

# MN Broadband, Equity, and Access Deployment Program (BEAD) Frequently Asked Questions (FAQ)

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## FAQ Summary

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## Section I: BEAD Overview

### 1. What is BEAD?

The Broadband Equity, and Access Deployment Program (BEAD) is a federal program, and one of the two programs that came out of the Infrastructure Investment and Jobs Act (IIJA) that was signed into law on November 15, 2021. BEAD provides approximately \$42.5 billion for broadband nationally, and Minnesota was allocated \$651,839,368 in total, and will use these funds to build out broadband infrastructure for fiber, fixed wireless, and satellite. The Office of Broadband Development is Minnesota's eligible entity for administering the federal BEAD program.

### 2. How is BEAD different from Minnesota's previous grant programs?

While BEAD is being administered by the MN Office of Broadband Development (OBD), it is a federal program designed by the National Telecommunications and Information Association (NTIA), and with federal requirements that differ from previous Minnesota grant programs, like Border-to-Border and Line Extension. Notable differences include:

- **Eligibility.** NTIA's definition for BEAD Funding eligibility includes fixed wireless delivered over Licensed or Licensed by Rule spectrum, so locations with that type of fixed wireless will not be eligible for BEAD funding (unless documented that the service is not available or at speeds above 100Mbps download and 20Mbps upload). Locations were eligible for Minnesota state grant funding if they lacked a wired broadband service delivering speeds of less than 25Mbps download/3Mbps upload (unserved) or having 25/3 but not at or above 100Mbps download/20Mbps upload.
- **Timelines are longer.** Generally state grant programs required completion within two years of a fully executed contract. BEAD allows for four years to complete construction from the date of the fully executed contract.
- **Application and compliance.** BEAD application and compliance requirements are more extensive than state grant funding requirements. Providers that have historically participated in past state grant rounds may "sit out" participation in the federal BEAD program or need greater encouragement to submit an application.
- **Prioritization.** State grant funding prioritized projects where a community partnered with the provider (community support, financial support) whereas BEAD is "Internet for All" – BEAD funds are to document that all unserved and underserved locations receive some type of broadband service—fiber, coax, fixed wireless, satellite—with or without community input on desired technology.
- **Purpose.** State grant funding was a competitive grant program. BEAD funding is to get some type of broadband to all unserved and underserved locations.

## Section II: BEAD Challenge Process

### 1. What is the BEAD Challenge process?

The BEAD Challenge process is part of the federally required process for the BEAD program. The BEAD Challenge process happens before the subgrantee selection process can begin as it establishes the list of locations eligible for BEAD funding. It's an opportunity for eligible challengers (which by federal requirements include local governments, Tribal governments, Broadband providers, and nonprofits), to submit "challenges" on locations identified by the Federal Communications Commission (FCC) as eligible or not eligible for BEAD.

NTIA defines eligibility for BEAD funding as unserved and underserved locations. In other words, if a location does not have reliable broadband service of 25/3 it is unserved, or if a location has reliable broadband service of 25/3 but not at or above 100/20 it is underserved. If a location has reliable broadband service at or above 100/20 it is served, and reliable broadband service per NTIA includes wired (cable, fiber) or licensed fixed wireless service technologies.

The Challenge Portal will accept information from individuals/residents and businesses to contest the classification of their location; if valid these will be rolled up and submitted as a BEAD challenge by the nonprofit, Connected Nation. All challenges, whether submitted by a provider, local or Tribal government, or a nonprofit, will be reviewed to determine if they meet all federal requirements to be considered as valid BEAD Challenges. Challenges found to be credible will then be eligible to be rebutted, again by a provider, local or Tribal government, or a nonprofit.

