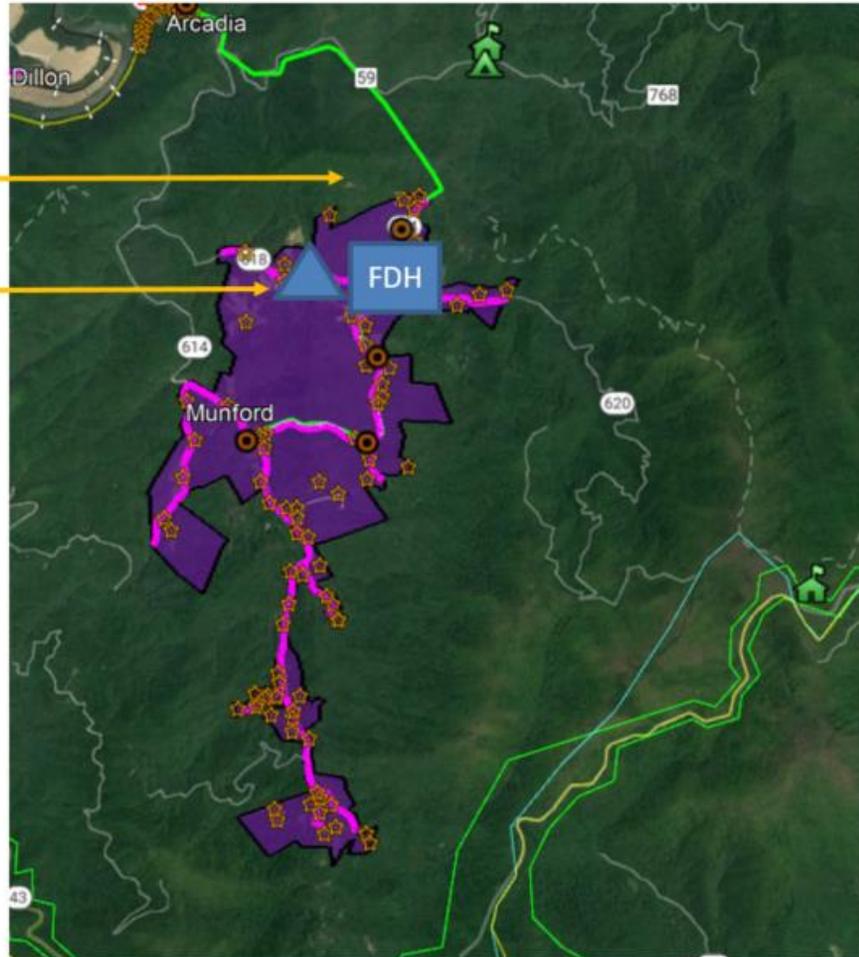
Dominion IRU
Fiber

New ODC-1000 w/ E7
XGSPON - \$60K

Place 56 KFT
Fiber/ 1 FDH /10
MDTs / 16 SC
\$847K

 Grant Eligible HH

 Dominion Pole



Confidential

Botetourt – ILEC / Buchanan / Parkway (FTTP)

\$439K

138 Households
(48 in ILEC)

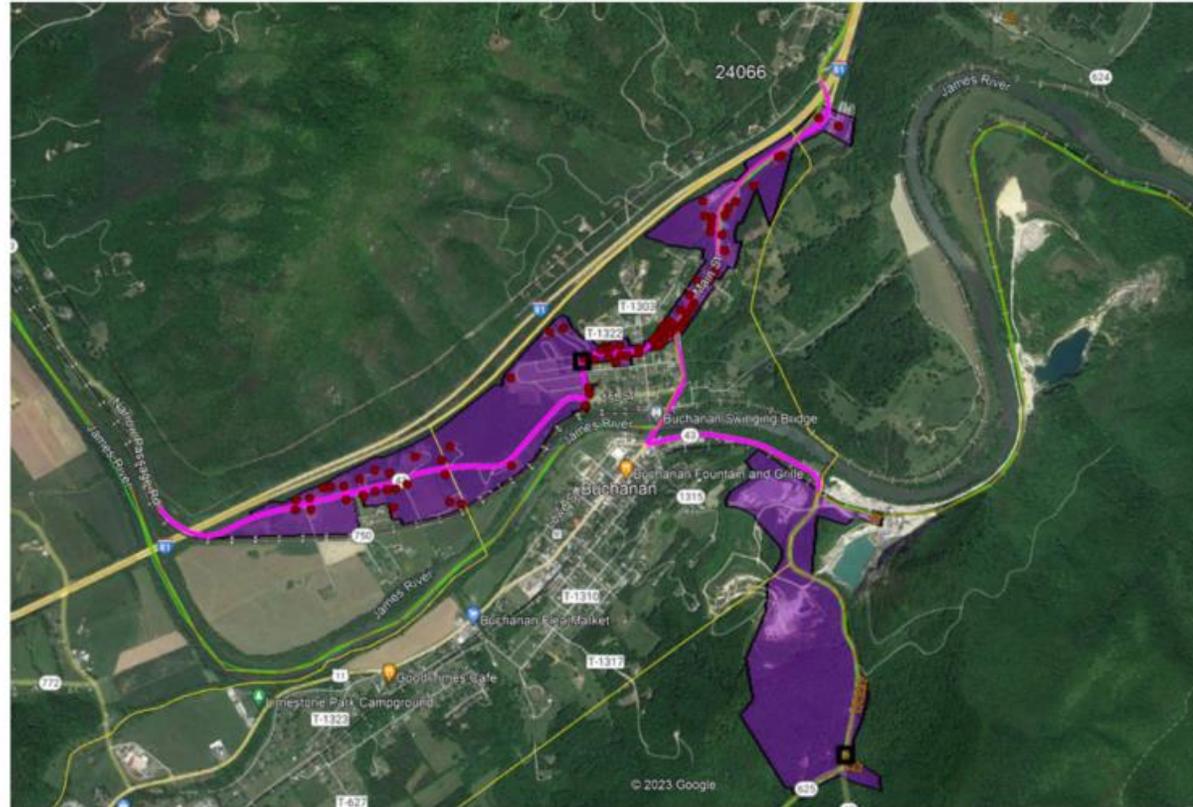
Place 14 KFT
Fiber/ 24 MDTs /
20 SC
\$439K



