

# **BEAD CHALLENGE PROCESS**

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**BROADBAND EQUITY, ACCESS, AND DEPLOYMENT (BEAD) PROGRAM  
UNIVERSITY OF HAWAII BROADBAND OFFICE  
MAY 8, 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. Location is a CAI

b. Location is not a CAI

c. Enforceable Commitment

d. Not an Enforceable Commitment

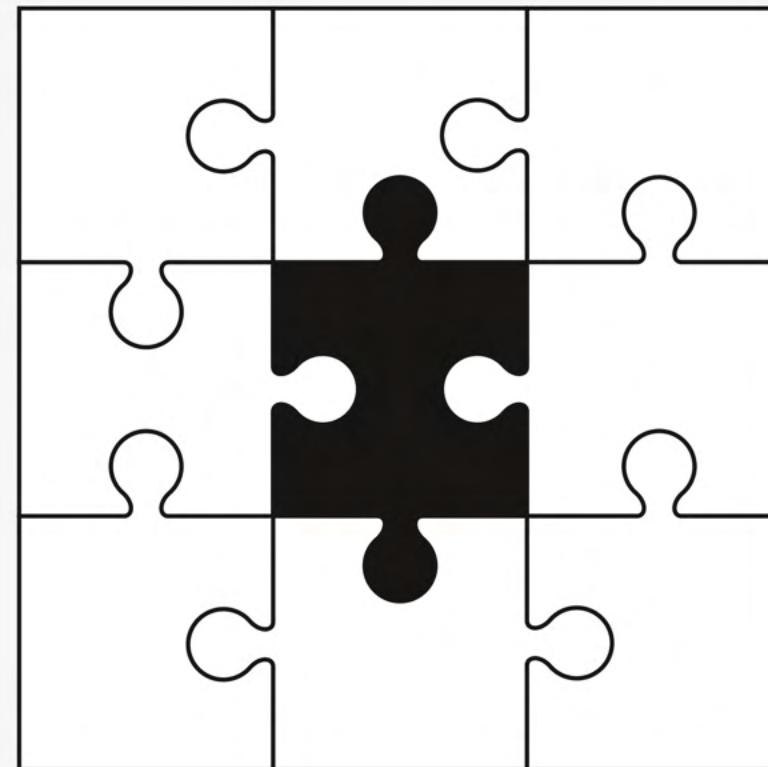
e. Planned Service

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.)

