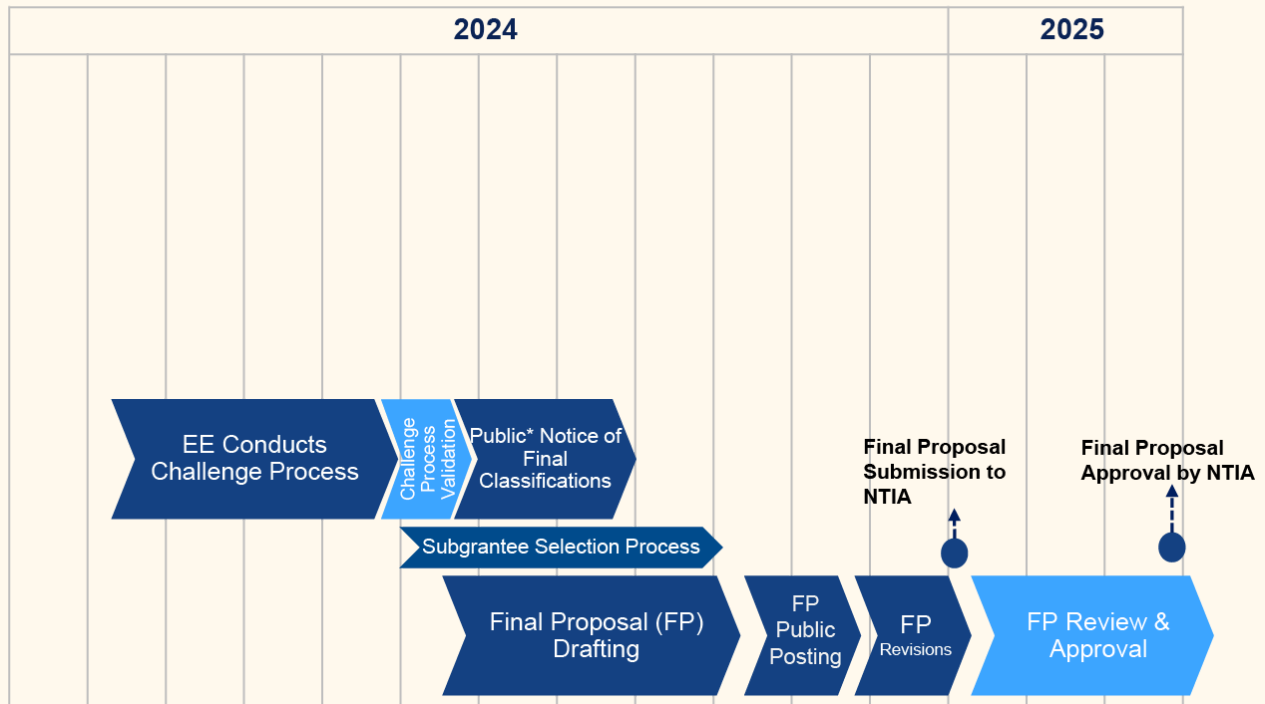




BEAD Challenge Process FAQs

(Update as of 01/15/25)

BEAD Challenge Process Timeline



Will Guam be conducting the optional True-Up process? - 2/13/25

No, Guam has chosen to forego the optional True-Up process. This means that the results of our BEAD Challenge Process will stand as finalized when presented to NTIA and will serve as the basis for deployment once approved. This decision aligns with our commitment to basing funding and deployment decisions on clear evidence and verified findings. By prioritizing the integrity of our challenge process, we ensure that broadband expansion efforts in Guam are guided by the most rigorous and transparent assessment of unserved and underserved areas, advancing our mission to bring reliable, high-speed internet to all.

Overbuilding and Post-Challenge Map - Updated 2/13/25

1. NTIA Guidelines Compliance: How does the project ensure it avoids overbuilding in areas where service is already available, in alignment with NTIA's guidelines?

Funding is allocated only to locations where broadband service fails to meet the performance, reliability, and technology standards outlined by the NTIA. Guam's strategy includes a rigorous challenge process model designed to correct Fabric inaccuracies by incorporating data presented during the challenge process. BEAD emphasizes real-world performance metrics and evidence (e.g., speed tests, manufacturer documentation) in determining what is served, underserved, and served.

Post-challenge, project areas will be determined based on the results of the challenge process. ~~These determinations will also incorporate the most recent official NTIA data release for Guam (currently Version 5 of the FCC Fabric) with results of the challenge data, ensuring resource allocation aligns with the most up-to-date official information provided.~~

Final Determination for BEAD Challenge Process - 01/15/2025

1. What is the final determination process in the BEAD Challenge Process?

Final Determination is where all challenges submitted during the challenge window are reviewed to determine their validity. Decisions are made based on the evidence provided and the program's requirements.