### 2. What are the different stages of the Challenge process?

The BEAD Challenge process consists of 3 different stages: Challenge, Rebuttal, and Adjudication. **OBD strongly encourages challenges and rebuttals to be submitted as soon as possible, and to not wait until the end of the 30-day window to submit.**

- Challenge window, July 22<sup>nd</sup> to August 21<sup>st</sup>: During this first phase, eligible challengers should review the Challenge Portal map and submit challenges for locations. OBD recommends eligible challengers to submit their challenges as soon as possible, and not wait until the end of the 30-day challenge window.
- Rebuttal window, August 22<sup>nd</sup> to September 20<sup>th</sup> (rolling): Following a submitted Challenge, the rebuttal window is a time for eligible challengers to support or dispute challenges. Important to note, is rebuttal is due 30 days after notification, not until the end of the window itself.
- Adjudication, September 21<sup>st</sup> to October 21<sup>st</sup>: During this time, OBD will make formal decisions on the submitted challenges and rebuttals to determine eligibility of challenged locations for BEAD funding.

### 3. What happens after the BEAD Challenge?

After the BEAD Challenge process, the BEAD True-up (optional) and BEAD Deduplication (mandatory). Results of the BEAD Challenge process (challenges, rebuttal, adjudication), deduplication and any true-ups will be part of the list of final BEAD eligible locations provided to NTIA for its approval. Once final list has been approved by NTIA, and Volume 2 is approved, the subgrantee selection process can begin.

- **BEAD True-Up** (Optional): a process for using an updated version of the FCC map to reflect new information on broadband serviceable locations and service availability—occurs after the BEAD Challenge process but before submission of the BEAD Challenge process results to NTIA: Accuracy in mapping; Equitable funding allocations; and Avoid duplicating
- **BEAD Deduplication**: Required after conducting BEAD Challenge process. Avoids duplicating efforts of ongoing broadband deployment by other programs.

#### 4. What does the “Funding” column mean in the Unserved and Underserved locations dataset? And what are the Pre\_Challenge acronyms?

The funding column designates if a currently unserved location will have broadband service deployed under another broadband program. If a location has a “Y” for “Funding” it would need to be challenged to become eligible for BEAD, as a “Y” means it’s currently ineligible.

The acronyms in the PreChallenge\_Modifier column mean the following:

- Biz = Business-Only Provider Pre-Challenge Modification
- CFW= Cellular Fixed Wireless Pre-Challenge Modification
- DSL= DSL Pre-Challenge Modification
- FCC= FCC Challenge Pre-Challenge Modification

#### 5. How will I be notified throughout the Challenge process after I submit a challenge?

For registered portal challengers, if your challenge was rejected you, and anybody registered under your organization, would have been notified via email. If your challenge is moving forward, you will not necessarily be notified by the portal, but can check the status of your submitted challenge at any time on the dashboard. Portal users with challenges against them would have received an email that they have rebuttals waiting in their dashboard, and every registered user in that organization will also receive the email.

If you are a resident or other non-registered portal user submitting a speed test, the only automatic notifications you will receive are for the second and third speed test reminders. You will not be further notified by the portal on the status of your speed test but can check your location and should see it was challenged if three speed tests were conducted that met the BEAD requirements for a successful challenge.

## Section III: BEAD Challenge Portal, Map, and Technical Assistance

1. If I have questions about how to use the BEAD Challenge Portal, the Broadband Navigator, what resources are available?

The Broadband Navigator does have a User Guide that you can reference

([mn.gov/deed/assets/broadband-navigator-user-guide\\_tcm1045-632126.pdf](https://mn.gov/deed/assets/broadband-navigator-user-guide_tcm1045-632126.pdf)). If you still have questions, email us at [deed.broadband@state.mn.us](mailto:deed.broadband@state.mn.us)

2. How can I see open challenges and rebuttals?

Registered and non-registered users (a household/business) can enter an address and see on the map if the location is challenged. Under NTIA requirements, only providers, local and tribal governments and non-profits are eligible to challenge. If you are a provider and not registered in the Challenge Portal, you won't get the automatic notification when locations you reported you served are being challenged. Registered users will also be able to see all open challenges. If the challenger is blank, then it is an area challenge. Certain challenges (not directed towards an ISP - e.g. CAI challenges and enforceable commitments) will land in the Open Rebuttals dashboard and will be visible to all registered users.

