**Section 759.230 Eligible Areas**

a) Grants shall only be used for eligible purposes (see Section 759.220) within an eligible area of the State. *For purposes of determining whether an area is an eligible area, the Commission shall consider, among other things, whether:*

1) *The area, to be served by advanced telecommunications services, as defined in Section 13-517(c) of the Act, is under-provided to residential or small business end users, either directly or indirectly through an Internet Service Provider;*

2) *The area has a low population density;*

3) *The area has not yet developed a competitive market for advanced services.*

b) If an entity seeking a grant of funds from the Fund is an incumbent local exchange carrier having the duty to serve that area, and the obligation to provide advanced services to that area pursuant to Section 13-517 of the Act [220 ILCS 5/13-517], the entity shall demonstrate that it has sought and obtained an exemption from the obligation to provide advanced services.

(Source: Amended at 29 Ill. Reg. 3019, effective March 1, 2005)