

**DOC-NTIA-OTIA (US)
Infrastructure Transcript**

**Moderator: Susannah Spellman
June 9th, 2021**

Susannah Spellman:

1:11

Hello, everyone. We're just going to wait 1 or 2 more minutes before we get started. But we just want to make you aware that there are some issues with the landline dial in, or even the mobile dial in to this program. So, if possible, if you're having audio issues, or if you're not connected to your computer or directly through the mobile device app, please click on the join webinar from your e-mail confirmation on your mobile phone. Download the app as directed, and the webinar will launch automatically and once the app is downloaded and open. So, if the webinar does not launch though, click join webinar again from your e-mail confirmation. But just be aware, folks have reported some difficulties using the telephone numbers to dial into this webinar. If you are unable to actually get to the app to be able to listen to the audio portion, note that this presentation along with a transcript and a recording will be available on the BroadbandUSA website under events and past events on or before June 16.

2:41

Hello, and thank you for joining us today for BroadbandUSA's webinar. My name is Susannah Spellman with NTIA's Broadband USA Program. As a reminder, this webinar is being recorded and will be posted to NTIA's BroadbandUSA website.

2:56

Today's webinar focuses on NTIA's broadband infrastructure program and is the second of a four-part series.

3:03

Before we begin, I would like to review the logistics for today's webinar. First, we will open up the webinar for questions after the completion of the presentations. As you hear from each presenter, please use the question box on the right-hand side of the screen to submit your questions or comments.

3:19

Second, the presentation along with a transcript and audio recording of today's session will be available on the Broadband USA website within seven days of this webinar under the Events-Past Events tab.

3:31

Finally, please visit our Broadband USA website for more information about our technical assistance programs, including useful guides, products, publications, and other tools that can assist you with planning, funding and

implementing your broadband project. We provide updated information regularly, including a monthly newsletter and other broadband news.

3:52

Our presenters today are Doug Kinkoph, the Associate Administrator of the Office of Telecommunications and Information Applications, and Jennifer Duane, Director for Grants of the Office of Telecommunications and Information Applications.

4:06

Now we will turn to our first speaker, Doug Kinkoph. Doug, as I mentioned earlier, is the Associate Administrator of the Office of Telecommunications and Information Applications. Doug joined the Department of Commerce in 2010 and has served in a number of roles working on issues, including spectrum management, broadband, and public safety communications.

4:25

While serving as the head of the Office of Telecommunications and Information Applications, Doug created the agency's Broadband USA program, which works to promote broadband deployment and adoption across communities nationwide. He also oversaw a \$4 billion grant program that funded the deployment of broadband infrastructure, public computing centers, sustainable adoption of broadband services, and statewide broadband planning.

4:51

Before joining the Department of Commerce, Doug held multiple executive roles in the communications industry as well as in the public and private sectors as a telecommunications policy expert. He served as the vice president of operations at Sound Path Conferencing, where he was responsible for all sales, marketing, and customer service operations.

5:10

His private sector experience also includes serving as senior regulatory and policy roles at XO Communications, Nextlink, and LCI. Doug earned his MA and administration from Central Michigan University and as the Telecommunications Management from Ohio University.

5:29

Our second speaker is Jennifer Duane. Jennifer is a Senior Broadband Specialist from the National Telecommunications and Information Administration Broadband USA Program, where she manages the offices grant programs and facilitates inter-agency coordination to support efforts to streamline the federal permitting processes.

5:46

Jennifer joined NTIA in 2009 to develop policy for the Broadband Technology Opportunities Program, otherwise known as BTOP. She then served two years as a senior attorney adviser in the Office of Chief Counsel for NTIA, providing legal Advice to NTIA offices on a variety of

telecommunications, information, technology, and commercial data privacy matters.

6:10

In 2012 to 2017, she served as the Senior Advisor to the Assistant Secretary on matters related to Broadband and Public Safety. Before joining NTIA, Jennifer served as a state regulatory attorney and then as a director of Federal Regulatory Affairs for Sprint Corporation. She earned an undergraduate degree in economics from the Pennsylvania State University, and a Juris Doctorate degree from George Washington University Law School.

6:38

Please welcome Doug, and he'll open up the remarks.

6:47

Douglas Kinkoph:

Thank you, Susannah.

6:48

On behalf of NTIA, I'd like to welcome you to today's webinar on our Notice of Funding Opportunity for our Broadband Infrastructure Program. I would also like to mention that last Thursday, NTIA published its Notice of Funding Opportunity for its Tribal Broadband Grant program, and we will have more on that program later today.

7:11

I think this quote is important. The Vice President's quote underscores the fundamental nature of broadband plays in American society today. It's critical to ensure that all Americans, that's 100% of Americans, have access to fast, affordable broadband to allow them to educate their families, have access to remote health care, and employment opportunities.

7:34

These next two slides have maps that I believe, highlight two distinct broadband problems that America is facing: infrastructure and digital inclusion. This map, the red areas reflect the areas of the country where broadband service is unavailable, at the basic FCC benchmark speed of 25/3.

7:55

This map highlights households and counties that lack a computer, smartphone, or tablet. The dark brown areas are counties where 30% or more of households do not have a computer or smartphone or tablet in their home. The broadband divide in this country is significant, and it's one that the administration is now addressing.

8:17

Next, we're going to dive into the details of the Broadband Infrastructure Grant Program, which is a competitive grant program that opened its

application window on May 19 will award up to \$285 million to Covered Partnerships.

8:31

Now, I would like to thank you again for joining us today, and I look forward to your questions at the end of the program. Let me turn it over to Jennifer Duane, NTIA's Director of Grants. Jennifer?

Jennifer Duane:

8:47

Well, thanks, Doug. We at NTIA are really excited to be able to announce the opening of the Broadband Infrastructure Program. Now, this program is for \$288 million, the eligible applicants are Covered Partnerships, and those are a state, or one or more political subdivisions of the state, working in collaboration with a fixed broadband service provider. They are deploying covered broadband projects, and these are defined in the Act as a competitively and technologically neutral project for the deployment of a fixed broadband service that provides qualifying broadband service in an eligible service area.

9:32

NTIA announced the opening of the program on May 19, and we will be accepting applications through August 17th, 2021.

9:43

I want to highlight a couple of key definitions under the program. First, is the definition of qualifying broadband service. That means a download speed of not less than 25 Megabits per second, and an upload speed of not less than three Megabits per second with a latency sufficient to support real-time, interactive applications.

10:06

Now, we added a little bit more context in the NOFO, the Notice of Funding Opportunity, with regard to the speed; that is the ability to deliver 25/3 simultaneously to every household in the eligible service area. And that's consistent with how USDA Reconnect program, for example, describes the speed threshold for their grant programs. The latency, we added a bit more context as defined as 95% or more of all peak period measurements of network round trip latency. That is between the customer premises and the closest internet core peering interconnection point are at or below 100 milliseconds. And this is consistent with the FCC's definition of latency that they use in their universal service support programs. So, we wanted it to be consistent with our federal agency partners in how we defined these terms or this term.