3. Where can ISPs find challenges for them to decide to rebut?

Once registered users log in, they can go to the “Challenge Dashboard”, found by clicking the profile icon in the upper right of the screen, and any challenges in the “Awaiting Rebuttals” section is directly for that ISP. If they do not have any challenges awaiting their rebuttal, their dashboard would be empty. If they want to look at Open Rebuttals, they can and are allowed to rebut but are not required to address any of them. If they click over to their Created Challenges tab in the Challenge Dashboard, they will see the challenges that they have created.

4. How was this data sourced?

This data was sourced from the FCC's data releases. If you have questions relating to the FCC data, visit the Broadband Data Collection Help Center: [help.bdc.fcc.gov/hc/en-us](https://help.bdc.fcc.gov/hc/en-us). You can submit a question to the Broadband Data Collection Help Center here: [help.bdc.fcc.gov/hc/en-us/requests/new](https://help.bdc.fcc.gov/hc/en-us/requests/new). The digital equity indicators were sourced from US Census data. The development of accurate broadband coverage maps is an iterative process and the maps will continue to be improved, updated and validated over time.

5. What is the Planned Service Date for the BEAD Challenge process?

The date for a Planned Service challenge is 6/30/24. OBD plans to be able to capture any construction completed in 2024 through the deduplication process.

6. What if my address isn't on the map?

The addresses displayed on the map are from the Broadband Fabric prepared by the FCC and available at: [broadbandmap.fcc.gov/home](https://broadbandmap.fcc.gov/home). Unfortunately, under NTIA's requirements, we cannot add locations to the BEAD Challenge Map. You would need to bring this to the FCC's attention. If your address is not displayed, it is possible that it is not a known Broadband Serviceable Location. In this case, you will be prompted upon searching for your address on the FCC map to flag it for review. Once your address is flagged, the FCC will have been made aware of the issue and the FCC can determine what to do for subsequent iterations of its map.

7. What are “high-cost areas”?

High-cost areas are areas designated by NTIA where broadband deployment is expected to be especially expensive. Within these areas, OBD will be able to award grant funding without requiring a 25 percent match from the awardee or requesting a waiver of the match requirement from NTIA.

8. What technologies can be used to deliver internet service?

Internet connections are categorized based on the underlying technology providing access to the internet. There are many types of broadband service which may be available to a particular location, such as Digital Subscriber Line (DSL), Cable, Fiber, Wireless (cellular or fixed; licensed or unlicensed), and Satellite. All these technologies have strengths and weaknesses and varying costs and availability depending on the location they are intended to serve. For more information, please visit:

[www.fcc.gov/general/types-broadband-connections](http://www.fcc.gov/general/types-broadband-connections).

9. Why does this map not show satellite providers and unlicensed fixed wireless locations?

These technologies are not considered “Reliable Broadband Service” under NTIA’s BEAD guidelines and thus have been left off of this map. These technologies may be eligible for BEAD funding if fiber is too expensive, no fiber provider applies to serve specific locations, or the state must consider non-fiber alternatives to ensure that its BEAD funding gets some type of broadband to all unserved/underserved locations.

10. Is there a distinction for code 70, 71 or 72 when it is provided via cellular provider rather than licensed fixed wireless (LFW) provider?

We are unaware of a distinction except that you determine the cellular provider by provider name. According to the FCC, technology code 71 Licensed Terrestrial Fixed Wireless includes (cellular) service provided over a 4G LTE or 5G NR mobile network on licensed bands but sold as a fixed solution. More information can be found at the FCC website here: [help.bdc.fcc.gov/hc/en-us/articles/12271133620763-Technology-Codes-for-Terrestrial-Fixed-Wireless](http://help.bdc.fcc.gov/hc/en-us/articles/12271133620763-Technology-Codes-for-Terrestrial-Fixed-Wireless)

11. Why is the BEAD Challenge map showing a location that is reported to have broadband service at 300Mbps download and 20Mbps upload over licensed spectrum as Underserved instead of as Served?

The provider(s) showing as having Licensed fixed wireless service available at those speeds is a cellular provider. Minnesota’s BEAD Initial Proposal Vol. 1 adopted a module that was allowed by NTIA whereby service provided by a cellular fixed wireless provider over licensed spectrum is classified as Underserved and thus eligible for BEAD funding. This places the burden of proof on the cellular fixed wireless provider to demonstrate that service at speeds at or above 100Mbps download and 20Mbps upload is actually available.

