



**MARATHON COUNTY  
BROADBAND TASK FORCE MEETING  
AGENDA**

Date & Time of Meeting: **Monday, September 25, 2023 at 3:00 P.M.**

Meeting Location: **Assembly Room, Marathon County Courthouse, 500 Forest St, Wausau, WI**

**Task Force Members:** Chair John Robinson, Jacob Langenhahn, Gary Gisselman, Mike Ritter, Jennifer Aarrestad, Tony Sherfinski, Eric Budleski, Milton Olson, Wade Carroll, Jon Euting

**Task Force Purpose:** *Develop recommendations identifying the potential role of Marathon County in facilitating the expansion of Broadband access in Marathon County. Review the Report: Broadband for Marathon County Broadband Assessment and Plan prepared by Design Nine and develop broad policies and partnership recommendations relating to the expansion of broadband/internet services throughout Marathon County.*

**Phone #: 1-415-655-0001**

**Access Code: 120 112 4516**

When you enter the telephone conference, **PLEASE PUT YOUR PHONE ON MUTE!**

1. **Call Meeting to Order**
2. **Public Comments (15 Minute limit)**
3. **Approval of the August 28, 2023 minutes**
4. **Educational Presentations and Committee Discussion:**
  - A. Update on Grant Funded/Assisted Broadband Projects
    1. Frontier
    2. Bug Tussel
    3. Charter
  - B. Broadband Support Position Update
  - C. Update on Broadband Equity, Access, and Deployment (BEAD) State Funding, Planning and Timelines
5. **Policy Discussion and Possible Action:**
  - A. PSC Capital Projects Fund \$42 million
    1. [PSC Opens Broadband Infrastructure Program Grant Round – WWIS Radio](#)
    2. Capital Projects Fund Broadband Infrastructure Program (in packet)
  - B. Broadband Equity, Access, and Deployment (BEAD) Program
  - C. Process for determining priorities for future broadband expansion efforts
6. **Next Steps**
7. **Next Meeting Date – October 23, 2023**
8. **Adjournment**

*“Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk’s Office at 715-261-1500 or e-mail [countyclerk@co.marathon.wi.us](mailto:countyclerk@co.marathon.wi.us) one business day before the meeting.*

**SIGNED /s/ John Robinson** \_\_\_\_\_  
Presiding Officer or Designee

EMAILED TO: Wausau Daily Herald, City Pages, and other Media Groups  
EMAILED BY: Toshia Ranallo  
DATE & TIME: 9/22/2023 at 7:00 am

NOTICE POSTED AT COURTHOUSE \_\_\_\_\_  
BY: Toshia Ranallo  
DATE & TIME: 9/21/2023 at 2:45 pm



**MARATHON COUNTY**  
**BROADBAND TASK FORCE MEETING**  
**MINUTES**

**Monday, August 28, 2023 at 3:00 P.M.**  
**Webex/Assembly Room, 500 Forest St, Wausau WI**

Members	Present/Web-Phone	Absent
Chair John Robinson	x	
Jacob Langenhahn	x	
Gary Gisselman	x	
Mike Ritter	x	
Jennifer Aarrestad		x
Tony Sherfinski		x
Eric Budleski	x	
Milton Olson	x	
Wade Carroll		x
Jon Euting		x

**Also Present:** Valerie Carrillo, Preston Vande Voort, Gerry Klein

**VIA Web or Phone:** Kurt Gibbs, Randy Wolfram, Kimm Weber, Bill Flood, Kevin O'Brien, Todd Kruse, Scott Nyman

1. **Call Meeting to Order:** Chair Robinson called the meeting to order at 3:06pm.
2. **Public Comments** (15 Minute limit) – none
3. **GISSELMAN MAKE A MOTION; SECOND BY OLSEN TO APPROVE THE JULY 24, 2023 BROADBAND TASK FORCE MEETING MINUTES. MOTION CARRIED.**
4. **Educational Presentations and Committee Discussion:**
  - A. Update on Grant Funded/Assisted Broadband Projects
    1. Charter – Randy Wolfram – Randy shared a map of what they have completed, what they plan to complete by the end of 2023, and where they are working in 2024.
    2. Frontier – Todd Kruse – Todd recapped the conversation between him with Chairman Robinson and Gerry Klein. Frontier is looking to start construction in September.
    3. Bug Tussel – Gerry gave update based on bi-weekly meetings. They have brought 3 to 6 more towers online since the end of June.
  - B. Broadband Support Position Update – The position was approved and posted last week.
  - C. Broadband Equity, Access, and Deployment (BEAD) State Funding and Planning
    1. Broadband Regional Workshops – UW Extension is doing a series of seminars regarding broadband.
    2. State Plan – There state plan has not been released at this time. The state was awarded \$1.1 billion for broadband expansion.
5. **Policy Discussion and Possible Action:**
  - A. Broadband Equity, Access, and Deployment (BEAD) Program
    1. Identification of Unserved and Underserved Areas – Review of maps for the service areas. The maps were broken down into quadrants for easier viewing. Discussion of the RDOF areas and lack of service.
  - B. Process for determining priorities for future broadband expansion efforts – Preston will work on additional mapping for township populations for comparisons with unserved and underserved.
6. **Next Steps check recording**
  - A. Work with Preston for additional data
  - B. Provider meeting invite
  - C. Prepare for state competitive process
7. **Next Meeting:** September 25, 2023
8. **Adjournment**  
**LANGENHAHN MOTION TO ADJOURN MEETING, RITTER SECOND. MOTION CARRIED UNANIMOUSLY.**  
**MEETING ADJOURNED AT 3:58pm.**



# INTERNET FOR ALL

FUNDED BY THE BIPARTISAN INFRASTRUCTURE LAW

ADMINISTERED BY THE DEPARTMENT OF COMMERCE'S NATIONAL  
TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION



WCA ANNUAL CONFERENCE  
SEPTEMBER 18, 2023

# Introduction to the Bipartisan Infrastructure Law

The Bipartisan Infrastructure Law is a once-in-a-generation investment in infrastructure and competitiveness.

## Infrastructure Investment and Jobs Act

- \$1.2T bill passed by Congress and signed into law by President Biden on November 15, 2021
- Largest ever investments in high-speed Internet, rail and transit, clean energy, and water
- Allocated funding to over 350 distinct programs across more than a dozen federal departments and agencies

## This historic legislation will:

- Deliver clean water to all families and eliminate the nation's lead service lines
- **Ensure every American has access to affordable, reliable, high-speed Internet service**
- Repair and rebuild roads and bridges
- Improve transportation options and reduce greenhouse emissions
- Upgrade our nation's airports and ports to strengthen our supply chains
- Make the largest investment in passenger rail since Amtrak's creation
- Build a national network of electric vehicle chargers
- Upgrade power infrastructure to deliver clean, reliable energy
- Make infrastructure resilient against the impacts of climate change, cyber-attacks, and extreme weather events
- Deliver the largest investment in tackling legacy pollution in US history

Please see [Build.gov](https://www.build.gov) for more details on the Bipartisan Infrastructure Law

# Importance of High-Speed Internet Service

High-speed Internet service has transformed our world in multiple ways.



## **Ensuring access to education**

The Internet is not a luxury, it's a necessity. Students are asked to utilize the Internet to complete homework assignments, do research, apply to college or trade schools. Students who don't have access in their home are left out and left behind.



## **Stimulating growth in the economy**

By connecting the workplace, we can better connect businesses to consumers. And new markets can increase sales and create jobs. High-speed Internet service helps American businesses compete in the global marketplace.



## **Lowering costs for healthcare**

Telehealth reduces hospital visits and cuts down hospital stay time. Hospitals with high-speed Internet service save money because they have lower administration costs. And by offering telehealth, they save money while improving patient health.



## **Strengthening ties in our community**

The Internet connects us to services we need. It helps first responders save lives. It lets us connect with our elected officials. And it strengthens our ties to our neighbors. One in four Americans get online alerts about local issues. And one in five use digital tools to stay in touch with their community.

# BIL NTIA Broadband Programs

NTIA will administer ~\$48B through four programs that drive high-speed Internet access, affordability, and adoption.

**NTIA will administer ~\$48B of funding from the Bipartisan Infrastructure Law**

**FCC to administer  
\$14.2B**  
For Affordable Connectivity Program, which replaced the EBB program

**USDA to administer  
\$2.0B**  
Via the Rural Utilities Service

**Private Activity Bonds  
\$0.6B**  
Authorizes State and local governments to use private activity bonds for rural broadband

BEAD	DIGITAL EQUITY	TRIBAL	MIDDLE MILE
<p><b>\$42.45B</b></p> <p><b>Broadband Equity, Access &amp; Deployment Program</b></p> <p>A program to get all Americans online by funding partnerships between states or territories, communities, and stakeholders to build infrastructure where we need it to and increase adoption of high-speed Internet.</p>	<p><b>\$2.75B</b></p> <p><b>Digital Equity Act</b></p> <p>Three programs that provide funding to promote digital inclusion and advance equity for all. They aim to ensure that all communities can access and use affordable, reliable high-speed Internet to meet their needs and improve their lives.</p>	<p><b>\$2.00B</b></p> <p><b>Tribal Connectivity Technical Amendments</b></p> <p>A program to help tribal communities expand high-speed Internet access and adoption on tribal lands.</p>	<p><b>\$1.00B</b></p> <p><b>Enabling Middle Mile Broadband Infrastructure</b></p> <p>A program to expand middle mile infrastructure, to reduce the cost of connecting unserved and underserved areas.</p>



# Digital Equity Act Introduction

Digital Equity Act created three programs to promote digital equity and inclusion.

