

BROADBAND EQUITY, ACCESS, AND DEPLOYMENT PROGRAM



Getting your County ready for Broadband, Equity, Access and Deployment (BEAD) funding

An interactive guide

Table of Contents

5	A NOTE ON PROJECT AREA FINANCIAL ANALYSIS AND BUSINESS PLANS	22	IF PARTICIPATING AS A SUBGRANTEE IS RIGHT FOR YOUR COUNTY A note about vetting your consortium partners to protect yourself from risk
6	BACKGROUND AND INTRODUCTION	23	Preparing for BEAD Identifying Project Areas County Consortiums Applying for the 25% Match Tribal Partners Public Consultation Packages and Partnership Dialogue
6	UNDERSTANDING THE NTIA NOFO	25	Primary Scoring Criteria BEAD Outlay Affordability Fair Labor Practices
7	Primary Purpose for Qualifying Entity	26	Secondary Scoring Criteria Speed to Deployment Open Access Local and Tribal Consultation and Needs Adoption and Digital Navigation
7	Additional Possible Uses by Qualifying Entity	27	Important Considerations Speed of Network and Other Technical Capabilities Workforce Development Designing Public Benefits into Projects Navigating Federally Awarded Projects in Your Jurisdiction
8	UNDERSTANDING BSLs AND THE BEAD CHALLENGE PROCESS	30	UNDERSTANDING PROJECT AREA FINANCIAL COMPONENTS
9	WHAT IS A BEAD SUBGRANTEE?	31	HOW TO BUILD A RISK-AWARE BUSINESS PLAN
9	Subgrantee Commitments	32	PREPARING THE BEAD APPLICATION
11	Subgrantee Financial Obligations	34	APPENDIX A
13	Subgrantee Qualifications	34	RDOF considerations for BEAD
14	Finding What Benefits the Public in Your County	36	APPENDIX B
16	Understanding the Public Benefits of BEAD for Your County	36	Document links
17	Identifying Projects for Your Community	37	Document contacts
17	Consulting With and Supporting Subgrantees		
18	Primary Scoring Criteria BEAD Outlay Affordability Fair Labor Practices		
19	Secondary Scoring Criteria Speed to Deployment Open Access Tribal Consultation and Needs Adoption and Digital Navigation		
20	Other Important Considerations for Subgrantees: Speed of Network and Other Technical Capabilities Hookups and Services to Community Anchor Institutions Fiber for Municipal Use (health, safety, and more) Digital Equity Needs in Your Community Understanding your county's workforce development goals		



A Note on Project Area Financial Analysis and Business Plans

When WSAC began its contract with JRP Integrated Solutions in November 2023 to provide Washington's counties with BEAD preparedness resources, the expectation was that the legislature would fund a \$8M proviso from the Washington State Broadband Office to provide the necessary resources to adequately prepare public entities for this once-in-a-generation funding. Unfortunately, the legislature only ended up providing \$1.5M in the 2024 budget. These funds are expected to be split between tribes and public entities. The funding received by public entities seem likely to be split among eligible subgrantees in the State. The task of providing each county with a full, holistic picture of project areas, financial analysis, risks, business cases, and all other analysis needed for a complete look at BEAD funding potential is simply not feasible in the current funding environment.

This workbook is intended to give Washington's county elected officials and executive staff the tools and information they need to perform their own due diligence on whether or not applying as a subgrantee is right for them. We will provide further resources in the coming months such as a project financial proforma template and modeling of a design of a project area that counties may find helpful as they determine risk and feasibility in their jurisdictions. On our bi-monthly broadband workshops we will have guest speakers from industry that specialize in wireless and fiber network designs, and financial analysis. As of this publication in March 2024, we do not have finalized project area maps for Washington. With the State Challenge Process rapidly approaching, counties will need to work to determine their preferred course of action.



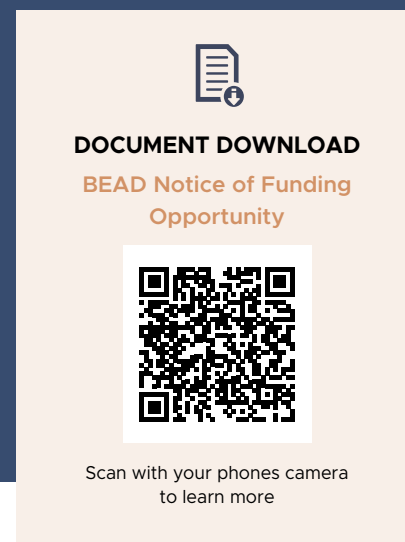
Background and Introduction

On November 15, 2021, President Biden signed the **Infrastructure Investment and Jobs Act** into law. This Act includes a historic investment of \$65 billion to help close the digital divide and ensure that all Americans have access to reliable, high-speed, and affordable broadband. It is titled **Broadband, Equity, Access, and Deployment (BEAD)**.

This guide is meant for elected officials and executive staff who may be evaluating upcoming BEAD applications by providers for their communities or contemplating participating in an application. This guide also covers the responsibilities outlined in the **BEAD Notice of Funding Opportunity (NOFO)**¹.

Washington State will receive funds from this program and has directed the State Department of Commerce, through the Washington State Broadband Office (WSBO), to create a grant program for applications to serve specified project areas. While the detailed information of the program has not been released, this guide has been created to outline the core responsibilities and direct a series of GO/ NO-GO decisions to work through this process.

WSAC will update this guide as further information is made available.



Understanding the NTIA NOFO

The BEAD funding from the Infrastructure Investment and Jobs Act (IIJA) is a once-in-a-generation funding opportunity to bring high-speed internet to everyone in the United States. The federal government designed the funding to correct the patchwork broadband infrastructure across the US and ensure everyone can access the internet from home.

The federal government did not design this funding as a competitive grant, however. BEAD is a formula funding program that allocates a specific amount of money (\$1.2 billion) to a **qualifying entity**, which are states and territories of the United States. The primary purpose is to construct high-speed internet to **broadband serviceable locations (BSLs)**, and if funds remain, provide other vital services. At this time, WSBO predicts they will use all their funds for deploying broadband.

Primary Purpose for Qualifying Entity

Infrastructure Deployment: Funds can be utilized to build, upgrade, or expand broadband networks, including laying fiber-optic cables, installing wireless equipment, and improving existing infrastructure. This also includes engineering, environmental assessments, cybersecurity upgrades, and workforce development.

Additional Possible Uses by Qualifying Entity

The key unifying factor in all these activities is to ensure digital equity. **Digital equity** in this context means bringing broadband to locations that are hard to reach and ensuring citizens have the skills and tools to use it. In the chance WSBO has funds remaining, they will award projects that adhere to the state's Digital Equity Plan.



1. **Planning and Feasibility Studies:** BEAD funding supports planning efforts such as feasibility studies, environmental assessments, and engineering designs to ensure effective broadband deployment.



