

## **BEAD Challenge Process FAQs**

**Updated 5/29/2024.**

### **General Process**

**Q: Do we have a timeline of the Challenge Process?**

A: There is a 25 calendar-day window for each phase of the Challenge Process. There will be 25 days where organizations may submit challenges, a 25 day rebuttal period, and then the ECD Broadband Office will spend 25 days for a Final Determination, where decisions are finalized and submitted to NTIA for approval. Each phase is a separate non-rolling process, meaning that ECD will not take late challenges and that entities cannot rebut until the challenge window has closed. For more information, please view the [Initial Proposal Volume I](#).

**Q: What are the eligibility requirements for organizations wanting to submit challenges? Are organizations with an existing CostQuest license eligible?**

A: To participate in the Challenge Process, organizations must be either a nonprofit, a local government, or an internet service provider. All eligible entities must first complete the [pre-registration form](#). While a CostQuest license is encouraged for bulk uploads, it is not a requirement to participate in the Challenge Process.

**Q: Can you register / invite additional people in the portal?**

A: To register for the Challenge Portal, please complete the pre-registration form [here](#). While registered users cannot add people to the portal, there is no limit on how many people can pre-register per organization.

**Q: If from the same organization, can we submit multiple challenges with the same email address?**

A: Yes, there is no limit on how many challenges one organization can submit.

**Q: Can more than one person submit challenges in the portal at the same time?**

A: We ask that each organization designates one person to handle the submission of the challenges. This measure is to ensure that we are not receiving duplicate challenges and evidence from your institution.

**Q: What if an eligible entity hires consultants to submit challenges?**

A: TNECD recognizes that organizations may hire consultants or local governments may seek assistance from development districts to submit challenges. If this applies to you, please submit responses to the pre-registration form for the organization you will be challenging on behalf of.

**Q: What version of the Fabric and BDC data is the state using to make eligibility determinations?**

A: We used CostQuest Fabric 3.2 and BDC from June 30, 2023, the March 19, 2024 update.

**Q: What are the options for submitting challenges?**

A: Challenges can be submitted directly through the portal, through the map, or through bulk upload templates.

**Q: To access state dollars through BEAD, does a location need to be listed on the map as underserved / not served?**

A: Yes, in order for a location to receive BEAD funding, it needs to be un or underserved. The state cannot overbuild served locations using this funding.

**Q: Does the state allow bulk uploads of all Location IDs, including CAIs? If so, are there any limitations?**

A: The state is accepting bulk uploads for all challenge types. Templates can be found on the [BEAD Challenge Process page](#). The maximum number of locations that can be challenged on each template is 250. If you need to challenge more than 250 locations, please upload multiple templates into the portal.

**Q: For the bulk challenge, is there a place to add any additional notes regarding details around the challenges?**

A: While there is not a comment box, users are able to upload narrative through a Word document.

**Q: In the case of a bulk challenge submission, will a challenger still have to manually click or select locations on the challenge map tool or will there be a different avenue by which to submit the Excel files?**

A: There is a freehand/lasso tool that allows for groups to be circled and captured for bulk upload on the map. That data will carry directly into the portal where you may then complete the remaining needed information for the challenges in separate forms. Alternatively, the user may obtain a CostQuest license and manually fill out the Excel templates that can be uploaded directly to the portal.

**Q: Is there a requirement to group locations with corresponding evidence for different tech codes?**

A: You do not have to group locations together in bulk challenges for the Excel templates, but they do need to be organized by Challenge Type. Additionally, bulk uploads will require one evidence file to support the upload as a whole. This single file should include the rationale and evidence for all locations included in the bulk upload.

**Q: What CostQuest license does the state have?**

A: Tennessee has a tier C license, which gives us more freedom to the data. This includes access to the fabric and access for that location based data for the state. Each license that CostQuest puts out are a little bit different, and there are differences between the D and E. If you are unsure of what your organization needs to participate, you can learn more about CostQuest Licensing [here](#).

**Q: Is specific data required to populate templates, downloaded from the portal, in addition to location IDs?**

A: Yes, while each Excel template largely asks for the same information, there are additional fields depending on the Challenge Type. For example, availability has a reason code and CAI uploads ask for rationales and explanations.

**Q: Will we have access to individual CSVs of the Served/Underserved/Unserved locations as well as the CAIs?**

A: Yes, this information has been uploaded to the [BEAD Challenge Process webpage](#).