Grant Eligible HH

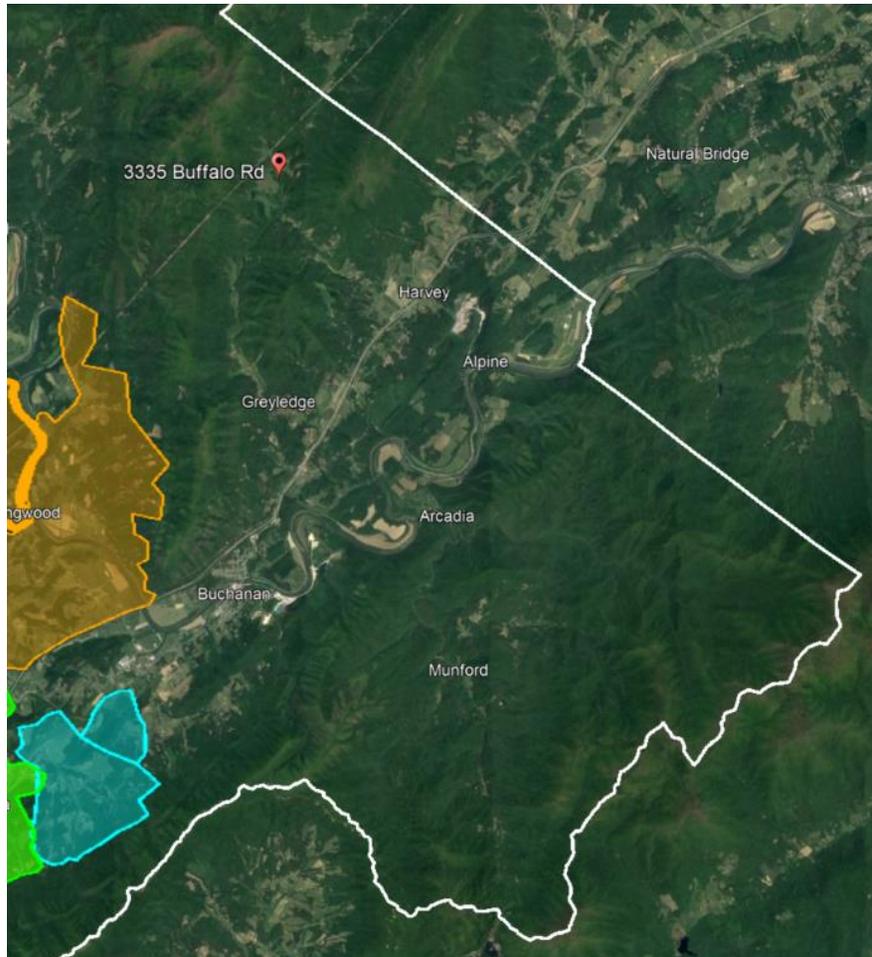


Overlap HH



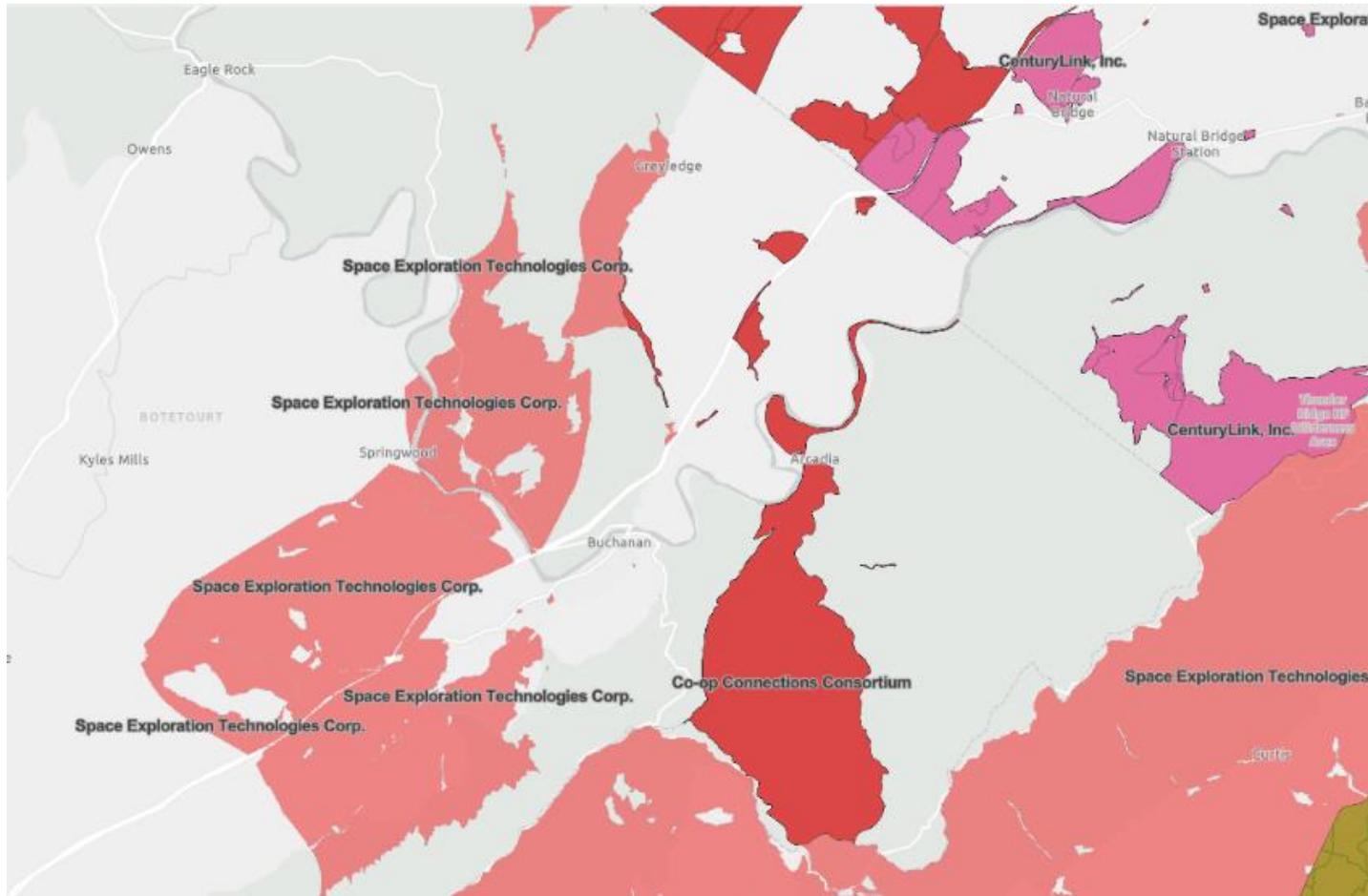
Attachment 2: Documentation of Federal Funding Area

Lumos ACAM and EACAM areas near the proposed project area.



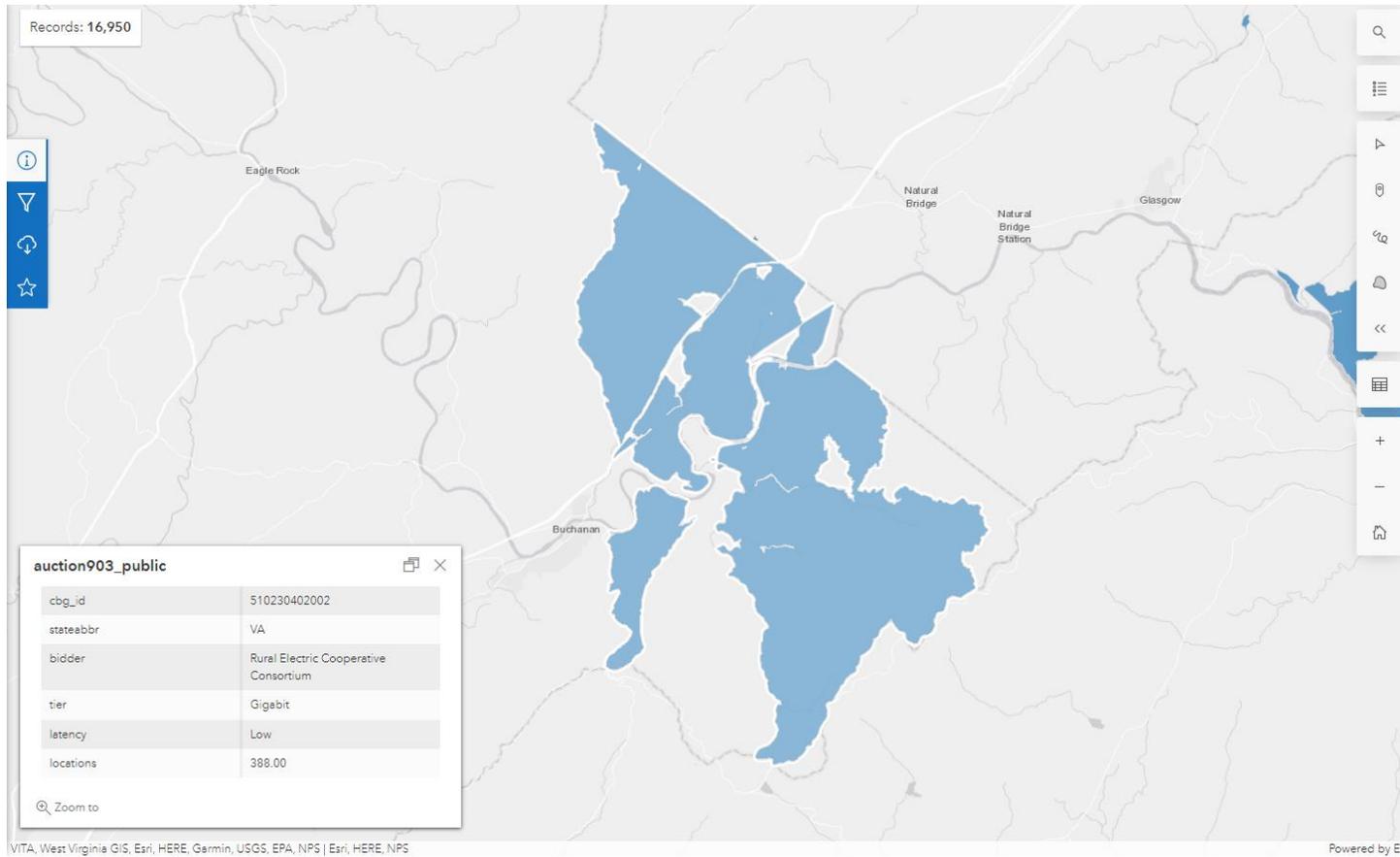
Attachment 2: Documentation of Federal Funding Area

RDOF award areas in and near the proposed project area.



Attachment 2: Documentation of Federal Funding Area

CAF II award areas in and near the proposed project area.



Attachment 3: Documentation Unserved Area VATI Criteria

82 of 623 locations in the proposed project area, or 13.2%, are currently served with speeds at or above 100/20 Mbps. It will be necessary to pass these 82 locations with fiber in order to reach the 541 unserved locations in the proposed project area. To determine the percentage overlap, Lumos used service availability data at an address level from the FCC's Broadband Data Collection to identify the 82 locations and verify that they are currently served with broadband by Shentel.

2023 Virginia Telecommunication Initiative (VATI) Passing Form

Type of Passings	Total Number of Passings in the Project Area ¹	Passings in the Project Area, without Special Construction Costs Required ²	Passings with Special Construction Costs budgeted in the Application ³	Number of Passings with Speeds at 25/3 or below in Project Area ⁴
Residential	599	497	102	541
Businesses (non-home based)	20	20		
Businesses (home-based)				
Community Anchors	4	4		
Non-residential				
Total	623	521	102	541

Note: The Total Number of Passings **MUST** be equal to the Residential, Business (non-home based), Non-residential and Community Anchors sum.

Note: Do not include passings in RDOF awarded areas that were awarded to the co-applicant; these passings should be included in the RDOF Passings Form. Passings included in this application in RDOF awarded areas that were not awarded to the co-applicant, unless successfully challenged, are considered unserved and should be counted as passings in this form.

¹The total number of structures in the project area that can receive service. See definition of passing below for more detail.

²The number of structures in the project area that will not require special construction costs to provide service to. These passings fall within the broadband provider's standard service connection drop length and do not require nonstandard equipment or any additional fees above normal service connection fees required to provide broadband access to a premise.

³The number of structures in the project area with all construction costs budgeted in the application. These passings will not require any additional special construction costs beyond those budgeted for in the VATI application.

⁴The number of structures in the project area that do not have access to internet at speeds of at least 25 mbps download and 3 mbps upload.

Definitions

Passing – any structure that can receive service. Multi-unit structures may be counted as more than 1 passing, provided individual connections and account are planned at that structure.

Business – An organization or entity that provides goods or services in order to generate profit. Businesses based in residential homes can count if they are a registered business (BPOL, LLC, etc.).

Community Anchor - schools, libraries, medical and health care providers, public safety entities, community colleges and other institutions of higher education, and other community support organizations and agencies that provide outreach, access, equipment, and support services to facilitate greater use of broadband service by vulnerable populations, including low-income, unemployed, and the aged.

Non-Residential Passing – places of worship, federal, state, or local facilities or other potential customers that are neither a residence, business or a community anchor as defined above.

2023 Virginia Telecommunication Initiative (VATI) RDOF Passings Form

Type of Passings	Total Number of Passings in the Project Area that lie within Preliminarily Awarded RDOF Areas ¹
Residential	
Businesses (non-home based)	
Businesses (home-based)	
Community Anchors	
Non-residential	
Total Number of RDOF Passings	77

*Note: The Total Number of RDOF Passings **MUST** be equal to the Residential, Business (non-home based), Non-residential and Community Anchors sum.*