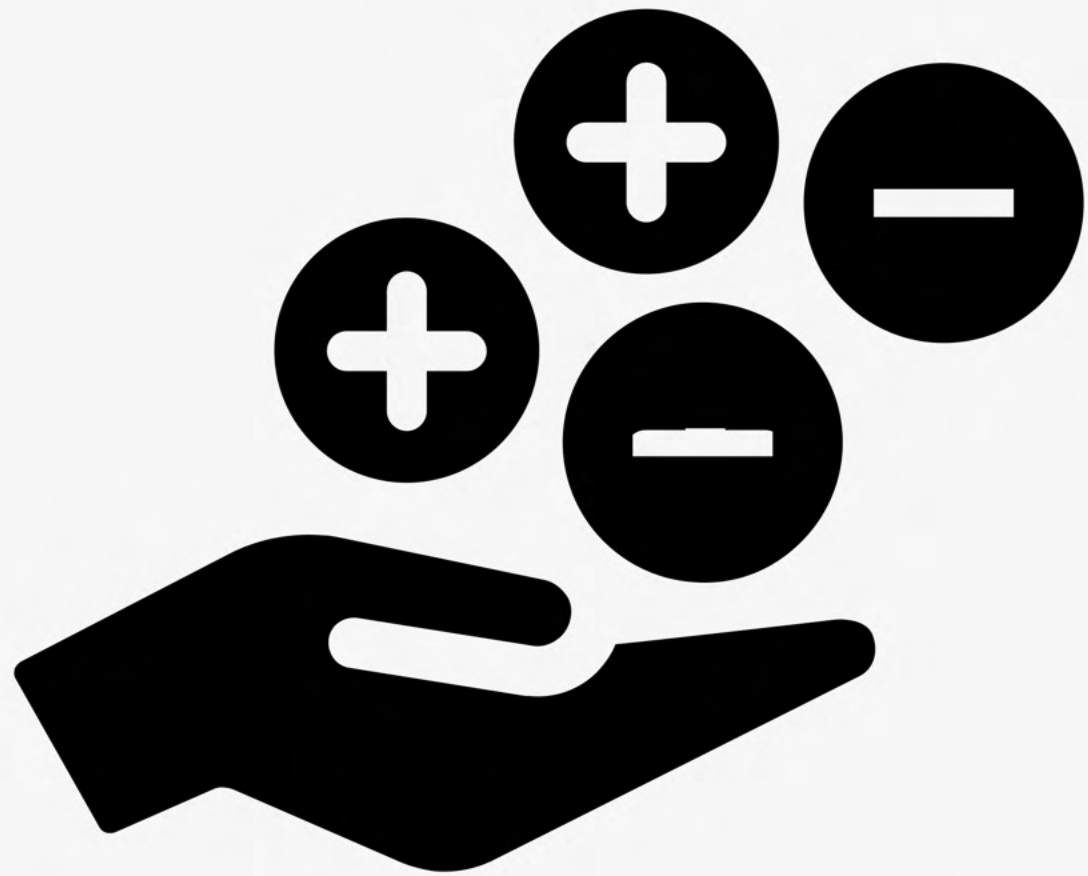


Nonprofits



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?

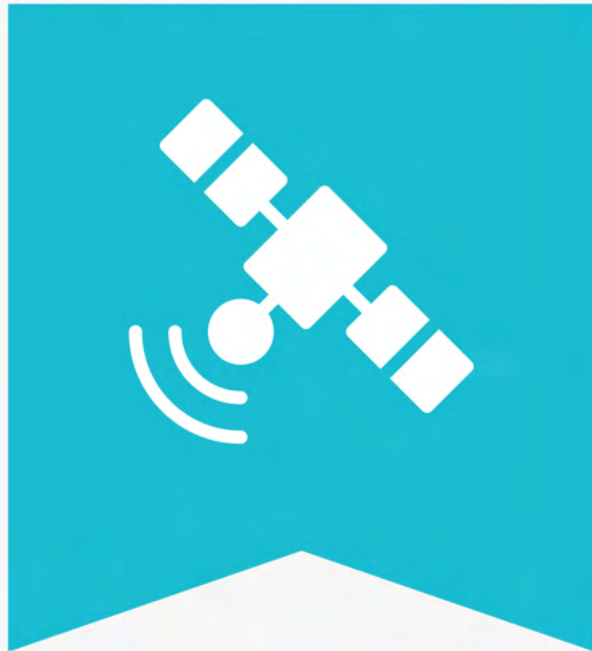
1. The identification of community anchor institutions (CAI)
2. Community anchor institution 1 Gigabit speed access
3. Served, unserved, and underserved status of locations
4. Enforceable commitments, or
5. Planned service.



# 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



# LOCATION IS A CAI CHALLENGE







# GOAL

Identify Community Anchor Institution locations in Hawai'i





# DESCRIPTION

The location should be classified as a Community Anchor Institution (CAI) because it meets the Hawai'i Initial Proposal Volume 1 CAI definition.

