

BEAD CHALLENGE PROCESS OVERVIEW

Broadband, Equity, Access, and Deployment (BEAD) Program
CNMI Broadband Policy & Development (BPD) Office
May 2024

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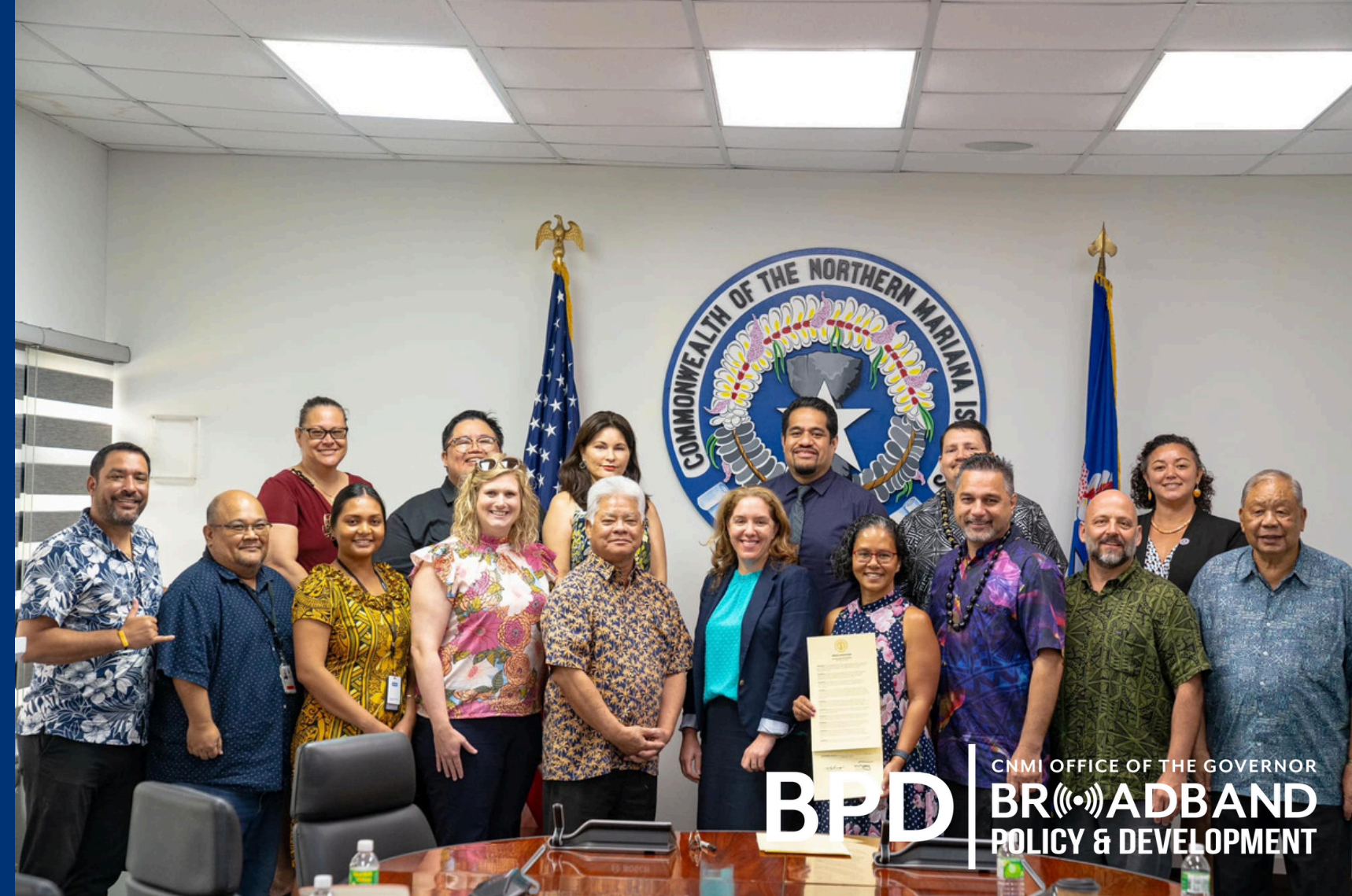
BPD Updates

- BEAD
- Digital Equity

Challenge Process

- Challenge
- Rebuttal
- Adjudication

Next Steps



UPDATES

BEAD

- Initial Proposal Volume 1 was approved on March 26, 2024.
- Initial Proposal Volume 2 is still in the process of curing.



Digital Equity

- Digital Equity Five-Year Plan is still in the process of curing.

PURPOSE

The Challenge Process allows for eligible participants to challenge whether a broadband serviceable location (BSL) or community anchor institution (CAI) is served, underserved, or unserved. Additionally, it allows to challenge whether a BSL or CAI is eligible for BEAD funding.