Definitions

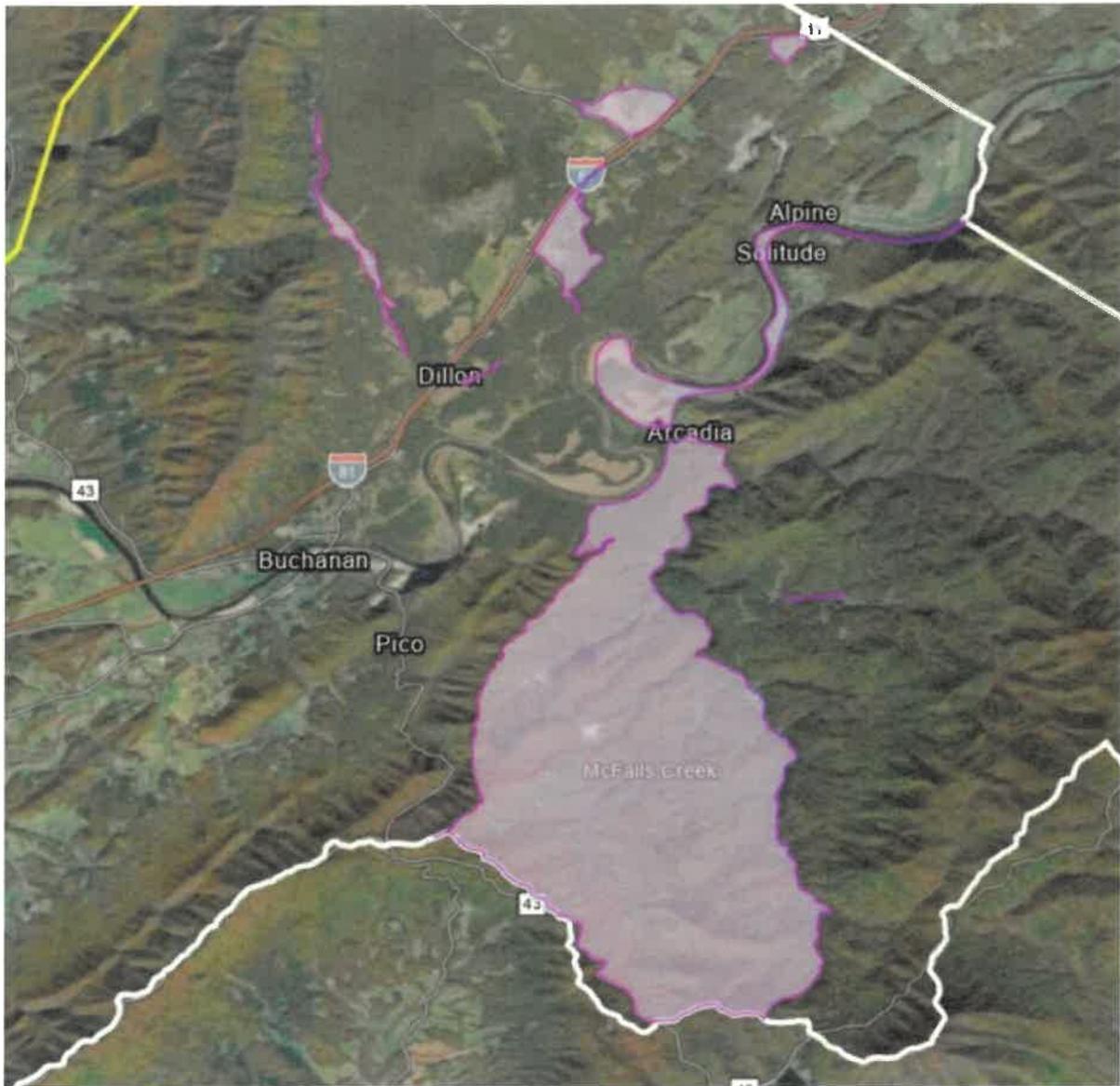
Passing – any structure that can receive service. Multi-unit structures may be counted as more than 1 passing, provided individual connections and account are planned at that structure.

Business – An organization or entity that provides goods or services in order to generate profit. Businesses based in residential homes can count if they are a registered business (BPOL, LLC, etc.).

Community Anchor - schools, libraries, medical and health care providers, public safety entities, community colleges and other institutions of higher education, and other community support organizations and agencies that provide outreach, access, equipment, and support services to facilitate greater use of broadband service by vulnerable populations, including low-income, unemployed, and the aged.

Non-Residential Passing – places of worship, federal, state, or local facilities or other potential customers that are neither a residence, business or a community anchor as defined above.

Attachment 5: RDOF Awarded Areas included in VATI Application



PROJECT MANAGEMENT PLAN

PROJECT NAME : [Project Name]
PROJECT GRANTEE: Botetourt County, VA

VATI # _____

1. PROJECT DESCRIPTION

The [Project Name], also referred to locally as Botetourt/Lumos VATI Project #3, or VATI 3, herein referred to as the "Project," is a project funded through a grant from the Virginia Department of Housing and Community Development's (DHCD) Virginia Telecommunication Initiative (VATI) Program. The purpose of this project is to extend fiber broadband service to 623 unserved addressed locations in the county north of the Town of Buchanan in the Arcadia and Munford areas.

The Botetourt County Board of Supervisors shall be the grantee for the VATI funds and the Economic Development Authority of Botetourt County shall enter into an agreement with LUMOS Telephone of Botetourt LLC and the Botetourt County Board of Supervisors to administer the grant funds.

Project activities include the design and engineering of the broadband network, coordination of pole attachments with utility providers, and the construction of nearly eighty-four (83.6) miles of fiber conduit and aerial lines to deliver Fiber-to-the-Home and the construction cost per mile is \$66,760, which is a competitive cost to construct a new fiber network based on similar projects with similar topography and physical attributes.

2. PROJECT MANAGEMENT TEAM

The Management Team shall consist of members including the County Administrator or designee; the Grant Manager; the Financial Manager; the Project Architect/Engineer; Internet Service Provider (ISP) and other stakeholders as appropriate.

The Management Team will meet monthly to ensure the effective and timely implementation of all project components. The team will review project activities and propose adjustments to the project management plan, as needed, to make certain the project is professionally designed, within budget, and on track to achieve the proposed benefit. Any significant revisions to the project activities or budget will be shared with the Board of Supervisors, Economic Development Authority and DHCD as appropriate and/or necessary.

3. PROJECT ROLES AND RESPONSIBILITIES

The following lists the individual members of the Project Management Team and outlines their

roles and responsibilities for the pre-contract and implementation phases of the project.

Chief Administrative Official for Botetourt County- Gary Larrowe, County Administrator- responsible for general oversight of the project in coordination with the Project Management Team.

Chief Administrative Official for Lumos- Brian Stading, CEO- responsible for general oversight of the engineering, design, and construction of the project in coordination with the Project Management Team.

Grant/ Project Manager- Ken McFadyen, Director of Economic Development- reviews and presents grant disbursement requests to the Economic Development Authority and ensures that all grant reporting will be submitted to DHCD; coordinates activities among the Project Management Team and DHCD. Andrew Stevenson and Tim Pressley with Lumos will support Mr. McFadyen with compliance matters.

Financial Manager- Tony Zerrilla, Botetourt County Director of Finance- reviews and recommends grant disbursement requests; ensures transfers of funds from the Board of Supervisors to the Economic Development Authority to cover approved expenditures.

Project Architect/Engineer/ISP- David Smith, Chief Network Officer (CNO), and Dan Fishback, Vice President of Outside Plant and Construction- responsible for the day-to-day progress with the engineering, design, and construction of the project, to and responsible for submitting detailed pay requests to the Financial Manager on a frequent basis.

Project Management- Rachel Brewster, Sr. Manager Outside Plant Strategy and Implementation, and Shandie Bradshaw, Outside Plant Delivery Project Manager, are responsible for coordinating activities on a day-to-day basis with Mr. Smith.

Marketing and Public Relations- John Spilman and Derek Kelly with Lumos, and Tiffany Bradbury, with Botetourt County, coordinate public information and marketing strategies directed toward the project's future customers. They provide public information regarding project timelines and ongoing progress updates. They field customer inquiries and promote the work of the project, the County, Lumos, and the Commonwealth's VATI program.

Attorneys- for Botetourt County and the Economic Development Authority - Mike Lockaby- responsible for drafting and finalizing grant agreements on behalf of the Board of Supervisors and Economic Development Authority.

DHCD Telecommunication and Broadband Project Manager – [Name and Title] for the Virginia Department of Housing & Community Development, will provide technical assistance and general oversight to ensure the project's compliance with VATI guidelines and DHCD policy and will conduct regular compliance reviews throughout the DHCD contract period. The Telecommunication and Broadband Project Manager may attend Project Management Team meetings as her/his schedule allows.

4. PROCESS FOR FINANCIAL MANAGEMENT

The Financial Manager will be responsible for submitting remittance requests and budget revisions, as applicable, to DHCD. The following describes the process for review, approval, and payment of invoices related to all project expenditures, including leverage funds:

The County will provide the funds to the Authority for the purpose of making the VATI grant payments as set forth in the grant agreement with DHCD and in the agreement among the County, Economic Development Authority, and LUMOS. LUMOS will use the Grant proceeds as reimbursement of expenses related to construction of the Project. The total amount of the VATI Grant shall be \$4,588,119, broken down as follows:

Pass-through VATI Grant from DHCD:	\$4,588,119
------------------------------------	-------------

Grants shall be made not more frequently than monthly upon LUMOS's submission to the Authority and the County of detailed invoices verifying expenditure of funds and delivery of goods, services, or construction work in furtherance of the Project. Such documentation shall be forwarded to the Department of Housing & Community Development for approval and for disbursement of VATI grant proceeds connected to the invoice and documentation. For each invoice, the Authority will issue a grant payment of 90% of the face amount of each invoice, until it has reached the maximum cash match of \$_____, less 10% (\$_____). If LUMOS meets its Targets on or before the Performance Date, the Authority will disburse a final payment of \$_____. The total of the EDA Economic Development Grant shall not be less than \$_____ [Amount of VATI Award].

With the monthly pay requests, County members of the Project Management Team may physically inspect the work that has been performed in the field to confirm construction targets have been met.

5. NOTIFICATIONS

The Grant/Project Manager will notify the Project Management Team of all meetings. The Chief Administrative Official for Botetourt County will also notify the Board of Supervisors of any significant revisions to the project activities or budget. The Grant/ Project Manager will also notify the Economic Development Authority of any significant revisions to the project activities or budget.

6. PROCESS FOR DESIGN AND CONSTRUCTION

The following outlines the process for the project's design and construction contract administration which will include surveying, preparing and reviewing bid documents and plans, bidding, change order approval, and local government inspection and oversight.

The project area has passed initial engineering reviews and financial commitments within Lumos and Botetourt County has provided its letter of funding commitment. Final design is pending funding award. In the Excel attachments, the timeline and project management plan is included that lays out all the major task, staffing, start and completion dates.

Lumos will utilize part of its existing fiber infrastructure and Dominion Energy's middle mile network to extend its redundant fiber network to the project area. Lumos currently provides service utilizing its partnership with Calix for its Gigabit Passive Optical Network (XGS-PON).

Utilizing ERPS ring topology, the solution provides redundant network paths to the access equipment in the field.

Lumos will utilize the XGS-PON cards in the access equipment to serve the project area. Lumos will build 18.5 underground miles and 43.1 aerial miles of fiber to serve all the addresses in the project area, and will leverage Dominion Energy's 22 miles of middle mile fiber. From the XGS-PON card, Lumos will build fiber to a local convergence point (LCP) and place our splitters in this cabinet which will serve up to 32 customers per splitter. From the LCP cabinet to the customers, we will build distribution fiber out that will be spliced using multiports. The size of the multiports will vary depending on the expected number of homes in the area ranging from 4 up to 12 ports. From the multiport, Lumos will install a single fiber drop to each customer that will be plugged into the fiber Optical Network Terminal (ONT). The majority of Lumos ONTs are located indoors. Using this same format of deployment, Lumos currently offers service to over 100,000 addresses that can receive fiber services and up to 2 Gbps/2 Gbps speeds.

With the monthly pay requests, County members of the Project Management Team may physically inspect the work that has been performed in the field to confirm construction targets have been met.

