



Understanding “True-Up” in the Challenge Process

*Broadband Equity, Access, and Deployment
(BEAD) Program*

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This document is intended solely to assist recipients in better understanding the BEAD program and the requirements set forth in the Notice of Funding Opportunity (NOFO) for this program. This document does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements, or the specific application requirements set forth in the NOFO. In all cases, statutory and regulatory mandates, and the requirements set forth in the NOFO, shall prevail over any inconsistencies contained in this document.

OVERVIEW

IJA directs Eligible Entities to begin the BEAD challenge process with the **FCC National Broadband Map**. Eligible Entities are **required** to identify a version of the FCC map in their BEAD Initial Proposals, and then are **permitted** to incorporate a more **recent version** of the FCC map both **before and/or after** running the BEAD challenge process. The **"true-up"** with the FCC map is intended to ensure that the Eligible Entity conducts its subgrantee selection process with the **most accurate list of BSLs** eligible for BEAD funding within its jurisdiction.

WHAT IS THE "TRUE-UP" PROCESS?

"True-Up" is a process for using an updated version of the FCC map to reflect new information on broadband serviceable locations and service availability. A **pre-challenge process true-up** must use an FCC map published within 60 days of accepting challenges (it is permissible to use the final BDC update to the fabric version submitted with the Initial Proposal even if outside the 60-day window). A **post-challenge process true-up** will use an FCC map published within 60 days of submitting challenge process results to NTIA (it is permissible to use the final BDC update to the fabric version used for running the challenge process even if outside the 60-day window).

IMPORTANCE OF TRUING-UP



Accuracy in Mapping: As service providers expand and upgrade networks, or occasionally stop offering service in some areas, and the FCC more accurately identifies which locations need service, the true-up process ensures that these changes are accurately reflected in the map the EE will use to make awards for deployment to unserved and underserved locations.

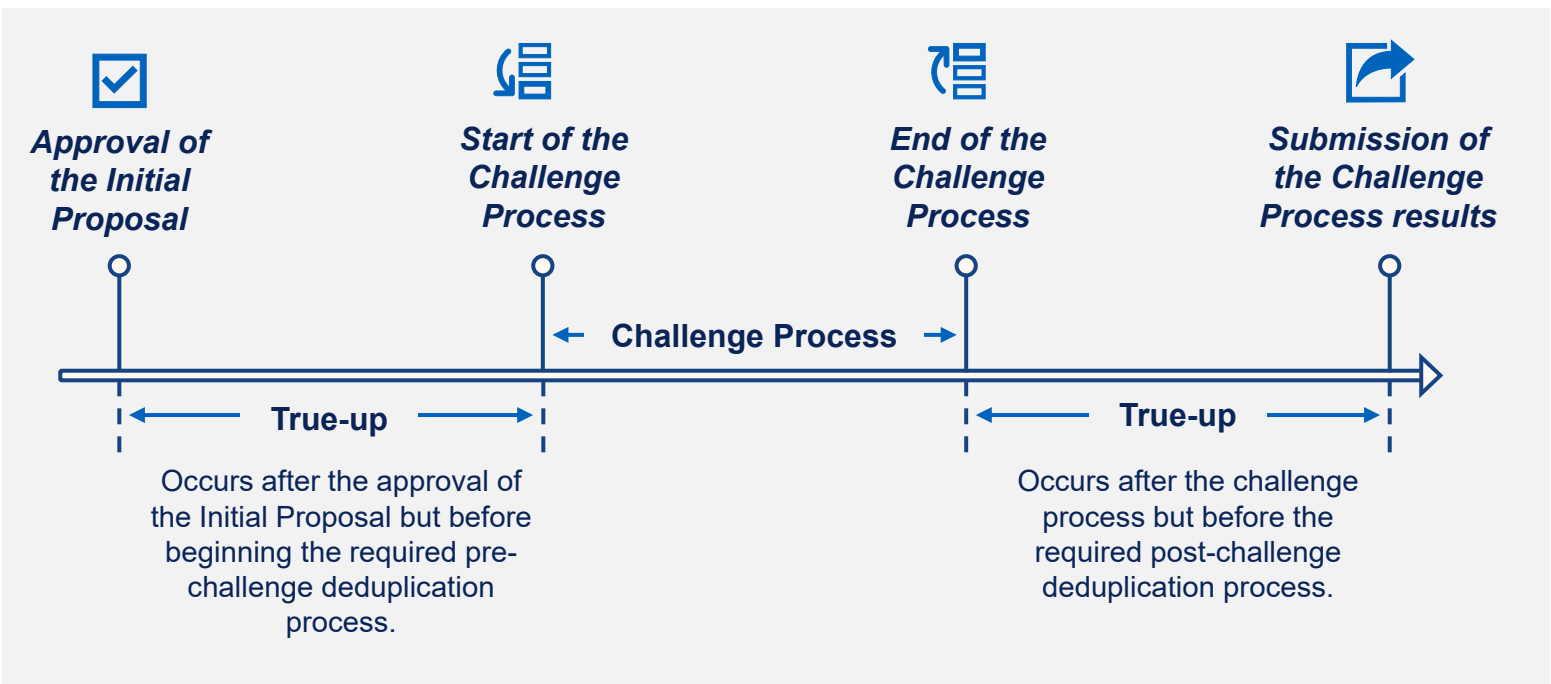


Equitable Funding Allocations: By incorporating updated data, the true-up process will help EEs make equitable funding awards and maximize efficiency of the BEAD Program.



