BEAD Challenge Process Webinar

June 5th, 2024

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BEAD Challenge Overview

The state of Massachusetts received $147 million funding allocation for its BEAD program. The goal of the BEAD program is to achieve universal service – which means 100% of broadband serviceable locations (BSL's) have the internet available.

MBI objectives from BEAD program

01 **Unserved Locations (below 25Mbps / 3Mbps)**

02 **Underserved Locations (below 100Mbps / 20Mbps)**

03 **Community Anchor Institutions (CAIs)**

BEAD activities Completed to date

- ☑ **Five-Year Action Plan Approved**
- ☑ **Stakeholder engagement and community outreach**
- ☑ **Initial Proposal Volume I approved including Challenge Process.**
- ☑ **Initial Proposal Volume II under review by NTIA**

BEAD Challenge Process

The State Challenge Process will identify unserved and underserved homes, businesses and institutions in the state to ensure they can get connected to high-speed internet through the BEAD program.
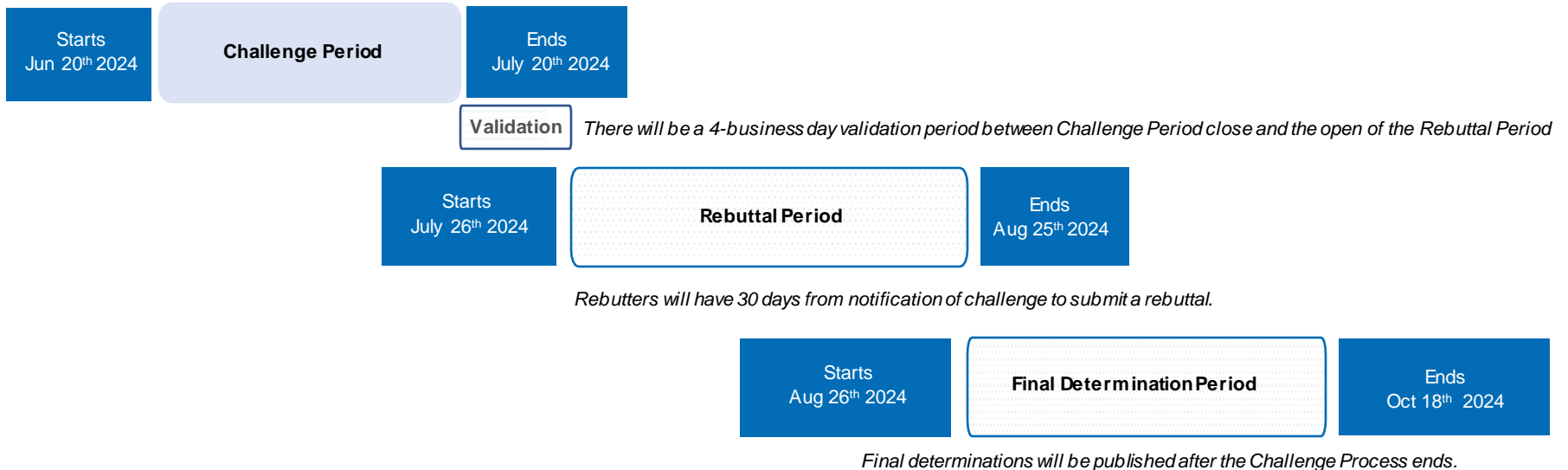
Eligible Challengers

Non-profit organizations, units of local governments, Tribal government, and internet service providers (ISPs)

Residents are not eligible by federal rules from directly submitting challenges to MBI. Residents are able to participate in the Challenge Process by submitting their challenges through an eligible entity.

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Challenge Process Timeline

The Federal Communications Commission (FCC) publishes a National Broadband Map. The National Broadband Map is the starting point for BEAD funding eligibility. A location must be marked as unserved or underserved on the FCC map to be eligible for BEAD funds.

The Challenge Process will occur over a 120-day period based on the below timeline:

Starts Jun 20th 2024	Challenge Period	Ends July 20th 2024

Validation — *There will be a 4-business day validation period between Challenge Period close and the open of the Rebuttal Period*

Starts July 26th 2024	Rebuttal Period	Ends Aug 25th 2024

Rebutters will have 30 days from notification of challenge to submit a rebuttal.