In addition, see Botetourt-Lumos Milestone Timeline.

7. PROJECT OUTCOMES (Closeout, Six Month Post-Closeout and Twelve Month Post-Closeout)

The Botetourt County/ LUMOS Fiber Expansion project proposes to achieve the following passings(s) and estimated % subscribers (including type):

623 unserved residences;

Nearly eighty-four (83.6) miles of fiber conduit and aerial lines to deliver Fiber-to-the-Home; 60% subscriber "take rate" or 374 residences.

The County and ISP will utilize the following process to document how the project will achieve its proposed benefit and it will maintain appropriate documentation on file for five years after project closeout.

Service Offering: .

Consumers will have access to Lumos' 100% fiber-to-the-premise internet services and its complete portfolio of symmetrical fiber broadband product profiles. All fiber Internet services allow for unlimited broadband data usage consumption, without throttling or data capping, and there are no contracts or term commitments. Fiber broadband speed packages are competitively priced as part of a strong value proposition centered on fast, reliable connections and 24/7 local support. See "Attachment 18 - Speeds" for current tiered price structure for consumers. Business customers may customize pricing by bundling services and other parameters, and may choose fiber broadband profiles up to 8 Gbps/8 Gbps symmetrical. Speeds are based on dedicated bandwidth.

Lumos conducts speed tests in a manner consistent with DHCD and VATI requirements. This includes testing at the access point at the end-user location upon installation of service. Additionally, for VATI funded areas, Lumos uses management application software to regularly conduct automated speed tests for a random subset of locations at times of peak network usage.

8. CERTIFYING OFFICER(S):

The following Certifying Officer(s) will be responsible for approving and signing any official grant-related documents or any document related to project implementation.

John Kilby, Chairman, Botetourt County Economic Development Authority
Brian Stading, CEO, LUMOS
Gary Larrowe, County Administrator, Botetourt County

Project Management Team Signatures

Chief Administrative Official
Grant Administrator
Name and Title
Organization

Date

Grant Administrator
Name and Title
Organization

Date

Grant Manager
Name
Organization

Date

Project Manager
Name and Title
Organization

Date

Financial Manager
Name and Title
Organization

Date

Project Architect/Engineer/ISP
Name and Title
Organization

Date

DRAFT

ECONOMIC DEVELOPMENT GRANT AGREEMENT

THIS AGREEMENT (“Agreement”) is entered as of this ___ day of ___ 2024, by and between BOTETOURT COUNTY, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the “County”), the ECONOMIC DEVELOPMENT AUTHORITY OF BOTETOURT COUNTY, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the “Authority”), and the LUMOS Telephone Incorporated, a telecommunication provider (“Lumos”), each a “Party” and collectively the “Parties.” For their Agreement, the Parties state:

Recitals:

WHEREAS, the County is a political subdivision of the Commonwealth of Virginia, authorized to provide funds to the Authority under Sections 15.2-953 and 15.2-1205 of the Code of Virginia, 1950, as amended, for the purposes of the Authority; and

WHEREAS, the Authority is a political subdivision of the Commonwealth of Virginia, authorized to make grants for the purposes of promoting industry, developing trade, and inducing manufacturing, industrial, governmental, nonprofit and commercial enterprises and institutions to locate, remain, or expand facilities in the Commonwealth, under Section 15.2-4905 of the Code of Virginia, 1950, as amended; and

WHEREAS, LUMOS is a telecommunications provider, authorized by the Utility Consumer Services Cooperative Act, Sections 56-231.15 et seq., of the Code of Virginia, 1950, as amended, to provide telecommunications services; and

WHEREAS, LUMOS anticipates making an investment of not less than \$ _____ in in-kind services to the project; and

WHEREAS, the County, in collaboration with LUMOS, submitted an application for grant funding to the Virginia Department of Housing and Community Development (DHCD) Virginia Telecommunications Initiative (VATI), to fund a telecommunications extension project to certain unserved and underserved areas of Botetourt County, Virginia, for the purposes of economic development and expansion of the County’s tax base; and

WHEREAS, DHCD has awarded to Botetourt County a VATI Grant in the amount of \$ _____, to be used for the Project; and

WHEREAS, the County wishes to make certain funds available to the Authority, and the Authority wishes to make a grant to LUMOS, for the purposes of incentivizing LUMOS to expand its facilities in Botetourt County, increase jobs and employment, and otherwise expand the tax base of the County, including acting as a conduit for \$ _____ in VATI Grant funds; and

WHEREAS, the stimulation of additional tax revenue and economic activity to be generated by the Project, new jobs, and retention of existing jobs, constitutes a valid public purpose for the expenditure of public funds and is the animating purpose for this Grant.

Witnesseth

NOW THEREFORE, in consideration of the foregoing premises, the mutual benefits, promises, and undertakings of the parties to this Agreement as set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties covenant and agree as follows:

I. Definitions & Incorporations by Reference.

For the purposes of this Agreement, the following terms shall have the following definitions, unless the context or manifest purpose of this Agreement indicate otherwise:

Capital Investment means a capital expenditure by LUMOS as set forth in the Grant Agreement. The total expected Capital Investment is not less than \$ _____.

Performance Date means [DATE as determined during pre-contract meeting with DHCD].

Project means that project contemplated by the Grant Agreement and substantially as set forth in the Grant Application.

Targets means the LUMOS's obligation pursuant to this Agreement to make Capital Investments at the Facility of at least \$ _____ as of the Performance Date. The Company shall also, as of the Performance Date, provided documentation of (1) the number of takes and the take rate; and (2) the speeds achieved by the Project.

This Agreement incorporates by reference the following documents, which may be referred to as follows:

Grant Application means the *Application to DHCD Submitted through CAMS*, Application ID [###], dated December 19, 2023, and all exhibits thereto.

Grant Agreement between the Virginia Department of Housing and Community Development and the County, dated _____, for the Project.

II. Targets.

LUMOS will construct and operate the Project in the County and make a Capital Investment of not less than \$ _____ as of the Performance Date. In its application for the VATI Grant, the County represented, based upon LUMOS's representation to it, that this would result in _____ passings of unserved addresses, with an estimated take rate of 60%, or _____ addresses. LUMOS must diligently use its best efforts for community outreach and marketing the services. The County and the Authority will use their best efforts, consistent with all provisions of law, to assist LUMOS in meeting these goals. The Parties understand, however, that the number of customers who choose to subscribe is beyond the Parties' control and is expressly not an item of consideration for this Grant.

III. Grant.

The County will provide the funds to the Authority for the purpose of making the Grant as set forth herein. LUMOS will use the Grant proceeds as reimbursement of expenses related to construction of the Project, which expenses may include permit fees charged by the County and

paid by the Company for the Project. The total amount of the Grant, including both state funds and local match, shall be \$5,687,330, broken down as follows:

Pass-through VATI Grant from DHCD: \$ _____

Grants shall be made not more frequently than monthly upon LUMOS's submission to the Authority and the County of detailed invoices verifying expenditure of funds and delivery of goods, services, or construction work in furtherance of the Project. Such documentation shall be forwarded to the Department of Housing & Community Development for approval and for disbursement of VATI grant proceeds connected to the invoice and documentation. For each invoice, the Authority will issue a grant payment of 90% of the face amount of each invoice, until it has reached the maximum cash match of \$ _____, less 10% (\$ _____). If LUMOS meets its Targets on or before the Performance Date, the Authority will disburse a final payment of \$ _____. The total of the EDA Economic Development Grant shall not be less than \$ _____ [Amount of VATI Award].

In the event the above grants are not made due to an event of non-appropriation or otherwise, the Company's obligations for performance under this Agreement shall be void and of no force and effect.

IV. Reporting.

LUMOS shall provide, at its own expense, detailed verification reasonably satisfactory to the County and the Authority of its progress on the Targets in aid of the County's reporting requirements to DHCD. Such progress reports will be provided monthly upon request. For the purposes of verifying the accuracy of reports, and for no other purpose, the Company hereby waives its protections under Section 58.1-3 of the Code of Virginia, 1950, as amended, and authorizes the Commissioner of the Revenue for Botetourt County, Virginia, to provide verification to the County and the Authority from his records; provided, however, that such disclosure shall not waive the protections of § 58.1-3 as to any other person, nor authorize the County or the Authority to disclose such information to any other person other than DHCD. Further, LUMOS grants the County and the Authority the right to inspect any site at which work on the Project is or has been carried on during the term of this Agreement in order to verify work for which an invoice has been submitted.

DHCD, in furtherance of the VATI Grant, will conduct an Intermediate and Final Compliance Review. The LUMOS must make all records available upon DHCD's request. LUMOS shall retain financial records, supporting documents, statistical records, and all other records pertinent to the VATI Grant for a period of no less than five years from the date of submission of the final expenditure report. When applicable, all contractors and the County shall comply with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia, 1950, as amended). DHCD also anticipates receiving the following reports from the County and LUMOS:

- a. Monthly progress reports, to be submitted not later than the 15th day of each month. The reports must document VATI Grant and non-Grant funds obligated and expended to date and the actions taken on key deliverables, including but not limited to construction status, numbers of passings of serviceable units, and number of subscribers.

- b. Final project progress report, to be submitted not later than _____, detailing total VATI Grant and non-Grant funds expended and the actions taken on key deliverables.
- c. Post-closeout report on subscribers at six (6) months and one (1) year from the Performance date.

LUMOS will assist the County with providing the detailed verification information required by DHCD and uploading this information into CAMS.

LUMOS and County staff should meet on a regular basis, not less frequently than monthly, in order to discuss progress on the Project and ensure positive communications. The meeting may be carried out by telephone or canceled if no significant matters are necessary for discussion in a particular month.

V. Notices.

Any notices required or permitted to be given under this Agreement shall be given in writing, and shall be deemed to be received upon receipt or refusal after mailing of same in the United States by First-Class U.S. Mail, certified, postage prepaid, or by customary commercial overnight courier (refusal shall mean return of certified mail or overnight courier package not accepted by addressee):

If to LUMOS, to:

LUMOS NETWORKS
 1 Lumos Plaza
 Waynesboro, Va 22980
 Attn: _____

With a copy to:

Lumos Networks
 1900 Roanoke Road
 Daleville, VA 24083
 Attn: David Smith, VP Technical OPS

If to the Authority, to:

ECONOMIC DEVELOPMENT
 AUTHORITY OF BOTETOURT COUNTY,
 VIRGINIA
 One West Main Street, #1
 Fincastle, Virginia 24090
 Attn: John Kilby, Chair

With a copy to:

AUTHORITY COUNSEL
 Spilman, Thomas & Battle, PLLC
 310 First Street, Suite 1100 (ZIP 24011)
 P.O. Box 90
 Roanoke, Virginia, 24002-0090
 Attn: Michael W. S. Lockaby, Esq.

