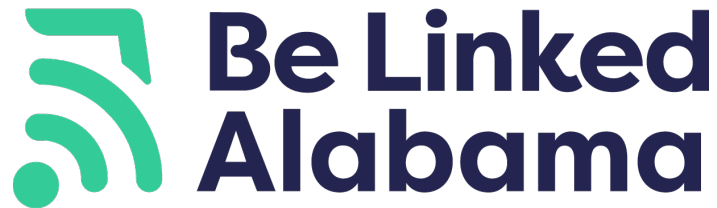


Broadband Equity, Access, and Deployment (BEAD) Program Challenge Process Resource Guide



**Alabama Department of Economic and
Community Affairs**

Version 3.0

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Introduction

As required by statute, the initial determinations for funding eligibility under the Broadband Equity, Access, and Deployment (BEAD) Program are based on the Federal Communications Commission's (FCC) National Broadband Map.

The BEAD State Challenge Process is designed to provide stakeholders in Alabama with an opportunity to participate in the process of challenging the eligibility of locations for BEAD funding. Based on the process approved by the National Telecommunications and Information Administration (NTIA), challengers can dispute the data sourced from the National Broadband Map by using relevant and allowable evidence as outlined in the state's Initial Proposal Volume I.

Questions related to policy or procedural items should be directed to Broadband.Fund@adeca.alabama.gov. Questions related to technical assistance issues should be directed to alhelpdesk@ready.net.

Note: Much of the content in this user guide was prepared by Ready.net as a companion to its Challenge Portal application. Due to ongoing guidance from NTIA, the information in this document is subject to update and clarification.



1. Permissible (Eligible) Challengers

1.1 Who Can Submit a BEAD Challenge?

Pursuant to NTIA requirements,¹ ADECA will allow challenges from:

- Nonprofit organizations
- Units of local governments
- Units of Tribal governments
- Broadband service providers

In response to comments received, ADECA clarifies that it considers middle-mile broadband providers to be broadband service providers for the purposes of the BEAD Challenge Process.

1.2 Role for Residents, Businesses, and CAIs

While residents, businesses, and community anchor institution (CAI) representatives are not allowed to submit challenges directly to ADECA, they are an essential part of the Challenge Process. Citizens may work directly with any of the entities identified in Section 1.1 to submit their challenge data during this process.

For many types of BEAD challenges, the data submitted by the permissible challengers will be gathered directly from residents and/or businesses that cannot access the level of broadband service that is reportedly available to them. Accordingly, residents' and businesses' participation in the submission of BEAD challenges may require coordination with permissible challengers.

¹ Eligible challengers are defined in NTIA's Challenge Process Policy Notice (https://broadbandusa.ntia.doc.gov/sites/default/files/2024-02/BEAD_Challenge_Process_Policy_Notice_v1.3.pdf) as "permissible" challengers.



2. Allowable Challenges

2.1 What Can Be Challenged?

The BEAD Challenge Process is designed to accommodate different challenges that are necessary to develop a more accurate list of BEAD eligible locations.

ADECA will allow challenges on the following grounds:

- The identification of eligible CAIs, as defined in Alabama’s Initial Proposal Volume I
- CAI BEAD eligibility determinations
- BEAD eligibility determinations for Broadband Serviceable Locations (BSLs) included in the FCC’s National Broadband Map² (i.e., challenges to reported availability, speed, data cap, latency, technology, and residential/business service)
- Enforceable commitments for existing BSLs (i.e., locations with existing funding)
- Planned service

2.2 Area and MDU Challenges

ADECA will administer area and Multiple Dwelling Unit (MDU) challenges for availability, speed, technology, latency, and data cap Challenge Types. An area challenge reverses the burden of proof for availability, speed, latency, data caps, and technology if a defined number of challenges for a particular category, across all challengers, have been submitted for a provider. Thus, the provider receiving an area challenge or MDU challenge must demonstrate that it is indeed meeting the availability, speed, latency, data cap and technology requirement, respectively, for all locations it serves within the area or all units within an MDU.

An area challenge is triggered if eight or more BSLs using a particular technology and a single provider within a census block group³ are challenged under the same Challenge Type.

An MDU challenge requires challenges for one unit for MDUs having fewer than 15 units, for two units for MDUs of between 16 and 24 units, and at least three units for larger MDUs. Here, the MDU is defined as one BSL listed in the Fabric (for example, a complex of apartment buildings may be represented by multiple BSLs in the Fabric). An MDU challenge counts toward an area challenge (i.e., eight successful MDU challenges in a census block group may trigger an area challenge).

A successful MDU challenge converts the status of the location to the lowest level of service across all units. For example, the location is considered unserved if one unit is found to be

² ADECA will use Version Four of the Broadband Serviceable Location Fabric and the National Broadband Map Availability Data as of December 31, 2023 (updated May 14, 2024).

³ Area challenge determinations will be based on 2020 Census Block Groups.



unserved, even if other units within the MDU reach the underserved or served speed thresholds.

Each type of challenge and each technology and provider is considered separately, e.g., an availability challenge (A) does not count toward reaching the area threshold for a speed (S) challenge. If a provider offers multiple technologies, such as DSL and fiber, each is treated separately because they are likely to have different availability and performance.

Area challenges for availability need to be rebutted in whole or by location with evidence that service is available for all BSLs within the census block group, e.g., by network diagrams that show fiber or hybrid fiber-coaxial (HFC) infrastructure or by subscriber information. For fixed wireless service, the challenge must be rebutted with representative, random samples of the area in contention, but no fewer than 10 data points in which the provider has to demonstrate service availability and speed (e.g., with a mobile test unit).

ADECA reserves the right to collect additional evidence of fixed wireless network capacity and throughput, should those details be necessary to evaluate challenges involving fixed wireless technologies. For MDU challenges, the rebuttal must show that the inside wiring is reaching all units and is of sufficient quality to support the claimed level of service.

For a speed area challenge, the challenged provider must submit a rebuttal for at least 10 percent of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule (i.e., 80 percent of these locations must record a speed that equals or exceeds 80 percent of the speed threshold – so 80/16 Mbps to be considered served at 100/20 Mbps). Only speed tests conducted by the provider between 7 p.m. and 11 p.m. local time will be considered as evidence for a challenge rebuttal.