2. **Adoption Programs:** Initiatives that promote digital literacy, digital inclusion, and broadband adoption among underserved communities are eligible for funding. These programs aim to educate users about the benefits of high-speed internet and provide training.



3. **Public Computer Centers and Wi-Fi Hotspots:** BEAD grants can be used to establish public computer centers, community Wi-Fi hotspots, and other facilities where residents can access the internet.



4. **Equipment and Devices:** Funding can cover the purchase of necessary equipment, such as routers, switches, and servers, to enhance broadband services.



5. **Data Collection and Mapping:** BEAD funds support data collection efforts to identify areas with inadequate broadband access. Mapping projects help create accurate broadband coverage maps.



6. **Technical Assistance and Capacity Building:** Subgrantees can use funds for technical assistance, capacity building, and project management to ensure successful broadband deployment.



7. **Subsidized Plans:** BEAD grants can support initiatives that provide **subsidized internet plans** for low-income households. These plans offer reduced rates, making broadband services more affordable.



8. **Digital Literacy Programs:** Funding can be allocated to **digital literacy training** programs. Educating users about online tools, internet safety, and efficient use of online resources helps them maximize their internet experience.



9. **Community Wi-Fi:** BEAD funds can be used to establish **community Wi-Fi hotspots** in public areas, libraries, and community centers. These free or low-cost Wi-Fi zones allow residents to access the internet without relying solely on expensive home connections.



10. **Affordable Devices:** Subgrantees can use BEAD funding to provide **affordable devices** (such as tablets, laptops, or smartphones) to individuals who cannot afford them. Access to devices is essential for utilizing internet services.



11. **Reducing Barriers:** BEAD projects can address barriers to affordability, such as installation costs, equipment fees, and activation charges. By minimizing these costs, more people can afford to connect to the internet.



12. **Promoting Competition:** BEAD initiatives can encourage **competition among internet service providers (ISPs)**. Increased competition often leads to better pricing and more affordable options for consumers.

Washington is the eligible entity that the federal government contracts with to ensure all elements of BEAD funding requirements are met. Washington, in turn, contracts with **eligible subgrantees** to carry out the many tasks related to BEAD. Washington will ask subgrantees to bring broadband to about 180,000 unserved or underserved BSLs.

Understanding BSLs and the BEAD challenge process

To ensure all unserved and underserved BSLs in Washington are accurately counted and verified as not having adequate broadband service, the state requires all counties to participate in the **BEAD challenge process**. This process will begin in April 2024. Counties will need to rapidly communicate details to communities throughout Washington and will involve completing a complex series of steps quickly.

Because the challenge process requires evidence that a BSL is unserved, this will need to be confirmed by a speed test. Three tests must be conducted on different days by a certified speed test provider. The unserved and underserved BSL households in your county will need to understand why these tests need to be completed and how to complete them. They must also understand that a household cannot submit a challenge—only a unit of local government or a service provider.

This is complicated messaging that requires an important level of buy-in and trust—a challenging task on an abbreviated timeline. Communicating with hundreds of thousands of residents by mail and in-person will incur huge costs and could potentially be prohibitive to many counties in Washington. The need to coordinate messaging does not stop with BSL addresses- it will require reaching out across local nonprofit organizations, elected official staff, cities, anchor institutions, and other key community groups.

Additionally, entities who wish to participate in the BEAD program challenge process will need to procure a Costquest License, Tier E. Some counties have begun the process of securing these licenses, while others will partner together with counties who have licenses.

Here are some of the potential challenge requirements that public entities will need to facilitate and execute:

- April 1, 2024-April 7, 2024: WSBO will publish a list of eligible locations (BEAD eligible and served locations)
- April 8th, 2024 – May 7, 2024: 30 calendar days to submit a challenge
- WSBO will be developing a portal that will be used to capture challenge data.

Types of challenges accepted (Each challenge type below has its own set of criteria that need to be satisfied to qualify and detailed in the Initial Proposal Vol I):

- | | | |
|----------------|--------------------------|--|
| ▪ Availability | ▪ Technology | ▪ Not part of the enforceable commitment |
| ▪ Speed | ▪ Business Service Only | ▪ Location is a CAI |
| ▪ Latency | ▪ Enforceable Commitment | ▪ Location is not a CAI |
| ▪ Data Cap | ▪ Planned Service | |

Once the challenge has been completed, the state will be ready to open a grant program for subgrantees.



What is a BEAD Subgrantee?

A BEAD subgrantee refers to an organization or entity that collaborates with the state to implement broadband projects under the BEAD program. These subgrantees can be local governments, tribal organizations, private companies, public-private partnerships, public utility districts, or **non-profit entities** that meet the program’s criteria.

Specifically, the following non-profit entities are eligible:



Local Government Non-Profits:
Non-profit organizations associated with local government bodies can qualify for BEAD funding.



Tribal Organizations:
Non-profits representing Native American tribes or tribal communities are eligible.



Other Non-Profit Entities:
Any non-profit organization that aligns with the BEAD Program’s goals and aims to enhance broadband access can apply.

Subgrantee Commitments

When an organization becomes a **BEAD subgrantee**, it commits to several important responsibilities and actions. These commitments ensure effective implementation of broadband projects and contribute to bridging the digital divide. Below are some key commitments for BEAD subgrantees.

As you read these consider if these are commitments you as a County are willing to make:

1. **Project Execution:** Subgrantees commit to executing broadband projects in alignment with the BEAD Program's goals. This includes deploying infrastructure, promoting adoption, and enhancing connectivity.
 -  **County consideration:** For Washington's counties, this work starts with understanding the project areas outlined in the Washington State Broadband Office's (WSBO) Initial Proposal Vol II.
2. **Equitable Access:** Subgrantees pledge to prioritize equitable access to high-speed internet. They work to ensure that underserved communities, including rural areas and low-income households, benefit from the projects.
 -  **County consideration:** Counties in Washington should be actively engaging with WSBO to provide information about residents who need funding the most, and how current project approaches may potentially impact these communities.
3. **Transparency:** Subgrantees commit to transparency in project management. They provide regular updates, share progress reports, and maintain clear communication with authorized entities and the public.
 -  **County consideration:** Counties need to make sure they have strong project management principles in place and appropriate reporting mechanisms to handle the influx of BEAD project funds.
4. **Community Engagement:** Subgrantees actively engage with the community they serve. This involves conducting outreach, gathering feedback, and involving residents in decision-making processes. These activities need to be clearly documented and demonstrate reasonable attempts to communicate.
 -  **County consideration:** Remember that you are talking to people in your county without reliable internet access- using social media to solicit feedback, for example, is not an equitable communication method given unserved BSL constraints.
5. **Data Collection:** Subgrantees collect accurate data on broadband availability, gaps, and user needs. This information informs project planning and helps identify areas requiring intervention.
 -  **County consideration:** Work on collecting this information is happening now, while counties work to prepare for BEAD. For example, WSAC is working together with the FCC to fix existing issues on the FCC fiber map to ensure data accuracy.
6. **Financial Stewardship:** Subgrantees manage BEAD funds responsibly. They adhere to financial guidelines, track expenses, and ensure efficient use of resources. Specific requirements around tracking and transparency will be forthcoming from WSBO.
7. **Digital Inclusion:** Subgrantees promote digital literacy and inclusion. They organize training sessions, workshops, and awareness campaigns to empower residents to use broadband services effectively.
 -  **County consideration:** Understanding your county's needs and existing resources in this area is important as a part of planning for optimal public benefit and the deployment of BEAD resources in your county.
8. **Collaboration:** Subgrantees collaborate with other stakeholders, including local governments, ISPs, and community organizations. Partnerships enhance project outcomes and sustainability and will ensure that the funding will stretch to truly bring broadband to all in Washington.
9. **Compliance:** Subgrantees adhere to program rules, regulations, and reporting requirements. Compliance ensures accountability and program success. Aside from the compliance guidelines listed in the NOFO, WSBO will be creating more guidelines for subgrantees in 2024.
10. **Long-Term Impact:** Subgrantees commit to creating lasting impact. They consider the long-term sustainability of broadband infrastructure and services beyond the grant period.
 -  **County consideration:** For example, if your county designs, constructs, and deploys a broadband network to underserved and unserved BSLs, will you have the funding you need to be able to continue operating it long after the BEAD funds have been spent?