If to the County, to:

BOTETOURT COUNTY, VIRGINIA
 One West Main Street, #1
 Fincastle, Virginia 24090
 Attn: Gary P. Larowe, County Administrator

With a copy to:

COUNTY ATTORNEY
 Gynn, Waddell, Carroll & Lockaby, P.C.
 415 South College Ave.
 Salem, Virginia 24153
 Attn: Michael W.S. Lockaby, Esq.

The addresses set forth in this section only may be amended by sending written notice to all other parties of a change of address, without need of signed amendment to this Agreement.

VI. Miscellaneous.

Indemnity. The Company agrees to indemnify and hold harmless the Authority, the County, and their officers, directors, and employees free and harmless for and from any and all claims, causes of action, damages or any liability of any type, including reasonable attorney's fees, on account of any claims by or any injury or damage to any persons or property growing out of or directly or indirectly resulting or arising in any way out of any actions, omissions or activities of the Company or its agents, employees or representatives arising out of or connected in any way to any of the matters involved in this Agreement or its performance.

Integration. This Agreement, including the exhibits hereto, constitutes the full and complete agreement of the Parties respecting its subject matter, and any prior or contemporaneous agreements or understandings, written or oral, are hereby merged into and superseded by the provisions of this Agreement. This Agreement may only be amended or supplemented by a subsequent writing of equal dignity except where expressly set forth herein. This Agreement may not be assigned by a Party without the prior written consent of the other Parties.

No covenants of officials. No covenant, agreement or obligation contained in this Agreement shall be deemed to be a covenant, agreement or obligation of any present or future director, officer, employee or agent of the Authority or the County in his or her individual capacity, and neither County officials nor the directors of the Authority nor any officer, employee or agent thereof executing this Agreement or any related instrument shall be liable personally on this Agreement or such instrument or be subject to any personal liability or accountability by reason of the execution and delivery thereof. No director, officer, employee or agent of the Authority or the County shall incur any personal liability with respect to any other action taken by him or her pursuant to this Agreement or the Industrial Development and Revenue Bond Act or any of the transactions contemplated hereby or thereby, provided he acts in good faith.

Not a pledge of full faith and credit. Any obligation of the County to pay, set aside, or otherwise appropriate funds for performance of this Agreement shall be construed to be subject to appropriation, and shall not be construed to be in derogation of Article VII § 10 of the Virginia Constitution. THE OBLIGATIONS OF THE AUTHORITY UNDER THIS AGREEMENT, AND THE OBLIGATIONS OF THE COUNTY RELATING TO PASSING THROUGH VATI GRANT FUNDS, ARE NOT GENERAL OBLIGATIONS OF THE AUTHORITY OR COUNTY BUT ARE LIMITED OBLIGATIONS PAYABLE SOLELY FROM THE REVENUES AND RECEIPTS DERIVED BY THE AUTHORITY FROM THE COUNTY PURSUANT TO THIS AGREEMENT OR FROM THE COMMONWEALTH UNDER THE VATI GRANT. THE OBLIGATIONS OF THE AUTHORITY AND THE COUNTY HEREUNDER SHALL NOT BE DEEMED TO CONSTITUTE A DEBT OR A PLEDGE OF THE FAITH AND CREDIT OF THE COMMONWEALTH OF VIRGINIA OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE AUTHORITY AND THE COUNTY.

Rule of construction for dates. If any action is required to be performed, or if any notice, consent or other communication is given, on a day that is a Saturday or Sunday or a legal holiday

in the Commonwealth of Virginia, such performance shall be deemed to be required, and such notice, consent or other communication shall be deemed to be given, on the first business day following such Saturday, Sunday or legal holiday. Unless otherwise specified herein, all references in this Agreement to a “day” or “days” shall refer to calendar days and not business days.

Choice of law. This Agreement shall be construed according to the laws of the Commonwealth of Virginia without regard to its principles of conflicts of laws. The Parties consent to exclusive venue and jurisdiction in the Circuit Court or General District Court, as appropriate, of Botetourt County, Virginia.

Attorneys' fees. The Parties agree that, except as specifically provided in this Agreement, if any Party pursues legal action to enforce the terms of this Agreement, the American Rule shall apply and each Party shall bear its own attorneys' fees and expert costs and no fee shifting shall occur.

Drafter & Severability. This Agreement has been jointly drafted by the Parties, and is to be construed as jointly drafted and not be construed against any of the Parties as the drafter. This Agreement is severable, and if any provision is found to be invalid by any court of competent jurisdiction, the remainder shall survive. The section and paragraph headings in this Agreement are for convenience of reference only and do not modify or restrict any provisions hereof and shall not be used to construe any provisions of this Agreement except to clarify the intent of a section.

Covenant of Authority. All Parties warrant that the signatories below have full authority, and have undertaken such legal actions as may be necessary to ensure such authority, to bind the entities of which they are representatives to the full extent permitted by law. Company agrees that, during the term of this Agreement, it shall not allow its corporate existence to lapse or its certificate of authority in the Commonwealth of Virginia to be revoked or cancelled at any time. This Agreement may be executed by facsimile, electronic or original signature of the parties and in counterparts which, assuming no modification or alteration, shall constitute an original and when taken together, shall constitute one and the same instrument. All Parties further warrant that they have full legal authority to carry out the actions contemplated by this Agreement, and that they are aware of no litigation pending or threatened that would draw such authority into question,

Time of the Essence. Time is of the essence of all obligations set forth herein for which a time is stated.

Waiver. The failure of any Party to this Agreement to insist upon strict compliance with any term herein shall not be construed to be a waiver of that requirement.

Assignment of Agreement. Any obligation under this Agreement may only be assigned to a third party with the prior written consent of all Parties.

Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be construed to be an original and production of all of which shall not be necessary to prove the contents of this Agreement.

IN WITNESS WHEREOF, see the following signatures, of even date herewith:

BOTETOURT COUNTY, VIRGINIA:

Gary P. Larowe
County Administrator

Approved as to legal form:

Michael W.S. Lockaby
County Attorney

**ECONOMIC DEVELOPMENT AUTHORITY OF BOTETOURT COUNTY,
VIRGINIA**

John Kilby
Chair of the Board of Directors

LUMOS NETWORKS,

[Name and Title]

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (this “Memorandum”) is made effective as of December 19, 2023, (the “Effective Date”), by and among Virginia Electric and Power Company d/b/a Dominion Energy Virginia, a Virginia public service corporation (“Dominion”), Lumos, a Virginia corporation (“Lumos”), and Botetourt County, the (“County”). Dominion and Lumos are collectively referred to as the “Organizing Parties.” The Organizing Parties and the County are each a “Party” and are collectively referred to as the “Parties”.

RECITALS

- A. Pursuant to the Virginia Code § 56-585.1:9, effective July 1, 2021 (the “Broadband Statute”) the Commonwealth of Virginia is seeking to expand broadband services into unserved areas of the Commonwealth. The Statute further permits electric utilities to pursue programs with broadband providers and local counties and municipalities to facilitate such expansion.
- B. Dominion and Lumos have explored the feasibility of Dominion deploying middle mile service to facilitate Lumos in extending last-mile service to unserved populations throughout the communities of Virginia and have identified several counties as viable candidates based on the legislative requirements for such a program.
- C. The Organizing Parties believe their partnership as set forth herein (the “Initiative”) can dramatically expand broadband access to presently unserved areas throughout Virginia and are inviting Botetourt, to join this Memorandum and become a Participating County.
- D. The Parties will pursue a relationship whereby: (i) pursuant to the Statute, Dominion would construct a fiber route that maximizes the number of unserved areas to be served by Lumos within each Participating County, (ii) Dominion will leverage the additional fiber installed along the route to connect devices that may not have had fiber connectivity under the original plan pursuant to the Grid Transformation and Security Act, (iii) Lumos will collaborate with and invest in each Participating County and use the additional Dominion fiber capacity to serve broadband end users in unserved locations in each Participating County, and (iv) each Participating County will share relevant information with the Organizing Parties and collaborate with the Organizing Parties to advance the Initiative. The efforts of the Parties herein in each such Participating County shall be referred to as a “Project”, and collectively the “Projects”).
- E. It is the intention of the Parties that the Initiative will result in the deployment of a fiber-to-the-premises last-mile broadband network to offer service to all locations within each Participating County that are unserved as of the date hereof. The Parties acknowledge and agree that the specific details and characteristics of each Project will be analyzed and refined as the Initiative proceeds.
- F. The Organizing Parties have divided the Initiative into three phases.

NOW, THEREFORE, the Parties hereby agree as follows:

1. PROCEDURE TO BECOME A PARTICIPATING COUNTY

Any county that is invited to join the Initiative by the Organizing Parties shall have until December 31, 2023 to return a counterpart signature page to this Memorandum to the Organizing Parties; provided the Organizing Parties may extend this deadline for good cause if such extension will not materially delay the Initiative. Upon acceptance of the counterpart signature page by the Organizing Parties, such county shall become a Participating County.

2. INFORMATION SHARING AND COORDINATION; NON-SOLICITATION

- a) Each Participating County and each Organizing Party agrees to share with the Organizing Parties such information as it has in its possession related to broadband deployment and availability that may be useful to the Organizing Parties in conducting their analysis or otherwise facilitate the Initiative.
- b) Lumos will serve as the central conduit for all information sharing activities and will be responsible for overall coordination of the Initiative.
- c) The Parties will coordinate any communication releases to the public, and all announcements are subject to the prior written consent of Dominion and prior written or verbal consent of all Parties with the final release being handled by Lumos.
- d) Notwithstanding anything to the contrary hereunder, in no event does this sharing of information agreement require any Party to disclose confidential or proprietary information not otherwise authorized for release to any Party or Parties.
- e) Dominion shall not actively market any use of its additional fiber in unserved areas of the Participating Counties directly to a known competitor of Lumos for the entire term of this Memorandum, plus a period of three (3) years after the effective date of the Definitive Agreements.

3. PHASE ONE TIMEFRAME AND ACTIVITIES

- a) The Parties anticipate that Phase I of the Initiative will continue until approximately March 31, 2024.
- b) During Phase I:
 - i. Lumos will evaluate submission of a Utility Leverage Program (“ULP”) unserved determination filing by December 19, 2023.
 - ii. The Organizing Parties will conduct community and stakeholder engagement activities in each Participating County.
 - iii. The Organizing Parties will collaborate to develop preliminary plans and design criteria that: (i) are consistent with the Statute, and (ii) facilitate the extension of broadband availability to as many presently unserved locations as reasonably possible.
 - iv. Lumos will perform a last-mile feasibility study (“Initial Feasibility Study”) for the Project within each Participating County.
 - v. Lumos will prepare a preliminary financial analysis for the Project within each Participating County.
 - vi. The Participating Counties, and each Organizing Party, as applicable, will agree to support an application for one or more grant programs (“Phase I Grants”) to partially offset the cost of the Initial Feasibility Study and financial analysis. Lumos will coordinate and oversee the development and submission of applications for Phase I Grants. The Parties anticipate that the Phase I Grants will require minimal local matching of funds, However, such matches are encouraged to aid in the overall advancement of Phase I and all following Projects.
- c) At the Conclusion of Phase I:
 - i. Lumos, in coordination with Dominion, will present the results of the Initial Feasibility Study and financial analysis to each Participating County.