11:09

The other key definition I want to talk about is the definition of unserved. Now, this means the households lacking access to qualifying broadband service, and no broadband service provider has been selected to receive, or is otherwise receiving federal or state funding, subject to enforceable

buildout commitments to deploy a qualifying broadband service in the specific area where the household is located.

11:37

An eligible service area has been defined in the Act to mean a census block in which a broadband service, in which broadband service is not available, at one or more households or businesses in the census block.

11:51

And NTIA will be looking at leveraging the FCC's Form 477 data and our National Broadband Availability Map, the NBAM, and the FCC Form 477 data is a layer, a data layer in that map, and we will be looking at those tools to determine if the area that an applicant submits for funding meets the definition of eligible service area.

12:21

So, under this program, to be eligible for a grant, the Covered Partnership must submit an application. And we'll be looking at the following elements, we'll be looking at a description of the Covered Partnership. So, we'll want to know whether it's the state or one or more political subdivisions of the state and the fixed broadband service provider. We want to know what the current broadband project will be, like what speeds will be offered, the cost of the project. The proposed service area that the project is proposing to deploy broadband infrastructure in. And then we'll want to know about any other federal and state support that the broadband service provider that is part of the Covered Partnership might be receiving under another federal or state support program for broadband investments.

13:11

Now, under the Statute, the Covered Partnership may only submit one application for this grant program. We're looking at the state or the political subdivision of the state as lead applicant and that would be the entity that will determine whether the Covered Partnership can submit an application.

13:36

So, the Covered Partnership may include one or more provider of fixed broadband services in its application, and a fixed broadband service provider may participate in more than one Covered Partnership. But the state or governmental entity can only submit one application as part of the Covered Partnership.

13:59

The Act defined several funding priorities in decreasing order of importance. So, the first priority is for projects designed to provide broadband service to the greatest number of households in an eligible service area.

14:15

Now, we will be looking, interpreting this priority as providing broadband service to the greatest number of unserved households in the eligible service area.

14:24

The second priority is focused on providing broadband service in an eligible service area that is outside of a county, city, town, or urbanized area that's contiguous or adjacent to a city or town with more than 50,000 inhabitants. So essentially, we will be prioritizing broadband service in more rural areas.

14:48

We'll also be looking at projects that are the most cost effective, prioritizing projects that are the most rural. And then finally, the fourth criteria is looking at projects designed to provide broadband service with the download speed of at least 100 Megabits per second and an upload speed of at least 20 Megabits per second.

15:08

So, the Act has given us a very aggressive timeline for deploying broadband infrastructure under this program. It requires that the Covered Partnership must expend the grant funds within one year of their receipt of the grant funds. Now, we know that the projects under this program will be for broadband construction and there may be some projects that are capable of deploying broadband within one year. But for the most part, applicants will require more than one year to complete their broadband construction projects. And in that case, the Act provides that the Assistant Secretary may grant extensions of the award period. So, to qualify for the extension, the Covered Partnership just must certify that had that it has a plan for the use of the funds, the construction project is underway, or extenuating circumstances require an extension to ensure project completion.

16:12

So, we are allowing applicants to submit that request for extension with their application because we realize that most projects will need more than one year to complete.

16:22

So, we're giving applicants the option to just go ahead and submit their extension request along with their application. The petition for extension should cover the elements that I just noted about the factors that the Assistant Secretary will be looking at in terms of whether to grant the extension.

16:43

So, under this program, we have \$288 million available in grant funds. We expect to make awards ranging from \$5 million to \$30 million. Applicants may submit project proposals that are outside of the amounts, but we'll

want to see at a reasonable explanation for why the project cost exceeds these funding ranges.

17:10

Now, the act does not require a matching fund. So, that is not a statutory requirement, as it often is in grant programs. But we will be offering a preference for applicants that do propose to provide a cost share amount to fund a portion of the eligible cost of the project, and looking at, at least a project that provides a 10% cost match.

17:39

So, to submit an application under this program, an applicant will need a few things. They'll need a DUN's number, the Dun and Bradstreet number. They'll need to be registered with SAM, the System for Award Management. And they'll need to have a grants.gov account, we will be using grants.gov for the submission of applications under this program.

18:05

And the NOFO really goes into detail on all three of these items. How to request a DUN's number, how to register for SAM, and to keep that registration active, and how to register for a grants.gov account.

18:20

So, I would direct you to look at the NOFO for those description of those requirements and what is needed to fulfill these three elements to apply for grant under this program.

18:34

So, the NOFO outlines in Section D the application package for the Broadband Infrastructure Program. We'll be using the standard 424 family of forms, the application for Federal assistance, the budget, or construction programs in the 424 C. There are a couple of other assurances and certifications regarding lobbying activities that will be required to submit with applications. The project narrative is a Word document where, and this is where the applicant really describes the project and the Covered Partnership and what they're proposing to deploy, and where the proposed service area, how they're meeting the funding priorities of the act. This is where the applicant really should devote most of its time, in terms of preparing an application so they can look at the funding priorities that we'll be focused on, and really explain to us how their applications are satisfying their priorities of the program, looking at identifying exactly what they're doing, measurable milestones, performance outcomes. So, this is really the meat of the application that NTIA will be looking at.

19:54

We'll be also focused on the budget and looking at what costs are proposed for funding under this grant program, and how those costs are aligning against cost objectives that you'll see in those standard forms. And then, if the applicant is proposing to recover indirect cost, we'll want

to see the indirect cost rate agreement. And this is all described in detail in the NOFO.

20:22

We're also asking for letters of commitment from each of the covered members of the Covered Partnership to indicate their commitment to complete the project, looking at maps of the eligible service area, and financial pro forma documents, and network design documents, and those items are all covered in detail in the NOFO as to exactly what we're looking for.

20:49

So, as I mentioned at the beginning, since we opened the program on May 19th, we have a 90-day statutory deadline for when applications must be received. So, our deadline under this program is August 17th, 2021. And since it's a statutory definition, we cannot grant any extensions of that, of that timeline. And, like, like applicants, NTIA also has a statutory deadline to complete its review and selection of successful applicants, either completed, review, and approve or deny the applications, and determine what awards it will make.

21:29

Our deadline is November 15th, 2021, when we need to make some internal decisions on the applications that we received under this program.

21:42

So, I want to touch on a couple of the eligible uses for the program. Grant funds may only be expended on allowable costs. And those are outlined in the uniform administrative requirements and the cross principles. The Act also identifies several eligible uses of the grant funds. And since this is a broadband construction grant program, we are, of course, allowing the cost of construction, the improvement or acquisition of facilities and equipment required to provide qualifying broadband service.

22:18

And this can include infrastructure for backhaul, middle and last mile networks. We're allowing the cost of long-term leases, the cost to engineer the network for permitting, work that's related to environmental and historical culture reviews, personnel costs, salaries, fringe benefits, and then the act also allows for reasonable pre-application expenses or grant preparation costs to be recovered, but that amount may not exceed \$50,000.