Subgrantee Financial Obligations

BEAD is a contractual relationship with the federal government, and subgrantees are bound by stringent guidelines to qualify for BEAD funds. Washington needs to ensure that any prospective subgrantees can carry out their funded activities competently and in compliance with all applicable laws. The NTIA allows subgrantees to demonstrate their capacity in a variety of ways. This can include building a consortium of subgrantees who agree, by contract, to provide services for one another.


A county could be asked to enter a consortium to apply for project areas in your jurisdiction. If you do not currently provide broadband services in your county, you will be entering into a binding agreement with other public and private sector companies to fulfill the obligations of the contract with the NTIA.

When it comes to the financial requirements for your county, there are several key aspects to consider (taken from the NTIA's "A Primer Guide for Eligible Entities"):

1. **Matching Funds:** *As per the BEAD Notice of Funding Opportunity (NOFO) Section III.B, each Eligible Entity (in this case, Washington) engaging in deployment activities must provide, require its subgrantee to provide, or provide in concert with its subgrantee, matching funds of not less than 25 percent of project costs².* This ensures a shared financial commitment to the project. WSBO has indicated that all local government subgrantees will receive a 25% match from state funds.
 - A. The Capital Budget includes \$50M in federal matching funds for the broadband equity, access, and deployment state grants program included in the federal Infrastructure Investment and Jobs Act. The proviso provides directions to the Statewide Broadband Office (SBO) to establish secondary selection criteria focusing on open-access and local government support. The language as included in the budget is provided below: NEW SECTION. Sec. 1013. FOR THE DEPARTMENT OF COMMERCE 2023-25 Broadband Infrastructure Federal Match Projects (40000290) The appropriations in this section are subject to the following conditions and limitations:
 1. a. \$50,000,000 of the state building construction account— state appropriation in this section is provided solely as match for federal authority allocated under this section and section 7017 of this act for the statewide broadband office to administer the broadband equity, access, and deployment state grants program in section 60102 of P.L. 117-58 (infrastructure investment and jobs act). Expenditure of the amount in this subsection is contingent on the receipt of this grant funding.
 - b. To the extent permitted by federal law, the office shall provide state match only for projects where the lead applicant is a public entity.
 2. In addition to scoring and weighting criteria established pursuant to the federal broadband equity, access, and deployment program, the state broadband office must establish additional secondary selection criteria, including, but not limited to, criteria that give weight to projects that:
 - a. Provide open-access wholesale last-mile broadband service for the useful life of the subsidized networks on fair, equal, and neutral terms to all potential retail providers; and
 - b. Demonstrate support from the local government or any tribal government with oversight over the location or locations to be served.
 3. The statewide broadband office must include, in the five-year action plan developed using initial planning funds from the broadband equity, access, and deployment program funded under P.L. 117-58 (infrastructure investment and jobs act):
 - a. Consideration of broadband infrastructure projects that use wireless technology in order to expand access at the lowest cost to the most unserved or underserved residents; and
 - b. Steps the office will take to promote: The use of existing infrastructure; dig-once policies; streamlined permitting processes; and cost-effective access to poles, conduits, easements, and rights-of-way. To the extent permitted under federal law, the office must consider creating a pool of grant funds dedicated to pole costs.



DOCUMENT DOWNLOAD
Subgrantee Selection Primer



Scan with your phones camera
to learn more


4. \$300,000 of the general fund—federal appropriation provided in this section is for a staff position dedicated to advising the statewide broadband office on the availability and feasibility of deploying new and emerging technologies in broadband internet service. Appropriation:

- **General Fund—Federal**.....\$150,000,000
- **State Building Construction Account—State**\$50,000,000
- **Subtotal Appropriation**..... \$200,000,000
- **Prior Biennia (Expenditures)**.....\$0
- **Future Biennia (Projected Costs)**.....\$150,000,000
- **TOTAL**.....**\$350,000,000**

2. **Financial Qualifications:** Prospective subgrantees must certify that they:

- A. Are **financially qualified** to meet the obligations associated with the project. A letter of credit will need to be signed by the board. (Insert LOC terms.)
- B. Will have available funds for all project costs that exceed the amount of the allocation.
- C. **Will comply with all program requirements, including service milestones³.**
 - i. WSBO will be issuing a NOFO in Q3 2024. Pertinent dates will be available at this time.

3. **Letter of Credit Requirement:** All subgrantees of BEAD funding are required to secure an **irrevocable standby letter of credit (LOC)** worth at least 25 percent of the sub-award amount for the duration of the project construction. **This LOC must be obtained from a qualified FDIC-insured bank⁴.**

 **County consideration:** When you are thinking about potential risks for your county, consider that some project providers may want your county to produce this LOC to secure their work. Are the commissioners as a board willing to, or able to, sign the letter of credit and obligate the county and its financial capacities to bring broadband to unserved areas of the county?

- i. If not, convening parties could be the best way to bring broadband service to the underserved and unserved in your community. A BAT or public workshops to discuss the BEAD program could be a productive way to facilitate partners to explore alternative methods other than direct involvement. Qualifications to provide service



DOCUMENT DOWNLOAD

INTERNET FOR ALL BEAD: Subgrantee Qualifications, Evaluation Guide



Scan with your phones camera to learn more



EXTERNAL LINK

NTIA Adopts Programmatic Waiver of Letter of Credit Requirement for BEAD Funding



Scan with your phones camera to learn more



Subgrantee Qualifications


Let's delve into the BEAD subgrantee qualifications for providing broadband services. These qualifications are crucial for ensuring the successful deployment and equitable broadband access.