**Funding pool**  
\$2.75B

Three programs that provide funding to promote digital inclusion and advance equity for all. They aim to ensure that all communities can access and use affordable, reliable high-speed Internet service to meet their needs and improve their lives.

## PROGRAM HIGHLIGHTS

The Digital Equity Act created three programs:

**State Planning**

- \$60M formula funding program to develop digital equity plans

**State Capacity**

- \$1.44B formula funding program to implement plans & promote digital inclusion

**Competitive**

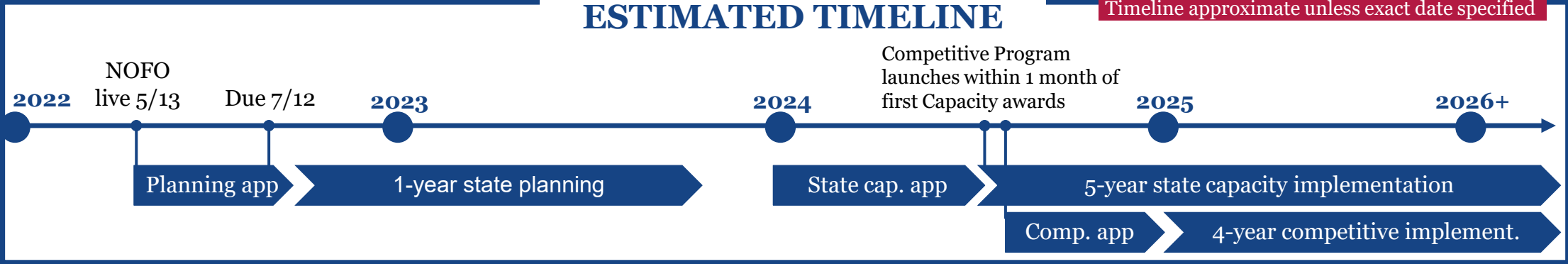
- \$1.25B to implement digital equity and inclusion activities

Example eligible uses of funds by program include:

- ☆ Developing digital equity plans; states must develop a plan to be eligible for state capacity grants
- ☆ Making awards to other entities to help make digital equity plans
- ☆ Improving accessibility and inclusivity of public resources
- ☆ Implementing digital equity plans and related activities
- ☆ Providing digital literacy and digital skills education
- ☆ Facilitating the adoption of high-speed Internet service

## ESTIMATED TIMELINE

Timeline approximate unless exact date specified



# Covered Populations

The Digital Equity Act focuses on addressing the needs of "covered populations" as defined by the statute.

## Covered Populations

*Identity groups and communities disproportionately impacted by digital inequity*



Low-income households



People with disabilities



Aging populations



People with language barriers



Incarcerated individuals



Racial and ethnic minorities



Veterans



Rural inhabitants



# Introduction to BEAD

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# BEAD Program Introduction

BEAD program will provide ~\$42.5B for infrastructure planning and implementation.

**Funding pool**  
**\$42.45B**

A program to get all Americans online by funding partnerships between states or territories, communities, and stakeholders to build infrastructure where we need to and increase adoption of high-speed Internet service.

## PROGRAM HIGHLIGHTS

### Entities eligible to apply for this program include:

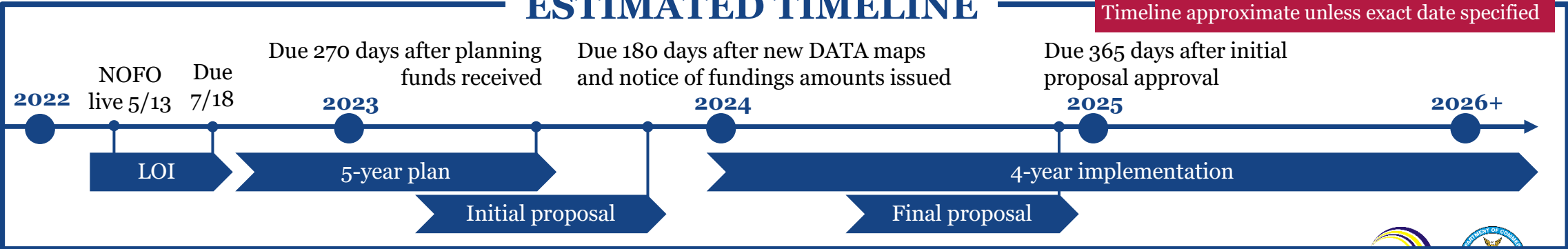
- All 50 States
- The District of Columbia and Puerto Rico
- Other Territories: U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands

### Example eligible uses of funds include:

- ☆ Planning for deployment of the Internet
- ☆ Deploying or upgrading Internet service
- ☆ Installing Internet in multi-tenant buildings
- ☆ Implementing adoption and digital equity programs
- ☆ Workforce and job training

## ESTIMATED TIMELINE

Timeline approximate unless exact date specified



# BEAD Funding Allocation

Funding is initially based on a minimum allocation with additional funding allocations based on high-cost and unserved areas.



## New FCC Broadband DATA Maps will be utilized

The Federal Communications Commission (FCC) will publish new broadband coverage maps (Broadband DATA Maps)

The Broadband DATA Maps will be used to determine state/territory's total funding allocation



## Eligible Entities receive a minimum allocation once proposals are approved

Minimum allocations by entity after proposal approval:

- **\$100M** for each State, the District of Columbia, and Puerto Rico
- **\$25M** for American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands



## Additional allocation based on unserved locations

Additional allocation is based on the number of **unserved locations in high-cost areas** in the state/territory and the **number of unserved locations** in the state/territory, plus the **high-cost allocation** (dependent on forthcoming definition by NTIA)

# Ensuring Complete Coverage

The BEAD Program requires complete coverage of unserved locations and underserved locations (where funding permits)

- ① **States and Territories must serve all unserved locations (including multi-tenant buildings)**  
*Unserved locations without reliable Internet service and with download speeds <25 Mbps, upload speeds <3 Mbps, and latency <100ms*
- ② **States and Territories must serve all underserved locations**  
*Underserved locations without reliable Internet service and with download speeds <100 Mbps, upload speeds <20 Mbps, and latency <100 ms*
- ③ **NTIA strongly urges States and Territories serve Eligible Community Anchor Institutions**
  - *Eligible Community Anchor Institutions are entities (e.g., school, library, hospital) that facilitate greater use of high-speed Internet service by vulnerable populations and have download speed <1 Gbps*
  - *Other eligible uses include affordability programs, cybersecurity training, workforce development, etc.*
  - *If state/territory wants to use funds for other eligible uses instead of eligible Community Anchor Institutions, then it must provide a strong rationale*

**Note:** If a state/territory has a plan to deploy service to all unserved and underserved locations within its jurisdiction, it may pursue non-deployment initiatives before or while deployment projects are underway

# Ways for Local Governments to get involved in BEAD



NTIA encourages local government units get involved in BEAD and collaborate with their State/Territory Broadband Offices to ensure all voices and opinions are heard and incorporated.



## Share your State's Current and Future Needs

**Share current state and future needs** of local broadband availability, infrastructure deployment challenges, and any local regulations which may impact infrastructure deployment.



## Advocate for your state's vulnerable communities

**Advocate** for vulnerable communities to ensure their specific needs are accounted for and addressed.



## Apply to Be a Subgrantee

Apply to be a **subgrantee**, if eligible, as defined in the BEAD NOFO. You can apply through your **State/Territory Broadband Office**. Subgrantees may use BEAD funds for both **deployment and non-deployment related activities**.



## Connect and Collaborate with your State/Territory Broadband Office

Reach out to your **State/Territory Broadband Office** to get involved with the planning process and stay involved over time.