## Section IV: Your role in BEAD

### 1. How can I stay up to date on BEAD information?

OBD will be sending out information on updates on BEAD with biweekly emails, you can sign up for those here: [mn.gov/deed/programs-services/broadband/contact/](https://mn.gov/deed/programs-services/broadband/contact/).

You can contact the office with further questions at [deed.broadband@state.mn.us](mailto:deed.broadband@state.mn.us), or by phone at 651-259-7610

### 2. How can a Minnesota resident get involved?

Minnesota residents can sign up for emails from OBD ([mn.gov/deed/programs-services/broadband/contact/](https://mn.gov/deed/programs-services/broadband/contact/)), regularly checking the OBD BEAD webpage. and get involved in the Challenge process by looking at the Challenge Portal and submitting speed tests if your location shows as served but you cannot achieve speeds of 100Mbps download/20Mbps upload. Even if your location is eligible for BEAD funding, a provider still has to submit an application for funding—if you want input on who that provider is/type of technology, reach out to a preferred provider and work with them to submit an application for BEAD funding.

### 3. How can an Internet Service provider get involved?

You can participate in the State Challenge Process both by submitting challenges and by rebutting any inaccurate challenges that may be made against your service. You can sign up for emails from the OBD office to stay up to date with the latest information on BEAD ([mn.gov/deed/programs-services/broadband/contact/](https://mn.gov/deed/programs-services/broadband/contact/)).

### 4. How can a Tribal Nation get involved?

You can participate in the State Challenge Process both by submitting challenges and by rebutting any inaccurate challenges that may be made against your service (if a provider) or service on Tribal lands. You can sign up for emails from the OBD office to stay up to date with the latest information on BEAD ([mn.gov/deed/programs-services/broadband/contact/](https://mn.gov/deed/programs-services/broadband/contact/)).

The Office of Broadband Development is committed to working with Tribal Communities throughout the BEAD program – if you have more specific questions than you see here, please reach out to the office directly at [deed.broadband@state.mn.us](mailto:deed.broadband@state.mn.us), or by phone at 651-259-7610.

### 5. How can a local unit of government get involved?

Any information residents and businesses enter in the portal will be aggregated and submitted as a BEAD Challenge by the nonprofit, Connected Nation. If you want to submit separately, you will need to set up a mechanism to collect and compile information for submission. With the launch of the Challenge Portal, you can register for an account to begin submitting challenges on July 22nd. Make sure you are communicating with other local units of government with which you share constituents (i.e., cities, villages and townships should be communicating with their counties) to coordinate work. You may wish to sign up for a Tier E CostQuest license in order to get access to all the information you may need.

If there are likely to be BEAD eligible locations in your jurisdiction, you will also want to start working with existing broadband providers now to encourage that an application be submitted for those locations. This will give you an opportunity to encourage an application for the technology your residents desire, from a provider they may prefer.



To support the success of any BEAD-funded projects that may be awarded in your area, we recommend at the conclusion of the Challenge Process, you review the list of BEAD-eligible locations in your jurisdiction and consider what permits may be needed for those projects. Compiling the relevant materials, designating a point-of-contact who can help the grant recipient move through the permitting process and/or other steps that you may identify that could streamline the process can help ensure the success and speed of deployment in your community.

#### 6. How can a nonprofit get involved?

You can participate in the State Challenge Process both by submitting challenges and by rebutting any inaccurate challenges that may be made. You can sign up for emails from the OBD office to stay up to date with the latest information on BEAD ([mn.gov/deed/programs-services/broadband/contact/](https://mn.gov/deed/programs-services/broadband/contact/)). With the launch of the Challenge Portal, you can register for an account to begin submitting challenges on July 22<sup>nd</sup>. Communicate with local units of government for the individuals and communities you serve to coordinate your work in preparing and submitting challenges. You may wish to sign up for a Tier E CostQuest license in order to get access to all the information you may need.