

MBI

MASSACHUSETTS
BROADBAND INSTITUTE



at the MassTech
Collaborative

BEAD Challenge Process Webinar

Rebuttal Phase

July 24th, 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 approved

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.

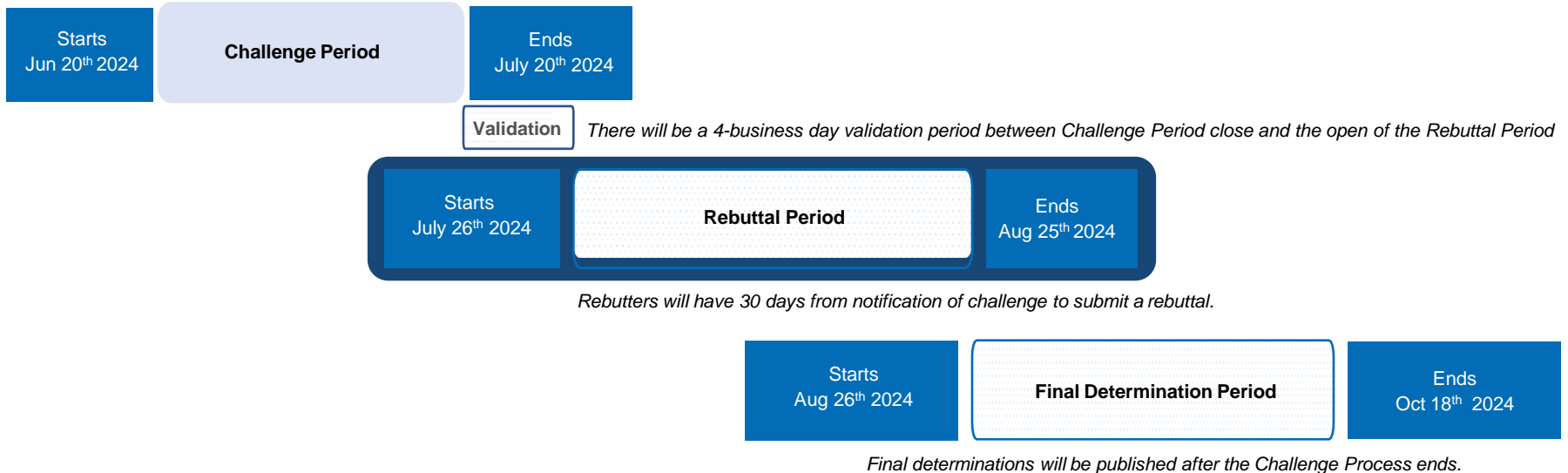
Eligible Rebutters

Non-profit organizations, units of local governments, Tribal governments, Community Anchor Institutions, and Internet Service Providers (ISPs) are eligible rebutters

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:



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

Rebuttal Types

Internet Service Providers will have 30 calendar days from the launch of the Rebuttal Phase to submit rebuttals through the portal. The rebuttal period begins with all challenges being provided to providers at the same time at the opening of the rebuttal window on July 26.

Eligible rebutters may receive notification to rebut the following challenges:

01 Availability

02 Speed

03 Latency

04 Data Cap

05 Technology

06 Business service only

07 Enforceable Commitment*

08 Planned service*

09 Location is a CAI*

10 Location is not a CAI*

11 CAI: Qualifying broadband not available*

12 CAI: Qualifying broadband available*

13 Fixed Wireless

**These challenge types will be showing in the portal's Open Rebuttal Tab, and may be rebutted by all registered challengers. Further details will be provided in the Demo.*

Evidence Requirements for Rebuttals

Availability

Rebuttal evidence is specific to each challenge reason. Some examples include:

- Copy of customer bill that shows that the location or an adjacent location has subscribed to the provider's service.
- Screenshot from provider website that shows service availability at that location.
- Copy of an offer sent to the location that provides service is now available as a standard installation.
- Clearly marked as-built drawings depicting the location or of infrastructure deployed to provide service to the location AND an attestation from the service provider to confirm service will be deployed to the challenged locations within 10 business days.
- For fixed wireless service, results from a mobile test unit that demonstrate service availability and speed at the challenged location.
- Evidence from provider network management system showing an appropriate residential gateway (e.g. modem/router) that matches the provided service.