CHALLENGE TYPE:    
LOCATION IS A CAI  







# CAI DEFINITION

CHALLENGE TYPE:    
LOCATION IS A CAI  

- School
- Library
- Health clinic, health center, hospital or other medical provider
- Public safety entity (e.g., police & fire)
- Institution of higher education
- Public housing organization (including any public housing agency)
- Jails and prisons
- Youth correctional centers
- Job training centers
- Houseless support centers
- Community centers



# CAI DEFINITION

CHALLENGE TYPE:    
LOCATION IS A CAI  

## Meets the following criteria







**Community  
Support  
Organizations**

1. **Has a physical location to facilitate greater use of broadband service** (e.g., telehealth, workforce development, online learning, digital literacy, etc.) by vulnerable populations, including, but not limited to, Native Hawaiians, low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals.
2. The physical location is **dedicated to the organization's usage.**
3. The organization's **mission involves or plans to involve activities to facilitate broadband usage by vulnerable populations.**
4. Public facing in nature, meaning **no paid or unpaid membership** before using its services



# EVIDENCE

CHALLENGE TYPE:    
LOCATION IS A CAI  

## CHALLENGES



Documentation\* that the location falls under the CAI definition. Examples:

- Website screenshot
- Brochure
- Flyer

## REBUTTALS



Documentation\* that the location does **NOT** fall under the CAI definition, is a residence, or no longer in operation at the location. Examples:

- Website screenshot
- Brochure
- Flyer

\*Please display the physical address of the location (i.e., not mailing address)