Starts Aug 26th 2024	Final Determination Period	Ends Oct 18th 2024

Final determinations will be published after the Challenge Process ends.

The Challenge Process begins ahead of the deployment subprogram which is expected to launch in the last quarter of 2024.

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Challenge Types

Here are the types of challenges that can be filed by eligible challengers to reclassify the status of locations:

Code	Challenge Type	Description
A	Availability	Service identified is not offered at the location.
S	Speed	Internet service speed falls below unserved (25/3Mbps) or underserved (100/20Mbps) thresholds.
L	Latency	Round-trip latency of the internet service exceeds 100 milliseconds (ms) threshold.
D	Data cap	Available service plans impose a data cap on the consumer.
T	Technology	Technology indicated for this location is incorrect.
B	Business service only	For residential locations, service offered is marketed or available only to businesses.
E	Enforceable commitment	Location will receive qualifying internet service through an existing funding program.
N	Not part of enforceable commitment	Location is in an area that is subject to an enforceable commitment to less than 100% of locations and the location is not covered by that commitment.
P	Planned service	Planned service will be deployed at a location without an enforceable commitment by Dec. 31, 2024.
C, R	Location is a CAI/ is not a CAI	Location should be classified as a CAI or the location is labeled as a CAI but is a residence, a non-CAI business, or is no longer in operation.
G, Q	CAI qualifying broadband unavailable/ available	The CAI can or cannot obtain qualifying broadband (not less than 1 Gbps/ 1Gbps and latency less than or equal to 100 ms).

Rebuttal Types

Providers will have 30 calendar days from the opening of the rebuttal window to provide rebuttals to MBI. The rebuttal period begins with all challenges being provided to providers at the same time at the opening of the rebuttal window.

Internet Service Providers will receive a notification if they have a challenge waiting for rebuttal in their dashboard. All other rebuttal opportunities will be available on the 'Open Rebuttals' page:

Availability, Speed, Latency, Data Cap, Technology, Business Service

- Submit evidence service is provided at the challenged location(s).
- Submit evidence speed is sufficient at the challenged location(s).
- Submit evidence latency is at or below 100 milliseconds.
- Submit evidence an unreasonable data cap is not being imposed.
- Submit evidence that the appropriate gateway matches the provided service.
- Submit evidence that service is available for residential customers, not only businesses.

Community Anchor Institutions (CAI)

- Submit evidence the location is (or is not) a CAI, as defined in Initial Proposal Volume I.
- Submit evidence that qualifying broadband service is (or is not) available to a CAI.

Fixed Wireless

- Submit evidence that 100/20 Mbps or better is provided at the challenged location(s).
- Submit evidence showing sufficient network capacity to simultaneously serve at least 80% of locations in the claimed coverage area reported as served only by cellular fixed wireless.

Enforceable Commitment

- Submit evidence that demonstrates the ability to meet the commitment in question.

DSL

- No rebuttals may be submitted for DSL challenges.

Planned Service

- Submit evidence that the provider is no longer able to meet the commitment (e.g., is no longer a going concern)
- Submit evidence that the planned deployment does not meet the required technology or performance requirements

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Area and MDU Challenges

MBI will administer Area and MDU challenges for challenge types A, S, L, D, and T. When a threshold is reached, the burden of proof shifts from challengers to internet services providers.

This reclassifies locations as unserved or underserved, requiring providers to submit rebuttals for all affected locations.

Area Challenges

An area challenge is triggered if six (6) or more BSLs using a particular technology and a single provider within a census block group are challenged

MDU Challenges

An MDU challenge is triggered like area challenges by reaching a threshold for a single provider's technology within an MDU. Thresholds: 1 unit for <15 units, 2 units for 16-24 units, and 3 units for >25 units.

Bulk Challenges

1   Bulk Challenges involve submitting the same type of challenge for multiple broadband serviceable locations.

2   Bulk challenges represent a number of BSLs that are being challenged for the same reason.

3   Bulk challenges will be permissible for availability, enforceable commitment, and planned service challenge types.

4   When submitting evidence for all locations in a bulk challenge, challengers will need to ensure that the evidence submitted applies to all locations being challenged.

5   To create a bulk challenge, the pencil icon can be used to group locations. Once the locations are grouped and the drawing is fully connected, the challenge submission process will be automatically prompted.