Here is an overview (taken from the NTIA's "BEAD Subgrantee Qualifications Evaluation Guide"):

1. **General Requirement:** Subgrantees must meet specific qualifications to participate in the BEAD program. **These qualifications serve as gating criteria for eligibility³.**

2. **Collaboration and Partnerships:**

- One of the most beneficial aspects of the qualifications to provide service is the ability to form consortiums and partnerships with other subgrantees, like counties, PUDs, ports, or private internet providers in your area. In this way, the consortium may pool resources to collectively meet qualifications (ex. a subgrantee with deployment experience but no operational background may partner with an experienced entity).

 **County consideration:** A consortium or partnership can present some risk to counties in the consortium. Counties need to develop a mechanism for evaluating potential partners and proposals and mitigating risk. This is particularly true as many counties will be asked to sign an LOC, which could create serious financial problems should a partner default on their agreements.

3. **Specific Qualifications:**



Financial Capability: Subgrantees should demonstrate financial stability and the ability to manage project costs. This includes having available funds beyond the grant amount and complying with financial regulations. These requirements were covered in more detail in the section above.



Compliance With Laws: Subgrantees must adhere to all relevant laws, regulations, and policies related to broadband deployment and operation. Make sure your county seeks qualified legal advice to ensure compliance on this section.



Managerial Capability: Subgrantees must exhibit effective management skills to oversee project implementation. This involves planning, coordination, and efficient resource utilization.



Operational Capability: Subgrantees should have the capacity to provide reliable and sustainable broadband services. This involves efficient service delivery, customer support, and network maintenance⁴.



Technical Capability: Subgrantees need technical expertise to deploy and operate broadband networks. This includes knowledge of network design, equipment, and maintenance.



Ownership: Subgrantees must clarify their ownership structure and legal status. This ensures transparency and accountability⁴.



Other Public Funding: Subgrantees should disclose any other public funding they receive for broadband projects⁴.

WORKSHEET

Finding What Benefits the Public in Your County

As a county commissioner or other leader in your county, you are the best equipped to understand the unique needs in your community. Every county in Washington is unique- from north to south and east to west, there are vast differences in local geography, climate, population, demographics, current number of unserved BSLs, current internet service providers, infrastructure needs, digital equity and inclusion programs, non-profits providing services, and more. Creating a summary of your county's unique position from what we have covered so far will help guide you in our upcoming sections- making the decision (or not) to pursue BEAD funding as a subgrantee.

1. Which BEAD funding options might be useful for your county? Fill in your answers in each section.

- A. Infrastructure Deployment: _____
- B. Planning and Feasibility Studies: _____
- C. Adoption Programs: _____
- D. Public Computer Centers and Wi-Fi Hotspots: _____
- E. Equipment and Devices: _____
- F. Data Collection and Mapping: _____
- G. Technical Assistance and Capacity Building: _____
- H. Community Anchor Institutions: _____
- I. Public Safety Public Health Broadband needs: _____
 - i. Does the Sheriff's office have a study?: _____

2. What ways might it make sense for your county to contribute to affordability?

- A. Subsidized Internet Plans: _____
 - i. BEAD requirement to participate in ACP: _____
- B. Digital Literacy Programs: _____
- C. Community Wi-Fi: _____
- D. Affordable Devices: _____
- E. Reducing Barriers like installation costs: _____
- F. Promoting Competition among private ISPs: _____

3. Under the qualified subgrantee section, which kinds of qualified subgrantees are in your county (aside from your county)?

- A. Local governments: _____
- B. Tribal governments: _____
- C. Qualifying non-profits (remember, qualifying non-profits may be a governmental organization, tribal organization, or a non-profit that performs digital equity or other kinds of broadband work):

- D. Other: _____

4. Under the subgrantee commitments section, what existing resources does your county have to meet these requirements? What other resources might you need to develop? _____

A. If you do not have these resources, are you counting on a partner in your consortium to provide them?

i. If your partner fails to provide resources what are your options? _____

01. Project Execution: _____

02. Equitable Access: _____

03. Transparency: _____

04. Community Engagement: _____

05. Data Collection: _____

06. Financial Stewardship: _____

07. Digital Inclusion: _____

08. Collaboration: _____

09. Compliance: _____

10. Long-Term Impact: _____

5. In terms of your county's financial obligations, how difficult or risky do you think each of these elements might be for your county?

A. Matching funds: _____

B. Financial qualifications: _____

C. Letter of credit requirements: _____

6. Under the qualifications section, explore each of these elements in the context of your county. What capacity do you already possess, and where might you need to reach out for assistance?

A. Financial Capability: _____

B. Managerial Capability: _____

C. Technical Capability: _____

D. Compliance With Laws: _____

E. Operational Capability: _____

F. Ownership: _____

G. Other Public Funding: _____

H. Collaboration and Partnerships: _____




If Participating as a Subgrantee is Not Right for Your County

(if it is right for your county- skip to page X)

Understanding the Public Benefits of BEAD for Your County


While you may have decided that as a county you will not be applying for this funding, many potential applicants will be coming to you asking for your support. It is important to understand the benefits this program can have on your county so that you can determine whether the potential applicants that reach out to you are worth supporting.

Provided throughout this section are  **Action Items** you can take to get to know the potential applicants in your area and determine the degree of support you will provide.

The BEAD program will lay critical groundwork for widespread access, affordability, equity, and adoption of broadband, create good-paying jobs; grow economic opportunities, including for local workers, provide increased access to healthcare services, enrich educational experiences of students, close long-standing equity gaps, and improve the overall quality of life across America.


Other benefits can include, but are not limited to:

- Meeting the daily demands of modern society, including healthcare, education, workforce development, civic and social engagement, and access to services.
- Supporting strong economic performance and long-term prosperity for all Washingtonians.
- Encouraging innovation and research.
- Attracting global investments.

 **Action Items:** Engage in dialogue with public organizations within your county to comprehensively assess their needs and ascertain potential areas where BEAD may offer solutions. You can establish communication with entities such as the sheriff's office, superintendents, librarians, and other relevant stakeholders. Inquire about their existing strategies, pinpoint any challenges they may be facing in terms of broadband access and digital equity, and explore the prospect of BEAD interventions to address these issues effectively.

Identifying Projects for Your Community

The next step is to identify potential projects in your community.

 **Action Items:** All project areas will be based on a map from WSBO that has not been published yet. Once it is published you can review it along with the **FCC map**⁵ and look for:

- What areas of your community have been identified as in need of service?
- What providers are currently in the area? (We are not yet sure if the WSBO map will provide this information. If it does not, please reference the FCC map instead).

From there you can determine: Which providers you should contact to see if they are interested in applying or partnering? Once the project areas are identified then you can enter discussions with possible subgrantees and support them.