3. Structure and Timing

The BEAD Challenge Process must be completed and approved by NTIA before ADECA can open the BEAD subgrant application window. This process ensures that any subgrants made under the program are based on the final list of eligible locations.

Prior to the kickoff of the Challenge Process, ADECA will publish the list of locations eligible for BEAD funding, which consists of the locations resulting from the activities outlined in Sections 5 and 6 of NTIA’s BEAD Challenge Process Policy Notice (e.g., administering the deduplication of funding process).⁴ ADECA will also publish locations considered served, because those locations can also be challenged.

3.1 Challenge Process Phases

Timeline

Challenge Phase	August 1, 2024 – August 31, 2024
Rebuttal Phase	September 16, 2024 – November 2, 2024
Final Determination Phase	November 4, 2024 – December 4, 2024

3.1.1 Challenge Phase

The Challenge Phase will run for 31 calendar days. During this phase, permissible challengers will be able to submit challenges using the Challenge Portal. After a challenge is submitted, the ADECA team will review the evidence and determine whether it meets the evidentiary requirements. If a challenge is determined to meet the minimum level of evidence, the location will enter the “challenged” state.

After the challenges have been reviewed, the challenges will be processed collectively to determine which challenges require a rebuttal. ADECA will also identify any area challenges at this time.

Because the goal of the Challenge Process is to correct the BEAD eligible locations list, rebuttals will only be required for locations where a successful challenge would result in a modification of the eligibility status for the affected location. For example, if there are two providers reporting coverage at 100/20 Mbps and only one of those providers is challenged, the challenged provider will not be required to submit a rebuttal for that location. However, that

⁴ “BEAD Challenge Process Policy Notice,” NTIA, Version 1.3, February 8, 2024, https://broadbandusa.ntia.doc.gov/sites/default/files/2024-02/BEAD_Challenge_Process_Policy_Notice_v1.3.pdf.



challenge will still be considered for the purposes of reaching the area or MDU challenge threshold.

Tip: *Submit your challenges early. If there are errors in your submission, you will be given an opportunity to re-submit with corrections, but ONLY until the Challenge Phase ends. You will not be allowed to fix errors or omissions in your challenge after the submission window closes.*

3.1.2 Rebuttal Phase

After the Challenge Phase closes and challenges are processed, the Rebuttal Phase will open. At the beginning of the Rebuttal Phase, all the challenges that require a rebuttal will be posted in the Challenge Portal.

For challenges related to location eligibility, only the challenged service provider may rebut the reclassification of a location or area with evidence. If a provider claims gigabit service availability for a CAI or a unit of local government disputes the CAI status of a location, the CAI may rebut. All types of challengers may rebut planned service and enforceable commitment challenges.

The provider will be notified of the challenges through an automated process. The challenged provider will have the option to concede the challenge or rebut the challenge. A rebutted challenge will be considered “disputed.” If no rebuttal is filed in the allotted time, the challenge will be sustained.

After a rebuttal is submitted, the ADECA team will review the evidence and determine whether it meets the evidentiary requirements. If a rebuttal submission is determined to meet the minimum level of evidence, it will remain in the disputed state. At the close of the Rebuttal Phase, all challenges that remain in the disputed state will proceed to the Final Determination Phase.

3.1.3 Final Determination Phase

During the Final Determination Phase, the ADECA team will review the evidence for each challenge, including the evidence from any rebuttals, and will make a final determination to “sustain” or “reject” each challenge. The reviewers will review the information included in each challenge and rebuttal prior to making any final determinations.

ADECA reserves the right to request additional information or evidence from the challenger or submitter of the rebuttal at any time during the Final Determination Phase.



4. How to Participate in the Challenge Process

4.1 Account Registration

Before a permissible challenger can participate in the Challenge Process, they must register for an account in the Challenge Portal, ensuring that only eligible parties submit challenges.

4.2 Registration Steps

1. **Visit the registration page** – The registration page provides a brief overview of the Challenge Process and helpful links.
2. **Click the Register button** – The Register button will open an intake form to provide the necessary information.
3. **Complete the intake form** – The intake form will ask you for the information needed to verify your account as an eligible challenger.

The screenshot shows a web form titled "Register For The BEAD Challenge Process" with a close button (X) in the top right corner. Below the title, it says "SECTION 1 OF 2" and "About You". The form contains several input fields:

- Entity Name:** A text input field with a red asterisk indicating it is required.
- Entity Website:** A text input field with a red asterisk and a "https://" prefix.
- Primary Contact Name:** A text input field with a red asterisk and a search icon.
- Primary Contact Email:** A text input field with a red asterisk and an email icon.
- Primary Contact Number:** A text input field with a red asterisk and a phone icon.
- Type of Organization:** A dropdown menu with a red asterisk.

A "Next" button is located at the bottom right of the form.

- a. **General information** – Every registrant for the Challenge Process will be asked to provide the following information:
 - i. Entity name
 - ii. Entity website
 - iii. Primary contact name
 - iv. Primary contact email (please use domain affiliated with entity)
 - v. Primary contact phone number
 - vi. Category of entity (select from dropdown)
- b. **Broadband provider information**
 - i. Provider name (select from dropdown)
 - ii. FCC Registration Number (FRN)
 - iii. Physical address
 - iv. Additional documentation to verify identity
- c. **Unit of local government information**
 - i. Physical address
 - ii. Additional documentation to verify identity
- d. **Unit of Tribal government information**
 - i. UEI number assigned by Sam.gov
 - ii. Tribe's name as listed by the Bureau of Indian Affairs
 - iii. Physical address



iv. Additional documentation to verify identity

e. Nonprofit organization information

- i. Federal Employer Identification Number (EIN)
- ii. Physical address
- iii. Additional documentation to verify identity

- 4. Click “Finish” and submit the form** – After you submit the form, you will receive an email confirmation. **You do not need to do anything at this point.**
- 5. Wait for account approval** – After submitting your account request, each registration will be manually reviewed by ADECA before it is approved. As a result, there will be a slight delay between registration and account setup. If your registration lacks necessary details, you will be notified by email to update your account request with the necessary information.
- 6. Complete setting up your account** – Once approved, you will receive an email with a link to complete the setup of your account, where you will be asked to set a password.

Please note: Each challenger can have only one Primary Contact. If a second individual from the same entity attempts to register, the second registration will be denied as duplicative.