# **Introduction to the Initial Proposal, BEAD Challenge Process, and the Final Proposal**

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# Initial Proposal | Initial Proposals are due within 180 days of the release of the Notice of Available Amounts



Timing	Content	Review	Approval
<p>Once the Notice of Available Amounts is issued, the Assistant Secretary will invite Eligible Entities to submit Initial Proposals</p> <p>Each Eligible Entity will have <b>180 days</b> to submit its Initial Proposal</p>	<p>Initial Proposal is the <b>first draft</b> of an Eligible Entity's Final Proposal for funding</p> <p>Draft should explain how the Eligible Entity plans to ensure access to a reliable, affordable, high-speed broadband connection</p> <p>Draft should describe a <b>challenge process</b> for stakeholders to challenge whether a location is eligible for funds and a process for <b>selecting subgrantees</b></p>	<p>Prior to submission, each political subdivision and Tribal / Native entities must have opportunity to submit a plan for consideration and comment on the proposal</p> <p>Assistant Secretary will then begin the <b>iterative review process</b> in the order Initial Proposals are submitted</p> <p>Assistant Secretary decides if proposed use of funds:</p> <ol style="list-style-type: none"><li>1. Complies with statute</li><li>2. Is in the public interest</li><li>3. Effectuates the purposes of the statute</li></ol>	<p>When the Assistant Secretary approves of the Initial Proposal, the Eligible Entity may receive <b>20% of its total allocation</b> for expenditures specifically approved in the initial proposal</p>



# Initial Proposal | Initial Proposals include 19 components



- Outline of **long-term objectives**
- Support of **local, Tribal, and regional broadband planning efforts**
- List of **existing efforts** to deploy broadband
- Certification that **local coordination** was conducted
- Identification of **un- and underserved locations**
- Description of how **definition of CAI<sup>1</sup>** was applied
- Detailed plan to conduct **challenge process**
- Detailed plan to **award subgrants**, including **Extremely High Cost per Location Threshold**
- Explanation of preferences for **non-deployment eligible activities**
- Description of **initiatives Eligible Entity will implement without subgrant**
- Detail **use of strong labor standards** and plan for **labor-related subgrantee selection criteria**
- Detail plan to achieve a **diverse and highly-skilled workforce**
- Support of **minority- and women-owned businesses**
- Steps to **reduce costs and barriers** to deployment
- Assessment of **climate threats and mitigation methods**
- Description of **low-cost plans** to be offered
- Description of intended use of **20% funding**
- Disclosures around plans to waive laws that restrict **public sector participation**
- Certification of **intent to comply** with requirements





# Initial Proposal | When selecting among proposals, Eligible Entities must use an approved process with certain criteria

Process must first assess which locations have one or more proposals that meet two criteria:

1. Satisfy subgrantee requirements
2. Priority Broadband Projects

Priority Broadband Projects are projects that will rely entirely on **fiber-optic technology** to reach end-user premises

Except that an Eligible Entity may disqualify any project that *surpasses the Extremely High Cost Per Location Threshold*

**Primary criteria** must account for **≥75%** of the total selection criteria available in choosing between **Priority Broadband proposals**

## Priority Broadband Projects

If there is **only one** priority project proposal for an area, that proposal is the default winner unless a waiver is granted

If there is **more than one** priority proposal, run competition, affording benefits to the following factors:

- ★ Minimal BEAD Program outlay
- ★ Affordability
- ★ Fair labor practices
- ★ Speed to deployment
- ★ Workforce development
- ★ Open access
- ★ Local and Tribal coordination

## Non-priority projects

If there is **only one** project proposal for an area, that proposal is the default winner unless a waiver granted

If there is **more than one** proposal, run competition, affording benefits to the following factors:

- ★ Minimal BEAD Program outlay
- ★ Affordability
- ★ Fair labor practices
- ★ Speed to deployment
- ★ Speed and tech capabilities
- ★ Workforce development
- ★ Open access
- ★ Local and Tribal coordination

Legend | ★ Primary criteria ★ Secondary criteria ☆ Additional Factors

# Initial Proposal | Matching funds $\geq 25\%$ of project costs are required for deploying broadband service projects



## Requirement

Matching funds  $\geq 25\%$  of project costs provided by subgrantee, an Eligible Entity, local government, a utility, a cooperative, a nonprofit, a for-profit company, regional planning or governmental organization, or any combination thereof

## Preference for minimum subsidy

Eligible Entities are required to incentivize matches  $> 25\%$  to reduce the federal share of projects and extend the reach of BEAD Program funding

## Federal funds

Regarding Federal funds, only funds for deploying broadband service that were provided to eligible entities under four statutes may be used as matching funds<sup>1</sup>

## In-kind matches

Matching funds may be cash or in-kind contributions consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards set forth at 2 C.F.R. Part 200

## Match waivers

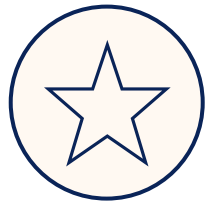
The Assistant Secretary will grant match waivers only in extraordinary circumstances to serve the public interest and effectuate the purposes of the BEAD Program (e.g., projects in designated “high-cost areas”)

1. (1) The Families First Coronavirus Response Act (Public Law 116-127; 134 Stat. 178), (2) the CARES Act (Public Law 116-136; 134 Stat. 281), (3) the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182), and (4) the American Rescue Plan Act of 2021 (Public Law 117-2; 135 Stat. 4)



# What is the BEAD Challenge Process and Why is it Important?

The BEAD Challenge Process will determine the **locations and community anchor institutions** within each jurisdiction that are **eligible for BEAD funding**.



## **Key step towards achieving BEAD goals**

Before the BEAD program can meet the goal of 100% accessible and affordable broadband, all unserved locations, underserved locations, and eligible Community Anchor Institutions must be identified.



## **Helps ensure accurate results**

An evidence-based, fair, transparent, and expeditious BEAD Challenge Process, as outlined in the NOFO and Policy Notice, helps ensure accurate results, an efficient process, and a precise allocation of resources.



## **Gathers information needed before running the subgrantee selection**

The subgrantee selection process cannot be run without first having an accurate and comprehensive list of eligible locations and CAIs.

# What is the BEAD Challenge Process and How Does it Differ from the FCC Challenge Process?



The FCC is collecting data from Internet Service Providers (ISPs) and **creating a map to identify unserved locations**. This map will be used as a starting point during the **BEAD challenge process** to identify unserved locations, underserved locations, and CAIs eligible for BEAD funding.

## FCC CHALLENGE PROCESS



The Federal Communications Commission (FCC) maintains **new broadband coverage maps** (Broadband DATA Maps) using data collected from Internet Service Providers (ISPs). The FCC accepts challenges on a continuous basis with challenges allowed to both the locations (or fabric) and availability data.



NTIA will use the FCC's Broadband DATA Maps to **determine how much BEAD funding is provided per state or territory**.

## BEAD CHALLENGE PROCESS



States and Territories will develop a challenge process for stakeholders to **challenge whether a location or CAI is served, unserved, or underserved**. The BEAD **timelines will be determined by each state/territory** but must comply with NTIA requirements. NTIA requires that the entire challenge process be completed within 90 days per the Policy Notice.



This will **determine the locations and community anchor institutions within each jurisdiction that are eligible for BEAD funding**.



# How does the NOFO Describe the BEAD Challenge Process?



The BEAD Notice of Funding Opportunity (NOFO) outlines 4 requirements that state or territory broadband offices must complete to run their BEAD Challenge Process.



## BEAD NOFO, Section IV.B.5

*IV. Program Structure, Sequencing and Requirements, B. Program Sequencing, 5. Initial Proposal*

## SPECIFIC NOFO REQUIREMENTS

### Requirement 3

**Identify existing efforts funded by the federal government or an Eligible Entity** within the jurisdiction of the Eligible Entity to deploy broadband and close the digital divide, including in Tribal Lands.

### Requirement 5

**Identify each unserved location and underserved location** under the jurisdiction of the Eligible Entity, including unserved and underserved locations in applicable Tribal Lands, using the **most recently published Broadband DATA Maps** as of the date of submission of the Initial Proposal, and identify the date of publication of the Broadband DATA Maps used for such identification.

### Requirement 6

Describe how the Eligible Entity applied the statutory definition of the term “community anchor institution,” **identified all eligible CAIs in its jurisdiction**, identified all eligible CAIs in applicable Tribal Lands, and assessed the needs of eligible CAIs, including the types of CAIs it intends to serve; which institutions, if any, it considered but declined to classify as CAIs; and, if the Eligible Entity proposes service to one or more CAIs in a category not explicitly cited as a type of CAI in Section 60102(a)(2)(E) of the Infrastructure Act, the basis on which the Eligible Entity determined that such category of CAI facilitates greater use of broadband service by vulnerable populations.

### Requirement 7

Include a **detailed plan to conduct a challenge process** as described in Section IV.B.6.



# The Role of States/Territories and NTIA

NTIA and States and Territories will work together to design a BEAD Challenge Process, but only the States and Territories will run the Challenge Process.



## NTIA's Role

- ✓ NTIA will **approve and/or send required modifications to states and territories** about their BEAD Challenge process design
- ✗ NTIA will **NOT run the BEAD Challenge process**
- ✓ NTIA will **validate the results of the BEAD Challenge process**



## States' and Territories' Role

- ✓ States and territories will **design and get approval of their BEAD Challenge process**
- ✓ States and territories will **run the BEAD Challenge process**
- ✓ States and territories will **send the results of the BEAD Challenge process to NTIA** for approval
- ✓ States and territories will **run their subgrantee selection process.**

# The Role of Eligible Challengers

Eligible Challengers are: **(1) Units of local government**, (2) relevant non-profits, and (3) broadband service providers. The Role of Eligible Challengers is outlined below.



**Read the Challenge Process instructions and guidance** posted by your State or Territory to understand the steps required to submit a challenge.



**Gather acceptable evidence**, which may include *speed tests*, *screenshots* from a provider website, *service requests*, *letters or emails*, *manufacturer and model number* of residential gateways, providers, and more.