Consulting With and Supporting Subgrantees

BEAD applications require public consultation from all subgrantee applicants! This means any potential applicant should be reaching out to you. Representing the needs of your county in this process is good public policy, and to do this the commission needs an understanding of what is required of a subgrantee in its application.

Here are some questions you should ask the potential BEAD subgrantee applicant in your county:

- Does the applicant practice fair labor standards?
- Has the applicant ever incurred fines for violating labor laws? If yes, were necessary measures implemented to address and rectify the situation?
- Does the applicant have any workforce development programs in place? Do they provide any on-the-job training?
- Is the applicant capable of providing 1G service to Community Anchor Institutions? (see Other Important Considerations for Subgrantees for more details).
- Will they be providing free or discounted service for municipal use (public safety, health, etc.)?(see Other Important Considerations for Subgrantees for more details).
- What Digital Equity plans do they have in place currently or in the future?
- Do they have a business plan that includes a consumer support plan for sustainable digital equity, training, and technical support? If not, are you open to making one?

Getting to know the applicant:



You should have a **point of contact who can be available to answer questions** about the project if funded.




They should be able to offer you the **resumes of leadership in their company** and what roles they will play in the business plan.




The applicant should be **eager to comply with these requests and want to build a strong relationship** with the county and public. Failure to do so is a red flag.



Consider requiring the subgrantees to **attend county commissioner meetings** to show their commitment and involvement. This is an effective way to weed out if any potential subgrantees are not truly invested.



EXTERNAL LINK
FCC Broadband map



Scan with your phones camera to learn more

Primary Scoring Criteria

In addition to the above questions, you can inquire how the potential applicants will meet the scoring criteria of the grant. This will help provide some insight into who may be the most competitive. There are three primary scoring criteria that the state must score highest.



BEAD OUTLAY

Applications that provide a large matching fund amount (above 25%) will score higher, taking into consideration the difficulties of project locations.

Action Items:

- Ask if the applicant can provide a higher match than 25%
- Compare to the scoring criteria set forth by WSBO (higher matches have more point, thus more likelihood of award)



AFFORDABILITY

Applicants that offer affordable non-promotional rates for Gigabit service will score higher.

Action Items:

- Ask to see any documents regarding the services the applicant is going to offer and their pricing (By the time the applicant comes to the county commission for public consultation, the applicants should have these ready).
- Is the pricing fair and similar to services already available in your county?



FAIR LABOR PRACTICES

Priority will be assigned to projects in accordance with federal labor and employment laws. New entrants lacking a history of compliance with such laws can establish forward-looking commitments to uphold robust labor and employment standards and protections.

Action Items:

- Ensure the potential applicant has a demonstrated record of compliance with federal labor and employment laws.
- If the potential applicant has been fined or had issues with following federal labor laws, confirm appropriate actions were taken.

Secondary Scoring Criteria

NTIA has required states to consider and assign lesser points to the following secondary criteria.



SPEED TO DEPLOYMENT

Projects that are completed in an expeditious manner will receive more points. Be sure to ask potential applicants about this and consider having a county employee familiar with construction present for the conversation.

Action Items:

- Determine what they estimate their timeline to be.
- Ask what methods they are using to ensure timely deployment (ensuring all details are clearly documented).



OPEN ACCESS

If a potential applicant builds an open access network, they will receive additional points. However, there are important considerations in what makes the network 'open accesses.

Action Items:

- Ask how many committed ISPs the potential applicant has (must have two or more beyond the applicant)
- Ask what pricing they will offer for wholesale access.



TRIBAL CONSULTATION AND NEEDS

Applicants with plans to build within any tribal lands will be required to provide a Resolution of Consent or other formal demonstration of consent from each tribal government's Tribal Council or other governing body upon whose tribal lands the infrastructure will be deployed.

If the applicant is the Tribe or an internet service provider owned by the Tribe, consent to deployment is presumed.

WSBO will require that a Resolution of Consent (or any substitute document used at the request of the tribal government) be submitted by the applicant at the time of application, along with other relevant documents demonstrating that "holistic local coordination occurred."

Action Items:

- Make sure the applicant is in communication with any Tribes that may be on or near their project areas. Encourage partnership with the Tribe if that is an option.



ADOPTION AND DIGITAL NAVIGATION

Potential applicants will earn points based on their ability to provide affordable broadband to all residents. Ideally, the state would like to see service tiers offering at least 100Mbps/20Mbps for \$25 or less, resulting in a zero cost for ACP participants.

Action Items:

- Is the applicant enrolled in ACP and/or does the applicant have other service discount programs?
- Does the potential applicant provide digital navigation services?

Other Important Considerations for Subgrantees:

While the above items will be scored, possible subgrantees should also consider the following. These areas deserve consideration and conversation with the interested parties in your county and the county itself.



SPEED OF NETWORK AND OTHER TECHNICAL CAPABILITIES

Applications proposing to use technologies that exhibit greater ease of scalability with lower future investment (as defined by the Eligible Entity) and whose capital assets have longer useable lives will be afforded additional weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles.

Action Items:

- Make sure the applicant can provide the best technologies available with the highest speeds available.



HOOKUPS AND SERVICES TO COMMUNITY ANCHOR INSTITUTIONS

20 calendar days following the conclusion of the Challenge Process, WSBO will conduct the final deduplication process for Broadband Serviceable Locations (BSLs). Following deduplication, WSBO will release a list of eligible Community Anchor Institutions (CAIs) lacking access to 1 Gbps symmetrical service.

For eligible CAIs within a project area, applicants must commit to providing 1 Gbps symmetrical service.

Action Items:

- When consulting with possible subgrantees, make sure that their technologies can provide these services (1 Gbps to all CAIs)--this is particularly important for possible subgrantees that are wireless providers.



FIBER FOR MUNICIPAL USE (HEALTH, SAFETY, AND MORE)

Many municipal institutions rely on high-speed internet and expanding technologies.

Action Items:

- As mentioned earlier, we recommend meeting with local institutions and organizations to understand their goals/problems to see how BEAD can help them.
- Discuss with the potential subgrantee whether they will allow you as the county to have free or reduced pricing to these institutions, or city owned facilities. For example, will the applicant be charging you to use their internet for public safety purposes or will they offer it to you for free?



DIGITAL EQUITY NEEDS IN YOUR COMMUNITY

In their planning efforts, WSBO identified adoption and affordability needs in Washington.

These include, but are not limited to:

- Increasing equitable, diverse, and inclusive on-the-job broadband workforce training program opportunities aligned to broader workforce goals, including emerging areas such as cybersecurity and other information technology-related fields.
- Reducing the digital literacy and skills gap.
- Broadening outreach efforts to increase digital inclusion through trusted community partners.
- Increasing affordability through increasing Affordable Connectivity Program adoption and establishing a state internet discount program.
- WSBO will be requiring applicants to submit business plans that contain consumer support plans for sustainable digital equity, training, and technical support.