5. How to Submit Challenges and Rebuttals

Once your registration has been approved and your account has been set up, you will be able to file challenges and rebuttals while the respective phases are open.

5.1 Submitting Challenges

In general, all permissible challengers are eligible to submit challenges of any type. The primary exception is that planned service or existing service challenges will be filed by service providers that are already offering service at a particular location that has yet to be updated in the National Broadband Map (NBM).

The steps in this process are as follows:

1. **Log in to the Challenge Portal** – Users can log in using an email/password combo or use a “Magic Link” which sends an email with a link to log in directly without a password.
2. **Expand “Challenge” item in the navigation menu** – There are a range of options in the sidebar navigation menu. When clicking on the Challenge menu item, the sub-menu will expand to display two options: “Dashboard” and “Challenge Map.”
3. **Click on either “Dashboard” or “Challenge Map”** – Both options provide different functionality, but each of them will allow you to open a challenge submission window. The Challenge Map provides a geospatial representation of the eligibility designations under BEAD, while the Dashboard is your portal to review the challenges that you have submitted. If you’re a provider, you will eventually see challenges submitted on your reported service in your Dashboard.
4. **Click on “Add Challenge” button** – The “Add Challenge” button is on the top right of the “Submitted Challenges” panel of the Challenge Map page or on the top-right of the challenges table on the Dashboard page. This will open the “Create a Challenge” page, which includes the Challenge Map with a challenge flow panel on the right and layers that can be used to filter the map based on a range of parameters.
5. **Create a challenge** – When creating a challenge in the Challenge Portal, there are several steps:
 - a. **Select challenge class and type** – Each challenge category includes multiple Challenge Types to select from:
 - i. **Planned or existing service**
 1. Planned service
 2. Existing service



ii. Enforceable commitment

1. Covered by enforceable commitment
2. Not covered by enforceable commitment

iii. Provider service level

1. Availability
2. Speed
3. Latency
4. Data cap
5. Technology
6. Business service only

iv. Anchor institution classification

1. Location is a CAI
2. Location is not a CAI
3. CAI: Qualifying broadband unavailable
4. CAI: Qualifying broadband available

b. Select challenge details – After selecting the Challenge Type, the data in the map will be filtered to display only those locations that are eligible for the selected Challenge Type. For example, if an area is already unserved, you will not be able to file an availability challenge. From the locations eligible for the selected Challenge Type, you will be prompted to provide the challenge details that will further filter the locations, based on the options you select. The required challenge details will vary by Challenge Type, as described below.

c. Select locations – After providing challenge details, only the locations eligible for the Challenge Type and details provided will be displayed. From the remaining locations, you will be prompted to select the location(s) that you want to challenge. You can add locations one-by-one or select a group of locations.

i. Adding individual locations – To add an individual location, click on the location on the map, which will then provide a pop-up of the address of that location and an “Add to Challenge” button. If the address aligns with the location you intend to add to the challenge, click “Add to Challenge” and then click “Confirm” in the following prompt. You can add multiple locations to the same challenge submission using this method.

Note that bulk challenges may not exceed 500 locations per bulk challenge.



- ii. **Add locations in bulk** – When filing bulk challenge submissions, you can add locations in groups, rather than adding each location individually. The methods for adding multiple locations are as follows:
 - 1. **Upload list of locations** – This method allows you to upload a list of valid fabric location IDs in .csv format. The .csv must be a single column with the header: location_id.
 - 2. **Select or upload area by creating a “zone”** – This method allows you to define a zone by drawing a polygon, uploading a shapefile, or selecting from a library, which includes defined geographies such as cities, counties, and Tribal areas. To add a zone, click on the Zones tab in the left panel to define a new zone by drawing, uploading a shapefile, or selecting from a library of official boundaries.
 - 3. **Shift+click+drag cursor** – This method allows you to quickly select multiple locations directly on the map. This is the quickest, but less precise method of selecting multiple locations because the selection boundaries are in a rectangular shape. Once you have selected locations using this method, you will be prompted to confirm that you want to add these locations to your challenge. The prompt will include the number of locations that you have selected.
 - 4. **Removing locations from selection** – If you inadvertently added locations you do not wish to challenge, you can remove the locations by clicking the trash icon next to the location in the right panel or remove all the selected locations by clicking “Remove All.”
- d. **Upload evidence and documentation** – Once you have finalized the location(s) you want to challenge, you will be asked to provide evidence.
- e. **Attestation** – After you have uploaded your evidence, you will be required to accept and complete an attestation for the challenge.

5.2 Submitting Rebuttals

The steps in this process are as follows:

- 1. **Notifications of Rebuttal Phase sent** – When the Rebuttal Phase opens, notifications will be sent to all registered permissible challengers to provide formal notice that the challenges are open for rebuttal. All permissible challengers will be



notified of the opportunity to submit rebuttals to open challenges, which include any challenge not submitted directly against a provider. In addition to the standard notification, the portal will send to each broadband provider a notification of whether challenges were received against them—as described below, each broadband provider can review challenges filed against them in the portal’s Challenges Received tab.

2. **Log in to the Challenge Portal** – Users can log in using an email/password combo or a “Magic Link” that sends an email with a link to log in directly without a password.
3. **Expand “Challenge” item in the navigation menu** – When clicking on the Challenge menu item, the sub-menu will expand to display two options: “Dashboard” and “Challenge Map.” To view the challenges available for rebuttal, click on the “Dashboard.”
4. **Go to “Dashboard”** – During the Rebuttal Phase, the Dashboard is your portal to review the challenges for which you are eligible to submit rebuttals. In the dashboard, you will have two tabs available to review challenges: “Challenges Received” (providers only) and “Open for Rebuttal.”
 - a. **Challenges received (providers only)** – The Challenges Received tab will display the challenges that you have received against your reported service. The challenges will be grouped by submission and display information including the challenging entity, Challenge Type, and number of challenged locations.
 - b. **Open for rebuttal** – The Open for Rebuttal tab will display all the challenges that are not directed at a specific broadband provider, such as planned service, enforceable commitment, or CAI challenges. The challenges will be grouped by submission and include details, including the challenging entity, Challenge Type, number of challenged locations, and other details.
5. **Click View Details** – To begin the rebuttal process, click “View Details” on the challenge that you want to submit a rebuttal against. The information on the challenge submission will be available in the right panel, which has two tabs: Details and Locations.
 - a. **Details:** The challenge details will be similar to those provided in the dashboard but will include an expanded description of the Challenge Type.
 - b. **Locations:** The Locations tab will provide a full list of locations that were challenged under the selected submission.
6. **Rebut or accept challenges** – Using the locations tab, you can choose which individual location challenges you want to rebut and which individual location challenges, if any, you want to accept. If you want to rebut or accept all the challenges, you can do



so using the Rebut All/Accept All button. Note that accepting challenges is only an option for providers reviewing challenges against them, since they are the only ones eligible to rebut those challenges. Open challenges can be rebutted by multiple entities, so they will remain open for the entire rebuttal window.