22:51

The act also identifies a couple of ineligible costs, and these are costs where grant funds may not be expended on them. So, just to touch on a couple of items here, they're described in detail within the NOFO. So, a Covered Partnership may not use grant funds to purchase or support any communications equipment or service as defined in section nine of the Secure and Trusted Communications Network Acts 2019.

23:19

And this is designed to prohibit the purchase of equipment that may pose national security risks. So, you will be looking to make sure that grant funds are not used for these purchases. And this applies to both members of the Covered Partnership, so both the state or political subdivision and the fixed broadband service provider.

23:42

There are a couple of items that are specific to the provider of broadband service, that is part of the Covered Partnership, and that is that grant funds may not use to repay a loan by public or private lender. It may not be used for collateral for a loan. Same thing with the grant amount, preparation costs are allowable, but they may not exceed \$50,000.

24:11

We also are going to be looking at to not duplicate funding for any funds that have been used to fund service to a location that the FCC Universal Service program is also funding. So, since these are broadband infrastructure projects, there will be environmental and historic preservation requirements that applicants must adhere to.

24:41

So, when you submit your application, we will be asking for environmental documentation to be submitted. It's not required that you have all this in place when you submit your application, but we need to understand what environmental, what construction, and ground disturbing activities that the project will undertake and how the environmental and historic preservation requirements will be met. So, we want to see what your plan is for obtaining any of the required federal, Tribal, state, local government permits and approvals.

25:16

So, we need sufficient information within the application in order to undertake the analysis that is required by the National Environmental Policy Act-NEPA. And once we make an award, just, we may withhold some of the funds under a specific award condition until these environmental and historic preservation requirements are satisfied.

25:46

So, this slide lists the evaluation criteria that NTIA will be looking at when we receive an application for grant under this program. So, the first criteria is we'll be looking at the project purpose and benefits, and that's worth 30 points. So, we're going to be looking at the level of impact in the proposed service area. We'll be looking at the number of uncertain households that the project is proposing to serve, at what speeds that the service may be offered. We'll be looking at the affordability of the services that will be offered.

26:19

The second category is project viability, and that's 40 points, we'll be looking at the technical approach, and the related network capacity and performance. And that basically means we are going to be looking at the type of network, and in broadband infrastructure, the applicants proposing to deploy and at what speeds. And we will also be awarding certain points based on the network capacity requirements that the applicant will propose.

26:52

We'll be looking at the applicant's organizational capability, as well. Looking at the capability, the experience of the applicant, which basically includes the members of the Covered Partnership, to carry out the project and complete the activities that it proposes to deploy under this grant program.

27:11

And then finally, we'll be looking at project budget and sustainability. Looking at the reasonableness of the budget and the costs associated with that budget and to make sure that costs are properly allocated to perform the tasks that are needed to complete the project.

27:26

We'll be looking at sustainability of the project, whether there's a plan that the project will be sustainable beyond the award period, looking at whether it's designed to support evolving and advanced communication capabilities, such as 5G or fiber.

27:46

Then, finally, we'll be looking at whether the applicant is proposing a non-cost share, and so a non-federal cost share of up to 10%. And an applicant may receive some additional points in consideration if they provide a non-federal cost share of at least 10% of the total eligible project costs.

28:11

So, this outlines the review process that NTIA will use for this Broadband Infrastructure Program.

28:18

When we receive applications, the first thing we'll do is conduct an administrative and eligibility review of the complete application package. And that's to make sure that the application is complete, that the Covered Partnership has the entities that are needed to make it eligible to submit an application under this program. And we will be looking at what it's proposing to do because we are going to be doing a priority sequencing.

28:45

When I discussed the priorities a couple of slides ago, the number-one priority under the Act is to deliver qualifying broadband service to the greatest number of households in a proposed service area. So, we're going to be looking at focusing initially on applicants that come in with that type of proposal to deliver broadband service to unserved households. We'll

continue that priority sequencing, the remaining priorities, to the extent that funding remains available under the program.

29:16

The second stage is merit review, and that's where the applicants are evaluated by at least two objective reviewers who have demonstrated expertise in the programmatic elements of the grant program. Now, we're using a scoring scale of 0 to 100 and applications that score on our threshold of at least 70 points and up to 100 points through merit review will advance to our programmatic review.

29:48

And this is where NTIA will focus on its review of the applications, looking at how the priorities, how the application, project advances the funding prioritized priorities outlined in the NOFO. And to do this, for instance, in verifying the eligible surface area, as I mentioned earlier, we'll be using data from the FCC Form 477, for validation of proposed service areas, as eligible. We'll be looking at leveraging other the other data sets that are available in NBAM to target funding to unserved areas. And we'll also have a process for existing broadband service providers, to let us know if any proposed service area that has been proposed for funding, whether they currently provide qualifying broadband service to that area.

30:40

So, there's a process outlined in the NOFO where we will announce those proposed service areas and allow existing broadband service providers to provide us with information that essentially may challenge the proposed service areas that an applicant has submitted for funding under this grant program.

31:03

So, this outlines the selection factors and the selection process that NTIA will use in determining what applications to award grant funding. So, we'll be looking at the scores and the technical comments from the objective expert reviewers during merit review. We'll be looking at the analysis of NTIA staff during the programmatic review. We'll be looking how the application satisfies the broadband infrastructure program priorities that I described in earlier slides, those four funding priorities, then the extent to which the applicant proposes to contribute a non-federal cost share.

31:44

Then we'll also be looking at an equitable geographic distribution of the proposed grant award. So, we want to try to not only fund projects in only one state but we want to try to make sure that there is an equitable geographic distribution across the country.

32:03

It doesn't actually mean that every state will get an award, but we do want to make sure that we're distributing the awards in an equitable manner geographically.

32:13

And then, we'll be looking at the extent to which this investment would not have been made in the proposed service area without the government investment. So, that is unlikely to be made using private sources of funds and needs government investment in order to be funded.

32:32

Then, we'll be looking at whether the applicant proposes some strong labor protections, including paying prevailing wages. And then finally, we'll be looking to avoid duplicating the funding of other federal agencies, including the Department of Agriculture loan and grant programs, and the applicable Universal Service programs that the FCC manages.

32:56

And then, finally, the availability of funds will be determining how many awards we are able to make for this program. With 288 million, that's not a lot to fund broadband infrastructure deployment so that will be a key determinant of the amount and the number of awards that we're able to award here.

33:18

And this just highlights a couple of award administration information that will be applicable to awardees. So, applicants that we do fund under this program will receive a Federal Award Notice from our National Institute of Standards and Technology-NIST, which is our grants office under this program.

33:43

We will, of course, notify applicants that are not successful in receiving an award. But, if you do receive an award, there will be certain administrative and national policy requirements that you have to adhere to. The Uniform Administrative Requirements and Cost Principles. The Department of Commerce has some standard financial assistance terms and conditions that will apply.

34:09

Of course, the Environmental and National Historical Preservation Requirements I touched on earlier will come into play here. Looking at, there will be some requirements that any grant funded assets under this program, that we'll have a federal interest in, and we'll have a property and trust relationship with any assets that are funded under this program.

34:35

There will be a requirement for open network requirements to, you know, keep the infrastructure that is funded under this program to be open for interconnection by other broadband service providers and looking at domestic preference for procurements, Buy American.