LOCATION STATUS DEFINITIONS

- **Unserved:** Locations lacking reliable broadband service or locations with internet speeds below 25/3 Mbps.
- **Underserved:** Locations having access to reliable broadband services with internet speeds above 25/3 Mbps but below 100/20 Mbps.
- **Community Anchor Institutions (CAIs) Eligibility:** A CAI lacking access to Gigabit-level broadband service. (Less than 1 Gbps symmetrical speeds)

PROCESS



CHALLENGE

(30 DAYS)



REBUTTAL

(30 DAYS)



ADJUDICATION

(30 DAYS)

ELIGIBLE PARTICIPANTS

- **Local Government**
- **Non-Profit Organizations**
- **Internet Service Providers (ISPs)**
- **Tribal Government**



***Individuals who wish to submit a challenge should coordinate with eligible entities.**

CHALLENGE PHASE

- The challenge process will be open from June 1-30, 2024 (30-Day Period).
- All challenges will be submitted through an ArcGIS form.
- All challenges will require evidence.
- Any challenge submissions will notify ISPs with the opportunity to rebut the challenge.



PERMISSIBLE CHALLENGES

- **The identification of eligible community anchor institutions (CAIs)**
- **Community anchor institution BEAD eligibility determinations**
- **BEAD eligibility determinations for existing broadband serviceable locations (BSLs)**
- **Enforceable commitments**
- **Planned service**

UNPERMISSIBLE CHALLENGES

- The addition or removal of locations in the Fabric and/or the National Broadband Map.
 - This means that any challenges submitted must be found in the Fabric and is a BSL.
- Location Details (Address, Unit Count, etc.)



CHALLENGE OPTIONS

- **Single Address**
- **Area & Multi-Dwelling Unit (MDU)**

**For more information,
kindly refer to Section 1.4
of BPD's Initial Proposal
Volume 1.**



CHALLENGE TYPES (BSL)



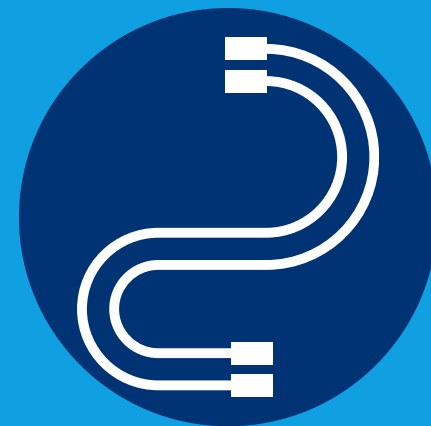
Availability



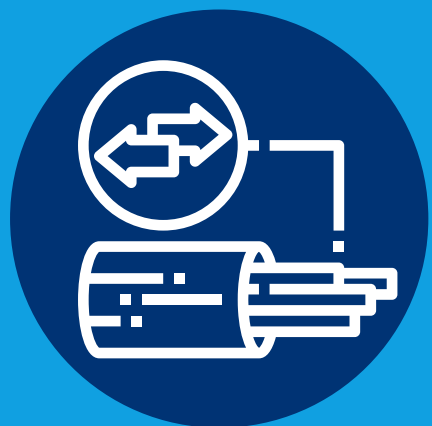
Data Cap



Speed



Technology



Latency



**Business Service
Only**

CHALLENGE TYPES (CAI)

The multiple challenge types for a CAI include but are not limited to the following:

- CAI has ceased operation
- CAI was mislabeled (a private residence, etc.)
- Locations fails to meet CAI definition
- Location does not require fiber broadband service
- CAI type is incorrect



REBUTTAL PHASE

- Only the involved Internet Service Providers (ISPs) may rebut a challenged location. *
- ISPs must provide evidence for a rebuttal.
- A challenge can be sustained (the challenged ISP agrees with the claim).
- The 30-day rebuttal duration begins once the challenged ISP is notified of the challenge.
- The challenge and rebuttal phase will begin concurrently.

ADJUDICATION PHASE

- **BPD will make the final challenge determination.**
- **Reviews will occur on a rolling basis, as challenges and rebuttals are received.**
- **BPD will either declare the challenge “sustained” or “rejected.”**



NEXT STEPS

- **Once complete, BPD will submit a summary of all challenges with their final determinations to the NTIA for review and approval. Once approved, BPD can begin its subgrantee selection process.**



HELPFUL DOCUMENTS

- [BPD BEAD Initial Proposal Volume 1](#)
- [NTIA BEAD Challenge Process Policy Notice](#)

For more information,
kindly contact
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