- 7. Upload evidence and documentation** – Once you have finalized the location(s) that you want to rebut, you will be asked to provide any evidence and documentation that you want included in the review of your rebuttal.
- 8. Attestation** – After you have uploaded your evidence, you will be required to accept and complete an attestation for the rebuttal.



6. Evidence and Documentation Requirements

Submission of evidence and documentation are the most important aspects of a challenge submission. If a submission does not meet the minimum level of evidence sufficient to establish a valid challenge, it will not be approved to proceed to the Rebuttal Phase.

At a minimum, each challenge must:

- Challenge an address that can be found in the Fabric and is a BSL
- Provide a challenger's e-mail address that can be confirmed by the Challenge Portal using an automated process

Additional evidence required varies by Challenge Type.

6.1 Availability Challenges

The availability Challenge Type supports challenges that have evidence that the service reported in the maps at a specific location is not actually currently available or cannot be scheduled for activation within 10 business days.

In alignment with the FCC Challenge Process, the BEAD Challenge Process requires the "Reason for the Challenge" to be documented, using the reason code field from the *FCC Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsource Data*.⁵

6.1.1 Evidence for Availability Challenges

When filing availability challenges, you will be required to select one of the following reasons and provide evidence for each challenge. Table 1 outlines the acceptable evidence for each reason code and the maximum age of the evidence submitted to support the challenge.

If you choose to provide "other evidence to support challenge," instead of an explicitly stated evidence type, the evidence may not meet the minimum requirements. To support ADECA's review, please provide a thorough explanation of any evidence classified as "other."

⁵ See "Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsource Data (Section 3.2)," Federal Communications Commission, May 13, 2024, <https://us-fcc.app.box.com/v/bdc-bulk-fixed-challenge-spec>. See also, "BEAD Challenge Process Policy Notice," NTIA, Version 1.3, February 8, 2024, https://broadbandusa.ntia.doc.gov/sites/default/files/2024-02/BEAD_Challenge_Process_Policy_Notice_v1.3.pdf, at p. 31.



TABLE I: ACCEPTABLE EVIDENCE FOR AVAILABILITY CHALLENGES

Code	Reason	Acceptable Evidence Types for Challenges	Data Age Max
1	Provider failed to schedule a service installation within 10 business days of a request	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Other evidence to support challenge 	365 days
2	Provider did not install the service at the agreed-upon time	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Other evidence to support challenge 	365 days
3	Provider requested more than the standard installation fee or quoted an amount in excess of the provider’s standard installation charge to connect the location	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Other evidence to support challenge 	365 days
4	Provider denied the request for service	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Other evidence to support challenge 	180 days
5	Provider does not offer the technology entered above at this	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from 	365 days



Code	Reason	Acceptable Evidence Types for Challenges	Data Age Max
	location	<ul style="list-style-type: none"> provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Terms of service/service description ● End user contract or offer ● Infrastructure knowledge/evidence, including manufacturer and model number of residential gateway ● Other evidence to support challenge 	
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Terms of service/service description ● End-user contract or offer ● Infrastructure knowledge/evidence ● Other evidence to support challenge 	180 days
7	Intentionally omitted ⁶ (does not constitute a formal challenge)	N/A	N/A
8	No wireless signal is available at this location (only for technology codes 70 and above)	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Infrastructure knowledge/evidence ● Other evidence to support challenge 	365 days

⁶ The availability challenge does not adjudicate whether the actual speeds of the service fall below the advertised speeds. The FCC uses Code 7 for consumer complaints when “Subscribed Speed Not Achievable.”



Code	Reason	Acceptable Evidence Types for Challenges	Data Age Max
9	New, non-standard equipment had to be constructed at this location	<ul style="list-style-type: none"> • Screenshot from provider website showing URL and date • Email from provider • Text message or voicemail transcript from provider showing source and date/time • Letter from provider (physical or PDF) • Documentation of phone call or in-person interaction • Infrastructure knowledge/evidence • Other evidence to support challenge 	365 days

6.1.2 Evidence for Availability Rebuttals

Only the challenged provider may submit a rebuttal to an availability challenge. This evidence must counter the reason code and evidence provided by the challenger. The acceptable forms of evidence are provided in Table 2.

TABLE 2: ACCEPTABLE EVIDENCE FOR AVAILABILITY REBUTTALS

Code	Reason	Acceptable Evidence Types for Rebuttals
1	Provider failed to schedule a service installation within 10 business days of a request	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability.</p> <p>Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.</p>
2	Provider did not install the service at the agreed-upon time	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. The screenshot must show location information for the served location.</p> <p>Provider provides a copy of an offer sent to the location for the service at the speeds shown on the</p>



Code	Reason	Acceptable Evidence Types for Rebuttals
		Broadband Map.
3	Provider requested more than the standard installation fee to connect the location	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.
4	Provider denied the request for service	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. The screenshot must show location information for the served location.</p> <p>Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.</p>
5	Provider does not offer the technology entered above at this location	Provider has countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. The screenshot must show location information for the served location.</p> <p>Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.</p>
7	Intentionally omitted ⁷ (does not constitute a formal challenge)	N/A

⁷ The availability challenge does not adjudicate whether the actual speeds of the service fall below the advertised speeds. The FCC uses Code 7 for consumer complaints when “Subscribed Speed Not Achievable.”



Code	Reason	Acceptable Evidence Types for Rebuttals
8	No wireless signal is available at this location (only for technology codes 70 and above)	Provider has countervailing evidence to demonstrate service availability and speed (e.g., with a mobile test unit).
9	New, non-standard equipment had to be constructed at this location	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.