Evidence must also be collected within a maximum number of days (180 or 365 days).

Area challenges for availability may be rebutted either in whole or by location with evidence that service is available for all BSLs within the census block group, e.g., by network diagrams that show fiber or HFC infrastructure or by subscriber information.

Evidence Requirements for Rebuttals

Speed and Latency

For individual locations:

- Countervailing speed test
 - Time and date the speed test was conducted (must be within the last 60 days).
 - Location of the speed test or the provider-assigned internet protocol (IP) address.
 - Download and upload speeds.

For Area/MDU:

- Speed 80/80 rule
 - 80% of these locations must experience a speed that equals or exceeds 80% of the speed threshold
- Latency 80/100 rule
 - 80% of these locations must experience a latency that is less than or equal to 100ms

Only speed tests conducted by the provider between the hours of 7 pm and 11 pm local time will be considered as evidence for a challenge rebuttal.

Evidence Requirements for Rebuttals

Data Caps

- Provider must submit their terms of service for the challenged location showing that it does not impose an unreasonable data cap or offers another plan at the location without an unreasonable cap.

Technology

- Countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.

Business Service Only

- A copy of a customer bill showing that they have subscribed service within the last 12 months.
- A copy of an offer sent to the location.
- Evidence from the provider's network management system showing a residential gateway.

Evidence Requirements for Rebuttals

Enforceable Commitment

- Text message, email, or letter from provider indicating they do not plan to meet their commitment.
- Voicemail transcript from provider indicating they do not plan to meet their commitment.
- Documentation of phone call or in-person interaction with the provider indicating they do not plan to meet their commitment.
- Documentation from the funding entity indicating the provider has defaulted on their commitment.

No rebuttals may be submitted for Not Part of Enforceable Commitment Challenges

Evidence Requirements for Rebuttals

Planned Service

- Construction contracts, permitting documentation, or similar evidence that includes the deployment completion date.
- If the challenge includes locations on Tribal Lands, Rebutter may provide evidence that there is no legally binding agreement between the relevant Tribal Government and the service provider for the location(s) at issue

Evidence Requirements for Rebuttals

Location is a CAI

- Location is a residence (property records, utility bill, rental/lease agreement, internet bill)
- Location is a non-CAI business (business's website with address, business registration documents, property records, photo of address and signage, promotional materials or business cards, invoices/receipts with location)
- Location not within CAI definition
- Location is no longer in operation (confirmation of closure from local news source or local government)

Location is not a CAI

- Official entity name of the institution
- The type of CAI
- Explanation of how the institution facilitates greater use of broadband service by vulnerable populations
- Evidence that the location falls within the definitions of CAIs established by MBI in Volume I. This can include:
 - Registration documents.
 - Contact information to confirm CAI status.
 - Eligibility for FCC e-Rate or Rural Health Care Program.

Evidence Requirements for Rebuttals

CAI: Qualifying Broadband Unavailable/Available

- Screenshot from a provider's website indicating 1Gbps/1Gbps service is available/unavailable at the challenged location
- Communication directly from provider confirming 1Gbps/1Gbps service is available/unavailable at the challenged location.
- Information on existing connection
 - The name of current provider
 - The technology delivered with the current services
 - The speeds of the current plan

Evidence Requirements for Rebuttals

Digital Subscriber Line (DSL)

No rebuttals may be submitted for DSL Challenges

Fixed Wireless

- Permissible rebuttals for this challenge type should demonstrate that the service provider is **providing 100/20 Mbps or better at the relevant locations** and has **sufficient network capacity** to simultaneously serve (i.e., as concurrently active subscribers) **at least 80% of locations** in the claimed coverage area reported as served only by cellular fixed wireless.
 - Countervailing speed test
 - Description how many fixed locations could be served from each cell tower and the amount of per-user averaged bandwidth to serve 80% of those locations

Challenge & Rebuttal Outcomes

MBI will review the submitted evidence by the Rebutter to arrive at a final determination of the challenge.