- ii. Lumos will identify the cost of Proceeding to Phase II for each Participating County and identify grants and other sources of potential funding to reduce or eliminate each Participating County's out-of-pocket costs to proceed.
- iii. Each Participating County will decide whether or not to continue to Phase II. Counties that elect to withdraw from the Initiative at the conclusion of Phase I will have no further rights or obligations under this Memorandum.

4. PHASE TWO TIMEFRAME AND ACTIVITIES

- a) The Parties anticipate that Phase II of the Initiative will commence upon the conclusion of Phase I and continue until approximately July 31, 2024.
- b) During Phase II:
 - i. Lumos will complete preliminary last-mile designs for each Project based upon the proposed Dominion middle-mile infrastructure. Such last-mile designs will be tailored to maximize each Project's eligibility for all available state and federal grant, loan, loan guarantee, and other support mechanisms (collectively, "Public Support Mechanisms").
 - ii. Lumos will prepare detailed financial plans for each Project. Each financial plan will address initial capital investment and ongoing operational expenses, and will provide more than one indicative approach for funding each Project through a combination of private capital, Public Support Mechanisms and contributions from Participating Counties.
 - iii. The Participating Counties, and each Organizing Party, as applicable, will agree to support an application for one or more grant programs ("Phase II Grants") to partially offset the cost of the activities to be conducted during Phase II. Lumos will coordinate and oversee the development and submission of applications for Phase II Grants.
 - iv. Lumos will coordinate and oversee the development and submission of applications for all available Public Support Mechanisms to fund each Project within the Initiative.
- c) At the Conclusion of Phase II:
 - i. Lumos will present the last mile design and financial plans to each Participating County.
 - ii. Each Participating County will decide whether or not to continue to Phase III. Counties that elect to proceed to Phase III will enter into negotiations with Lumos for one or more binding mutual definitive agreements ("Definitive Agreements"), setting forth their respective commitments and obligations and such particulars as the parties thereto may deem appropriate. Counties that elect to withdraw from the Initiative at the conclusion of Phase II will have no further obligations under this Memorandum.
 - iii. Lumos will serve as the nongovernmental internet service provider pursuant to the Broadband Statute and corresponding petition filed by Dominion. Lumos and each of the other Parties will provide such information and assistance to Dominion as each may reasonably request to advance the Initiative and will commit to continuing to be involved in the Petition and any other regulatory proceedings that may be required until and after approval of the Petition and/or other regulatory proceedings is received. The Parties agree that implementation of each Project shall be contingent upon Commission approval, or such other regulatory approval as may be necessary, of such Project on terms and conditions approved by Dominion.

5. EXPENSES

The Parties understand that various costs will be incurred in relation to activities contemplated herein. The Parties understand that regardless of which Party incurs such costs, none of the Parties herein shall be responsible for reimbursement of expenses to any of the others, unless such reimbursement is to be funded by a Phase I Grant or Phase II Grant, or otherwise agreed to in the Definitive Agreements.

6. GOOD FAITH COMMITMENT TO INITIATIVE

- a) Each Participating County agrees that, for so long as it is a Party to this Memorandum, it shall not participate in any activity or course of conduct that is inconsistent with or competitive to the Initiative, and that it will devote its broadband-related attention and resources to the Initiative.
- b) The Parties understand and agree that, except as provided in the next sentence, this Memorandum (i) constitutes only a statement of intentions, (ii) does not reflect all matters upon which Definitive Agreements must be reached in order for the transactions contemplated hereby to be consummated, (iii) binding obligations with respect to a Project will only result from the execution of one or more Definitive Agreements and subject to the terms and conditions stated therein, and (iv) does not obligate the Parties to enter into any Definitive Agreement relating to any Project. This Memorandum is not intended to be binding, other than Paragraphs 5,6, 8 and 9(a) and (e).

7. TERMINATION

Any party may terminate its participation in this Memorandum at any time, with or without cause, upon written notice to the other Parties with at least ten (10) days prior notice. In addition, this Memorandum shall terminate and be of no further force and effect if the Commission rejects the petition.

8. LIMITATION OF LIABILITY

No Party shall be liable to the others in contract, tort, or otherwise, for any claims, liabilities or losses arising out of this Memorandum or alleged to result from the failure of the other Party to enter into any Definitive Agreements. The Parties hereby waive, in advance, any claims (whether such claims are based on breach of contract, tort, equity or any other theory) for the failure for any reason to enter into the Definitive Agreements. In no event shall any Party be liable to the other for any incidental, indirect, special, punitive or consequential damages (including without limitation damages for lost profits).

9. GENERAL

a) Governing Law.

This Memorandum shall be governed in all respects by the laws of the Commonwealth of Virginia.

b) Amendments.

No modification, amendment or waiver of any of the provisions of this Memorandum will be binding without the written consent of the Parties hereto.

c) Binding Effect; Assignment.

This Memorandum will inure to the benefit of and be binding upon each of the Parties hereto and their respective successors and permitted assigns to the extent provided in Section 6, but in no respect shall give rise to any third-party beneficiary rights or claims. No Party may assign any of its rights, interests, or obligations hereunder without the prior written consent of the other Parties, except that any of the Organizing Parties may assign this Memorandum to an affiliated entity upon written notice to the other Parties.

d) Counterparts.

This Memorandum may be executed in counterparts, all of which for all purposes shall be deemed to be an original and all of which shall, taken together, constitute one and the same instrument.

e) Relationship of Parties.

Nothing in this Memorandum shall be deemed to constitute, create, give effect to, or otherwise recognize a joint venture, partnership, or formal business entity of any kind.

f) Notices.

All notices, requests and other communications hereunder shall be in writing and delivered by hand, by nationally-recognized delivery service that guarantees overnight delivery, or by first-class registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

If to Dominion:

Dominion Energy Virginia
600 Canal Street
Richmond, Virginia 23219
Attention: Director, Electric Distribution Grid Solutions

with a copy to:

Dominion Energy Services, Inc.
120 Tredegar Street
Richmond, Virginia 23219
Attention: Deputy General Counsel – State Regulatory
Fax: (804) 819-2677

If to Lumos:

Lumos Broadband
Attention: President and CEO
XXXX

If to a Participating County, to the address set forth on such Participating County's counterpart signature page to this Memorandum.

Any Party may change its address at any time upon notice to the other Parties.

IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the Effective Date.

VIRGINIA ELECTRIC AND POWER COMPANY

D/B/A DOMINION ENERGY VIRGINIA

Name: David Walker
Title: Director – Electric Distribution Grid Solutions

LUMOS BROADBAND, INC.

Name: [REDACTED]
Title: President and CEO

IN WITNESS WHEREOF, the Counties named below have executed this Memorandum as of the Effective Date.

BOTETOURT COUNTY

Name: [REDACTED]
Title: County Administrator
Botetourt County

VATI FUNDING SOURCES TABLE

Please fill in the chart below with a description of the project funding source (local, federal, state, private, other), the amount from that source, the percentage of total project funding that source represents, and a description of the current status of the funds (pending, secured, etc.).

Source	Amount	%	Status
REQUESTED VATI	\$ 4,588,119	80	Pending
PRIVATE- LUMOS	\$ 443,030	7.7	COMMITTED
PRIVATE- DOMINION	\$ 704,000	12.3	COMMITTED- EXPENDED AND NETWORK IN PLACE
	\$		
	\$		
	\$		
	\$		
TOTAL	\$ 5,735,149	100 %	

December 19, 2023

Tamarah Holmes, Ph.D
Director, Office of Broadband
Virginia Department of Housing and Community Development
600 East Main Street, Suite 300
Richmond, Virginia 23219

RE: 2024 VATI Applications from Lumos

Dear Ms. Holmes:

Dominion Energy Virginia ("Dominion") is pleased to be a party to a partnership with Lumos and Botetourt County (each, a "Participating County").

Dominion and several ISP partners have developed a unique approach for achieving universal broadband access with individual Counties, and through broader, regional approaches. Dominion's participation in each of these projects will be pursuant to, and in a manner consistent with the provisions of, Virginia Code § 56-585.1:9 (the "Utility Leverage Statute").

This letter confirms Dominion's support for the application to the 2024 Virginia Telecommunication Initiative submitted by Lumos and our Participating County partners named above. Dominion's specific investments that will support each proposed project will be set forth in petitions under the Utility Leverage Statute that has been submitted to the State Corporation Commission ("SCC"). Dominion's participation in each project, and its specific level of related investment, has been subject to the approval of the SCC and the terms set forth in the SCC's Final Order related to each project.

Dominion is pleased to be part of these important County-wide and regional initiatives in the manner contemplated by the Utility Leverage Statute.

Sincerely,



David F. Walker
Director, DEV Strategic Customer Programs



December 19, 2023

Dr. Tamarah Holmes
Director, Office of Broadband, Department of Housing and Community Development
Main Street Center
600 East Main Street
Richmond, Virginia 23219

Re: Botetourt County funding and partnership support for Lumos' 2024 VATI proposal

Dear Dr. Holmes:

For more than 120 years, Lumos and its predecessors have faithfully served our communities, ensuring that our customers have state-of-the-art communications services. Our company was founded in 1897 to bring universal telephone service to areas the large incumbent deemed too rural to serve. We were early adopters of electronic switching and of replacing copper lines with fiber optic transport. Our customers had dedicated internet as soon as DSL technology became available. Now we are a leader in deploying fiber-to-the-premise broadband service, with symmetrical 2 GIG speed currently available to our residential customers. As the need arises, higher speeds can be accomplished simply by changing the optics equipment at the end of the fiber.

In 2020, Botetourt County partnered with Lumos on a successful VATI grant to extend our fiber optic network by an additional 59 miles, bringing fiber-to-the-premises to 550 rural locations in the county. In 2022, Botetourt County again partnered with Lumos to build over 340 miles of fiber to service 1,900 premises in the county. This year, Botetourt County is again partnering with Lumos and asking for a VATI grant that will improve the availability of broadband. The total cost of the project is \$5,735,149 and Lumos is committing funds of \$443,030.