6.2 Additional Provider Service Level Challenges

In addition to the availability Challenge Type in the BEAD Challenge Process, there are five additional allowable provider service level Challenge Types: latency, speed, data cap, technology, and business service only.

6.2.1 Evidence for Data Cap, Technology, and Business Service Only Challenges

The data cap, technology, and business service only challenge requirements are similar to those for availability challenges. Table 3 outlines the acceptable evidence for the data cap, technology, and business service only Challenge Types and the maximum age of the evidence.

The speed and latency challenges have specific requirements that differ from the rest, as described below in “Evidence for Speed Challenges” and “Evidence for Latency Challenges.”

If you choose to provide “other evidence to support challenge,” instead of an explicitly stated evidence type, the evidence may not meet the minimum requirements. To support our review, please provide a thorough explanation of any evidence classified as other.

TABLE 3: ACCEPTABLE EVIDENCE FOR DATA CAP, TECHNOLOGY, AND BUSINESS SERVICE ONLY CHALLENGES

Type	Reason	Acceptable Evidence Types for Challenges	Data Age Max
Data Cap	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on	<ul style="list-style-type: none"> • Screenshot from provider website showing URL and date • Email from provider • Text message or voicemail transcript from provider showing source and date/time • Letter from provider (physical or PDF) • Documentation of phone call or in-person interaction • Terms of service/service description 	180 days



Type	Reason	Acceptable Evidence Types for Challenges	Data Age Max
	the consumer ⁸	<ul style="list-style-type: none"> ● End-user contract or offer ● Other evidence to support challenge 	
Technology	Provider does not offer the technology entered above at this location (the technology indicated for this location is incorrect)	<ul style="list-style-type: none"> ● Terms of service/service description ● End-user contract or offer ● Infrastructure knowledge/evidence, including manufacturer and model number of residential gateway ● Other evidence to support challenge 	365 days
Business Service Only	The location is residential, but the service offered is marketed or available only to businesses	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Terms of service/service description ● End-user contract or offer ● Other evidence to support challenge 	180 days

6.2.2 Evidence for Data Cap, Technology, and Business Service Only Rebuttals

Only the challenged provider may submit a rebuttal to a Provider Service Level Determination challenge. This rebuttal must counter the reason code and evidence provided by the challenger. The acceptable forms of evidence are provided in Table 4.

⁸ An unreasonable capacity allowance is defined as a data cap that falls below the monthly capacity allowance of 600 GB listed in the FCC 2023 Urban Rate Survey (FCC Public Notice DA 22-1338), December 16, 2022, <https://www.fcc.gov/document/2023-urban-ratesurvey-posting-data-and-minimum-usageallowance>. Alternative plans without unreasonable data caps cannot be business-oriented plans not commonly sold to residential locations. A successful challenge may not change the status of the location to unserved or underserved if the same provider offers a service plan without an unreasonable capacity allowance or if another provider offers reliable broadband service at that location.



TABLE 4: ACCEPTABLE EVIDENCE FOR DATA CAP, TECHNOLOGY, AND BUSINESS SERVICE ONLY REBUTTALS

Type	Reason	Acceptable Evidence Types for Rebuttals
Data cap	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer ⁹	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	Provider does not offer the technology entered above at this location (the technology indicated for this location is incorrect)	Provider has countervailing evidence from its network management system showing an appropriate residential gateway that matches the provided service.
Business service only	The location is residential, but the service offered is marketed or available only to businesses	Provider documentation that the service listed in the FCC Broadband Data Collection (BDC) is available at the location and is marketed to residential customers.

6.2.3 Evidence for Speed Challenges

ADECA will accept speed tests as evidence for substantiating challenges and rebuttals. Each speed challenge must include three measurements, taken on three different days; the days do not have to be adjacent. Speed tests cannot predate the beginning of the challenge period by more than 60 calendar days.

Speed challenges must provide evidence that the download/upload speeds of the broadband service at the location are materially lower than 100/20 Mbps, as described below. Since speed tests can only be used to change the status of locations from “served” to “underserved,” only speed tests of subscribers that subscribe to tiers at 100/20 Mbps and above are considered.

The median of the three tests (i.e., the second highest or lowest speed) is used to trigger a speed challenge, for either upload or download. For example, if a location claims a broadband speed of 100 Mbps/25 Mbps and the three speed tests result in download speed measurements of 105, 102 and 98 Mbps, and three upload speed measurements of 18, 26 and 17 Mbps, the speed tests qualify the location for a challenge, since the measured upload speed marks the location as underserved.

⁹ An unreasonable capacity allowance is defined as a data cap that falls below the monthly capacity allowance of 600 GB listed in the FCC 2023 Urban Rate Survey (FCC Public Notice DA 22-1338), December 16, 2022, <https://www.fcc.gov/document/2023-urban-ratesurvey-posting-data-and-minimum-usageallowance>.



Even if a particular service is not meeting the speed threshold, the eligibility status of the location might not change. For example, if a location is served by 100/20 Mbps licensed fixed wireless and 500/500 Mbps fiber, conducting a speed test on the fixed wireless network that shows an effective download speed of 70 Mbps does not change the status of the location from served to underserved as long as the fiber service is not challenged or delivers at least 100/20 Mbps service.

Speed tests can take the following forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., DSL modem, cable modem (for HFC), Optical Network Terminal (ONT) (for fiber-to-the-premises), or fixed wireless subscriber module)
2. A reading of the speed test available from within the residential gateway web interface
3. A reading of the speed test found on the service provider's web page
4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway, using an NTIA-approved speed test application. Such applications currently include Ookla (<https://www.speedtest.net/>); M-Lab (<https://speed.measurementlab.net/#/>); Cloudflare (<https://speed.cloudflare.com/>); Netflix (<https://fast.com/>); and the speed test provided by ADECA on the Be Linked Alabama website (<https://broadband.alabama.gov/survey/>).

Each speed test measurement must include:

- The time and date the speed test was conducted.
- The provider-assigned internet protocol (IP) address, either version 4 or version 6, identifying the residential gateway conducting the test.
- Download and upload speed results

Each group of three speed tests must include:

1. The name and street address of the customer conducting the speed test
2. A certification of the speed tier the customer subscribes to (e.g., a copy of the customer's last invoice), which must be greater than or equal to 100/20 Mbps
3. An agreement, using an online form provided by ADECA, that grants access to these information elements to ADECA, any contractors supporting the Challenge Process, and the service provider



The IP address, and the subscriber’s name and street address, are considered personally identifiable information (PII), and thus are not disclosed to the public (e.g., as part of a challenge dashboard or open data portal).