Action Items:

- When speaking with potential applicants, it will be important to understand how they plan to address digital equity needs in your community.
- Determine whether the applicant has the bandwidth and capability to create digital equity plans if they do not already have them.



UNDERSTANDING YOUR COUNTY'S WORKFORCE DEVELOPMENT GOALS

Although the State of Washington has a robust construction workforce, it may become more challenging for its broadband industry to hire the workers necessary to complete BEAD projects.

The state intends to incentivize workforce development priorities in applications. WSBO will require applicants to demonstrate a commitment to advancing workforce development. As part of the application process, applicants must submit a workforce plan to demonstrate their commitment. Therefore, it is crucial for the applicant to either have existing plans in place or express the intent to develop one. WSBO will evaluate and assess responses based on their comprehensiveness.

The workforce plan must include the following elements:

- How the applicant will ensure the use of an appropriately skilled workforce, e.g., through registered apprenticeships or other joint labor-management training programs that serve all workers.
- The steps they will take to ensure that all project workforce members will have appropriate credentials, e.g., appropriate, and relevant preexisting occupational training, certification, and licensure.
- Whether the workforce is unionized.
- Whether the workforce will be directly employed or a subcontracted workforce will perform the work.
- The entities that the applicant plans to contract and subcontract with in carrying out the proposed work.
- WSBO also has an in-depth strategy to coordinate with workforce stakeholders and partners across the state (which includes local government and ISPs) on workforce readiness (see p.84 Initial Proposal Volume II for more details).

Action Items:

- We recommend finding out if the applicant is in partnership and coordination with WSBO on this. If they are, then it is a green flag.
- Does the applicant have a workforce development plan in place? If not, do they have the bandwidth to create one and are they willing to commit to the items listed above?
- Be sure to check they have no previous workforce issues, complaints, or fines.



If Participating as a Subgrantee is Right For Your County

If you have worked through this document and vetted your potential partners and are still considering a consortium, you are ready to take the next steps to apply for BEAD funds. Becoming a subgrantee for BEAD is a big commitment. Be sure you have done all necessary pre-planning work and evaluated the risks involved.

Please review the considerations below to understand what you need to be clear on to apply for BEAD as a subgrantee.



A NOTE ABOUT VETTING YOUR CONSORTIUM PARTNERS TO PROTECT YOURSELF FROM RISK

As an elected official, you have an important role in protecting your county from risks posed by potential BEAD consortium partners. At a minimum, your partners should all meet the basic technical requirements as listed by the NTIA NOFO. For example, does your partner have a fully staffed, 24/7 network operations center (NOC)? According to the NOFO, your technical partner must, “submit a network design, diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the entity receives the subgrant, all certified by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project.”

If your technical partner defaults and is unable to deliver to the NTIA’s specifications, this will be to the great detriment of your county. You will have to find the next available technical partner or service provider, and this new agreement will mean the county is no longer driving the discussion. The contract will be cut down to the bare minimum, and any previous agreements you arranged with the provider in default will be void. This means that projects you identified for the public good will not go forward.

If you lack the capacity and expertise in your county to vet your technical partners, reach out to help and assistance from WSAC to ensure you won’t end up with a partner in default of their contract.

Preparing for BEAD

IDENTIFYING PROJECT AREAS

All potential projects will be based on a map from WSBO that has not been published yet.

Once it is published you can review it along with the [FCC map⁵](#) and look for:

- What areas of your community have been identified as in need of service?
- What providers are currently in the area?

From there you can determine:

- Who you should get into contact with to see if they are interested in applying and/or if they are already planning to build.
- If you want to partner with any of the current providers or if you will be in competition with them.

COUNTY CONSORTIUMS

Consortium projects are allowed in this program. These partnerships are allowed to pool resources to collectively meet qualifications. For example, a subgrantee with deployment experience but no operational background may partner with an experienced entity. Diverse types of entities (e.g., municipalities and ISPs) can provide evidence of qualifications.

As a county, you may be invited to participate in a consortium for the application of project areas within your jurisdiction. If your county does not presently offer broadband services, or operate a network, you would engage in a contractual agreement with other public and private sector entities to collectively fulfill the obligations outlined in the contract with the NTIA.

Action Items:

- Ensure your consortium has members that will meet all requirements.
- Identify your key stakeholders—who will lead the project for the county? Who will lead from members of your consortium?
- Determine who will be submitting the grant on behalf of the consortium.
- Determine if you (the county) or your partner(s) will own and operate the network, and whether it will be open-access (priority will be given to open-access networks).
- Determine responsibilities and deliverables - who will be responsible for each specific part of the grant?
- See below Public Consultation Packages and Partnership Dialogue (pg. X) for more details on how to vet potential partners.

APPLYING FOR THE 25% MATCH

WSBO has indicated that all local government subgrantees will receive a 25% match from state funds to cover this requirement from the BEAD NOFO.

Details have yet to be released on this application process. Stay tuned for updates.



EXTERNAL LINK

[FCC Broadband map](#)



Scan with your phones camera to learn more

TRIBAL PARTNERS

If your project will fall within any tribal lands, you will be required to provide a Resolution of Consent or other formal demonstration of consent from each tribal government's Tribal Council or other governing body upon whose tribal lands the infrastructure will be deployed.

If a member of your consortium is the Tribe or an internet service provider owned by the Tribe, ensure you have proper documentation from the Tribe regarding your partnership.

WSBO will require any relevant documentation to be provided at the time of application submission.

Action Items:

- Make sure you or your consortium is in communication with any Tribes that may be on or near the project areas.
- Begin discussions on the possibility of partnership.
- Remember, Tribes are sovereign nations and operate under different laws and customs.

PUBLIC CONSULTATION PACKAGES AND PARTNERSHIP DIALOGUE

As discussed previously, if you plan to partner with anyone for this application, you will need to ensure that you have partners who can meet all the BEAD requirements that you are unable to meet.

Action Items:

When deciding on potential partners, consider the questions below (some of these may or may not be applicable depending on the type of partnership):

- Is your partner financially capable? Can they sign a letter of credit?
- Can you or your partner minimum requirements to bring 1G service to Community Anchor Institutions?
- Are you or your partner enrolled in ACP, and do you/they have other service discount programs? Confirm this with documents regarding their service offerings.
- If you will not be owning the network, is your partner receptive to providing fiber or network services for public safety & health networks?
- If they will be providing construction labor, do they practice fair labor standards?
- Has your partner ever incurred fines for violating labor laws? If yes, were necessary measures implemented to address and rectify the situation?
- Do you or your partner have any workforce development programs in place? Do the plans include on-the-job training?
- If you will not be owning the network, is your partner open to providing free or discounted service for municipal use (public safety, health, etc.)?
- Do you or your partner have a business plan that includes a consumer support plan for sustainable digital equity, training, and technical support? If not, are you open to making one?

Getting to Know Your Partners



Coordinate recurring calls to build strong relationships with all your partners.