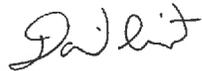
Federal infrastructure funding has greatly increased the dollars available for VATI grants. That infrastructure funding is focused on broadband network deployment. And deployment is certainly a necessary first step. For people to truly benefit, however, a provider must deliver fast, reliable, and affordable broadband service to everyone, every minute of every day. For 120 years, Lumos has demonstrated this service commitment to its customers. That history is concrete assurance that the broadband

service we provide using this fiber optic infrastructure will be second to none in quality and reliability.

Lumos has committed to Botetourt County that we will complete the construction described in the application on time and on budget. And we are committed to bringing fiber services to Botetourt residents that will reap the benefits of reliable, high-speed broadband service.

If you have any questions or comments, please reach out to me directly at 540-591-9913 or david.smith@lumosfiber.com.

Sincerely

A handwritten signature in black ink, appearing to read "David Smith".

David Smith
Chief Network Officer
Lumos

Attachment 11 – Prior Expended Match Form

Local Government expenditures incurred after June 2, 2021, one year prior to the application open date, are eligible to be included in the application as match funds. Incurred expenses must be related to the proposed VATI project and meet VATI criteria. Expenditures incurred by internet service providers after December 13, 2021 are also eligible to be included in the application as match funds. For these match funds to be considered, the co-applicant internet service provider and local government applicant must have been unsuccessful in the FY22 round of VATI. Please complete the table below to explain any prior expended funds which have been considered as matching funds in this application. Incurred expenses must also be directly related to the proposed VATI project and meet VATI criteria. DHCD staff reserves the right to make administrative determinations on the validity of matching funds and accept a proportion of the funds when necessary.

Prior Expended Match Table				
Expense Incurred By: (Local Government or Internet Service Provider)	Source: (Local, State, Federal, Other, Loan, etc.) Please list fund source (i.e. Local Fiscal Recovery Fund)	Amount:	Brief Description: (Construction, Administration Expenses, or Other)	How is this expense directly related to the proposed VATI project? If more space is needed, please describe in detail below the table with numbered references in the cells below.
Dominion Energy	Private	\$704,000	Middle Mile Network	The middle mile network enables the last mile network to be built by Lumos as the ISP. The project area is geographically challenging, which resulted in this partnership and leveraging of resources to accomplish the goal of Fiber to the Home for the 623 addresses.

CDBG Derivation of Cost

Product	Total	VATI	Non-VATI	
EXAMPLE				
<u>Construction</u>				
<i>200 LF of fiber @\$150/LF</i>	\$30,000	\$15,000	\$15,000	
<i>Tower</i>	\$100,000	\$80,000	\$20,000	
<i>Engineering</i>	\$20,000	\$0	\$20,000	

Product	Total	VATI	Non-VATI (Lumos)	Non-VATI (Dominion)
Construction	Detail Redacted and Provided Separately by Email to DHCD			
	\$ 5,735,149	\$ 4,588,119	\$ 443,030	\$ 704,000
	Total	VATI	Non-VATI (Lumos)	Non-VATI (Dominion)

CDBG Derivation of Cost

Source of Estimate	Date
Company A	9/5/2016
Company B	9/5/2016
ABC Engineering Firm	9/5/2016

30000

Source of Estimate	Date

COUNTY ADMINISTRATION
botetourtva.gov

57 S. Center Drive, Suite 200
Daleville, VA 24083

P: (540) 928-2006
F: (540) 473-8225



December 15, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband, Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As the Vice Chair of the Botetourt County Board of Supervisors representing the Buchanan District and the Dean of Science, Technology, Engineering, and Math at Virginia Western Community College, I wholeheartedly endorse Botetourt County's recent Virginia Telecommunications Initiative (VATI) proposal. This initiative, developed in collaboration with Lumos and Dominion Energy, aims to provide broadband service to approximately 420 locations in the Arcadia region of Botetourt County, located north of Buchanan.

Residents in the northern region of Botetourt County urgently require this vital utility. In our interconnected era, broadband isn't merely a luxury—it's an indispensable resource. It supports our remote workforce, facilitates virtual education for our students, and enables telehealth services for our community members. While some areas of Botetourt County enjoy various amenities, broadband access should be universally accessible. Securing this grant could significantly uplift a community currently at risk of lagging behind due to the absence of this essential service.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. We are grateful for everything that DHCD has done for Botetourt County and cannot begin to thank you for the support you have shown to our community. Please let me know of any questions or needs. Thank you for your time and consideration.

Sincerely,

Mrs. Amy White
Vice-Chair, Botetourt County Board of Supervisors
Dean, School of Science, Technology, Engineering and Mathematics, VWCC

COUNTY ADMINISTRATION
botetourtva.gov

57 S. Center Drive, Suite 200
Daleville, VA 24083

P: (540) 928-2006
F: (540) 473-8225



December 15, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband, Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As the Director of Botetourt County Libraries, I enthusiastically support Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve about 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Like all four of our county library branches, our Buchanan branch offers 24/7 wifi services, as well as computer and internet access during business hours. This branch fields over 56% of the entire library system's wifi sessions, at nearly 200 sessions per week. In addition, the Buchanan branch also delivers over 66% of the library system's personalized technology help sessions (up to 45 minutes per session), with the next highest branch at a mere 18%. These statistics illustrate the dire need for technology access in Buchanan's rural areas, specifically in Arcadia.

When people have no internet access at home, they have little opportunity to practice the non-negotiable skills required for nearly all jobs and routine life tasks. Our library assists patrons every day in accomplishing basic tasks that require internet access. In addition, a lack of internet access exacerbates the isolation of Arcadia's senior citizens and even teens who may lack transportation or be unable to socialize in person due to health concerns. Our library attempts to fill the gap, but our limited hours and access are insufficient to meet community needs in a digitally driven world. We have seen exceptional success in expanding broadband in Botetourt County, with positive results for areas that have recently gained this access. Universal broadband is no longer a luxury, but a necessity for employment, healthcare, safety, connection, and more. This grant could make all the difference in a community that risks falling farther behind the rest of the world every day that they do not have access to this crucial service.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads 'Julie Phillips'.

Julie Phillips.

ANNA L. WEDDLE, Chair
Amsterdam District

MATTHEW J. EAST
Blue Ridge District

TIM DAVIDICK
Valley District



DANA McCALEB, Vice-Chair
Fincastle District

JENNY P. WILSON
Buchanan District

Dr. JONATHAN D. RUSS
Superintendent

[December 15, 2023]

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As superintendent for Botetourt County Public Schools, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is a critical necessity for fostering educational equity and community development, especially in the rural areas of our county. The VATI funding proposal presents a valuable opportunity to bridge the digital divide and enhance connectivity in our region. Improved broadband infrastructure not only facilitates online learning for students but also enables efficient communication. It allows us to amplify our online presence, share important information with parents and the community, and engage in virtual collaboration. I believe that investing in broadband access through VATI is a vital step toward creating a more connected and inclusive learning environment.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely

A handwritten signature in cursive script that reads "Jonathan D. Russ".

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Angie Bryant". The signature is written in a cursive, flowing style.

Angie Bryant
2537 Greyledge Rd
Buchanan, VA 24066

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,



Roy Bryant
2537 Greyledge Rd
Buchanan, VA 24066

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Jimmy Carter".

Jimmy Carter
645 Greyledge Rd
Buchanan, VA 24066

Dec 14, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a business owner and homeowner, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Living in a rural area, my family faces unique challenges that broadband fiber internet can significantly alleviate. In today's digitally-driven world, reliable high-speed internet is not just a luxury; it's a necessity for everyday life. My grandchildren require stable internet for their educational needs, including accessing online resources and participating in virtual learning environments. For us adults, it's essential for telecommuting, staying informed, and managing our family business operations more efficiently. Moreover, access to high-speed internet enables us to stay connected with distant family members and friends, ensuring we're not isolated from our wider community. The introduction of broadband fiber in our area would not only enhance our family's quality of life but also bring countless opportunities for personal and professional growth, keeping us connected in an increasingly digital world.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,


Doug & Julia Deming



December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

James P. Dodd, Jr.

James P. Dodd, Jr.
1403 Greyledge Rd
Buchanan, VA 24066

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

Linda Sue Dodd

Linda Sue Dodd
1403 Greyledge Rd
Buchanan, VA 24066

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

[Paragraph about your perspectives about broadband access and this VATI funding proposal]

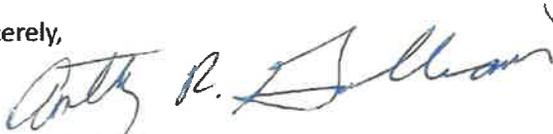
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We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,



Anthony R. Guilliams

12/18/2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As the manager for JayceeJ Ventures, LLC, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

My business is heavily internet based and I would love nothing more than to be able to run it from my home shop, but we currently have no access to internet (high speed or low speed). While I have considered moving to access better internet, that really isn't feasible either. Bringing internet to northern Botetourt County would be a HUGE asset to the area.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,



Kimberly Lawrence

JayceeJ Ventures, LLC

December 15, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As the owner of Lawrence Investments, LLC I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

While I love conducting business in Botetourt County, we are starting to see a decline in opportunities due to the lack of internet access. I work in real estate development and it is hard to attract both commercial leases and residential developments due to the Internet being a vital service that is not available in our area. Adding this service would provide opportunities to grow our county and keep us in line and competitive with other areas!

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,



Chip Lawrence

Lawrence Investments, LLC

12/19/2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As Owner for Lawrence Truck, Inc, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

My business is primarily conducted from my home and currently with the lack of internet (not just high speed, but any internet), I am required to rent an off site facility for processing of our books, schedules, etc, as that is all handled online now!

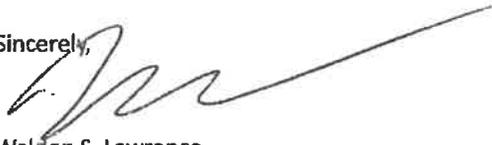
Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,



Weldon S. Lawrence

Lawrence Truck, Inc

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

John Manspile

John Manspile
1499 Greyledge Rd
Buchanan, VA 24066

12/16/2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road in Buchanan, VA, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,



Andrew Monteith
1102 Greyledge Rd.
Buchanan, VA 24066

12/16/2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road in Buchanan, VA, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,



Beth Morris

1102 Greyledge Rd.
Buchanan, VA 24066

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Colleen Price".