**Submit challenge and evidence** to your State or Territory's BEAD Challenge website.



**Respond to, or check for responses to, your challenge** by periodically checking the BEAD Challenge website for updates.

### To keep challengers informed:

States and Territories will set up public-facing websites to accept challenges during the BEAD Challenge Process and inform challengers of deadlines.



### Websites will include:

Who is making a challenge, basis of the challenge, summary of the challenge, summary of the rebuttals





# What Happens After the Challenge Process?

After the BEAD Challenge Process is completed, Eligible Entities send the final determinations of each unserved location, underserved location, and CAIs to NTIA for approval.

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## WHAT WILL STATES BE DOING?

- After resolving each challenge and at least 60 days before allocating grant funds for network deployment, the state/territory **must provide public notice of the final classification** of each:
  - Unserved location
  - Underserved location
  - Eligible Community Anchor Institution within the jurisdiction of the state/territory
- States and Territories must also **notify NTIA of any modifications to the Initial Proposal** that are necessitated by successful challenges to its initial determinations.

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## WHAT SHOULD CHALLENGERS BE DOING?

- Eligible Challengers should pay attention to their State/Territory Broadband Office and **be on the lookout for the public notice of final classification.**
- Once Eligible Entities have provided public notice of their final classifications, challengers should **review the published data.**
- This list will be used for the next step in allocating BEAD funds, the **subgrantee selection process.**

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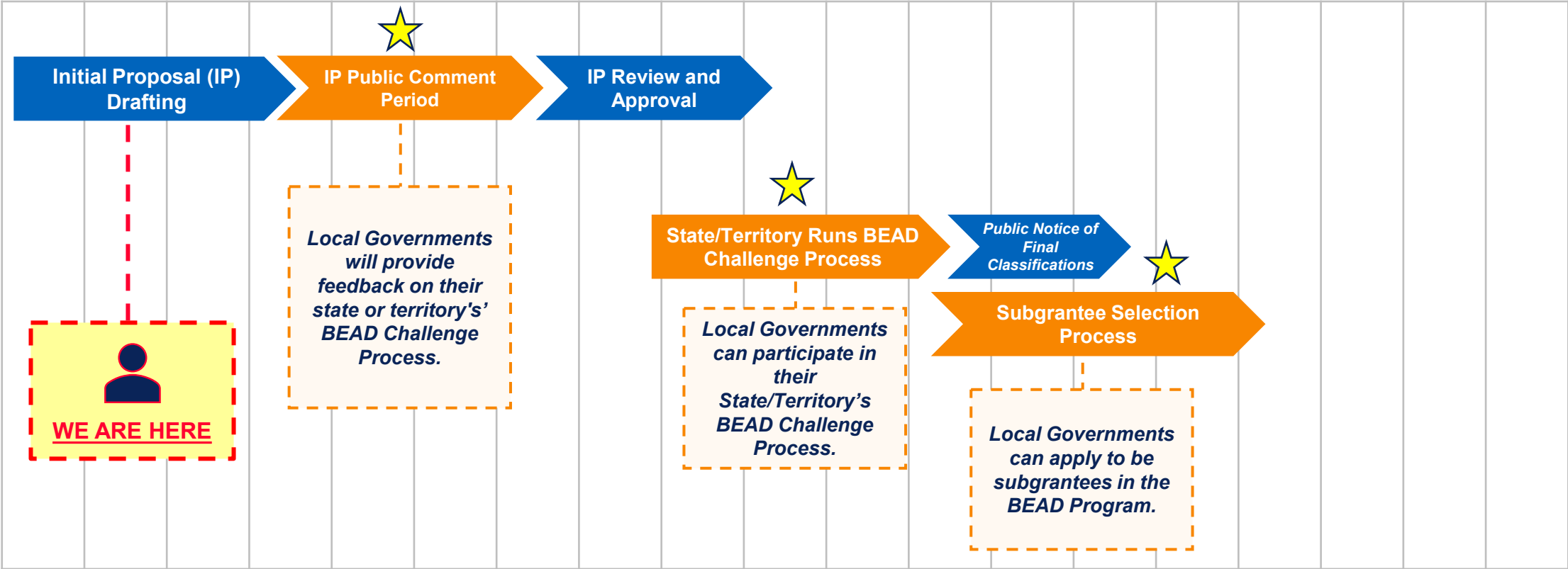
## WHAT IF I'M NOT A CHALLENGER?

Contact your local government units, non-profits, and eligible broadband service providers.



# Timeline of the Initial Proposal for BEAD

Local Governments are involved throughout the entire Initial Proposal timeline, as they will provide public comment on the BEAD Challenge Process and participate in it as well. Note that timelines will be dependent on the Eligible Entity.



Key | ■ State/Territory/SBO Activity ■ Local Government/Organization Activity



# Final Proposal | Final Proposals are due within a year of the Initial Proposal's approval



## Timing

Once an Eligible Entity's Initial Proposal is approved, it will have **12 months** to submit a Final Proposal

Before submitting the Final Proposal, an Eligible Entity must complete the challenge process and the subgrantee selection process

## Content

The NOFO describes minimum requirements for the Final Proposal, and NTIA will provide an **online template** for submission

## Review

Prior to submission, each political subdivision and Tribal / Native entities must have opportunity to submit a plan for consideration and comment on the proposal

Assistant Secretary will review in the order Final Proposals are submitted

Assistant Secretary will decide whether the proposed use of funds complies with the statute

## Approval



When the AS approves of the Final Proposal, the Eligible Entity will **receive remaining BEAD Program funds**



# Final Proposal | Final Proposals include 15 components



-  Plan that specifies the **outcome of the subgrantee selection process**
-  **Timeline** for implementation
-  Processes for **oversight and accountability**
-   Certification that **local coordination was conducted**
-  Description of the **results of the challenge process**
-  Certification that it will **serve all unserved locations**, if seeking to fund underserved, CAI, or other projects
-   Description of all planned **uses of funding** that are **not** broadband infrastructure **deployment**
-   Means by which **subgrantees were selected for non-deployment** eligible activities

-  Description of efforts to support **participation of non-traditional providers**
-  Implementation **status of plans** described in the Initial Proposal – *additional details on next slide*
-  Specific commitments made by selected subgrantees to warrant a **Priority Broadband Project**
-  Specific commitments made by subgrantees to warrant **benefits in selection (e.g., primary criteria)**
-   **Environmental** documentation and plan to comply w/ environment and national historic preservation reqs
-  Plans to deploy to **Un-/Underserved Service Projects** and **Resolution of Consent** for projects on Tribal Lands
-  Description of **unsuccessful applications** that were **affected by laws of the Eligible Entity**



## Additional resources about the programs

- 1 Visit the [InternetForAll.gov](https://InternetForAll.gov) for additional information on federal funding programs
- 2 Engage with the WI Broadband Office regarding their plans to improve high-speed Internet access: [PSC Wisconsin Broadband Office](#)
- 3 Submit questions to [InternetForAll@ntia.gov](mailto:InternetForAll@ntia.gov) or contact Carah Koch, Federal Program Officer for Wisconsin, at [ckoch@ntia.gov](mailto:ckoch@ntia.gov)
- 4 Attend future NTIA webinars, including program-specific application guidance webinars for applicants



**THANK YOU**

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# Public Service Commission of Wisconsin



Public Service Commission of Wisconsin  
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## Capital Projects Fund Broadband Infrastructure Program

### *Application Instructions*

**Docket 5-CPF-2023**

**Application Deadline  
November 7, 2023  
1:30 P.M.**

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## Capital Projects Fund Broadband Infrastructure Grant Program Overview

The Public Service Commission of Wisconsin (Commission) is seeking applications [for Capital Projects Fund \(CPF\) Broadband Infrastructure Grant Program](#). CPF Broadband Infrastructure Grants will provide up to \$42 million in grant funding during Fiscal Year 2024 to eligible applicants.

Eligible applicants include public and private entities that meet the Capital Projects Fund eligibility requirements set forth in the American Rescue Plan Act of 2021, PL 117-2 (March 11, 2021), amending Title VI of the Social Security Act (42 U.S.C. 802(c)(1)(D) (“ARPA”) and the Capital Projects Fund guidance (U.S. Department of the Treasury, (September 2021), Guidance for the Coronavirus Capital Projects Fund for States, Territories and Freely Associated States).

The COVID-19 public health emergency highlighted shortcomings in U.S. infrastructure and revealed the importance of access to high-quality internet for work, education, and health monitoring. In response, the American Rescue Plan provided \$10 billion to the Capital Projects Fund for states, territories, and Tribes to cover the costs of critical capital projects like broadband infrastructure.

CPF Broadband Infrastructure Grants seek to address the critical gaps in infrastructure access that affected vulnerable communities during the COVID-19 pandemic. The Program will prioritize funding towards communities that were disproportionately affected by the COVID-19 pandemic and continue to be at higher risk for future disaster due to lack of access to critical services such as broadband. Eligible applicants must demonstrate that the proposed communities to be served have critical needs related to work, education, and health monitoring and that their proposed broadband infrastructure project would address these needs. A detailed description of eligibility and priority criteria can be found in the “Evaluation of Applications” section.

