

BEAD CHALLENGE PROCESS

**BROADBAND EQUITY, ACCESS, AND DEPLOYMENT (BEAD) PROGRAM
UNIVERSITY OF HAWAII BROADBAND OFFICE
APRIL 24, 2024**



Broadband Hui Sessions



**4/17/24 Challenge Process Update 1 —
Hawai'i Challenge Process Overview / Timeline**



**4/24/24 Challenge Process Update 2 —
Challenge Type/Evidence: Availability, Data Cap, Technology,
Business Service Only**

**5/1/24 Challenge Process Update 3 —
Challenge Type/Evidence: Speed/Latency**

**5/8/24 Challenge Process Update 4 —
Challenge Type/Evidence: Enforceable Commitment (EC), Not
EC, Planned Service, Location is a CAI/not a CAI.**

AGENDA

1. **What are we challenging / not challenging**

2. **Challenge Types**

a. Availability

b. Data Cap

c. Technology

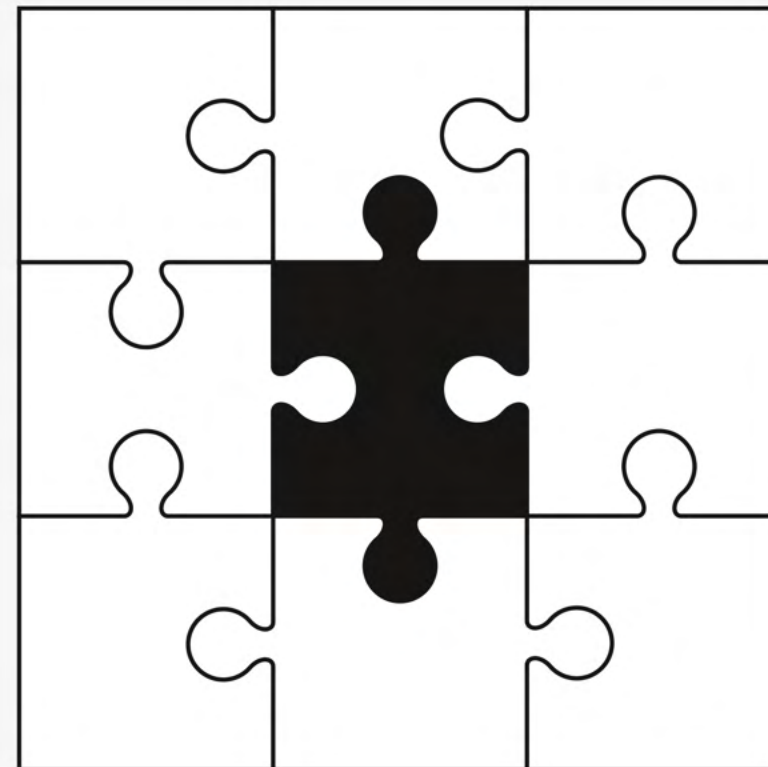
d. Business Service Only

3. **Next steps**



CHALLENGE PROCESS GOAL

The Challenge Process is an opportunity for Hawaii to create the most complete map of broadband access in the State for BEAD funding.



WHO CAN PARTICIPATE?



Local Government
(e.g., Counties,
State, etc.)