Colleen Price
649 Greyledge Rd
Buchanan, VA 24066

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

George Price

George Price
649 Greyledge Rd
Buchanan, VA 24066

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As the owner of my own real estate company, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Not only would broadband benefit me personally in my business, the opportunity for economic development is major. The north end of our county currently has no high speed internet service, which is a detractor for folks interested in moving to our area. It is also a huge negative for parents of school age children, as not having internet has been shown to put them behind as compared to their peers, on a level equal to lack of adequate healthcare.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,



Jenna Lawrence

RE/MAX All Stars

Virginia Tech Corporate Research Center
2200 Kraft Dr, Suite 1350
Blacksburg, VA 24060

709 S Jefferson St
Roanoke, VA 24016



(540) 443-9232

@rbtechcouncil
rbtc.tech



December 15, 2023

Dr. Tamarah Holmes, PhD
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As Executive Director for Roanoke-Blacksburg Technology Council, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

The RBTC endorses Botetourt County's latest VATI proposal, recognizing its potential to strengthen and bridge a digital divide in Arcadia. Broadband access is not just a service; it's a catalyst for economic growth, educational advancement, and improved quality of life. This initiative aligns seamlessly with our goal to foster technological inclusivity and grow the technology-based economy.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erin Burcham', is written over a white background.

Erin Burcham
Executive Director
Roanoke-Blacksburg Technology Council





December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As Executive Director for Roanoke Regional Partnership, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is crucial to talent attraction efforts. Brian Corde of Atlas Insight, who is the consultant who lead the Wells Fargo project, shared recently how this region is poised for growth with its incredible outdoor recreational opportunities and with affordable housing. Broadband availability is a critical piece of the overall solution towards growing the economy. Broadband availability is key towards talent attraction and economic development efforts.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Hull", is written over a light blue horizontal line.

John M. Hull
Executive Director



To: Dr. Tamarah Holmes, PhD
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

From: Gary K. Rogers, PhD, PE VA#023988
Mining/Geological/Geotechnical Engineer
841 Greyledge Road
Buchanan, VA 24066
gkrogerspe@gmail.com
(540) 529-0479 (Cell)

Professor Emeritus
605 Nichols Engineering Building
Department of Civil & Environmental Engineering
Virginia Military Institute
Lexington, VA 24450
rogersgk@vmi.edu
(540) 464-7331 (Main CEE Office)
(540) 464-7618 (Fax)

Subject: Broadband Access for rural Arcadia area of northern Botetourt County

Date: Sunday, 17 December 2023

Dear Dr. Holmes,

As a rural resident of the Arcadia area of northern Botetourt County, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure for our great country. Hopefully with the help of this grant, we can continue this worthy endeavor.

For those who work at home, those who are in school, and the normal communication needs of our time, Broadband access is critically important. In a world of increasing technological isolation, broadband is equally important for public health and safety, especially with current deteriorating cell service from most providers.

In summary, we look forward to working with the Department of Housing and Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Should you have any questions, please do not hesitate to contact me. Thank you for your time and consideration.

Most sincerely,

Gary

"If there are no dogs in Heaven, then when I die, I want to go where they went." (Will Rogers)

"Speak softly and carry a big stick; you will go far." (Theodore Roosevelt, 3 April 1903, quoting an "old adage")

"He who grabs the tiger by the tail must never let go." (Old Indian Proverb)

"No, I'm not a good shot, but I shoot often." (Theodore Roosevelt)

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As President for Visit Virginia's Blue Ridge, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Tourism plays a pivotal role in our community, contributing significantly to our economic well-being and creating job opportunities. In today's digital age, travelers increasingly rely on the internet for trip planning, navigation, and sharing their experiences. Access to high-speed and reliable broadband is crucial for meeting the expectations of modern tourists and attracting visitors to our region.

Broadband access is more important now more than ever for our tourists and citizens alike. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in the recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford for universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program.

Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,



Landon Howard
President
Visit Virginia's Blue Ridge

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

Broadband access is more important now more than ever for our citizens. Considering that the Arcadia area of Botetourt County is a rural community, access to broadband for education, employment, and public health and safety is critically important.

Botetourt County has been fortunate in recent years to expand broadband. The continued attempt for universal broadband is a great opportunity to ensure all areas of the community have access to what has become a standard component of infrastructure in other parts of the country. Botetourt has had great success in moving the needle on broadband in recent years and hopefully with the help of this grant, can afford universal opportunities from the most rural to our suburban areas.

We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Barbara York". The signature is written in a cursive, flowing style.

Barbara York
301 Greyledge Rd
Buchanan, VA 24066

December 18, 2023

Dr. Tamarah Holmes, Ph.D
Director, Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, Virginia 23219

Dear Dr. Holmes:

As a resident of Greyledge Road, I am writing to express my highest support for Botetourt County's latest Virginia Telecommunications Initiative (VATI) proposal. This project is in partnership with Lumos and Dominion Energy to serve approximately 420 addresses in the Arcadia area of Botetourt County north of Buchanan.

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We look forward to working with the Department of Housing & Community Development to deliver universal broadband coverage in partnership with you and the VATI program. Please let us know of any questions or needs. Thank you for your time and consideration.

Sincerely,

Charles York

Charles York
301 Greyledge Rd
Buchanan, VA 24066

Submission Overview

FRN: 0003775244 | Service Provider | Lumos Telephone of Botetourt LLC

SUBMISSION CERTIFIED

Data as of June 30, 2023

Biannual Filing Window

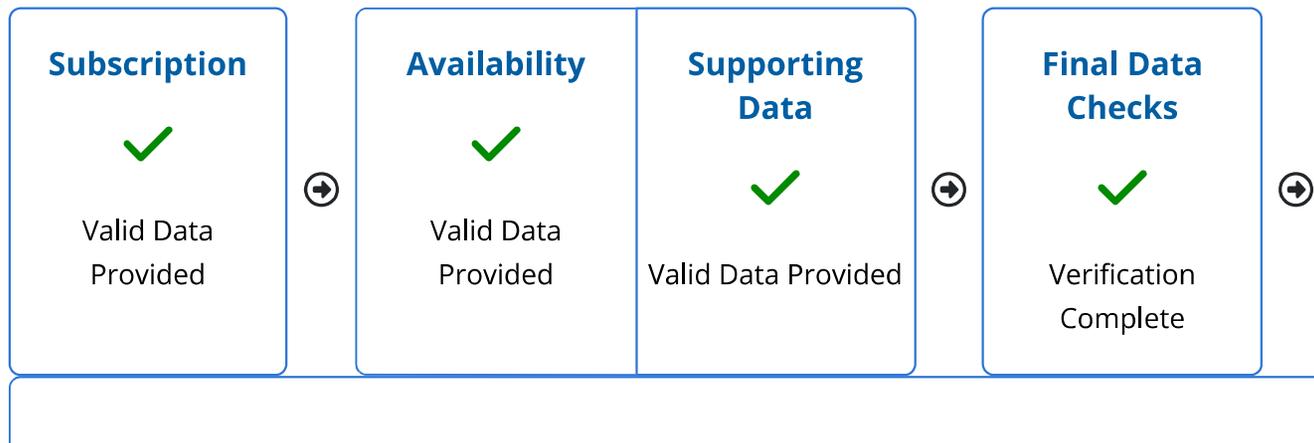
DATA AS-OF DATE	WINDOW OPEN	WINDOW STATUS
Jun 30, 2023	Jul 3, 2023	CLOSED
TODAY'S DATE	WINDOW CLOSE	FILING STATUS
Dec 15, 2023	Sep 15, 2023	Original - Certified

Fixed Data Requests

Fixed Challenges
0

Submission Steps

Decertify Submission



Certification



Certified

Fixed Submission Data

	Subscription Data	Availability Data	
	Files Currently Processing (0)	Files Currently Processing (0)	
Service	Subscribers	Locations	Supporting Data
Fixed Broadband	16,729	33,387	✓ 2 of 2
Copper	2,092	6,080	✓ 1 of 1
Fiber to the Premises	14,637	27,307	✓ 1 of 1
Fixed Voice	12,247		
ILEC	12,247		

Submission Overview

SUBMISSION CERTIFIED

FRN: 0003775244 | Service Provider | Lumos Telephone of Botetourt LLC

Data as of December 31, 2022

Biannual Filing Window

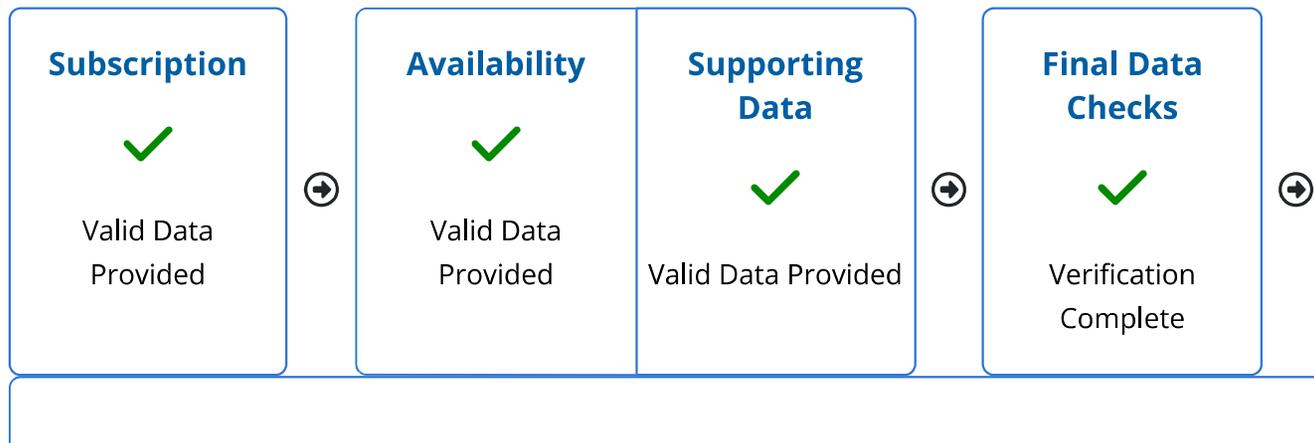
DATA AS-OF DATE	WINDOW OPEN	WINDOW STATUS
Dec 31, 2022	Jan 3, 2023	CLOSED
TODAY'S DATE	WINDOW CLOSE	FILING STATUS
Dec 15, 2023	Mar 1, 2023	Original - Certified

Fixed Data Requests

Fixed Challenges
0

Submission Steps

[Decertify Submission](#)



Certification



Certified

Fixed Submission Data

	Subscription Data	Availability Data	
	Files Currently Processing (0)	Files Currently Processing (0)	
Service	Subscribers	Locations	Supporting Data
Fixed Broadband	17,568	36,301	✓ 2 of 2
Copper	2,814	8,984	✓ 1 of 1
Fiber to the Premises	14,754	27,317	✓ 1 of 1
Fixed Voice	13,336		
ILEC	13,336		

Attachment 18 – Speeds

Speed Tier	Current Promotional Rate	Current Standard Rate
100 Mbps x 100 Mbps (ACP only)	N/A	\$30
200 Mbps x 200 Mbps	N/A	\$40
500 Mbps x 500 Mbps	\$50	\$60
1000 Mbps x 1000 Mbps	\$70	\$80
2000 Mbps x 2000 Mbps	\$100	\$110