34:53

And then looking at some and contracting with the small minority business, women's business enterprises, and labor surplus area firms looking for preferences in contracting with those entities.

35:05

Then finally, reporting: There'll be reporting requirements that are outlined in the NOFO. Both financial reporting and performance reporting on a semi-annual basis. And then there will also be an annual reporting requirement.

35:19

We will be looking at awardees to tell us what they expanded their grant funds on, what outcomes and services they delivered as a result of using grant funds under this program.

35:32

So, as I described on a couple of slides, we do have a merit review process where we are using objective reviewers to look at the applications that receive. So, we are actively looking for merit reviewers to submit to volunteer to serve as a reviewer for this program. So, we'll start merit reviews in August and into October, and we really just want to make this announcement and ask for your help to volunteer to serve as a reviewer for this program.

36:04

You can submit a resume at the information at the e-mail noted here, grantreviewer@NTIA.gov, and provide the information that's indicated in the bullet points on this slide. Name, residence, e-mail, employer, position, years of experience, and in fields related to broadband activity. So, I hope you'll consider volunteering to serve as a merit reviewer for this program, we would definitely welcome your help.

36:35

So, now, I'm going to turn things over to my colleague, Susannah Spellman. We will now entertain questions on the Broadband Infrastructure Program. Thank you.

36:59

Susannah Spellman:

Thank you, Jennifer and Doug. We have been collecting all of the questions that you have been typing into the chat box. Thank you so much. They are great questions. I also wanted to make sure you all aware of that last week, we did post some frequently asked questions for the Broadband Infrastructure Program, and we are also going to be publishing an additional round with new questions in the next week or so. We will also take these questions. If we don't get to your direct question, we will take these questions and incorporate them into subsequent rounds of FAQs, as well, if they aren't already addressed in new rounds of FAQs, that we're in the process of reviewing, approving writing, et cetera. So, with that being said, I think we've got everybody here. I also want to introduce a special guest, Dean Iwasaki. He is from the NIST Grants

office. So, if there are any grant office specific questions, he is there to assist.

37:54

So, all right, let's get the questions. Here we go, I think this is a good one for Jennifer.

38:03

Does the Covered Partnership have to be a formal legal entity where both entities have an equity stake in the business?

38:12

Jennifer Duane:

No, it doesn't. I mean, what the Act requires, you know, defines a Covered Partnership as a state or when one or more political subdivisions of the state and the Fixed Broadband Service provider.

38:23

We recognize that Covered Partnerships is not a common, you know, understanding within grants, and we were trying to make that as that, developing these partnerships, as, you know, as less prescriptive as possible, so there's no need for a formal legal arrangement before you submit an application. We just need to understand who are, you know, the identities of the Covered Partnership. What state, what political subdivisions are going to be involved, what fixed broadband service providers need to be involved?

38:58

So, that's the extent of the formal arrangement that we're requiring. We do ask for letters of commitment from the members of the Covered Partnership so we understand that they are committed to participating in the project, and, you know, making sure that it's complete and adhering to our requirements.

39:22

Susannah Spellman:

So, a follow up question to that is, what entities actually qualify as a political subdivision of the state?

39:29

Jennifer Duane:

The Act didn't define political subdivision and the NOFO didn't either. We were, you know, trying not to be too prescriptive in that sense.

39:41

But, you know, we understand that political subdivisions are created by the state to fulfill governmental functions and are explicitly defined in state statutes. When we think of the political subdivisions, we usually think of cities, towns, municipalities. And so, those are the entities that we typically consider to be political subdivisions, but each state should have a definition of what constitutes a political subdivision.

40:08

And so, if there's any question that whether you're an entity that's not a political subdivision, then, you know, we'll ask that when you submit your

application, that you identify the statutory provision within your state that indicates that you qualify as a political subdivision and that would go into the project narrative, where you would indicate, describe what the entity is and how it qualifies under the political subdivision. And, you know, the other piece, NTIA, there's no question that a state is a political subdivision.

40:46

So, one of the things that we have done in the NOFO is to encourage political subdivisions to work with their state broadband office and, you know, on project proposals. And there's even, if they wanted to submit by almost bundle some of their political subdivision, project proposals in the state submits the application, that's perfectly acceptable under the NOFO. So, if there's any doubt in the entities mind into whether they qualify as a political subdivision we encourage you to consult your state statute to make that determination and also work with your state to submit work on the proposal and submit that under this program.

41:28

Susannah Spellman:

Thank you. So, Doug, here's a good question. A municipally owned network, by themselves, are they considered a Covered Partnership since the municipality actually owns the service provider?

41:41

Douglas Kinkoph:

No, we interpret, the statute requires, envisions, two parties either state or political subdivision and a provider of fixed broadband. So, they can be one or the other, but they can't serve both roles.

41:57

Susannah Spellman:

So that would be the same for a municipal cooperative provider, et cetera. They would have to establish a relationship with a political subdivision.

42:05

Douglas Kinkoph:

Correct.

42:08

Susannah Spellman:

Jennifer, will projects that are currently underway in which funds have already been expended, be eligible for retroactive funding as part of a larger project?

42:19

Jennifer Duane:

No, grant funds may not be applied to retroactive project cost. So, you know, any federal and non-federal funds that are committed to this committed to an award may only be used to recover allowable costs incurred during the period of performance. So, then, you know, as applicants are allowed to recover up to \$50,000 to use grant funding, if they're awarded, to recover the costs of their grant preparation costs.

42:50

But, no, in general, you must incur the cost during the award period of performance.

43:01

Susannah Spellman: Doug, can multiple neighboring municipalities submit a joint application with one broadband service provider?

43:10

Douglas Kinkoph: Yes, a service provider can serve more than one area and we do support consortiums, so multiple political subdivisions can come together with the state, and that provider can serve more than one area of that state. You can also have more than one fixed provider being part of the consortium.

43:30

Susannah Spellman: So, a private company can be a partner in multiple applications.

43:34

Douglas Kinkoph: Yes.

43:37

Susannah Spellman: Can a project include noncontiguous census blocks or submit multiple locations in a single application? I think you sort of answered this, but the noncontiguous census blocks, I think, says it is a good designation to understand.

43:51

Jennifer Duane: Yeah, they don't need to be contiguous. We're looking at, I mean, basically the way the Act defines unserved, it's a census block where one or more households lacks access to qualifying broadband service. So, you know, we're looking at proposals that may want to take different census blocks that meet that definition and submit them as part of the eligible service area that the project proposes to cover. So, there's no requirement that it be contiguous census blocks.

44:22

We're really wanting to try to hone in on the areas where there's a need for the broadband service and lack of access to qualifying broadband service.

44:35

Susannah Spellman: So that I guess falls into where given the scoring, priority and criteria, is NTIA prioritizing large-scale projects to propose to serve the largest number of unserved locations? Is that going to be prioritized over a smaller project serving a single political subdivision with a service provider in a smaller location?