# LOCATION IS NOT A CAI CHALLENGE





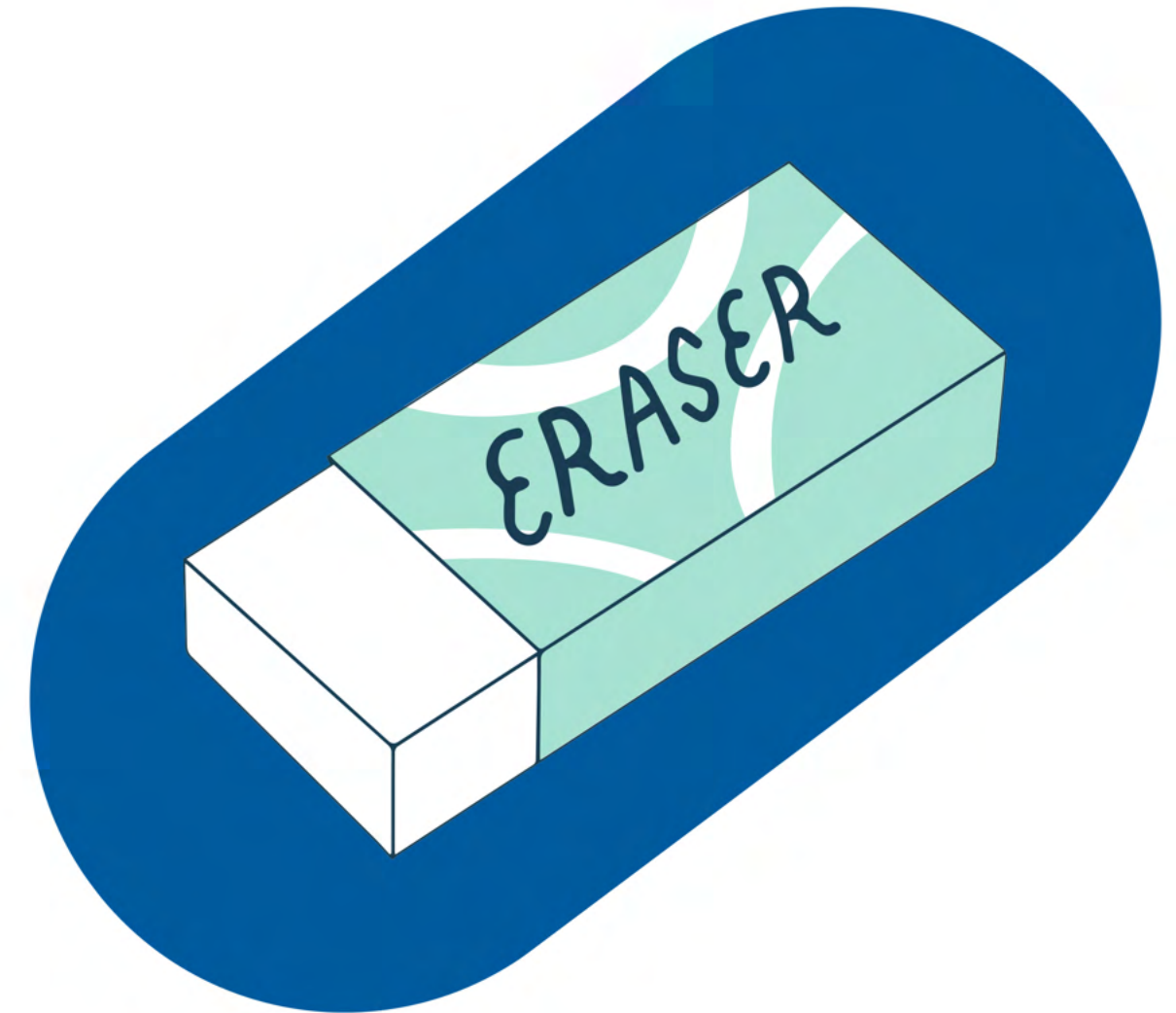
# GOAL

Identify misclassified Community Anchor Institutions locations in Hawai'i

# DESCRIPTION

The location is currently labeled as a Community Anchor Institution (CAI) but is a residence, a non-CAI business, or is no longer in operation.

CHALLENGE TYPE:  
LOCATION IS NOT A CAI



# EVIDENCE

CHALLENGE TYPE:  
LOCATION IS NOT A CAI



## CHALLENGES



Documentation\* that the location does **NOT** fall under the CAI definition, is a residence, or no longer in operation at the location. Examples:

- Website screenshot
- Brochure
- Flyer

## REBUTTALS



Documentation\* that the location falls under the CAI definition. Examples:

- Website screenshot
- Brochure
- Flyer

\*Please display the physical address of the location (i.e., not mailing address)



# ENFORCEABLE COMMITMENT CHALLENGE



# GOAL

Identify locations under a contract to receive high-speed Internet because BEAD cannot duplicate funding. (Example: Rural Digital Opportunity Fund [RDOF])

# DESCRIPTION

The challenger has knowledge that high-speed Internet service will be deployed at this location by the date established in the deployment obligation.

CHALLENGE TYPE:  
ENFORCEABLE COMMITMENT



# EVIDENCE

CHALLENGE TYPE:  
ENFORCEABLE COMMITMENT



## CHALLENGES



Enforceable commitment by a service provider

- Authorization letter
- Contract
- Screenshot or government website

## REBUTTALS

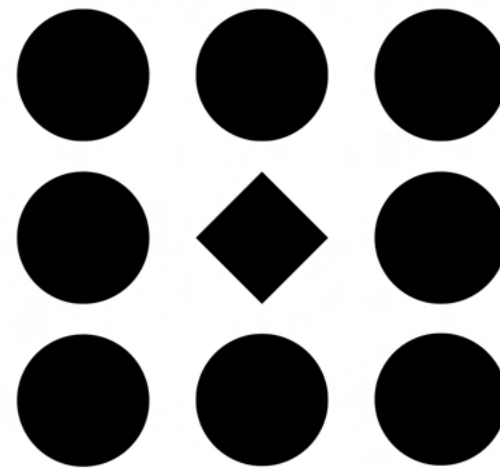


- The location is NOT within the enforceable commitment areas.
- Documentation that the provider has defaulted on the commitment or is otherwise unable to meet the commitment.