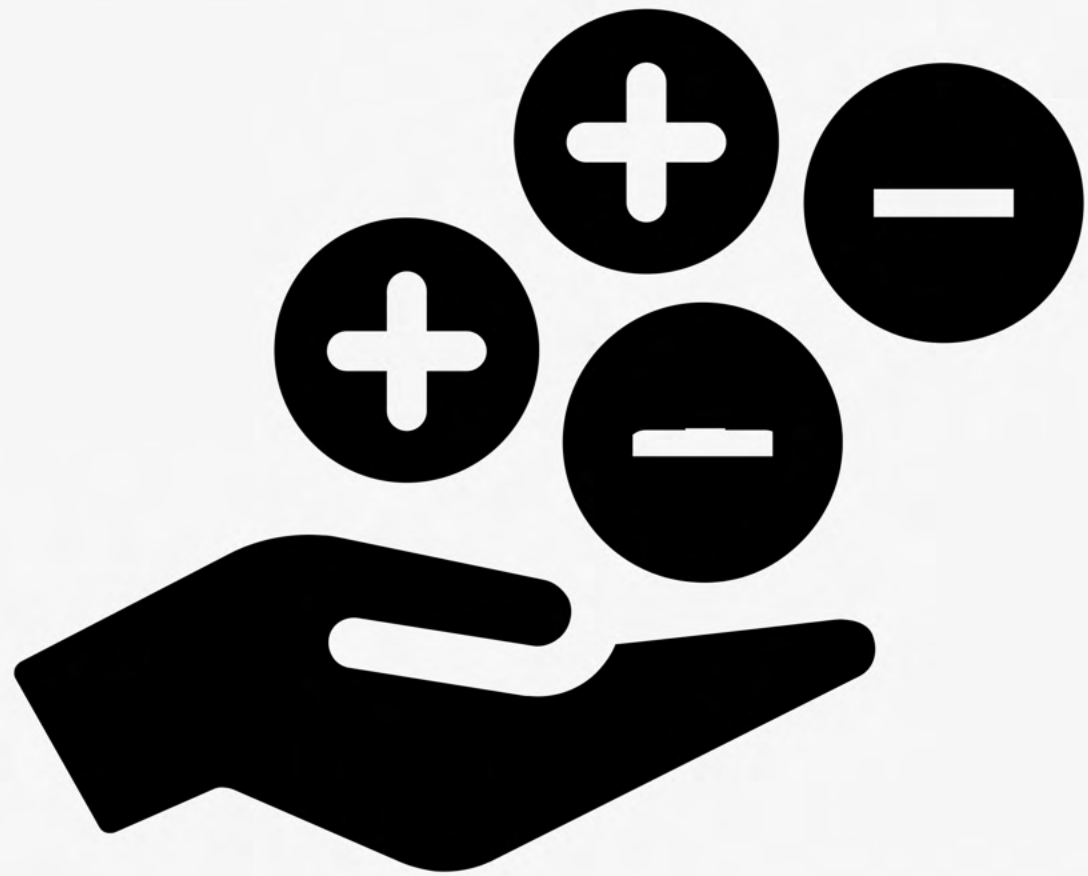


Nonprofits



Internet Service
Providers

WHAT ARE WE NOT CHALLENGING?



Addition or removal of locations (aka “dots”)



Location details such as:

- Residential vs Business
- Address
- Unit Count

WHAT ARE WE CHALLENGING?

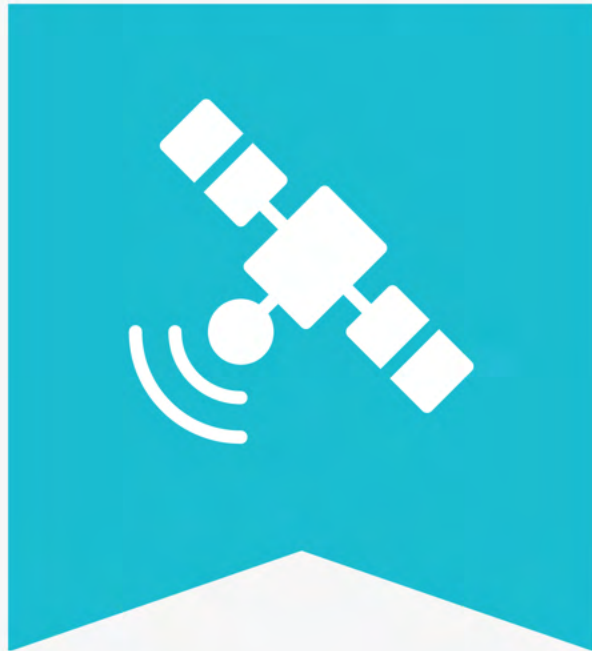
1. The identification of community anchor institutions (CAI)
2. Community anchor institution 1 Gigabit speed access
3. Served, unserved, and underserved status of locations
4. Enforceable commitments, or
5. Planned service.



BEAD ELIGIBILITY DEFINITIONS

Community Anchor

Unserved



- Only has access to Internet speeds less than 25/3 Mbps
- Only has satellite available

Underserved



- Only has access to Internet speeds between 25/3 Mbps and 100/20 Mbps
- Only has digital-subscriber line (DSL) available