44:58

Jennifer Duane: I mean, not necessarily. We're going to be looking at, you know, projects that are focused or that are targeting on the greatest number of households of serving unserved households in the proposed service area. But the Act does identify some other funding priorities that will also be looking at.

45:17

I mentioned during the presentation and, you know areas outside of urban areas, focusing on rural areas, looking at broadband speeds, deploying in excess of 100 Megabits per second or uploading 20 Megabits per second download. We'll also be looking at projects that also have those priorities as, as also looking at them for funding.

Susannah Spellman:

45:48

Doug, we've gotten a lot of questions about the FCC National Broadband Map, the Form 477 data as being one of the inputs for determining eligibility. So, our question is, is to what extent will NTIA use the National Broadband Map and the FCC data to determine if a census block is eligible for funding under the Program?

Douglas Kinkoph:

46:10

We'll use the FCC 477 data, but it's incorporated into our National Broadband Availability Map, and we'll use that to help assess the proposed service areas. We also, in the National Broadband Availability Map, have data from various federal agencies, speed test data from Ookla, Measurement Labs, et cetera. We also have specific state data that is loaded in that map, and all of that will be used to help us identify and assess the availability at 25/3, or below in those various service areas.

Susannah Spellman:

46:50

So, to follow on with that, if according to the FCC's National Broadband Map, a census block has fixed broadband service, but that service for that census block is part or that block is less than 25 Megabits down and three, I'm sorry. Yeah, 25 down, three up. Is that service eligible for funding under this program?

Douglas Kinkoph:

47:12

It is. The statute and the NOFO make areas available. If there's one household or business in the census block that do not have access to 25/3 service. So, those areas within the track that are not served at 25/3 are eligible for award under this program.

Susannah Spellman:

47:39

Could you share with the folks, you know, where there's kind of map-based data on broadband service coverage to help applicants actually determine the eligibility of a proposed service area?

Douglas Kinkoph:

47:50

Well, there are a couple things. One: a couple of good sites are our February 21st webinar, and these are out on the Broadband USA website. There's a couple of links to the February 21st webinar, a PowerPoint on data as a foundation of broadband planning, and there's also the April 21st webinar PowerPoint, which provides an overview of datasets, et cetera. Those are two good sources. Also given that this is states and political subdivisions, we have 36 states now that have access to the NBAM through the joint program agreement, they can provide access to their data and what's there to the political subdivisions that they wish.

48:34

So, I would recommend that political subdivisions that are part of the program work with their state broadband offices to get some of that access to some of the NBAM data.

48:47

Susannah Spellman:

To follow, how do applicants actually get access to the NBAM data? What if their state isn't participating in the NBAM partnership?

48:57

Douglas Kinkoph:

Then they would not have access to the National Broadband Availability Map or the NBAM. Right now, we have 36.

49:04

In order to have access, because there is some, what I'll say commercial datasets that we cannot disclose publicly, they have to have an assigned agreement with us, which we call a JPA, and we're working with more than 36 to get additional contracts. But, right now, we have 36 signed agreements. So, they would have to find other sources such as the FCC data and/or some of those sites that I presented a minute ago on Broadband USA.

Susannah Spellman:

To what extent will NTIA be examining any State based data or state-based studies or even county or political subdivision, broadband collection data efforts that they have done as a part of determining the eligibility of the service area and level of need?

49:54

Douglas Kinkoph:

I'm sorry, I missed the first part of that.

Susannah Spellman:

Will NTIA accept from applicants, data that they have developed either through relationships with the State, with other political subdivisions, et cetera, that have done maybe more granular broadband data collection and mapping efforts.

50:14

Douglas Kinkoph:

Absolutely, we will accept all of that type of data in the application. We want to make the most accurate decision as possible, so yes, we would be open to accepting that data. If I could just add to that, we're also open to any other states that want to sign a JPA to get access to the map, to reach out to us and we'll be happy to get that taken care of.

50:39

Susannah Spellman:

So, we've also gotten a lot of questions about federal funding and helping to maximize federal investments into broadband. So just generically, if any portion of the proposed service area has already received federal funding for broadband service, is the whole project ineligible for the award?

Jennifer Duane:

No, I don't think we can say that upfront. I mean, basically our intention is to fund eligible areas for which there are no other federal funds awarded and are leveraged to provide qualifying broadband service.

51:14

But we will need to see what proposed service area an applicant comes in with and if there is a portion that might be ineligible. You know, we have the ability to you know to scope the area to make sure that you know, the area that we really focus on is truly unserved. Because there's not a lot of funding available, we want to make sure it's targeted to the areas most in need of funding.

51:37

So, we can't say outright that it wouldn't be. We need to make sure that if there is federal funding, that it's, you know, a qualifying broadband service, and if there is any portion that's not being targeted with that funding, that would be an eligible area for funding under this program.

51:58

Susannah Spellman: So, that follows with: How is NTIA, the FCC and the USDA coordinating, given all the prior, current and ongoing federal funding investments in broadband deployment. Doug smiles big with that question.

52:12

Douglas Kinkoph: There is a lot of funding going on, and we have and are engaging with each other on a regular basis. Regular meeting cadence. So, we are working diligently with the FCC, USDA, certainly bring the Treasury into that on how we share data to ensure that all of our programs, not just our program but it's our data to them and it's their data to us of how do we ensure that we are not ending up with a duplication of funding to an area.

52:45

Susannah Spellman: And we also have a few questions about the FCC RDOF program. Specifically, because the FCC has only preliminarily awarded funding for the different applicants there. Are they going to be, those service areas that the RDOF provisionally awarded applicants are planning to serve, are they eligible under this program even if the final awards are not yet decided?

53:12

Jennifer Duane: I think you know, the definition of unserved in the NOFO indicates that, you know, there has to be federal, like an entity has to be, have been selected to receive or is otherwise receiving the federal or State funding and then subject to enforceable build out commitments to deploy qualifying broadband service and the specific area where the household is located by dates certain. So, at this point, if there hasn't been an award yet to a specific area, if it's only preliminarily awarded, but it's going through the long form process and hasn't been selected then yes, that area would be considered for funding under this program. As Doug mentioned, we are coordinating with USDA, FCC and RUS to make sure that all the funding is out there is, you know, properly targeted to unserved areas.

54:07

So, that would be something we would need to coordinate with the FCC on the timing of their RDOF awards to make sure that we're not duplicating funding. But we couldn't say outright, it certainly wouldn't be eligible at this point, because it's not yet determined whether that area would get funding under RDOC.

Susannah Spellman:

54:29

So, I think we sort of answered this, but I think it's probably important to make this designation, to say that it's kind of straight and clear, are areas that have already received federal funding for broadband infrastructure projects providing service less than 25/3, eligible for funding under this program?

Jennifer Duane:

54:46

Yes, I mean, if the threshold under this program is qualifying broadband service, which is 25/3, latency, sufficient latency, so to the extent that there's federal funding to an area that has received funding for less than that then they would be eligible to apply for funding under this program.

Susannah Spellman:

55:06

So, to follow with that, would a project that's proposing, 100 Megs down, and 20 Megs up, or greater be approved in areas that already have 25 Megs, 25 down, three up.