**Q: Where can we find the cai\_id to properly fill out the template when submitting bulk challenges against CAI?**

A: This information can be found on the map and will be uploaded to the [BEAD Challenge Process webpage](#).

**Q: Will the rebuttal phase include a bulk upload process as well?**

A: Yes, bulk rebuttals will be accepted.

**Q: In other states, we have seen the start of the rebuttal window delayed because challenges tend to come in toward the very end of the challenge period, and it takes some time for the broadband office to process them - do you see that as a possibility in TN?**

A: Tennessee will enter the rebuttal phase on June 2, 2024.

**Q: How will grant funding be awarded for a county? Will multiple service providers receive funds for a single county?**

A: The answer for this depends on the county. This is going to be similar to our recent round of Last Mile funding. If you are interested in how that has looked, you can go to our website [here](#) and select Last Mile. In Last Mile, each county has been split up into 1 – 3 application areas based on factors such as geographic barriers, territory restrictions, etc. Once this has been divided, we allow those areas to be applied for. In some cases it might be the same provider that wins, or it could be multiple. We will be scoring all applications as standalone applications, so applying for three applications in the same county doesn't mean that an ISP will get more or are incentivized to get all three.

### **Submitting Challenges**

**Q: Does availability also include existing service? For example, the map says location is un/underserved, but it not and a challenger provides evidence.**

A: Yes. Availability can indicate that the broadband service identified is not offered at this location or if it's being built out, you can challenge through the planned service option. Depending on technology and speed, all locations will be classified as served, underserved and unserved. If a location is listed as underserved or unserved, it can be challenged under Availability and will be reviewed based on the evidence provided. Please refer to our [BEAD Challenge Process webpage](#) for the definitions of served, underserved, and unserved.

**Q: Which challenge type should be used when a provider is indicating that their organization serves a location currently classified as eligible?**

A: Please submit these challenges under type P. Planned Service.

**Q: How is partial service (rain, partly occluded) counted by Starlink or retiring service handled (AT&T fixed wireless cutoff of service - end of service)? What are the end points that round trip latency is measured?**

A: If the technology does not reliably meet or exceed the 100/20 benchmark of broadband, or the latency is in excess of 100 milliseconds, it will be considered eligible for service. The latency data we are using is from the BDC and is reported by the ISPs and is not from user speed tests. Latency is a round-trip measurement, so the mid-point is the selected server and the end-point would be the point of testing – which are reported by the ISPs or those conducting their speed tests.

**Q: Regarding locations that are labeled as "Served" but only have underserved satellite options, excluding Starlink's advertised speeds being over 100/20. With satellite-only (No fiber) options, and Starlink's high cost of entry and variable speeds, would these locations qualify for a challenge?**

A: Currently, Starlink does not qualify for BEAD. Starlink is, however, upgrading to a new satellite type that will or should be considered BEAD compliant. More information to come there but as of now, Starlink is not an eligible technology. This can be challenged on technology or availability depending on the circumstance.

**Q: How does a challenger submit a challenge for existing serviceable locations that are listed as unserved/underserved in the state's initial BEAD eligibility data?**

A: Under the availability challenge type, a challenger can select that the provider does not offer the speed(s) shown on the Broadband Map for purchase or that no wireless signal is available at the location.

**Q: How are RDOF BSL locations that expire, or ISP shows no intent to build/request handled?**

A: If defaulted or pulled back during the challenge window, one can challenge the location under the Challenge Type N. Any of the relevant locations would also be adjusted for before the BEAD subgrantee selection process where RDOF was contributing factor in eligibility, and per any new BEAD RDOF guidance by the NTIA. The state recognizes that there may be greenfield areas within a Census block group or CBG that is not tied to the enforceable commitment of RDOF – and that would also be a challenge type N.

**Q: Will the new map only recognize addresses with wired/cable broadband or will satellite availability be listed, like the current FCC map?**

A: Only BEAD reliable technologies are included on the Tennessee map, which does not include satellite.

**Q: Is TN accepting speed or latency tests?**

A: The state is not accepting speed or latency challenges. As Tennessee did not adopt the Model Challenge Process, we removed a few items from guidance and added specificity to others. For example, we will allow things like geotagged photos using a survey tool or leveraging the metadata already within your smart devices. Most of us have smartphones; iPhones, or androids in our hands, and those already have a pretty extensive array of metadata that we can leverage for latitude, longitude, elevation, etc. TNECD will not accept challenges based on speed or latency as the broadband office has deemed these too tedious when other methods to challenge or rebut are equally, if not more, effective.