**NOT ENFORCEABLE**

**COMMITMENT**

**CHALLENGE**



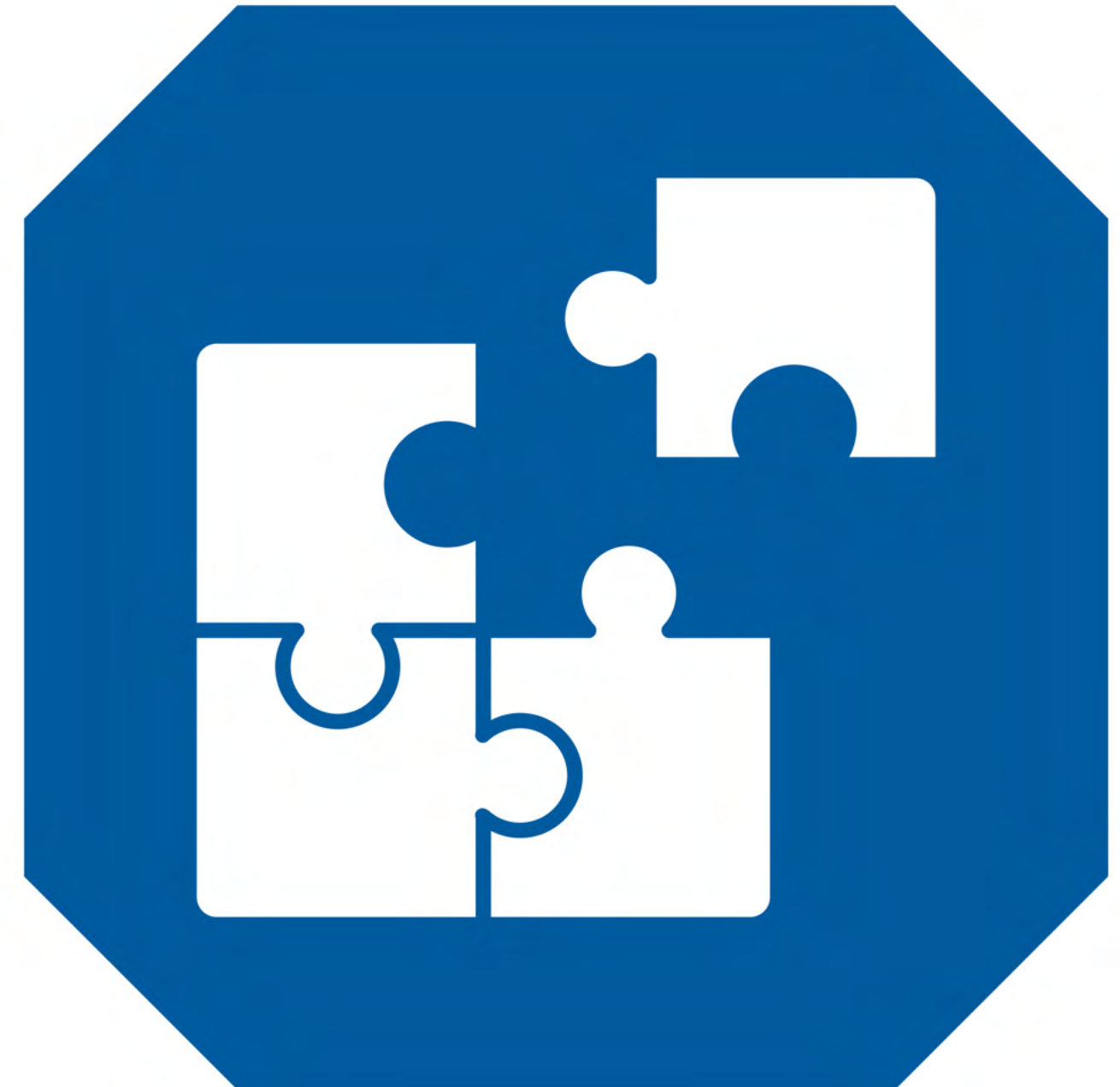
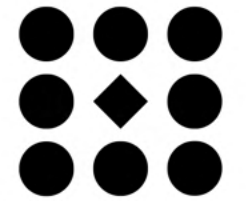
# GOAL

Identify locations not part of an enforceable commitment and therefore should be considered for BEAD funding.