**The Application is due November 7, 2023 at 1:30 pm C.T. Applicants are strongly encouraged to complete and submit the application ahead of the deadline.**

*Beginning with this grant round, applicants are required to submit broadband serviceable location fabric (BSLF) data for each eligible location in their proposed project. If an applicant lacks access to BSLF data, a license agreement will be available from CostQuest Associates. The site to request a Tier D license is: <https://apps.costquest.com/NTIArequest/>. The email address to request support is [ifasupport@costquest.com](mailto:ifasupport@costquest.com). The applicant should submit the application for the license at least 45 days in advance of the application due date.*

### **Anticipated Funds Available**

This grant round will make available funds from the Capital Projects Fund Broadband Infrastructure Grants set forth in the American Rescue Plan Act of 2021, PL 117-2 (March 11, 2021), amending Title VI of the Social Security Act (42 U.S.C. 802(c)(1)(D) (“ARPA”), and the Capital Projects Fund guidance (U.S. Department of the Treasury, (September 2021), Guidance for the Coronavirus Capital Projects Fund for States, Territories and Freely Associated States).



A final determination of the funds awarded will be made by the Commission in a written order, after discussion in an open meeting. Up to \$42 million will be available for Capital Projects Fund Broadband Infrastructure Grants in this grant round.

### **Procuring and Contracting Agency**

This request for applications is issued by the Commission, which is the sole point of contact for the State of Wisconsin during the selection process. The person responsible for managing the grant application process is Rory Tikalsky, Broadband Expansion Manager.

The grant awards resulting from this application process will be administered by the Public Service Commission of Wisconsin. The grant administrator is Alyssa Kenney, Bureau Director, Bureau of Broadband, Digital, and Telecommunications Access.

### **Definitions**

The following definitions are used throughout this document and the online application.

Agency or Commission means the Public Service Commission of Wisconsin.

Applicant means an individual or organization submitting an application in response to this request for grant applications.

Broadband Service for the purpose of Capital Projects Fund Broadband Infrastructure is service that meets the following criteria:

- Is a wireline or fixed wireless service that reliably provides two-way data transmission with speeds of at least 100 Megabits per second (Mbps) for download transmission and 100 Mbps for upload transmission.
- For locations where a symmetrical 100/100 Mbps service is not feasible, Broadband Service may include service that reliably provide speeds of at least 100 Mbps download and 20 Mbps upload and is scalable to 100 Mbps download and 100 Mbps upload.
- Broadband Service does not include a commercial mobile radio (cellular) service or internet service from a satellite connection.

Cooperative means an entity incorporated under Chapter 185 of Wisconsin Statutes.

Enforceable Funding Commitment for the purpose of this grant application means a location that has been awarded state or federal funding to build or improve infrastructure to provide a wireline connection that reliably delivers at least 100 Mbps of download speed and 20 Mbps of upload speed. A likely depiction of Enforceable Funding Commitments is available in the “Infrastructure Support In Progress” layer of the [CPF Complex Map](#).

Grantee or Recipient means an entity that has entered into a Grant Agreement with the Commission.

Location means a structure where Broadband Service could be installed (i.e., a [Broadband Serviceable Location](#) (BSL)) as represented in the [National Broadband Map](#). A location that is

not in the [Broadband Serviceable Location Fabric](#) is a Location if a fabric challenge is pending with the Federal Communications Commission or the applicant provides evidence of the location through latitude and longitude data. Unbuilt parcels, adjacent outbuildings, and other non-BSL structures are not counted as Locations for the purposes of this grant, although applicants are encouraged to consider these types of locations in their project design, and deployment of infrastructure to pass these parcels and structures may be a cost eligible for funding if it is consistent with the goals of the Capital Projects Fund Broadband Infrastructure Grant Program.

- Residential Location has the meaning given by the U.S. Department of Treasury, consistent with FCC guidance. See page 26 of this PDF: <https://home.treasury.gov/system/files/136/CPF-PE-Report-User-Guide.pdf>.
- Business Location has the meaning given by the U.S. Department of Treasury, consistent with FCC guidance. See page 27 of this PDF: <https://home.treasury.gov/system/files/136/CPF-PE-Report-User-Guide.pdf>.
- Community Anchor Institution Location has the meaning given by the U.S. Department of Treasury, consistent with FCC guidance. See page 27 of this PDF: <https://home.treasury.gov/system/files/136/CPF-PE-Report-User-Guide.pdf>.

State means the State of Wisconsin and includes the Public Service Commission.

## **Communications Regarding the Application**

The official means by which the Commission will provide information related to the application is in docket 5-CPF-2023. Interested parties must proactively subscribe to the docket on the Commission's [ERF](#) system to ensure they receive timely information related to the process.

### **Reasonable accommodations**

The Commission will provide reasonable accommodations, including the provision of informational material in an alternative format, for qualified individuals with disabilities upon request. If you need accommodations, contact Alyssa Kenney at (608) 267-9138 or [Alyssa.Kenney@wisconsin.gov](mailto:Alyssa.Kenney@wisconsin.gov).

### **Clarification and/or revisions to the specifications and requirements for grant application**

Any questions concerning this application must be submitted in writing via email on or before October 2, 2023 at 1:30 p.m., to:

Email address:

[PSCStateBroadbandOffice@wisconsin.gov](mailto:PSCStateBroadbandOffice@wisconsin.gov).

Subject line:

CPF Broadband Infrastructure Grant Application Question

If an applicant discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this application, the applicant should notify the Public Service Commission

immediately by emailing [PSCStateBroadbandOffice@wisconsin.gov](mailto:PSCStateBroadbandOffice@wisconsin.gov). The applicant should describe the error and request modification or clarification of the application.

If it becomes necessary to provide additional clarifying data or information or to revise any part of this application, revisions, amendments, and/or supplements will be posted in docket 5-CPF-2023. Interested parties must subscribe to the docket to receive notifications.

Any contact with state employees concerning this application is prohibited, except as authorized by the grant administrator (Alyssa Kenney), from date of release of the application until the date on which the grant award is released.

## Schedule of Events

Below are the dates and times of actions related to this application. If the Commission finds it necessary to change any of the dates and times in the schedule of events listed below, it will do so by issuing a supplement to these instructions in docket 5-CPF-2023.

**Applications must be submitted using the PSC Grant System. Applications posted to ERF separately from the Grant System application process will not be accepted.** The PSC Grant System will automatically close the application process promptly on the day and time applications are due. The PSC Grant System will not accept late-filed applications. Start well before the deadline and allow sufficient time to address the administrative and programmatic requirements related to submitting a grant application.

<b>DATE</b>	<b>EVENT</b>
Aug. 14, 2023	Date of issue of the application instructions
Oct. 2, 2023	Last day for submitting questions and requests for clarification
Nov. 6, 2023	Last day to request Grant System assistance
<b>Nov. 7, 2023, 1:30 PM CT</b>	<b>Applications due from applicants (deadline for submitting in the Grant System)</b>
Nov. 30, 2023, 1:30 PM CT	Last day for submitting an objection to a grant application
Dec. 14, 2023, 1:30 PM CT	Last day for submitting a response to an objection

## Performance Period

A recipient may only use funds approved under Capital Project Fund Broadband Infrastructure to cover costs incurred during the performance period, which begins with the Commission Order and ends December 31, 2026.

## Objection and Response Period

The Commission will provide a period during which interested persons may review the grant applications that have been submitted and file written comments objecting to an application under review. Objections to a grant application must be filed via [ERF](#) under docket 5-CPF-2023. Objections are due by **1:30pm Central Time on Nov. 30, 2023**. An objection must identify and discuss an error of fact, or policy or a requirement that the application has contravened. Late filed comments objecting to an application will not be accepted nor given weight during the review process.

A response to an objection must be filed under docket 5-CPF-2023, using the [ERF](#) system. Responses are due by **1:30pm Central Time on Dec. 14, 2023**. Late filed responses objecting to an application will not be accepted nor given weight during the review process. If an objection or response is from an applicant with the intent to modify an application, a new budget, project summary, and map, as specified by the Commission, are required. Late filed responses will not be accepted nor given weight during the review process.

The Commission will only accept public objections and responses. Confidentially filed objections and responses will not be given weight in the evaluation process.

Any communication with the Commission in support of an application must be included as a supporting document within the application (including those uploaded as an attachment). Comments in support of an application received by separate letter, separate ERF filing, or email message before, during, or after the application is filed will not be accepted nor given weight during the review process.

## Preparing and Submitting a Grant Application

The Commission has developed an online PSC Grants System to submit grant applications.

The instructions for completing a CPF Broadband Infrastructure Grant application are in two parts. Both parts are available on the PSC CPF Broadband Infrastructure Grant webpage: <https://psc.wi.gov/Pages/ServiceType/Broadband/CPFInfrastructure.aspx>

1. [PSC Grants System User's Guide for Grant Applicants and Recipients](#). The User's Guide provides step-by-step instructions to create a system account, navigate the online grant application, validate the application, and submit the complete application. If awarded, reimbursement requests are also submitted and managed via the PSC Grants System. The User's Guide is the primary resource an applicant should consult to enter and use the online grant system.
2. [CPF Broadband Infrastructure Grant Application Instructions](#). The second part of the instructions is this document. An applicant should use these instructions to understand the information that is requested for each page and each question in the grant application. Step-by-step instructions are available in Appendix A.