Avoid Duplicating: Truing-up will help EEs maximize the impact of BEAD funding, ensuring that subgrants are directed to unserved and underserved areas rather than areas where service has recently been established or upgraded.




TIMING OF TRUE-UP




CONDUCTING A POST-CHALLENGE TRUE-UP

- 1 Adjusting BSLs Post-Challenge:** After conducting the BEAD challenge process, a true-up process must re-apply the results for each challenge to the new FCC map whenever all challenge attributes match (provider, service, technology, etc.).
- 2 Service/Technology Changes:** The BEAD challenge process results will override changes to the FCC map that reflect information updates that did not improve service (such as an ISP correcting its BDC filing by changing the technology offered from Licensed FWA to Licensed by Rule), but FCC map changes depicting true network upgrades (such as a cable provider replacing coax with fiber) will not be overridden by the BEAD challenge process results.
- 3 New BSLs if the Fabric Changes:** Because the post-challenge true-up cannot be challenged, Eligible Entities must generally accept the reported availability data for new BSLs added by truing up with an FCC map and its underlying fabric. However, EEs should update the availability status of new BSLs that would have been subject to a successful area challenge or pre-challenge modification had they been present in the map used to conduct the BEAD challenge process.
- 4 New Providers:** If the updated FCC map includes a new provider that claims to serve a BSL that became BEAD-eligible due to a successful challenge, the new provider's service claim must be accepted and the BSL status updated accordingly. Please double check that this is actually a new provider and not just a name change due to a merger or acquisition with unchanged service.

TRUE-UP VS DEDUPLICATION

	True-up Process	Deduplication Process
 Objective	Incorporate updated FCC data on broadband serviceable locations and service availability.	Avoid duplicating efforts of ongoing broadband deployments funded by another programs.
 Process	Identify publication date of updated FCC map; For post challenge process, Eligible Entity should apply results of successful challenges to the updated FCC map.	Use local, state, and federal resources to identify enforceable commitments under other programs that will deploy qualifying broadband service to unserved and underserved locations.
 Timing	Permitted (not required) before conducting the required deduplication before or after the Eligible Entity challenge process.	Required both before and after conducting the challenge process.

 Please note that while the “True-up” process is **optional**, the Deduplication process is **mandatory**.

 A separate mechanism may be used to update the funding source of BSLs in the final location list if a new enforceable commitment is issued after the final list is accepted and locked. This has the same effect of a deduplication and releases the BEAD funding obligation for the BSL(s) in question.

WHAT ARE THE DIFFERENT MAPS?

The table below outlines the differences between the FCC National Broadband Map's datasets and the FCC Broadband Funding Map, highlighting the purpose of each one.

	<u>FCC's National Broadband Map (NBM)</u> (Consists of two datasets that complement each other)		<u>FCC's Broadband Funding Map (BFM)</u>
	Fabric Locations	Broadband Availability	
What is it?	A dataset of all locations where mass-market fixed broadband could be installed	Data showing the current broadband service availability at the BSL level	Tracks ongoing federally-funded broadband projects; used to conduct BEAD deduplication process
Who creates it?	FCC develops the Broadband Serviceable Location (BSL) fabric	FCC conducts Broadband Data Collection (BDC), which requires ISPs to report their availability data	FCC collects the enforceable commitment information from other Federal agencies
Challenges & updates timeline?	Updated twice a year; challenges accepted any time	Released twice a year with updates every 2 weeks to reflect challenge outcomes; challenges accepted any time	Updated at least every two weeks after the NBM is updated based on data submitted by the Federal agencies
What's on the current map (March 2024)	Version 3 of the Fabric (BDC availability as of June 30th, 2023)	"Last Updated" date of the recent bi-weekly update	Detailed information on Federal funding programs, ISPs involved, and project specifics like technology and speeds

USING THE NTIA ELIGIBLE ENTITY TOOLKIT

Eligible Entities that committed to using the toolkit in their Initial Proposal stand to benefit from the toolkit's functionalities throughout the BEAD challenge process. The deduplication tool - which leverages data from the BFM and any additional funding sources provided by the Eligible Entity - enables the deduplication process both before and after the challenge process. Below are the key functionalities of the deduplication tool:



Deduplication Support Tool

Assists in identifying BSLs with enforceable commitments to deploy broadband under other programs. Many EEs committed in their Initial Proposals to using the toolkit to conduct the required deduplication processes, which will help EEs avoid duplicating efforts and ensure that BEAD funds support deployment to locations that would otherwise not have service for the foreseeable future.



Deduplication File

Provides Eligible Entities with a deduplication file that tracks all locations that have an updated (e.g., faster speeds or defaulted project) or new federal enforceable commitment since the publication of the FCC map selected for conducting the challenge process. This file will help EEs track changes and ensure that all data is current and reflective of the latest commitments.



Visual Identification

The deduplication tool allows Eligible Entities to visually identify BSLs that are subject to a federal enforceable commitment and have been removed from the list of BEAD eligible locations during the deduplication process. This ensures transparency in understanding which locations have been removed and for what reasons.