Institutions*



- Less than 1 Gbps symmetrical speeds

*see Initial Proposal Volume 1 for CAI definition

CHALLENGE TYPES

1 Availability

2 Speed

3 Latency

4 Data cap

5 Technology

6 Business Service Only

7 Location is a CAI

8 Location is not a CAI

9 Planned Service

10 Enforceable Commitment

11 Not Enforceable Commitment



CHALLENGE TYPES COVERED TODAY

1 Availability

2 Speed

3 Latency

4 Data cap

5 Technology

6 Business Service Only

7 Location is a CAI

8 Location is not a CAI

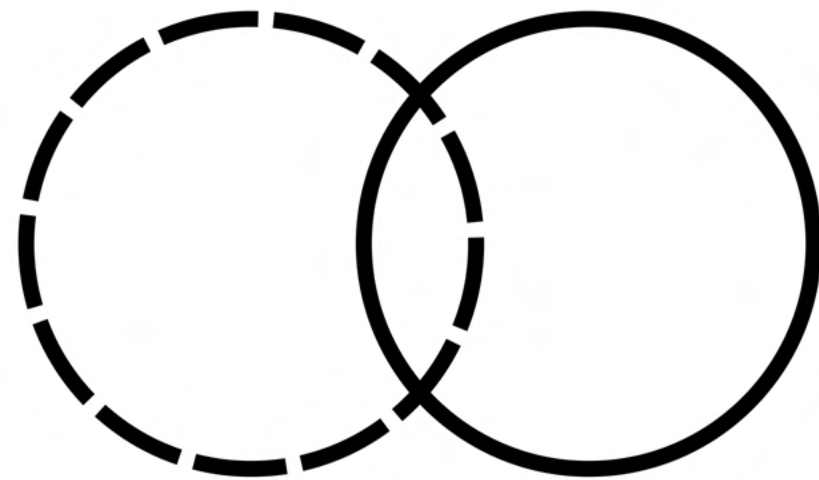
9 Planned Service

10 Enforceable Commitment

11 Not Enforceable Commitment



AVAILABILITY CHALLENGE



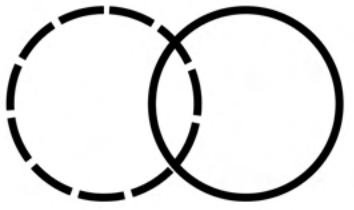
DESCRIPTION

The challenge portal says I can subscribe to high-speed internet from my home, but when I call service providers, they say it is not available, or is not available unless you pay an installation fee beyond the standard.

SCENARIOS

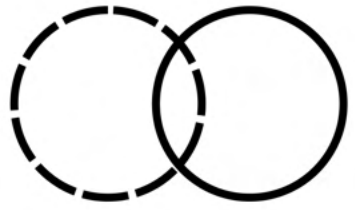
- ISP requested more than the standard installation fee to connect the location, including building new, non-standard equipment (i.e. utility pole)
- ISP said they cannot service your residence or location.
- ISP advertises fiber or other high-speed service to your home, but does not actually provide the service.

CHALLENGE TYPE:
AVAILABILITY



EVIDENCE

CHALLENGE TYPE:
AVAILABILITY



CHALLENGES



An email, letter, or screenshot, taken within the last six months, showing the ISP cannot serve your home address with high-speed internet because:

- You cannot sign up for service either online or by contacting the ISP
- Service would cost you \$\$\$\$ or additional things built

REBUTTALS



- Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill.
- If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability.
- The provider submits evidence that service is now available as a standard installation, e.g., via a copy of an offer sent to the location.

DATA CAP CHALLENGE



DESCRIPTION

The Internet service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer.

SCENARIO

Your residential or business Internet service plan has a condition where you can use the Internet at a certain speed up to some limit of data before it starts to slow down or you pay more. This challenge does not apply to cellphone data plans.

CHALLENGE TYPE:
DATA CAP



EVIDENCE

CHALLENGE TYPE:
DATA CAP



CHALLENGES



Screenshot of provider webpage Internet plan.

Terms of Service description provided to the consumer stating the data cap.

REBUTTALS



Provider has Terms of Service showing that it does not impose an unreasonable data cap or offers another plan at the location without an unreasonable cap.



TECHNOLOGY CHALLENGE



EVIDENCE

CHALLENGE TYPE:
TECHNOLOGY



CHALLENGES



A picture of the modem, router, or device that provides Internet to the location with the manufacturer and model number that demonstrates the Internet service.



REBUTTALS



Provider has countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.

BUSINESS SERVICE ONLY CHALLENGE



DESCRIPTION

The location is residential, but the service offered is marketed or available only to businesses.

SCENARIO

You tried contacting an ISP for service at your home, but they said you cannot get Internet service, but when you contact them about business service you can get Internet service.

CHALLENGE TYPE:
BUSINESS SERVICE ONLY



EVIDENCE

CHALLENGE TYPE:
BUSINESS SERVICE ONLY



CHALLENGES



Screenshots of provider webpage, email, or letter from a provider showing the address can subscribe to business service, but cannot subscribe to residential service.

Note the location being challenged must be a residential location for this challenge to apply.

REBUTTALS



Provider documentation that the service listed in the BDC is available at the location and is marketed to consumers.

CHALLENGE PROCESS TIMELINE



Challenge
Phase

July 2024*
(30 days)



Rebuttal
Phase

August 2024*
(30 days)



Adjudication
Phase

September 2024*
(30 days)

*tentatively



NEXT STEPS



Listen to community members if their Internet situation is one of these challenge types. If so, let us know!



Sign up for the Connect Kākou email newsletter and look out for a challenge portal registration link <https://cloud.broadband.hawaii.edu/sign-up>



Stay Connected

<https://www.hawaii.edu/broadband>

email: broadband@hawaii.edu