## Submitting Information

- The evaluation of an application and selection of an applicant for an award will be based upon the information submitted in the application and subsequent objection and response comments. Failure to respond to each of the requirements in the application may adversely affect the evaluation of the grant application.
- Do not use hyperlinks in your answers or attachments in excess of the requested documents in the grant system. Hyperlinks to additional information are not evaluated, nor are they considered to be part of the application.
- Neither the Commission nor the State is liable for any cost incurred by the applicant in preparing this application. Costs of preparing the application are not reimbursable if a grant is awarded.
- Expect for specific information related to the CostQuest Tier D License agreement, all application information filed with the Commission is considered public. Do not include confidential or proprietary information in your application.
- Multiple applications from an applicant are permitted. Each application must conform fully to the requirements for submission, and each application will be evaluated as a distinct and separate filing without reference to other applications from the same applicant. Each application must be submitted separately and be a unique application in the Grants System.
- Applicants may withdraw an application at any time by submitting a signed letter from an authorized representative of the applicant organization in the docket 5-CPF-2023. A request to resubmit after the application deadline has passed will be denied.

## Supplemental Information

An applicant may request that the Commission accept supplemental information related to an application that was otherwise timely filed. A request to supplement an application must be emailed to [PSCCapitalProjectsFund@wisconsin.gov](mailto:PSCCapitalProjectsFund@wisconsin.gov). The grant manager will work with the applicant to supplement the record. The Commission may request that an applicant submit supplemental or clarifying information, consistent with the application requirements. If received and accepted, supplemental information will be incorporated into the application and evaluated by the Commission using the established criteria to determine which applications should receive a grant award.

## Geospatial Data

Each application must be accompanied with geospatial data that shows the proposed eligible locations to be served, a list of BSL identification numbers and the wireline route and/or placement of facilities proposed to be built with the grant. Questions regarding formatting and content of maps should be addressed to [PSCBroadbandData@wisconsin.gov](mailto:PSCBroadbandData@wisconsin.gov)

Geospatial data will include BSLF data. If your entity lacks access to BSLF data, a license agreement is available from CostQuest Associates. The site to request a Tier D license is: <https://apps.costquest.com/NTIArequest/> the email address to request support is

[ifasupport@costquest.com](mailto:ifasupport@costquest.com). The applicant should submit the application for the CostQuest license at least 45 days in advance of the application due date.

Note: If there are delays in CostQuest issuing licenses to applicants before the deadline, the Commission may consider a cure or supplement of an application's geospatial data once the license is received. A delay in access to a license must be communicated prior to the application deadline.

**Data will be provided in three formats: a static map, a spreadsheet, and geospatial files.**

- 1) The static map must be uploaded within the grant system as part of the application using the Upload tab.
  - a. The static map must visually depict the entire project area, including (a) the wireline route and/or the location of tower placements; and (b) a point for each eligible location (BSL) proposed to be passed and serviceable by the project.
  - b. For large projects, a static map may be separated into several pages to capture all project areas.
- 2) The spreadsheet must be uploaded within the grant system as part of the application using the Upload tab.
  - a. Use the [CPF Application Location Data Template](#). The template includes instructions for each field to be completed.
  - b. If a location intended to be served meets the definition of Location above, but is not listed in the BSLF, provide a brief narrative explanation for why it should be included in the BSLF within the Fabric ID Number (column F) field.
  - c. Each location should be a unique row within the template, and complete all listed fields (columns).
- 3) The geospatial files will be delivered **consistent with forthcoming supplemental instructions**.
  - a. The geospatial files must include (a) the wireline route and/or the location of tower placements; and (b) a point for each eligible location proposed to be passed and serviceable by the project.
  - b. Geospatial file(s) of the project area must be shapefiles or a geodatabase with feature classes, or another format with prior written consent of the Commission.
  - c. Submitted geospatial files must include a field indicating the [FCC Broadband Serviceable Location Fabric](#) (BSLF) ID of each structure. If your project includes locations that meet the criteria to be included in the BSLF but are not currently included, you must separately delineate these locations within your geospatial file.

## Evaluation of Applications

The following eligibility and merit criteria will be used to guide Commission staff and screening panel in evaluating grant projects' eligibility, scoring grant applications, and preparing a merit list for Commission consideration. After all applications are reviewed, panelists meet to discuss and prepare a score for each application and produce the resulting merit list of the applications for the Commission's consideration.

Commissioners are not bound by the below scoring criteria or resulting merit list, which are staff analysis intended for advisory purposes only. In reviewing and awarding grants, the

Commissioners use their experience, technical competence, and specialized knowledge. The Commissioners, as the finder of fact and decision makers, are charged with evaluating all available information and applying any relevant statutory and federal criteria to reach well-reasoned decisions.

**Eligibility**

The eligibility criteria listed in the table below are required for each application project. Applicants will demonstrate compliance with each of these criteria as part of their responses to the application.

An [online map](#) is available to assist applicants in identifying locations eligible for funding due to a lack of 100/20 wireline service. Use the “Capital Projects Fund Eligible Guideline” layer and take note of the “Infrastructure Support In Progress” layer.

Eligibility Criteria	Response Required
1. Primary applicant for the CPF Broadband Infrastructure Grant is a public or private entity that builds or operates broadband networks. Applicants may include internet service providers, local units of government, non-profit entities, electric utilities, cooperatives.	Yes
2. The applicant’s broadband infrastructure project is designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical download and upload speeds of 100 Mbps to all proposed locations. If the applicant has demonstrated it would not be Feasible to deliver 100/100 Mbps, the project must offer service that reliably meets or exceeds 100 Mbps download speeds and 20 Mbps upload and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds.	Yes
3. The applicant’s broadband infrastructure project is designed to deliver services to households and businesses lacking access to reliable, affordable wireline service at speeds of 100 Mbps download and 20 Mbps upload.	Yes
4. The applicant’s broadband infrastructure project (1) invests in capital assets designed to directly enable work, education, and health monitoring; (2) is designed to address a critical need of the community that resulted from, or was made apparent or exacerbated by, the COVID-19 public health emergency; and (3) is designed to address a critical need of the community to be served by it.	Yes
5. The service provider for the completed broadband infrastructure project will participate in applicable federal programs that provide low-income consumers with subsidies for broadband internet access services (such as the Affordable Connectivity Program).	Yes
6. If the applicant’s broadband infrastructure project is within or traverses a Tribal area, the applicant received official Tribal consent, as shown through written documentation from the appropriate Tribal official submitted with this application.	Yes (if applicable)



## Merit

Commission staff and the screening panel will evaluate applications consistent with the scoring criteria in the scoring rubric below based on Treasury guidance. Points will be awarded based on a sliding scale, with full points given to projects that fully realize the goals of the given priority criteria.

Merit Criteria	Points
<b>Affordability of Service:</b> Proposed subscription price for Broadband Service for all funded locations is affordable. Full points will be awarded for projects with a Broadband Service subscription of less than \$65 per month for at least 100/20 service <u>and</u> that offers eligible low-income households service for less than \$30 per month after federal subsidy programs.	10
<b>Last-mile:</b> Applicant's proposal prioritizes infrastructure for last-mile connections. Full points awarded for projects that propose exclusively last-mile infrastructure. Partial points are available for hybrid-projects where some of costs are associated with last-mile connections.	10
<b>Fiber:</b> Project uses fiber-optic technology. A project that uses a mix of technology that include fiber-optic infrastructure may be awarded partial points.	10
<b>Community Engagement:</b> Applicant demonstrates that the planning of their proposal included a high-level of community engagement and support. Activities and supporting documentation may include demonstrated evidence of outreach or meetings within community, a public-private partnership, evidence of local community involvement in project design, local partnerships that support implementation or adoption efforts, letters of support from diverse communities with critical need for broadband, and Tribal consultations.	10
<b>Government, Coop or Non-profit:</b> Applicant's proposed infrastructure project will be owned or operated by local government, a non-profit, or a cooperative.	10
<b>Design and Performance:</b> Applicant's project is reasonable and the network is well designed. The applicant demonstrates financial and managerial capacity to execute the project successfully within the performance period. The applicant has a demonstrated history of building broadband infrastructure and/or participating in broadband grant programs, including compliance with state and federal law, grant agreement terms, and reporting requirements.	10
<b>Contiguous and Complete Project:</b> The proposed locations to be served by a project represent a contiguous project area or a project area that captures all locations in need of service within the area and does not exclude locations that would otherwise be most cost-effectively served as part of a project area.	10
<b>Cost Efficient and Match:</b> Applicant's proposal is cost efficient and demonstrates a reasonable public investment that is consistent with the rurality, geography, or other characteristics that impact the cost per location and return on investment. The applicant and partners, if applicable, offer matching funds that reduce the grant cost per location.	10
<b>No enforceable funding commitment:</b> The applicant's broadband infrastructure project does not propose to serve locations with an existing Enforceable Funding Commitment from state or federal funds that will result in wireline broadband	10



service that will deliver 100 Mbps download and 20 Mbps upload before December 31, 2027.	
<b>Highest Need:</b> The project proposes to primarily serve locations that are located in economically distressed communities disproportionately affected by the COVID-19 pandemic and at higher risk for future disaster due to lack of investment and access to critical services such as broadband. Projects that have the highest share and highest index score of vulnerable locations, as defined by the Center for Disease Control’s <a href="#">Social Vulnerability Index</a> (SVI), will receive the most points.	10
	<b>100</b>

### Grant Awards

The Commission will determine in writing which applicants will receive a Capital Projects Fund Broadband Infrastructure Grant by issuing an order awarding grants in docket 5-CPF-2023. The Commissioners are not bound by the merit criteria and evaluation in making final determinations. The order will also specify certain terms and conditions that the Commission finds appropriate and necessary for the administration of the approved grant projects. The order will serve as the notice of the Commission’s decision.