6.2.4 Evidence for Speed Rebuttals

Only the challenged provider may submit a rebuttal to a speed challenge. This evidence must show sufficient speed, e.g., from the provider’s own network management system.¹⁰

6.2.5 Evidence for Latency Challenges

Latency challenges must provide evidence that the round-trip latency of the broadband service exceeds 100 milliseconds (ms). A location that has no broadband service available at a latency of less than or equal to 100 ms is unserved.¹¹

Evidence for latency challenges can include a speed test showing the excessive latency performed on a laptop or desktop computer within immediate proximity of the residential gateway, using an NTIA-approved application. Such applications currently include Ookla (<https://www.speedtest.net/>); M-Lab (<https://speed.measurementlab.net/#/>); Cloudflare (<https://speed.cloudflare.com/>); Netflix (<https://fast.com/>); and the speed test provided by ADECA on the Be Linked Alabama website (<https://broadband.alabama.gov/survey/>).

Each latency test must include:

1. The name and street address of the customer conducting the test
2. An agreement, using an online form provided by ADECA, that grants access to these information elements to ADECA, any contractors supporting the Challenge Process, and the service provider

The IP address and the subscriber’s name and street address are considered PII and thus are not disclosed to the public (e.g., as part of a challenge dashboard or open data portal).

6.2.6 Evidence for Latency Rebuttals

Only the challenged provider may submit a rebuttal to a latency challenge. This evidence must include countervailing evidence showing latency at or below 100 ms, e.g., from their own

¹⁰ As described in the BEAD NOFO, a provider’s countervailing speed test should show that 80 percent of a provider’s download and upload measurements are at or above 80 percent of the required speed. See Performance Measures Order, 33 FCC Rcd at 6528, para. 51. See BEAD NOFO at 65, n. 80, Section IV.C.2.a,

¹¹ “BEAD Notice of Funding Opportunity,” NTIA, May 2022, <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>, p.17: (dd) Unserved Location—The term “unserved location” means a broadband-serviceable location that the Broadband DATA Maps show as (a) having no access to broadband service, or (b) lacking access to Reliable Broadband Service offered with—(i) a speed of not less than 25 Mbps for downloads; and (ii) a speed of not less than 3 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds.



network management system or the Connect America Fund (CAF) performance measurements.

If an Area Challenge is triggered for a latency challenge, the rebuttal must include evidence for at least 10 percent of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule (i.e., 80 percent of these locations must experience a latency that does not exceed 100 ms).

6.3 Enforceable Commitment Challenges

In preparation for the deployment of the BEAD Program, ADECA is required to identify every location where an “enforceable commitment” exists to deploy qualifying broadband service at or above 100/20 Mbps, regardless of the current service available at the funded locations. This includes identifying the BSLs served by federal and state funding programs.

6.3.1 Evidence for Enforceable Commitment Challenges

The enforceable commitment challenge allows permissible challengers to provide evidence that unserved or underserved locations will be served by existing federal, state, or local funding that should make those locations ineligible for BEAD.

The following evidence will be required:

1. Obligation deployment download speed in Mbps
2. Obligation deployment upload speed in Mbps
3. Obligation deployment technology
4. An attestation to confirm that the round-trip latency of deployed service will be under 100 ms
5. An attestation to confirm that the network will be fully deployed to the challenged locations by the dates required by the award
6. Whether the deployed service will be available as residential service, business service, or both
7. Evidence should include:
 - a. Evidence of award such as authorization letter and executed agreement with funding entity.
 - b. List of funded locations included in award
 - c. If available, methodology used to match awarded locations to Fabric IDs
 - d. If any locations included in the award are on Tribal lands, the provider will need to attach a legally binding agreement with the Tribal government, certified by Tribal Resolutions, for the location(s) at issue

6.3.2 Evidence for Enforceable Commitment Rebuttals

Any permissible challenger may file a rebuttal to an enforceable commitment challenge if they have documentation that the provider has defaulted on the commitment or is otherwise unable to meet the commitment.



6.3.3 Enforceable Commitment Identification – Process and Methodology

ADECA has deduplicated the list of BEAD-eligible locations, based on existing funding from current programs, using the following process.

ADECA used the BEAD Eligible Entity Planning Toolkit to identify existing federal enforceable commitments, which includes data on funding from the programs listed in the spreadsheet filed with NTIA and provided to the public at: <https://adeca.alabama.gov/wp-content/uploads/Appendix-I-%E2%80%93-Descriptions-of-existing-funding-for-broadband-in-Alabama.pdf>.

ADECA is aware that the FCC adopted rules for the Enhanced Alternative Connect America Model (Enhanced A-CAM), allowing providers to participate in the extension of the program and deploy at speeds of 100/20 Mbps or greater. All Enhanced A-CAM locations have also been deduplicated.

6.3.4 Evidence for Not Part of Enforceable Commitment Challenges

The not part of enforceable commitment challenge allows permissible challengers to provide evidence that a location is not covered by an enforceable commitment identified by ADECA. The evidence provided for this Challenge Type should demonstrate the following:

- Documentation that the provider has defaulted on the commitment or is otherwise unable to meet the commitment. This may include:
 - Public notice of default published by the funding agency
 - Default notice sent to the provider
- Documentation that the location(s) are in an area that is subject to an enforceable commitment to less than 100 percent of locations and the location(s) challenged are not covered by that commitment.
- If locations are on Tribal lands, the Tribal government may challenge based on a failure of the provider to obtain consent from the Tribal council for the application and/or receiving the award.

6.3.5 Evidence for Not Part of Enforceable Commitment Rebuttals

Only the provider with the challenged enforceable commitment can submit a rebuttal to a not part of enforceable commitment challenge.