Douglas Kinkoph:

55:21

No, it would not be a qualifying area under the statute or the notice of funding because it meets the standard of qualified service.

Susannah Spellman:

55:34

More questions are coming in and I'm logging them as we go. So, bear with me for a second. We've gotten a lot of questions about the Environmental and Historic Preservation Requirements. Will the applicants need to have the environmental review completed prior to submitting the application or is it OK if it's just initiated?

Jennifer Duane:

55:56

Yes, you know, we understand that some of these proposals are just coming, you know, developing and there is not sufficient time yet to conduct their full environmental review process. So, in the project narrative, it indicates that applicants should just provide us with information about whether their project will involve ground disturbing activities or other broadband construction that will require environmental and historical preservation compliance. And we will be evaluating to make sure that those projects do comply with the NEPA but it doesn't have to be completed when they submit their applications.

Susannah Spellman:

56:41

Another question that folks have been asking is whether which member of the Covered Partnership, the political subdivision or the service provider, would retain ownership of the infrastructure or associated assets funded by

the grant program. Could the members of the Covered Partnership decide which entity would fund or operate the infrastructure?

57:03

Jennifer Duane:

Yeah, as I mentioned, you know, Covered Partnership is not traditional grant term. So, this is what we were required by statute to designate as our eligible applicants under this program, but under, you know, when we make an award, the typical, the entity will become a recipient. And since we've asked the designated the state or the political subdivision to be the lead applicant, they will become the recipient of the award. The fixed broadband service provider piece of the partnership can be a sub-recipient, or they can be a contractor helping the political subdivision or state deploy the project. But under our Department of Commerce, Grant Rules and the Uniform Administrative Requirements, an owner of grant funded property must be either the recipient or a sub-recipient.

58:02

So, the members of the Covered Partnership can decide where they want to fall under them in terms of where they want to, how they want to participate as a recipient or sub-recipient, but the entity that holds title or owns the grant funded property needs to be either the recipient or a sub-recipient.

58:27

Susannah Spellman:

So, we have a couple grants questions that have come in, specifically regarding what form of documentation needs to provide it to show that the applicant has a valid SAM registration? Will a screenshot of the entity registration from SAM website be sufficient? Dean, this is definitely up your alley.

58:48

Dean Iwasaki:

No documentation needs to be provided for that verification. Your grants.gov profile is linked to SAM.gov. So, there's an automatic connection there, and then later on, if selected as a grantee, you know, the grants office will do all of the validation, so there would be nothing to submit.

59:10

Susannah Spellman:

Alright, and there's another follow up question, specifically on Form 424C, the budget info form, line 17. One of the participants wants to understand, what is federal percentage share?

59:26

Dean Iwasaki:

So, the federal percentage share is how much of the project, the total award amount, that is federal dollars. So, if you're not including any kind of cost share, then it would be 100%. You know, if you're if you're doing that 10% that was referenced, then it would be 90% federal share, 10%, non-federal share, so the percentage is dependent on your own budget.

59:55

Susannah Spellman:

This is a question; I think for Jennifer. Can ARPA funds? for example, the recent Treasury program funds be used to provide the suggested 10% match?

1:00:08

Jennifer Duane:

That's a good question, because typically, you know, cost match cannot be made from federal sources. So, unless it's explicitly allowed within that Federal funding Program. So, for instance, like, the Community Development Block Grant, specifically, allowed them to be used as a cost share for another federal program. So, I think we'd have to figure out, look, take a look at what Treasury, what their guidelines are, with respect to using their funds to provide a cost share match under this program.

1:00:48

Susannah Spellman:

Here's another question about eligible areas. If only one household or business has the qualify broadband service of 25/3, within a single census block, is the entire census block ineligible, or can the applicant serve the other households or businesses that don't have that service?

Douglas Kinkoph:

They can serve the other. The standard or the threshold is, if even one household or business does not have 25/3, then you should serve those that don't have it. So, in that case, you can serve the other if there's 100 households, one has 25/3, and the other 99 don't, you could serve those other 99 households, they would be eligible in the project. If I understood your question?

1:01:40

Susannah Spellman:

I think so. Yeah, I think they just want to know that even if one census tract or block says they're qualified according to the FCC site, but there are homes or businesses that aren't being served because the FCC definition is just one to be served, to call it being served, that those other areas are eligible, you could build to those other areas. So, I think, yes.

Douglas Kinkoph:

Correct, you could.

1:02:10

Susannah Spellman:

OK, Keep going. Somebody wants us to go over the population qualifications again. I think it's under the priority to rural areas, but it's not explicitly rural areas.

Jennifer Duane:

1:02:46

Yeah, I think we've gotten some questions as whether or not areas outside of that are ineligible for the program. And I think that, you know, it's not that they're ineligible for funding, it's just a prioritization factor that we'll be looking at prioritizing funding to areas that are outside of urban areas. So, outside of a county or city or town with more than 50,000 inhabited.

1:03:15

So, it's not like those areas are ineligible to apply to the program, but just given the prioritization to focus more on rural areas, and the availability of the funding, ultimately, they may not be selected, but it doesn't, it's not a gating factor. Like they can submit an application to cover those areas. But just recognize that under the statute and the prioritization factors, the focus really is on rural areas, outside of these urban areas.

1:03:53

Susannah Spellman:

If an area already has fiber to the home, but for some reason, not providing 25/3, is the area still eligible for new construction or could the existing provider use grant funds to speed up the existing fiber to the home network? That might be a tough one, I think. They're saying they already have fiber to the home but for some the reason it's not providing 25/3, which is surprising.

1:04:25

Jennifer Duane:

Yeah, the threshold for the qualifying broadband service is 25/3, if, if they're, if an applicant comes in saying there's fiber to the home, but it's not providing that threshold level, then, no, I guess it's something that we could consider. It wouldn't be ineligible to submit an application, but I think it's something we have to take a close look at.

1:04:51

Douglas Kinkoph:

Yeah, I agree with that, Jennifer, I think that if there is fiber to the home, there's going to be some discussions with the carrier, and they would have a challenge process, too. As I struggle to see many fiber to the homes being served below 25/3, it could happen. I think it would raise questions with the Program Office.

1:05:18

Susannah Spellman:

Still looking at a lot of these questions, I think we've covered, or there are questions that we need to discuss further internally, because they're good policy questions that we need to make sure go along with the actual statute and the funding guidelines. When you apply, will it allow us to apply for the planning, design and construction phases?

1:05:48

Jennifer Duane:

Yeah, that could be part of the proposal. I mean, it's, it's focused on primarily broadband deployment, but we recognize that there are certain preliminary phases that a project may need to go through. We are allowing some engineering design costs to be eligible. So, I couldn't say that that's not ineligible. But we are looking at, you know, funding projects for broadband deployment for construction. But, you know, I couldn't roll out a project that contains all phases of those. But keeping in mind that, you know, there is a limit in terms of when to expend the funds.

1:06:30

Of course, we can give extensions, but, you know, the planning phase need to factor in, how long the planning phase will take, versus the

construction deployment phase, in terms of the overall project period of performance.