### Grant Agreement

The Commission requires that each awarded grant applicant enter into a grant agreement with the Commission. The grant agreement will confirm the grant award, including the amount of the grant award and match or contributions, the scope of the project and the terms and conditions ordered by the Commission. The grant award is not final until the applicant signs and returns the grant agreement and the Commission executes the document. A signed grant agreement is due to the Commission no later than 60 days following the date of issuance of the grant agreement to the applicant. Failure to complete and return the grant agreement by the due date may result in cancellation of the award.

1. The order awarding grants and the grant agreement, including any amendments, will together constitute the entire agreement of the state and the applicant, and will supersede any representations, commitments, conditions, or agreements made orally or in writing prior to the issuance of the order.
2. Failure of an applicant to comply with the Commission’s order or grant agreement, as amended, may result in cancellation of the award.
3. Recommended or suggested contract language or terms submitted as part of a grant application will not be incorporated or assumed incorporated into the grant agreement. The final terms and conditions of the grant agreement will constitute the entire agreement, including attachments and any amendments.

### Right to Deny the Application and Negotiate Grant Terms

The Commission may reject any application as filed, and negotiate the terms of a grant award, including the award amount, with the selected applicant prior to offering the grant and executing a grant agreement. If negotiations cannot be concluded successfully with an applicant, as determined solely by the Commission, the Commission may withdraw its award offer.

## **No Appeal Process**

[Wisconsin Stat. § 196.504](#) does not specify an appeal process. However, the applicant may have other general administrative remedies under other provisions of [Wisconsin Statute Chapters 196](#) and [227](#) that it may use if the applicant believes it is aggrieved by any final award determination. This provision is for information purposes only and does not constitute legal advice and is not a determination by the Commission that the applicant has any right to protest or appeal with respect to the Commission's decision in this grant cycle.


## APPENDIX A COMPLETING THE ONLINE APPLICATION

### Step-by-Step Instructions for Completing the Online Grant Application Form

**Step 1:** From the [Capital Projects Fund Broadband Infrastructure Grant webpage](#), select ‘PSC Grants System Login’ or visit this link: <https://psc.wi.gov/Pages/GrantsSystem.aspx>. This will open the login page of the PSC Grants System. For new applicants (those who have not logged into ERF), an applicant will first need to create an ERF system account and can do so from the Grant System login page. (See User’s Guide page 2.) Remember your username and password for future access to the system.

**Step 2:** Upon completing the login, the homepage for the PSC Grants System will display the page titled Available Grants. Find the line for the Capital Projects Fund Broadband Infrastructure Grant and click on ‘Apply.’ (See User’s Guide page 4.)

The application is arranged in a series of tabs along the top of the form. Each tab brings a page to the top so you can fill it in. **It is important that you save your work (using the save icon at the bottom of the page) before you leave a page.** Unsaved entries will be lost once you leave the page.

 *Please note: Hover over the tooltip icon and use the hyperlinks for more information about each question.*

#### **Step 3: Details**

Select the Details tab and fill in the required information. (See User’s Guide page 4.) Please note that this page has a validation step. You cannot save your entries or move to the next page until you enter the required information and correct any arithmetic errors in your entries.

#### **Step 4: Contacts**

You must fill in one Primary Contact. Use the Add New Contact to add additional contacts. If the financial manager will be different than the grant applicant, be sure to add a Financial Manager contact; the financial manager is the party that will execute the grant agreement if the applicant’s project is awarded. Please also fill in the Authorized Representative, the person who will sign the grant agreement. (See User’s Guide page 6.)

A grant recipient can use this page to add additional names or change the Primary Contact for the grant if the recipient has turnover or other change in staff assignment while the grant project is underway.

A grant recipient may wish to specify an individual to serve as a point of contact for GIS and mapping related concerns. If so, select ‘secondary contact’ and indicate their expertise as part of the contact title field.

### **Step 5: Contributions**

List contributions (otherwise known as match) from each entity involved in the grant project, including the recipient, and any other partners contributing anything of value. For example, for a municipality waiving a permit fee, list the municipality and cost of the waived fees. Please note there is a validation step here as well. You cannot save your entries on this page unless the entries agree with the data entered on the Details page; the information from your Details page is displayed above the '+Add New Record' button. (See User's Guide page 6-7.)

Matching funds contributions are part of the overall evaluation of the grant proposal. Thus, the response entered on this page of the grant application will be considered in the merit ranking. A list of contributions from one or more public entities could affect the merit ranking for a public-private partnership.

### **Step 6: Budget**

The Budget page requires that the applicant enter an aggregate total for all equipment that will be purchased on a single line of the budget. The same for labor expense, contract or third-party expense, etc. See Appendix B for budget categories under the CPF Broadband Infrastructure Grant.

The form requires that you divide the total cost of the grant into the portion that will be paid by grant reimbursement and the portion paid by matching funds contribution.

You cannot save your entries on the Budget page unless the entries agree with the data entered on the Details and Contributions pages. (See User's Guide page 7- 8.)

### **Step 7: Communities**

List each political subdivision in which infrastructure will be placed. This tab is not reviewed for merit. It is part of the project description. (See User's Guide page 8-9.)

### **Step 8: Narrative**

The Narrative tab consists of 45 questions. Answer every question. Unanswered questions affect application merit and may make an application ineligible for funding. Remember to save your work before advancing to the next page of the Narrative. (See User's Guide page 9-10)

#### ***Section 1 - Eligibility***

1. ELIGIBILITY: Is the primary applicant for the CPF Broadband Infrastructure Grant a public or private entity that builds or operates broadband networks?

*Tool tip:* A network includes those that are owned, operated by, or affiliated with local governments, cooperatives, electric utilities, and other entities.

2. ELIGIBILITY: Is the applicant's broadband infrastructure project designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical download and upload speeds of 100 Mbps?

3. ELIGIBILITY: If No to question 2, does applicant attest and does this application demonstrate that it would be impractical to deliver 100/100 Mbps because of geography, topography, or excessive cost?
4. ELIGIBILITY: If No to question 2, does applicant attest and does this application demonstrate that the project is designed to offer service that reliably meets or exceeds 100/20 Mbps and is scalable to 100/100Mbps?
5. ELIGIBILITY: Will the applicant’s broadband infrastructure project deliver new or improved broadband service to households that currently lack access to reliable, affordable wireline service at speeds of 100 Mbps download and 20 Mbps upload?
6. ELIGIBILITY: Is this CPF Broadband Infrastructure Grant project proposal a broadband infrastructure project that invests in capital assets designed to directly enable work, education, and health monitoring?
7. ELIGIBILITY: Does this CPF Broadband Infrastructure Grant project proposal address a critical need of the community that resulted from, or was made apparent or exacerbated by the COVID-19 public health emergency?
8. ELIGIBILITY: Does this CPF Broadband Infrastructure Grant project proposal address a critical need of the community it will serve?
9. ELIGIBILITY: Upon completion of this project, will the service provider participate in applicable federal programs, the Affordable Connectivity Program or subsequent programs, that provide low-income consumers with subsidies for broadband internet access services?
10. ELIGIBILITY: Is the project located in and/or serving locations in a Tribal area?
11. ELIGIBILITY: If this project is located in and/or serving locations in a Tribal area, has the project proposal received Tribal consent?

*Tool tip:* If the project does not impact tribal land, select “No”.

***Section 2 - Project Description***

12. What is the total number of broadband serviceable locations (BSLs) that will have new or improved broadband service because of this project?

*Tool Tip:* This answer should match the number of locations listed in the Application Location Data (spreadsheet), and equal the sum of the subsequent three questions.

13. Of the BSLs indicted in the answer to question 12, how many are residential locations?

*Tool tip:* This number must equal the location type amount indicated in your Application Location Data (spreadsheet). See application instructions and/or CPF Application Location Data Template for detailed definition of ‘Residential’.

14. Of the BSLs indicated in the answer to question 12, how many are business locations?

*Tool tip: This number must equal the location type amount indicated in your Application Location Data (spreadsheet). See application instructions and/or CPF Application Location Data Template for detailed definition of 'Business'.*

15. Of the BSLs indicated in question 12, how many are Community Anchor Institution (CAI) locations?

*Tool tip: This number must equal the location type amount indicated in your Application Location Data (spreadsheet). See application instructions and/or CPF Application Location Data Template for detailed definition of 'Community Anchor Institution'.*

16. Of the BSLs indicated in question 12, how many are locations that lack access to wireline service at speeds of 100 Mbps download and 20 Mbps upload?