**Q: For locations that have been already activated since the last FCC map refresh when they showed as unserved, what challenge type code would a challenger use to challenge these locations?**

A: Planned service. If you already have those areas that are served or you are in the interim connecting these locations but you're not done with construction, planned service would likely be your best option.

**Q: How will any RDOF schedule auction affect this? Is there an end date for RDOF application?**

A: Everybody that is involved in RDOF is not necessarily involved on the same timeline. All current RDOF obligations have been factored in the map as enforceable commitments.

**Q: Is service considered available if the existing service provider requires the resident to pay for last mile?**

A: Yes. If a provider is charging you to connect to your house, and you are a paying customer that now has connection, then service is available.

**Q: Does affordability factor into the challenge process?**

A: Unreasonableness of data cap is an option when affordability is a concern. If the provider is requiring an unreasonable connection fee that can be challenged, however, we do not have anything available to challenge solely on the basis of the monthly cost.

**Q: Using the challenge map, how do we determine who the service provider is or will be if the BSL is showing an enforceable commitment, capital project, and served?**

A: When a location is selected on the map, the user will see the address, the location ID, if there is an enforceable commitment, and if so, what the funding source is, as well as the serviceability. To view the

providers, click the "Providers +" button. A table will then appear of the provider options for the location, the technology, and speed.

**Q: What are CAI Challenges? Are there challenges specific to local governments?**

A: There are specific types of challenges for CAIs which contemplate whether a location should be considered an eligible CAI. Local governments are able to submit challenges under all challenge types.

**Q: If a company is in the process of constructing fiber in a served or underserved area, does it need to be completely finished with building by June 30, 2024?**

A: Challenging under planned service is stating that the challenger has knowledge that broadband will be deployed at a location by June 30, 2024, without an enforceable commitment or a provider is building out broadband offering performance beyond the requirements of an enforceable commitment.

**Q: How do we challenge an area that has been deemed unserved/underserved? There are some areas that we have expanded into since mapping was completed and are now offering service that we need to challenge.**

A: Availability is an option here - we have discussed availability as "this service is not available here" but the inverse "our service is available here" would work with supplemental evidence or providing a plant map proving your service territory.

**Q: We have identified a location that has no structure or commercial power at the latitude/longitude listed. How do we challenge that location to make sure we don't have an obligation to build service to a nonexistent location if we win the area?**

A: Locations can be challenged on the National Broadband Map. Click the link below and search the address in question. Then click "Location Challenge"

<https://broadbandmap.fcc.gov/home?version=jun2023>

### Uploading Evidence

**Q: Is there a file size or file format limitation?**

A: We ask that one packet of evidence is submitted per bulk upload. Acceptable files for all submissions include the following:

- .pdf
- .csv
- .png
- .jpg
- .jpeg
- .xlsx
- .docx
- .KMZ
- .KML
- Shape File folders (all inclusions - .shp, .shx, .prj)
- Geo JSON files
- .dbf

**Q: Can the evidence file type be a ZIP file since a SHP file consists of multiple files?**

A: Yes, when including multiple files a ZIP file is recommended. There is no size limitation on evidence uploads, but ECD does ask that users refrain from uploading terabytes of data if avoidable.

**Q: Are you only able to upload one evidence file?**

A: For bulk uploads submitted through the template, we ask that one packet of evidence is submitted. For individual challenges, there is no limitation to one evidence file.

**Q: Are Esri map packages an acceptable form of evidence when demonstrating network and service availability?**

A: Yes, TNECD is allowing GIS mapping file types to be accepted or to be packaged up as acceptable evidence. Please do not forget that the shape file is an entire inclusion.

**Q: In terms of providing evidence for Existing Service challenges, an ISP intends to use redacted billing statements showing active service at the challenged locations. Challenging via A. Availability includes the option to use billing statements as evidence, while P. Planned Service does not. Should the ISP choose the Challenge Type A. Availability with billing statements as evidence?**

A: Yes, this may be challenged under A. Availability. For P. Planned Service, bills of lading or any receipts for purchases of delivery of equipment or assets to the location are allowed as evidence. So if the building statements fit that category, then P. Planned Service can be used as the challenge type. Otherwise, if the challenger is leveraging the billing statements as the main point of evidence that they are submitting, then the best option is to use A. Availability with the billing statements as evidence. Challengers are welcome to include anything else that they feel is necessary or pertinent to their challenges.