1:06:49

Susannah Spellman:

I think we covered this, but I think it's worth saying, because we are still getting a few questions about: Who has to be the lead applicant? There's been a few questions, does it have to be the state? And I think the answer to that is, no, it doesn't have to be.

Jennifer Duane:

It doesn't have to be the state because the statute allows either a state or one or more political subdivisions of the state to apply and be part of the public part of the of the Covered Partnership. So, it could be one political subdivision combining with a fixed broadband service provider, or, you know, several political subdivisions. As I mentioned, we are encouraging applicants to consult with their state broadband office because, you know, the state has a lot of insight into where there might be areas of need within the state.

1:07:42

As long as there's either the state or a political subdivision of the state that is part of the Covered Partnership that submits the application then it should be fine. And the state doesn't necessarily have to be part of that.

Susannah Spellman:

1:08:01

Can a state participate in a partnership without being the lead applicant?

Jennifer Duane:

1:08:13

Well, it needs to be the governmental entity to be the lead applicant. So, the state could be part of a Covered Partnership that includes one or more of its political subdivisions, and the political subdivision could be the lead applicant, the governmental entity part of the Covered Partnership. So, it doesn't necessarily have to be the state, but it does need to be a governmental entity that is a lead applicant.

Susannah Spellman:

1:08:42

Then we have a question here. If the state or political subdivision is the lead applicant, do they complete the online application process? And that answer is, yes, generally, because they're the applicant.

Jennifer Duane:

1:08:54

Well, I think, and Dean, this is where you may know. I mean, in terms of how grants.gov operates, mean, there is, like this workspace, So, I think other groups can be on there working on the application. But the authorized representative, you know, needs to, we need to have an, you know, an authorized representative from a governmental entity that would take responsibility for the project. But I don't know that they necessarily have be the one that actually pushes the button in grants.gov and submits the application. And, Dean, I don't know whether you have any insight on, because I've never actually been on grants.gov submitting an application but you may have some more experience there?

1:09:40

Dean Iwasaki:

Yes, so that is correct that the partners could put together an application, but ultimately, it's the governmental entity that the authorized rep from that, they would have to click the, you know, the submit button.

1:09:55

Jennifer Duane:

Yeah, but others could be involved in the preparation. But, yeah, the application, because of this workspace format on grants.gov, but ultimately, it's the lead applicant in the governmental entity that needs to hit submit.

1:10:08

Dean Iwasaki:

Correct.

1:10:12

Susannah Spellman:

We've had a few questions about the network to be an open network requirement, and that is something, Jennifer, you did mention that as part of the NOFO and a requirement for awardees.

1:10:26

Jennifer Duane:

Yeah, similar, just, you know, to, since we're funding these, these network builds, there is just a requirement that'll be part of the specific award conditions that the network be open for interconnection. The NOFO describes kind of what the conditions would be, you know, open for interconnection by other providers, reasonable, non-discriminatory terms and conditions. So that's something that we want to make sure that since we're funding these networks, that they will be open for other providers to access or to interconnect with.

1:11:11

Susannah Spellman:

I think this is a good question for Dean, is the SAM and Dun and Bradstreet code of the ISP required or of the political subdivision, when applying?

1:11:24

Dean Iwasaki:

It's of the prime, so it's the prime's information. So, it would be the governmental entity, the applicant.

1:11:33

Susannah Spellman:

And then there's a question that I know I can answer very easily. Is the NOFO available to download? Yes. If you google Broadband USA and NTIA, you'll get to the Broadband USA website. And there is a link for grants, and you will see the different grant programs. We have two other grant programs that we're working to administer right now, but you'll see the Broadband Infrastructure Grant program. You'll see the NOFO as well as a set of FAQs, and additional FAQs will be posted, as they become available, as we kind of go through them. And a lot of these questions will turn into FAQs, as well.

1:12:16

So, one person here is looking at an application with three political subdivisions and a provider. Do you need one lead applicant, or do all three of the public political subdivisions need to be up to date with DUN's and SAM?

1:12:35

Jennifer Duane:

So, I guess it would be one of the political subdivisions would become the lead applicant, you know, the one of the, one of the three. And you'll make sure that they have all the registration information active in SAM and registered with, grants.gov and so forth. But, you know, all three don't need to be. We just need to be one of the political subdivisions and they can decide which one they want to take the lead. Dean, you have any other insights there?

1:13:05

Dean Iwasaki:

That would be my response, OK.

1:13:09

Susannah Spellman:

Dean, here's another one: How can we check that our SAM registration is current?

1:13:16

Dean Iwasaki:

So, you should be able to login to SAM.gov. You know, it's an annual kind of registration. And so, you know, by logging into SAM.gov, you, you'd be able to see your status. I do know that it takes a while to for the annual re-registration process to happen, so I would start that sooner rather than later, just because, again, you need that in order to submit your application.

1:13:49

Susannah Spellman:

If an ISP partners with the city, can we include rural areas outside of the city limits in our application?

1:14:00

Jennifer Duane:

I think so, yeah. I don't see there'd be an issue. As long as they meet the definition of, you know, eligible service area and you know, unserved that should be fine.

1:14:20

Susannah Spellman:

Alright, keeping going. I mean, there's a lot of questions. As we all know, the statute says, we need to build in a year, but there are realities of environmental historic preservation reviews that can delay things. There's been rumors in the world of delays in getting and being able to procure fiber. So, what is the maximum amount of time that an awardee has to complete the broadband network builds?

1:14:47

Douglas Kinkoph:

There was no established timeframe. The Assistant Secretary can grant extensions. There was no restriction on the length of time or granting it for an additional year or two years and then granting another one. Given supply chain issues, environmental, and not just, you know, supply chain

and environmental clearance, you might have forest fires, you might have earthquakes, you might have other things that impact build, that we've seen through the years. There is no specific restriction, Jennifer?

Jennifer Duane:

Yes. I think what, you know, as I mentioned, that there is that ability for the Assistance Secretary to grant an extension. So, there'll be an opportunity for the Covered Partnership to submit their petition for extension. And within that, you indicate that, you know, you need to go through environmental, and that's going to take at least a year.

1:15:48

You need there's other supply chain issues, and so, you want to document, like what are some of the circumstances that you're facing that would need more than one year to complete the broadband infrastructure deployment project?

1:16:01

We would want you to tell us how much time you need, because Doug mentioned that there is no necessarily time limit, other than that one-year time limit. So, we need to understand, you know, whether it's another two years, another three years, four years. And we always have the ability to do no cost extensions, so, you know, even maybe on top of that. But the idea would be, when you come in to request your extension, you know, explain why you need the extension and how much time you think you'll need to complete the project, and that will determine, for our purposes, how much of an additional award period to provide.

1:16:44

Susannah Spellman:

So, I'm getting a few more questions that kind of want us to restate in particular a little bit about the served underserved designation if an entire census block or only a portion of a census block is being served. I just wanted to remind everyone. I know we're going through a lot of questions and going through things quickly. But next week we will be posting a transcript as well as the recording and the slides from this presentation, so you can go back and revisit some of those questions if you just need to follow up and reclarify things.