The rebuttal must produce evidence that counters the challenge and may include the following:

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



- A Tribal council resolution or requisite legally binding agreement with the Tribal government supporting the enforceable commitment

6.4 Planned Service Challenges

Planned Service Challenges are intended to allow challenges to be filed if broadband service was planned to be deployed at a specific location by June 30, 2024, but was not yet included in the NBM. Given that the date has passed, a sub-category Challenge Type has been added under Planned Service called Existing Service Challenge. If a provider has service existing that is not captured in the BSLs listed for challenge because it was deployed after the last NBM version (ending December 31, 2023) then go to Planned Service Challenge and choose the Existing Service option to identify a location as not fundable under BEAD.¹²

6.4.1 Evidence for Existing Service Challenges

Any provider that has built out broadband service to unserved and/or underserved locations since the deadline for the data capture for Version 4 of the NBM (December 31, 2024) may file an “Existing Service” challenge and provide evidence that service is now available.

The information and evidence required for this Challenge Type includes:

1. Maximum advertised download speed in Mbps
2. Maximum advertised upload speed in Mbps
3. Technology type of service
4. Confirmation that the round-trip latency will not exceed 100 ms
5. An attestation to confirm that service has been deployed to the locations included in this challenge, with the technology, speeds, and latency provided.
6. Data to describe and confirm the build out to include:
 - a. Network diagrams
 - b. Evidence of all necessary permits that were applied for or obtained
 - c. Inspection results
 - d. Evidence of availability from the provider website to confirm each address being challenged. Please note that website advertising is not sufficient evidence. Each address must

¹² Eligible challengers should use the Planned Service Challenge – instead of the Availability Challenge – to account for service that became available at a BSL after the as-of date for the NBM used for the Challenge Process. Using Planned Service Challenge instead of Availability Challenge in these instances is necessary as a process matter because Planned Service Challenges do not have to match existing service entries in the BDC, whereas Availability Challenges must match the location, provider, technology, and advertised speed of an entry in the version of the NBM used for the Challenge Process.



be detailed with a service availability response using whatever method the provider has for that location. Alternatively, a copy of a name-redacted customer bill that shows the address and subscribed service level can serve as evidence.

7. For Fixed Wireless (FWA) locations, you must complete the FWA evidence template

6.4.2 Evidence for Existing Service Rebuttals

Any permissible challenger may submit an Existing Service rebuttal. The rebuttal must include evidence that demonstrates that the Existing Service challenge should not be sustained.

The evidence for Existing Service rebuttals must include:

1. Speed-testing to verify that the service at the location does not comply with the 100 ms BEAD requirements
2. A screenshot of an application for service at the location challenged that has been denied
3. A screenshot of an application for broadband service at the location challenged that cannot be fulfilled within 10 days
4. A screenshot of an application response that offers service but requires additional payment for the extension of service to the location
5. Evidence that a location claimed as Existing Service transverses Tribal lands and no letter of consent was obtained

It is anticipated that rebuttals will be submitted by units of local or Tribal government that have knowledge and evidence that necessary permits, reviews, or other pre-construction requirements have not been met.

6.5 CAI Challenges

The identification of CAIs for the purposes of BEAD is based on the definition and process in Alabama's Initial Proposal Vol. I, which defines a CAI as any of the following:

- **Schools:** Schools include all K–12 schools participating in the FCC E-Rate program or that have an NCES (National Center for Education Statistics) ID in the categories “public schools” or “private schools.”
- **Libraries:** Includes all libraries participating in the FCC E-Rate program as well as all member libraries, and their branches, of the American Library Association.
- **Health clinic, health center, hospital, or other medical providers:** The list of health clinics, health centers, hospitals and other medical providers includes all institutions that have a Centers for Medicare and Medicaid Services certification number.
- **Public safety entity:** The list of public safety entities includes fire houses, emergency medical service stations, and police stations, based on records maintained by the State



of Alabama and units of local government. Included in the list of public safety entities is also the list of public safety answering points (PSAPs) in the FCC PSAP registry.

- **Government facilities:** Government facilities are the anchor of many communities and provide broadband services and digital skills assistance to underrepresented communities. Government facilities, including but not limited to county courthouses and Tribal government facilities, facilitate greater access to broadband services by vulnerable populations, including but not limited to low-income individuals, incarcerated individuals, and persons otherwise adversely affected by persistent poverty or inequality. Some Alabama courthouses offer free public Wi-Fi, thus facilitating greater use of broadband service. Tribal government facilities can provide similarly critical services to members of Tribal Nations. In addition, correctional facilities facilitate greater access to broadband services by incarcerated individuals, a vulnerable population that may not have access to any of the other CAI categories. Correctional facility work release programs may provide broadband training and access to recently incarcerated people, who may also fit into other categories of vulnerable populations. Therefore, some government facilities, including but not limited to county courthouses, Tribal government facilities, and correctional facilities are included in the list of government facilities.
- **Institutions of higher education:** Institutions of higher education include all institutions that have an NCES ID in the category “college,” including junior colleges, community colleges, minority serving institutions, Historically Black Colleges and Universities, other universities, and other educational institutions.
- **Public housing organizations:** Public housing organizations were identified by contacting the Public Housing Agencies for Alabama enumerated by the U.S. Department of Housing and Urban Development, as well as by contacting nonprofit organizations Public and Affordable Housing Research Corporation and National Low Income Housing Coalition, which maintain a nationwide database of public housing units at the National Housing Preservation Database.
- **Community support organizations:** The list of community support organizations includes organizations identified by ADECA, in the context of its multi-year broadband engagement work, that facilitate greater public use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aging individuals. Community support organizations include senior centers, activity centers, nutrition centers, wellness centers, and crisis centers which provide public computing access and offer digital skills training to vulnerable populations as well as assistance with wrap around services that include those accessed through online portals. These institutions often are administered by local and Tribal governments in support of their communities.



- **Other sources of data:** ADECA also drew on state, county, and municipal resources to identify additional eligible CAIs that were not contained in the data sources listed above. In addition, ADECA used the Initial Proposal public comment process to ensure that all relevant institutions meeting the CAI criteria are included and will update such data as necessary as part of its ongoing community engagement efforts.

6.5.1 Identification of CAI

All permissible challengers can challenge the designation of the location as a CAI, based on the categories described above, and can challenge the availability or lack thereof of gigabit symmetrical service at the CAI location.