Evidence Requirements

MBI may accept a wide range of data sources to substantiate challenges, as long as any potential source of evidence used to substantiate challenges is documented and verifiable by a third party.

Illustratively, these acceptable challenge evidence include (but not limited to):

A **Availability**
Screenshot of provider webpage. Email or letter from provider within the last 365 days indicating that a provider failed to schedule a service installation, offer an installation date, or that a provider requested more than the standard installation fee.

S **Speed**
Speed test by subscriber, showing the insufficient speed and meeting the requirements for speed tests.

L **Latency**
Speed test by subscriber, showing the excessive latency.

D **Data Cap**
Screenshot from provider website; Service description provided to consumer.

T **Technology**
Manufacturer and model number of residential gateway (CPE) that demonstrates the service is delivered via a specific technology.

B **Business service only**
Screenshot of provider webpage.

E **Enforceable commitment**
Enforceable commitment by service provider (e.g., authorization letter). In the case of Tribal Lands, a requisite legally binding agreement between the relevant Tribal Government and the service provider.

Evidence Requirements

MBI may accept a wide range of data sources to substantiate challenges, as long as any potential source of evidence used to substantiate challenges is documented and verifiable by a third party.

Illustratively, these acceptable challenge evidence include (but not limited to):

N **Not part of enforceable commitment**

Declaration by service provider subject to the enforceable commitment.

P **Planned service challenge**

Construction contracts or similar evidence of on-going deployment, and evidence that all necessary permits have been applied or obtained. Contracts or a similar binding agreement that planned service will meet the BEAD definition and requirements of reliable and qualifying broadband even if not required by its funding source including the expected date deployment which will be completed, which must be on or before December 31, 2024.

C **Location is a CAI**

Evidence that the location falls within the definition of CAI's set by MBI.

R **Location is Not a CAI**

Evidence that Institution does not fall within the definitions of CAI's set by MBI or is no longer in operation.

G **CAI: Qualifying Broadband Unavailable**

Evidence that the CAI has tried to acquire qualifying broadband but has been unsuccessful.

Q **CAI: Qualifying Broadband Available**

Evidence that the CAI can acquire symmetric gigabit service.

How to Use the Challenge Portal

AppGeo Demo

- ❑ Registration and account requests

- ❑ Submitting challenges

- ❑ Submitting rebuttals

- ❑ Submitting bulk challenges

- ❑ Submitting Area/MDU challenges

- ❑ Open rebuttal dashboard

Resources

MBI will be Partnering with…

Upcoming Webinars

BEAD Challenge Process TA Webinar - Wed., June 5 12:30 p.m.
Register

BEAD Challenge Process - CAI Overview - Wed., June 12 11:00 a.m.
Register

BEAD Challenge Process - ISP Overview - Wed., June 12 2:00 p.m.
Register

Office Hours

June 11 | 1:00 p.m. - 2:00 p.m.
Join Here

June 21 | 10:00 a.m. - 11:00 a.m.
Join Here

June 27 | 12:00 p.m. - 1:00 p.m.
Join Here

Volume 1 Resources

Underserved Locations **Download Here**

Unserved Locations **Download Here**

Community Anchor Institutes **Download Here**

Past Webinars

The Bead Challenge Process

May 22, 2024

Download Presentations (PDF)

April 4, 2024

View Recording (Video)

Download Presentation (PDF)

Technical Assistance

FAQs, April 2024 (PDF)

Communications Toolkit

- Marketing One-Pager
- Social/Email Samples
- Sample Public Service Announcement Script
- *How To Take a Speed Test* Instructions
- Social Image
- Timeline Graphic

MBI is contracted with **Sanborn Broadband Navigator** for the BEAD Challenge Process portal.

What's Next?

If you are interested in participating and would like more information, fill out this pre-registration form. Please bookmark this page and **subscribe** to our email newsletter for updates.

Next Steps – Invitation to Participate

- Share key details with stakeholders using MBI's Communication Toolkit

- Keep an eye out for more Technical Assistance materials that will be posted to the MBI BEAD Challenge Process Webpage
    - Broadband Navigator User Guide – Coming soon!