*Tool tip: This number must be equal to or less than the answer for question 12.*

17. State the minimum guaranteed download transmission speed (in Mbps) that every location within the funded project would have the opportunity to subscribe to.

*Tool tip: Do not specify the slowest package available for purchase, but rather the minimum speed that is available to each location, if they choose to subscribe. Applicants must ensure that every location has the opportunity to subscribe and receive this speed.*

18. State the minimum guaranteed upload transmission speed (in Mbps) that every location within the funded project would have the opportunity to subscribe to.

*Tool tip: Do not specify the slowest package available for purchase, but rather the minimum speed that is available to each location, if they choose to subscribe. Applicants must ensure that every location has the opportunity to subscribe and receive this speed.*

19. Provide a description of the technology that the project will employ to reach the targeted locations in the project area. The description should include technology type, anticipated operating speeds and other pertinent transmission characteristics.

*Tool Tip: For fixed wireless, specify the spectrum used, the equipment vendor, the anticipated operating speeds and other relevant characteristics of the service. For wireline, specify if aerial or buried, the number of strands, and details about any hybrid models.*

20. State the total miles of fiber planned to be deployed for the project.

*Tool tip: Round to the nearest whole mile. For projects without fiber optic infrastructure enter 0.*

21. If applicable, provide information to demonstrate that the locations listed as served on the [Capital Projects Fund Complex Map](#) are actually lacking access to reliable, affordable wireline service at speeds of 100 Mbps download and 20 Mbps upload.

*Tool tip: Existing coverage data is known to overstate the broadband service that is deployed to locations within Wisconsin. If this project proposes to serve BSLs with 100/20 service, describe the actual broadband service available to project locations.*

22. Was the [Wisconsin Internet Self Report \(WISER\) survey tool](#) used to aggregate information about affordability or actual availability of service within the project area?

23. Was the Breaking Points Solutions OptiMap speed test tool used to aggregate information about actual availability of service within the project area?

24. Did the applicant deliver the required geospatial files, a spreadsheet of locations served, and a static map as directed in the grant instructions?

*Tool tip: A static map, listing of locations served, and a geospatial file of the proposed project area are required elements of this application and are due at the same time as the application. See grant instructions for detailed information on spatial data submissions.*

25. Does the project area exclude locations adjacent to or otherwise surrounded by proposed project locations due to, for example, excessively long driveways, private property access, other planned investments, difficult topography, or other reasons?

*Tool Tip: Projects should be contiguous, meaning they capture all locations in need of service within an area, and do not exclude locations that would be most cost-effectively served as part of the proposed investment.*

26. If yes to question 25, explain why locations are excluded. If it does not exclude locations enter N/A in the answer field.

*Tool Tip: Projects should be contiguous, meaning they capture all locations in need of service within an area, and do not exclude locations that would be most cost-effectively served as part of the proposed investment.*

27. Starting with the Commission Order date [anticipated to be the first quarter of 2024], provide a schedule of significant project milestones/activities and projected date of completion for the project. The performance period ends December 31, 2026.

28. Does the proposed project area include any portion of a political subdivision that has completed certification as a [Broadband Forward Community](#) or [Telecommuter Forward Community](#)?

29. If the project includes a Broadband Forward or Telecommuter Forward community, list the communities that are certified.

*Tool Tip: If the answer to 28 is no, enter N/A.*

30. List the speed tiers offered and corresponding non-promotional monthly prices, including associated fees, for each tier of broadband service.

*Tool tip: Affordability scoring will be based on the lowest cost plan that provides at least 100/20. Please note any one-time installation, equipment, or other fees for new subscribers. Also note if an additional surcharge is imposed for exceeding a data allowance.*

31. For providers that are eligible telecommunications carriers (ETC) will the proposed broadband service be available to Lifeline customers?

*Tool tip: For providers that are not ETCs select "No".*

32. Does the internet service provider currently participate in the Affordable Connectivity Program?

33. Does the internet service provider for this project offer any additional program or service packages to eligible low-income households to access a low-cost or discounted broadband service?

34. If the provider offers a discounted broadband service and answered yes to question 33, explain the program. Include the eligibility (income threshold, or otherwise), pricing per month and any efforts to make eligible households aware of the discount.

*Tool tip: Explain any program or service beyond participation in ACP or special pricing for customers that are enrolled in ACP. If no to question 33, enter N/A.*

35. Is the proposed project best characterized as a last-mile, middle-mile or hybrid broadband infrastructure project?

36. If the proposed project is best characterized as a middle-mile project, have you identified last-mile broadband service provider(s) that will connect to the middle-mile facility?

*Tool tip: If not applicable, select "No".*

37. If yes to 36, list broadband service provider(s) and the estimated number of eligible locations that will receive new or improved service as a result of grant funding.

*Tool tip: If you answered no to question 36, enter N/A.*



38. Provide information about any outreach or community engagement in the communities where the project will be located.

*Tool Tip: If the community, local government or other organizations have indicated formal support, indicating the description. Include detailed information about how the community has informed the design, engaged in planning, and will support the implementation.*

39. For the total locations proposed to be served by the project, specify the provider’s anticipated subscription rate two years after completion of the project.

*Tool tip: If available, include data such as surveys, customer requests for service, or other market data to justify this estimated subscription rate.*

40. Will applicant’s proposed infrastructure project be owned and/or operated by local government, a non-profit or a cooperative?

41. Provide a description of the entities that will own and operate the proposed broadband network. If the application, ownership, or operation includes partnerships or collaborative agreements, describe the nature of each entity’s participation.

42. Will project utilize other state or federal funds? If so, describe the program funding and existing commitments to build. Why is additional public funding necessary for this project? How will additional public funding improve this project’s deployment?

*Tool tip: Applications in areas with existing enforceable funding commitments may be considered if an applicant demonstrates an additional public benefit to further investment.*

43. Describe the applicant’s history constructing broadband facilities in Wisconsin or elsewhere, including listing any broadband-related grants the applicant has previously received.

44. Describe the applicant’s financial ability to undertake the proposed project, which may include information such as years in operation, completed infrastructure projects, financial information, and credit rating.

45. Describe how the project will improve access to high-quality broadband internet for work, education, and health monitoring. Where possible, please provide specific examples of anticipated positive impacts in the project area.

### **Step 9: Uploads – 3 required, limit of 6 files**

Select the Upload tab and use the Upload Public Document button to add required and optional documents to the application.

- Upload 1: **(REQUIRED)** Applicants must add a static (image) map. See “Geospatial Data” section of these instructions for more details.
- Upload 2: **(REQUIRED)** Applicants must upload a spreadsheet (.xlsx) document listing a Broadband Serviceable Location Fabric ID for each location proposed to be served by

the project. If a BSLF ID is not available for a location, include a latitude and longitude point and provide an explanation for each point that explains why it is not currently part of the Fabric. Use the [CPF Application Location Data Template](#).

- Upload 3: **(REQUIRED)** Any geospatial files as directed in Geospatial Data section above. Supplemental guidance is forthcoming on submission of geospatial data.
- Upload 4: If applicable, applicants may add any documentation of partnerships.
- Upload 5: Applicants may compile and add any additional letters of support, survey data or additional materials that best support the application. This is limited to 20 pages that will be reviewed.
- Upload 6: Applicants may compile any additional supplemental materials. For projects transiting or serving Tribal lands, a document showing a letter of consent or acknowledgement from the associated Tribe(s) must be included as an attachment.

**APPENDIX B  
BUDGET CATEGORIES**

<b>Contractual, Consultant Fees</b>	All project expenses for work performed by a third-party contractor. A third-party contractor is any entity that is not a signatory to the grant agreement. Examples: legal services, cement contractors, tree trimmers, electrician, engineering services, etc. Any materials supplied by a third-party contractor should be included here.
<b>Equipment</b>	Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a <u>per-unit</u> acquisition cost which equals or exceeds \$5,000.
<b>Supplies</b>	Supplies means all tangible personal property other than those described by the Equipment category. All items with <u>per-unit</u> acquisition costs of less than \$5,000, regardless of the length of useful life, are considered supplies.
<b>Labor (Salary, Fringe)</b>	Actual labor expenses, including fringe benefits, of the grant recipient. This category is limited to direct personnel expenses only.
<b>Permitting, Licensing Fees</b>	All permitting & licensing expenses.
<b>Travel</b>	Grantee's travel expenses related to the project.
<b>Other</b>	Other expenses not specified above. Please provide details in the notes.

**NOTE:** “Eligible Costs” means those costs which are: (1) not covered by any other federal or state funding; (2) subject to audit by the Commission; (3) directly attributable to activities identified in Attachment B – Project Scope of a recipient’s grant agreement; (4) identified in Attachment C – Project Budget of a recipient’s grant agreement, subject to any amendments to the grant agreement; and (5) incurred between the date of the Commission’s written Order—which officially awards grant funds to a recipient—and the end of the Performance Period defined in the grant agreement, as may be amended.