There are two outcomes from the evidence review

Rebuttal is considered “Valid”

The evidence submitted is valid based on the allowable evidence guidance and supports the submitted rebuttal.

Rebuttal is Rejected

The evidence submitted is not valid based on the allowable evidence guidance OR the document submitted is illegible.

Once the challenge has gone through the challenge period, and the rebuttal window has closed, MBI will announce whether a challenge is “Sustained” or “Rejected” 60 days following the end of the rebuttal phase.

MBI will publish an initial list of the eligible locations on their [website](#) at the end of the final determination phase

How to Use the Challenge Portal

AppGeo Demo

- Rebuttal Workflow and Dashboard
- Open Rebuttal Workflow and Dashboard

Resources



Upcoming Webinars

Rebuttal Webinar
July 24 | 10:00 a.m. - 11:00 a.m. [Join Here](#)



Office Hours

July 8 | 11:00 a.m. - 12:00 p.m. [Join Here](#)
July 11 | 12:00 p.m. - 1:00 p.m. [Join Here](#)
July 15 | 9:30 a.m. - 10:30 a.m. [Join Here](#)
July 17 | 1:00 p.m. - 2:00 p.m. [Join Here](#)
July 19 | 10:00 a.m. - 11:00 a.m. [Join Here](#)



Volume I & Resources

Massachusetts Initial Proposal
Volume 1 (PDF) [Download Here](#)

Underserved Locations (CSV) [Download Here](#)

Unserved Locations (CSV) [Download Here](#)

Community Anchor Institutes (XLS)
[Download Here](#)

FCC Broadband Serviceable Locations by
Municipality (PDF) [Download Here](#)

Challenges by Municipality (XLS) [Download
Here](#)

Location Challenge Workflow (PDF) [Download
Here](#)



Past Webinars

The Bead Challenge Process

May 22, 2024
[Download Presentations \(PDF\)](#)

April 4, 2024
[View Recording \(Video\)](#)
[Download Presentation \(PDF\)](#)

June 5, 2024
[View Recording \(Video\)](#)
[Download Presentation \(PDF\)](#)

June 12, 2024
[Community Anchor Institutions \(CAIs\)
Recording \(Video\)](#)
[Download Presentation \(PDF\)](#)

[Internet Service Providers \(ISPs\)
Recording \(Video\)](#)
[Download Presentation \(PDF\)](#)



Technical Assistance

[FAQs, June 2024 \(PDF\)](#)
[FAQs, April 2024 \(PDF\)](#)
[How to Register an Account \(PDF\)](#)
[Challenge Portal User Guide \(PDF\)](#)
[Evidence Submission Guidelines \(PDF\)](#)
[Area & Multiple Dwelling Unit \(MDU\)
Challenges Flyer \(PDF\)](#)
[BEAD Challenge Process Overview Flyer
\(PDF\)](#)
[Community Anchor Institutions Flyer \(PDF\)](#)



Contact

If you would like support from MBI's
contracted partner Connected Nation
email: mabeadsupport@connectednation.org.

To contact MBI directly with questions
email: mapfeedback@masstech.org.

Find a Registered Eligible Challenger to
contact [here](#).

Bookmark this page and [subscribe](#) to our
email newsletter for updates.

Next Steps – Invitation to Participate

- Monitor the Rebuttal Dashboard in the [Massachusetts Broadband Map & Portal](#)
- Review Technical Assistance materials posted to the MBI [BEAD Challenge Process Webpage](#)
 - Rebuttal Evidence Submission Guidelines are available in section 2.4 of the MBI Evidence Submission Guidelines.
- Contact MBI
 - mapfeedback@masstech.org
- Attend Office Hours
 - Office hours will be held weekly once the rebuttal phase launches. Times, dates, and links to register for office hours will be posted to the MBI BEAD Landing Page.

Q&A



Additional Resources

Challenge Process resources can be found at MBI's website:
[Massachusetts BEAD Challenge Process | MBI \(masstech.org\)](https://www.masstech.org/BEAD/ChallengeProcess)

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



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