- Fill out the Pre-Registration Form for all BEAD Challenge Process updates

- Know Your Numbers and Develop a Local Strategy

- Register when the Massachusetts Broadband Navigator Portal goes live on **Monday June 10th**

- Be ready to participate!
    - As a challenger
    - As resident support

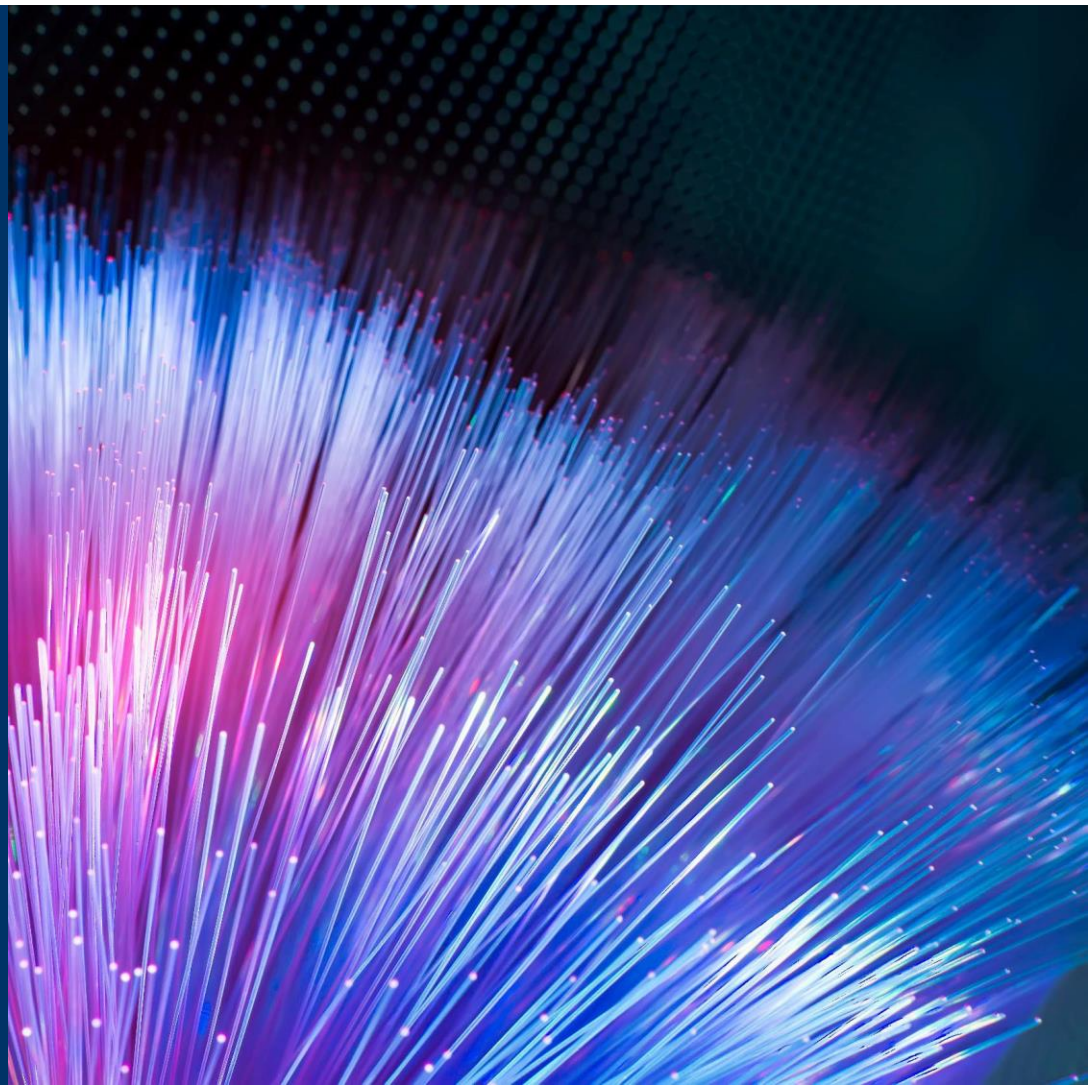- Contact MBI
    - mapfeedback@masstech.org

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Questions???

Additional Resources

Challenge Process resources can be found at MBI's website:
Massachusetts BEAD Challenge Process | MBI (masstech.org)

For portal or challenge related questions email us at:
mapfeedback@mastech.org

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