# DESCRIPTION

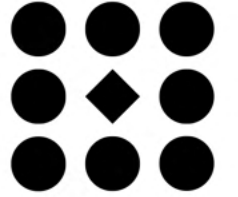
This location is in an area that is subject to an enforceable commitment to less than 100% of locations and the location is not covered by that commitment. (See BEAD NOFO at 36, n. 52.)

CHALLENGE TYPE:  
NOT AN ENFORCEABLE COMMITMENT



# EVIDENCE

CHALLENGE TYPE:  
NOT AN ENFORCEABLE COMMITMENT



## CHALLENGES



- The location is NOT within the enforceable commitment areas.
- Documentation that the provider has defaulted on the commitment or is otherwise unable to meet the commitment.

## REBUTTALS

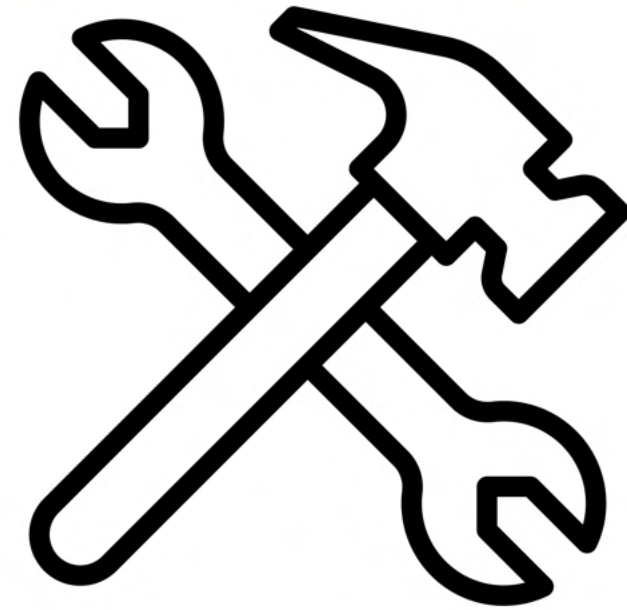


- Evidence the provider has not defaulted on the commitment
- Evidence that the provider is able to meet the commitment
- Evidence that 100% of the locations are covered by the commitment



# PLANNED SERVICE

# CHALLENGE



# GOAL

Identify locations that will be served already without BEAD funding. Served means infrastructure to support greater than or equal to 100/20 Mbps over reliable broadband tech.


# DESCRIPTION

The challenger has knowledge that broadband will be deployed at this 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.

CHALLENGE TYPE:  
PLANNED SERVICE 



# EVIDENCE

CHALLENGE TYPE:   
PLANNED SERVICE

## CHALLENGES



Construction contracts or similar evidence of ongoing deployment, along with evidence that all necessary permits have been applied for or obtained to show the deployment process and the **expected date deployment will be completed, which must be on or before June 30, 2024.**

## REBUTTALS



Documentation showing that the provider is no longer able to meet the commitment or that the planned deployment does not meet the BEAD technology or performance requirements.

# CHALLENGE PROCESS TIMELINE



Challenge  
Phase

July 2024\*  
(30 days)



Rebuttal  
Phase

August 2024\*  
(30 days)



Adjudication  
Phase

September 2024\*  
(30 days)

\*tentatively



# NEXT STEPS



Visit the UH Broadband Website Initial Proposal Page for the list of CAIs (bottom of page).



Spread the word to community about Zoom information sessions May 9, 12 - 1 PM HST

[https://hawaii.zoom.us/webinar/register/WN\\_RMZoYhOvQOyMcPi47q!Jiw#/registration](https://hawaii.zoom.us/webinar/register/WN_RMZoYhOvQOyMcPi47q!Jiw#/registration)



# NEXT STEPS



The Challenge Process registration page is coming soon! You will need:

- Employer Identification Number (EIN)
- FCC Registration Number (FRN) for ISPs
- Hawaii DCCA registration information/other documentation (optional, but helpful to verify identity)

# ***Stay Connected***

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

email: [broadband@hawaii.edu](mailto:broadband@hawaii.edu)