Consider requiring the potential partner to attend county commissioner meetings to show their commitment and involvement.



Involve all partners in any community engagement activities.

Primary Scoring Criteria

In addition to the above questions, you can inquire how the potential applicants will meet the scoring criteria of the grant. This will help provide some insight into who may be the most competitive. There are three primary scoring criteria that the state must score highest.



BEAD OUTLAY

Applications that provide a high amount of match money (above 25%) will score higher, taking into consideration the difficulties of project locations.

Action Items:

- Ask if the applicant can provide a higher match than 25%
- Compare to the scoring criteria set forth by WSBO (higher matches have more point, thus more likelihood of award)



AFFORDABILITY

Applicants that offer affordable non-promotional rates for Gigabit service will score higher.

Action Items:

- Ask to see any documents regarding the services the applicant is going to offer and their pricing (By the time the applicant comes to the county commission for public consultation, the applicants should have these ready).
- Is the pricing fair and similar to services already available in your county?



FAIR LABOR PRACTICES

Projects will be given priority based on your demonstrated record of and plans to follow Federal labor and employment laws. New entrants without a record of labor and employment law compliance must be permitted to mitigate this fact by making specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.

Action Items:

- Ensure you or your partner(s) have a demonstrated record of compliance with federal labor and employment laws and if not, begin creating a plan to ensure fair labor practices for your project.
- If you or your partners have been fined or had issues with following federal labor laws, confirm appropriate actions were taken.

Secondary Scoring Criteria

NTIA has required states to consider and assign lesser points to the following secondary criteria.



SPEED TO DEPLOYMENT

Projects that are completed in an expeditious manner will receive more points. Be sure to ask potential applicants about this and consider having a county employee familiar with construction present for the conversation.

Action Items:

- Determine what they estimate their timeline to be.
- Ask what methods they are using to ensure timely deployment (ensuring no corners are skipped).



OPEN ACCESS

If a potential applicant builds an open access network, they will receive additional points. However, there are important considerations in what makes the network 'open access.'

Action Items:

- Ask how many committed ISPs the potential applicant has (must have two or more beyond the applicant)
- Ask what pricing they will offer for wholesale access.



LOCAL AND TRIBAL CONSULTATION AND NEEDS

If you will not be partnering with a Tribe for your project, or a Tribe is not part of your consortium, there are still actions to take.

Action Items:

- Seek letters of support from nearby Tribes.
- Seek letters of support from the towns and cities within your county.



ADOPTION AND DIGITAL NAVIGATION

Ensure that whichever partner will be delivery services is prepared to offer an affordable price tier. Ideally, the state would like to see service tiers offering at least 100Mbps/20Mbps for \$25 or less, resulting in a zero cost for ACP participants

Action Items:

- Confirm the entity providing services is enrolled in ACP and/or has other service discount programs?
- Confirm the entity provider services can provide digital navigation services.



Important Considerations



SPEED OF NETWORK AND OTHER TECHNICAL CAPABILITIES

Applications proposing to use technologies that exhibit greater ease of scalability with lower future investment (as defined by the Eligible Entity) and whose capital assets have longer usable lives will be afforded additional weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles.

Action Items:

- Make sure you or your partners can provide the best technologies available with the highest speeds available.



WORKFORCE DEVELOPMENT

Although the State of Washington has a robust construction workforce, it may become more challenging for its broadband industry to hire the workers necessary to complete BEAD projects. The timelines associated with the implementation of federal infrastructure programs will cause public and private subgrantees to compete for talent across sectors.

The state intends to incentivize workforce development priorities in applications. WSBO will require applicants to demonstrate a commitment to advancing workforce development. Applicants must submit a workforce plan as part of their application to show this commitment, therefore it is important that you have plans in place.

WSBO will evaluate and assess responses based on their comprehensiveness. The workforce plan must include the following elements:

- How the applicant will ensure the use of an appropriately skilled workforce, e.g., through registered apprenticeships or other joint labor-management training programs that serve all workers.
- Whether the workforce is unionized.
- The steps they will take to ensure that all project workforce members will have appropriate credentials, e.g., appropriate, and relevant preexisting occupational training, certification, and licensure.
- Whether the workforce will be directly employed or a subcontracted workforce will perform the work.
- The entities that the applicant plans to contract and subcontract with in carrying out the proposed work.

Action Items:

- WSBO has a strategy to coordinate with workforce stakeholders and partners across the state (which includes local government and ISPs) on workforce readiness. We recommend consulting with WSBO on this if you have not already done so.
- Do you or your partner have a workforce development plan in place? If not, begin creating a plan immediately to be prepared for when the application window is open.



DESIGNING PUBLIC BENEFITS INTO PROJECTS

When planning out your project(s) it will be important to consider how you can design public benefits into your project plan to maximize the funding from BEAD.

Action Items: Things to consider when creating your plan include:

- Think about what CAIs you could provide complimentary service to.
- Think about your network path and what kinds of places it will be passing. Are there any changes you could make to the path that would allow for more municipal institutions and CAIs to be covered?
- Do you have a digital equity plan that:
 - Can include activities for all your partners?
 - Includes training (from you or your partner) that is available to the public that focuses on reducing the digital literacy and skills gap.
 - Has a community outreach plan to increase digital inclusion and make sure community members are aware of how to use the internet once it becomes available to them.

NAVIGATING FEDERALLY AWARDED PROJECTS IN YOUR JURISDICTION



Do you have other federally awarded projects in your jurisdiction? There are many programs that have funded projects in your district in the past. RDOF, ACAM, Reconnect, and RUS programs could be responsible for building projects to serve unserved and underserved populations. At the state level CERB, PWB, and WSBO. All these federally funded programs have removed BSLs from the BEAD program as other federally funded projects.

Of particular concern are some of the RDOF-awarded areas in Washington state and nationally. There have been companies who were unable to fulfill their contract requirements with the FCC for their RDOF awards. Other projects have not been started yet and have milestones for reporting in December 2024. Prior to the first reporting milestone the BEAD project areas will be locked down and the NOFO will be released. If further RDOF defaults happen after the map is locked, the people living in the defaulted areas will not be eligible to be funded in BEAD.

The RDOF reporting timeline and percentages of project completion are as follows:

40% of census tracts of unserved areas must be built by Dec 2025	20% each year thereafter	100% by 2028
---	---------------------------------	---------------------

Senator Cantwell staff has been working with communities regarding concerns with other federally funded areas. These discussions have been led by Mary Huang, Mary_Huang@commerce.senate.gov.