1:17:19

Douglas Kinkoph:

Susannah, the FAQs are going to be regularly, that'll help also.

1:17:28

Susannah Spellman:

All right, can matching funds be in kind professional services?

1:17:36

Jennifer Duane:

Yes, in kind are allowable costs. And, you know, and services, because we're allowing, and when you say professional services, I'm assuming you mean consulting services or something of that nature, but, you know, eligible uses of the funds are salaries, and for project managers, and others that are, that are involved in deploying the project.

1:18:05

So, matching share would also be, you know, those kinds of professional services would also be eligible and indirect costs are allowable as match. I mean, I'm sorry, in kind costs are eligible for match.

Susannah Spellman:

We're having a couple of questions to, specifically around some of the FCC's programs. Specifically, whether or not ACAM or CAF ICC recipients are eligible or ineligible to apply? They would be eligible as long as it's not a duplication.

1:18:43

Jennifer Duane:

Yeah, I mean, we, I think we can't upfront say they can't, that they're ineligible to apply, because we need to understand where, what service area they're proposing. And we're going to need to coordinate with the FCC to make sure that if the FCC has already paying for deployment cost in that service area and that we don't duplicate that funding, but we can't outright say that they're not eligible because, you know, there may be areas of their territory that are not being funded by an FCC program. And so, we just want to understand where those gaps are. Just so long as they are a part of a Covered Partnership.

1:19:24

Susannah Spellman:

I've got another matching fund question: who has to pony up the matching funds, the leading applicant or the ISP?

1:19:32

Jennifer Duane:

Either one, it's up to the Covered Partnership parties to determine. And as I mentioned, a match is not required. It's not required by the statute and we're not requiring it, but we are giving a preference to those entities that do come in and provide up to a 10% cost match that, you know, are matching the cost of the project. But it's not a requirement.

1:19:55

And either party, whether it's the state or political subdivision, part of the Covered Partnership, or the fixed broadband service provider. Either one or both can provide the matching funds.

1:20:12

Susannah Spellman:

A question in the same vein: Can the grant fund construction be undertaken by either the provider partner, the service provider, the municipal entity, or both? It's all of them.

So, this has been another question. A lot of political subdivision states, cities, et cetera, have their own bidding processes and requirements for procurement. Are those required by the statute or the NOFO?

1:20:55

Jennifer Duane:

We don't require, as I mentioned, there's no formal legal arrangement or agreement that needs to be entered into between the entities. If the political subdivision does have a requirement to do some kind of procurement to select a broadband service provider, that's something we want to factor in. What we do need to know at the time of application

submission, who is that political subdivision part of the Covered Partnership or the state, and who is going to be the fixed broadband service provider.

1:21:29

So, we need to know that those two pieces of the Covered Partnership, whatever arrangements need to be made by the political subdivision to formalize that arrangement can be undertaken after application submission. But you need to be in a place that you can tell us who is the fixed broadband service provider or providers that are part of the Covered Partnership. And, you know, what is the political subdivision or state? So, at the time of application, we need to know who are, what entities are going to be forming the Covered Partnership. Because when we get the application, we need to conduct an eligibility review, and we need to make sure that both entities, both pieces of the Covered Partnership are eligible.

1:22:20

Susannah Spellman:

Are WISP's, fixed wireless providers, eligible as a service provider as a grant application partner?

1:22:30

Jennifer Duane:

Yeah. It's a fixed broadband service provider. That is if they're providing fixed broadband service. Yes.

1:22:44

Susannah Spellman:

I think a few people have said, hey, why haven't you answered my question? Some of these questions, we do have to take back and think about, talk about, talk to legal, et cetera. So, if we didn't pick your question right now, it can be for multiple reasons. It's in subsequent FAQs. Or, we actually need to talk internally a little bit more, because it's a very specific or nuanced question that we want to make sure we answer correctly, and, and, and, and get sign off internally on there.

1:23:20

All right, I think that is about it!

1:23:24

There was a question here about whether or not the ISP can pay the grant writer and give it covered under the grant under the Not to Exceed \$50k rule.

1:23:39

Jennifer Duane:

Yeah, as long as the grant preparation costs are incurred, you know, after the opening of the NOFO, the Application window, and prior to the application submission, you know, either part of that, it could. Payment can come from the fixed broadband service provider or, the political, or state part of the Covered Partnership. But there is that limit of, no more than \$50,000 being used for grant preparation costs.

1:24:09

Susannah Spellman:

Oh, here's good question. I think this is Dean, and also, Jennifer, probably.

1:24:17

What kind of requirements flow down to the sub-recipient?

1:24:25

Dean Iwasaki:

So, federal requirements, the same that applies to the prime flows down to the sub-recipient.

1:24:32

Jennifer Duane:

Yeah, so anything that applies to the recipient would also flow down to sub-recipient.

1:24:48

Susannah Spellman:

Think that's up about it. Unless Jennifer or Doug, there's any other kind of pieces of information we want to share with the folks here on the line.

1:25:00

Jennifer Duane:

Yeah, as Susannah mentioned, we are working on our next round of FAQs, going through clearance, legal clearance. As soon as we get that approval, we will post them on our website. A lot of the questions that we addressed here will be addressed in that document, we're also continuing to compile more FAQs and for our third round, and, you know, develop responses and get legal clearance on them, and then post those as well. So, this is going to be an iterative process. And, as I'm assuming as people take a deep, deeper dive into the NOFO, I'm sure other questions will surface. And, you know, you can submit them to us, and we will address them in an FAQ and try to get that posted as quickly as possible.

1:25:51

Douglas Kinkoph:

Nothing for me, Susannah, just want to thank everybody for joining today. And please, as Jennifer just said, get your questions in because it helps us build a better program as we can educate others who, probably, have the same question.

1:26:05

Jennifer Duane:

Yeah, because we are receiving a lot of questions, or very similar questions from multiple parties. So, you know, the best way for us to address them is through these FAQs, since this is a competitive grant program. So NTIA has to be careful about giving support to one potential applicant versus another, or give guidance in, you know, on a pre-application proposal, because we need to make sure that everyone is treated consistently, that is interested in this program. So that is why we are really trying to funnel your questions through an FAQ document.

1:26:41

Susannah Spellman:

And we will be having another webinar in a month. Tomorrow's will be generally the same content, but in a month from now, we will have new content, we'll leverage whatever questions you guys have to help drive what content we present, and go from there, too.

1:27:06

Jennifer Duane:

Oh, sorry, Yeah, that's a good point, because a lot of the questions that we're receiving, that indicates to us what, you know, what should be the content for our next, for our next webinar. So, whether it's determining eligible service areas or looking at Environmental. Those might be some of the areas we may try to cover in the next webinar for this program.

1:27:32

Susannah Spellman:

Alright. Well, thank you so much, everybody, for taking the time to join us and for sending in your questions. And we will get to your questions and subsequent FAQs and other webinars as we can. And, everyone, have a great day. Thank you.

1:27:49

Douglas Kinkoph:

Thank you, everybody.

END TRANSCRIPT.