Evidence for “Location is a CAI” Challenge

If you believe that a location is incorrectly identified as a non-CAI, you may challenge to have that location included as a CAI. To submit a successful challenge, you will need to submit the following information and evidence:

1. Official entity name of the institution
2. The type of CAI, selecting from the categories defined above
 1. Depending on the entity type, you will be asked to provide different types of identification numbers, e.g., CMS Certification Number (CCN) for hospitals
 2. If a Community Support Organization, explanation of how organization facilitates greater public use of broadband service by vulnerable populations, such as low-income individuals, unemployed individuals, and aging individuals.
3. Evidence to support the challenge, which may include:
 1. Registration documents
 2. Contact information to confirm
 3. Other evidence that demonstrates that the organization meets the requirements of the selected category of CAI

When challenging to add a location as a CAI, you will be given an opportunity to indicate whether the institution has unmet broadband needs based on the standard of 1/1 Gbps.

If the location for a CAI is missing entirely from the map, please reach out to the FCC’s Fabric Challenge Process (see <https://www.fcc.gov/sites/default/files/bdc-fabric-challenge-overview.pdf>).

Evidence for “Location is a CAI” Rebuttal

Any permissible challenger may submit a rebuttal for a “location is a CAI” challenge. The information and evidence must include:

1. Identify the basis for the claim the location is not a CAI



- a. Location is a residence
 - b. Location is a non-CAI business
 - c. Institution does not fall under listed category
 1. Identify the institution type that the location should be listed as
 - d. CAI has ceased operations
 1. Date CAI ceased operations
2. Evidence to support rebuttal

Evidence for “Location is Not a CAI” Challenge

If you believe that a location is incorrectly identified as a CAI, you may challenge to have that location removed from the list of CAIs.

To submit a successful challenge, you will need to submit the following information and evidence:

1. Identify the basis for the challenge that claims the location is not a CAI
 - a. Location is a residence
 - b. Location is a non-CAI business
 - c. Institution does not fall under listed category
 1. Identify the institution type that the location should be listed as
 - d. CAI has ceased operations
 1. Date CAI ceased operations
 2. Is there another CAI currently operating at this location? If so, provide the following information:
 1. Official entity name of the institution
 2. The type of CAI, selecting from the categories defined above
 - a. Depending on the entity type, you will be asked to provide different types of identification numbers, e.g., CMS CCN for hospitals
 - b. If a Community Support Organization, explanation of how organization facilitates greater public use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aging individuals
 - c. Other evidence that demonstrates that the organization meets the requirements of the selected category of CAI
2. Evidence that demonstrates that the location is a non-CAI or is no longer in operation

Evidence for “Location is Not a CAI” Rebuttal

Any permissible challenger may submit a rebuttal for a “location is not a CAI” challenge. The information and evidence must include evidence that the location falls within the definitions of CAIs set by ADECA or is still operational.



6.5.2 CAI BEAD Eligibility Based on Broadband Availability

Evidence for CAI: Qualifying Broadband Unavailable Challenge

If a CAI is reported to have 1 Gbps symmetrical service, but you have countering evidence, you may submit a “CAI Does Not Receive 1 Gbps Service” Challenge. To submit this Challenge Type, you must provide the following information and evidence.

1. Attest that this location does not currently receive 1 Gbps/1 Gbps broadband service and does not have a connection that is readily scalable to 1 Gbps speeds at a higher tier of service over the existing infrastructure.
2. If there is an available Internet connection at the location, you will be asked to provide the following information:
 1. Who is the current provider?
 2. What technology is delivering the current services?
 3. What are the speeds of your current plan?
3. Upload evidence of recent bill/invoice, photo of the provider gateway, or other evidence to support the challenge
4. Signed attestation or upload evidence

Evidence for CAI: Qualifying Broadband Unavailable Rebuttal

Any permissible challenger may submit a rebuttal for a CAI Does Not Receive 1 Gbps Service. The information and evidence must include evidence that the CAI Location has an existing connection capable of delivering 1 Gbps/1 Gbps speeds or a connection that is readily scalable to 1 Gbps symmetrical speeds at a higher tier of service over the existing infrastructure.

Evidence CAI: Qualifying Broadband Available Challenge

1. I confirm that selected CAI location(s) have an existing connection capable of delivering 1 Gbps/1 Gbps symmetrical speeds or a connection that is readily scalable to these speeds at a higher tier of service over the existing infrastructure.
2. (Optional) If available, please provide the following information:
 1. Who is the current provider? (Do not use dropdown of providers, as it may not include the network delivering enterprise service)
 2. What technology is delivering the current services? (Dropdown from the technologies used in other challenges)
 3. What are the speeds of your current plan?
3. Upload evidence of recent bill/invoice, photo of the provider gateway, or other evidence to support the challenge



4. Signed attestation or upload evidence

Evidence for CAI: Qualifying Broadband Available Rebuttal

Any permissible challenger may submit a rebuttal for a CAI Does Receive 1 Gbps Service. The information and evidence must include evidence that the CAI location does not have an existing connection capable of delivering 1 Gbps/1 Gbps speeds or a connection that is readily scalable to 1 Gbps symmetrical speeds at a higher tier of service over the existing infrastructure.



7. Obtaining CostQuest BSL Fabric Licenses

To administer the BEAD Program, ADECA is required to use as a baseline the FCC's National Broadband Map, which provides reported broadband availability data at the location level and relies on a proprietary dataset to provide the location data.

ADECA was required to enter into a license agreement with CostQuest Associates, the owner of the dataset, to access the data for the purposes of the BEAD Program including the Challenge Process. The terms of this license agreement restrict ADECA from making the data fully available to stakeholders participating in the Challenge Process.

While ADECA cannot make the data fully available to stakeholders, the participants in the Challenge Process are eligible to apply for their own licenses with CostQuest. NTIA entered into a contract with CostQuest to cover the cost of these licenses, so there is no expense to the licensees.

A CostQuest License is not required to file challenges directly through the Challenge Portal. However, if you are considering submitting bulk challenges (challenges to more than one location in the same submission), we highly recommend you obtain a license from CostQuest.

There are two tiers of licenses relevant for the BEAD Program:

- **Tier D License** – The Tier D License is available to all qualified, or presumptively qualified, recipients and subrecipients of federal broadband grants. This license is available to broadband providers, including co-ops. [Request license.](#)
- **Tier E License** – The Tier E license is intended for units of local government, non-profits, and other organizations that have signed an FCC Tier 4 license. [Request license.](#)