If you are seeing problems that raise concerns about a provider's ability or commitment to fulfilling its RDOF buildout obligations, such as if a carrier is saying something inconsistent with its buildout obligations, you contact the following staff from the FCC's Wireline Competition Bureau:



CONTACT LINKS

Suzanne Yelen (202) 418-0626 suzanne.yelen@fcc.gov	Rashann Duvall (202) 418-1438 rashann.duvall@fcc.gov	Audra Hale-Maddox (202) 418-0794 audra.hale-maddox@fcc.gov	Jesse Jachman (202) 418-2668 jesse.jachman@fcc.gov
--	---	--	--

Action Items: (What to do if this is the case for your project areas):

- Good public policy would be to contact the awarded broadband providers and ask about their federally funded projects. Invite them to public meetings to discuss the services they will provide and the milestones for the construction of the projects.
- An example letter inquiring about BEAD projects and applicable meeting notes are included in Appendix A.



Preparing the BEAD application


Once you have gone through all the necessary components listed above, the next step is to put together your funding application.


DETAILS:

- The WSBO NOFO is expected in Q3 2024.
- 60-day application process.
- When WSBO finalizes the project areas, the map is locked down after the challenge process is concluded on July 31, 2024. At that time, you should refine your proforma and construction estimates.
- Applicants will submit one application per project area.

HOW YOU CAN GET STARTED NOW:

 Review the **preliminary project areas**⁶ submitted in Vol II of the initial proposal and the latest version of the **FCC fabric Map (v4)**⁵ to start prioritizing project areas you want to apply for.

 This could include sharing information with public sector and private sector broadband providers trying to enhance the probability that all project areas in your county will be applied for.

 Begin collecting required documents for yourself or your partners:

- Resumes
- Audited financial statements
- Certifications

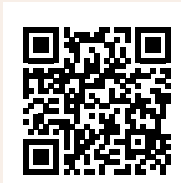


EXTERNAL LINKS

Preliminary project areas map



FCC Broadband map



Scan with your phones camera to learn more

Appendix

Appendix A

RDOF considerations for BEAD

September 11, 2023:

Kittitas letter to WUTC re: RDOF

Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504- 7250

Dear Commissioners,

We are writing to express our concerns about the performance of Rural Digital Opportunity Fund (RDOF) recipients in our state and the need for increased accountability in ensuring they meet the requirements of their grants. Access to reliable broadband in rural areas is vital for the economic, educational, and social well-being of our communities, and it is crucial that we hold recipients of public funds responsible for fulfilling their obligations.

The RDOF program has been a critical step towards bridging the digital divide in rural areas across the country. It has allocated substantial resources to bring high-speed internet access to underserved and unserved communities. However, recent reports of FCC revocation of previous grants awards, including a sizable portion of awarded territory in our state, indicate that some RDOF recipients are falling short of their commitments leaving rural residents with inadequate or no broadband service.

In preparation for 2024's awarding of over \$1.2 billion under the Broadband Equity Access and Deployment program, counties across the state, including Kittitas County, are grappling with how to fully connect current unserved and underserved residents to the maximum extent possible. As RDOF-awarded areas are excluded from this funding program, it is critical that construction proposed and awarded under RDOF is held accountable for completion. Under RDOF requirements, 40% of locations awarded in the state must be reported as completed by the end of

2025, with 100% of locations to be built by the end of 2028. However, companies have still not reported which 40% of their locations are slated to be connected by 2025. This leaves counties and other public jurisdictions struggling to effectively plan for BEAD-eligible project areas with their own project funding deadline of 2028. Without a clear understanding of project alignment between RDOF recipients and our public entities, it remains entirely possible that our least populated areas, of which this funding was intended to serve, may not see a connection opportunity until well into the next decade.

We urge the WUTC to take proactive measures to hold RDOF recipients accountable.

This may include:

Kittitas County Courthouse
205 West 5 Avenue, STE 108
Ellensburg, WA 98926
(509) 962-7508
FAX (509) 962-7679

- Regular Monitoring and Reporting: Implement a robust system for monitoring the progress of RDOF recipients in our state. Require regular, detailed reports on their deployment progress and service quality.
- Collaborative Planning: Foster collaboration between RDOF recipients and potential BEAD awardees via joint reporting to the WUTC with the intent of ensuring a comprehensive strategy is created for efficient use of resources and deployment in unserved regions.
- Data Sharing: Encourage the sharing of data and local insights between RDOF recipients and BEAD applicants to facilitate informed decision-making and targeted investments.
- Performance Audits: Conduct independent audits of selected recipients to verify their compliance with grant requirements and ensure transparency. This should include on-site inspection of locations and facilities identified as completed.
- Penalties for Non-Compliance: Develop a clear framework for imposing penalties on recipients who fail to meet their obligations, with a focus on ensuring that penalties are commensurate with the extent of the non-compliance.
- Community Engagement: Encourage active involvement from local communities in the oversight process. Empower residents to report issues and concerns regarding RDOF funded projects.
- Flexibility and Adaptability: Be prepared to adapt grant requirements to address changing needs and emerging technologies, ensuring you use the funds effectively to provide long-term solutions.

Access to broadband is not a luxury; it is a fundamental necessity in today's world. Rural communities should not be left behind in the digital age due to the shortcomings of grant recipients. By taking proactive steps to enhance accountability, the WUTC can help ensure that RDOF funds are used to deliver the promised benefits to our rural residents.

We appreciate your attention to this critical issue and your commitment to serving the best interests of our state's rural communities. Thank you for your dedication to improving broadband access for all Washington residents.

Appendix B

Document links



1. **BEAD Notice of Funding Opportunity (seen on page 1)**
https://broadbandusa.ntia.gov/sites/default/files/2022-05/BEAD_NOFO.pdf



2. **Subgrantee Selection Primer (page 9)**
https://broadbandusa.ntia.doc.gov/sites/default/files/2023-02/Subgrantee_Selection_Primer_A_Guide_for_Eligible_Entities.pdf



3. **INTERNET FOR ALL BEAD: Subgrantee Qualifications, Evaluation Guide (pages 10, 11)**
https://broadbandusa.ntia.gov/sites/default/files/2023-12/BEAD_Subgrantee_Qualifications_Evaluation_Guide.pdf



4. **NTIA Adopts Programmatic Waiver of Letter of Credit Requirement for BEAD Funding (pages 10, 11)**
<https://www.natlawreview.com/article/ntia-adopts-programmatic-waiver-letter-credit-requirement-bead-funding>



5. **FCC Broadband map (page 15, 30)**
<https://broadbandmap.fcc.gov/home>




6. **Preliminary project areas map (page 30)**
<https://expressoptimizer.net/public/Washington/Countytest.html>


Document contacts

Mary Huang


 Mary_Huang@commerce.senate.gov

Suzanne Yelen

 (202) 418-0626


 suzanne.yelen@fcc.gov

Rashann Duvall

 (202) 418-1438


 rashann.duvall@fcc.gov

Audra Hale-Maddox

 (202) 418-0794

 audra.hale-maddox@fcc.gov

Jesse Jachman

 (202) 418-2668

 jesse.jachman@fcc.gov

BROADBAND EQUITY, ACCESS, AND DEPLOYMENT PROGRAM