2. How long does the Final Determination phase take?

The Final Determination phase takes 14 days from the close of the challenge window.

4. Can the timeline be extended?

No, extensions are not typically granted to ensure adherence to federal deadlines.

5. What types of evidence are considered during Final Determination?

Evidence such as speed tests, service level agreements, maps showing discrepancies, and provider correspondence is evaluated. Only evidence submitted during the challenge window will be considered.

6. How is the evidence verified?

The evidence is cross-referenced with provider data, federal datasets, and other authoritative sources to confirm its validity.

7. What happens if my evidence conflicts with provider data?

Conflicts are resolved by prioritizing reliable and verifiable data. Additional verification steps may be taken before a decision is made.

8. Is there an appeals process during the Final Determination phase?

Yes, challengers may file an appeal if their challenge is denied. Appeals must be supported by additional evidence and submitted within the specified time frame provided in the decision notification.

9. When will the updated maps be published?

Maps reflecting adjudication outcomes are typically published within 30 days after the adjudication phase concludes.

10. Will the results of the Final Determination phase be made public?

Yes, summary reports of the Final Determination outcomes, including updated maps and areas of focus, will be published for public transparency.

Updated Timeline for Bead Challenge Process

Due to unexpected technical challenges affecting submissions during the initial challenge phase, we have decided to extend the submission window to allow all stakeholders sufficient time to finalize and submit their materials. This extension ensures that every eligible participant has the opportunity to provide input without disruption.

The updated timeline for the Guam BEAD Challenge Process is as follows:

- **Initial Challenge Submission Window: November 6 – November 22, 2024 (closes at 11:59 PM)**
- **Preparation Gap: November 23 – November 29, 2024**
- ~~**Rebuttal Submission Window: November 30 – December 13, 2024**~~
- ~~**Final Determination Period: December 14, 2024 – January 11, 2025**~~
- **New Rebuttal Submission Window: 12:01 AM, Thursday, December 19 – 11:59 PM, Thursday, January 2, 2025**
- **New Final Determination Period: Friday, January 3, 2025 – January 16, 2025**

We are committed to ensuring a transparent and equitable challenge process and deeply appreciate your understanding as we make these adjustments to address the technical issues that arose. If you have any questions or require assistance with your submission, please do not hesitate to reach out to our office.

Challenge Review Process - 11/08/2024

1. Who will be reviewing submitted challenges and rebuttals?

Answer: Challenges will be reviewed by a highly experienced and skilled team from **Connected Nation's (CN) Engineering and Technical Services**. This team has extensive experience with BEAD challenge processes in states including Tennessee, Massachusetts, Iowa, Minnesota, Rhode Island, and others. CN will collaborate closely with OIPD staff to share and discuss their findings.

2. What is the turnaround time for acceptance or rejection of challenges?

Answer: The team will work quickly to accept or reject challenges but the turnaround time will depend on the number of challenges and evidence types submitted.

Office Hours Q&A - 11/05/2024

1. Can multiple people from a nonprofit organization submit challenges on behalf of residents, or is it limited to one person?

Answer: A registered individual can add team members to the organization's portal account, allowing multiple members to submit challenges on behalf of residents.

2. Will persons who submitted a challenge receive feedback on their challenges during the challenge period?

Answer: Feedback may be provided on a rolling basis if time allows; otherwise, feedback will mainly be provided during the **November 23 to November 29** period.

3. When does the rebuttal period start, and will it be on a rolling basis or have a set start?

Answer: The rebuttal period is set to start on **November 30 and end on December 13**. It is not a rolling process; all rebuttals will occur within this set timeframe.

4. What is the time frame allocated to review each challenge?

Answer: The time frame for reviewing each challenge depends on the complexity of the challenges and the volume we receive. We will make every effort to promptly review and address all submissions as efficiently as possible.

5. Is there a specified "minimum level of evidence" required for challenges and rebuttals?

Answer: Evidence requirements are flexible and evaluated upon submission. Typical evidence may include certifications, photos, documented data relevant to the claim, and affidavits.

6. Can challenge submitters correct errors during the challenge window?

Answer: Yes, errors can be corrected during the challenge period window from November 6 - November 19. However, to add or update evidence, the original challenge must be withdrawn, and a new one submitted with the correct information. No changes will be accepted after the window closes on **November 22, 2024**.

7. Is the evidence submitted considered confidential?

Answer: Evidence can be marked as confidential and is protected under FOIA and Guam's Sunshine Act.

8. When does the portal open and close for challenges?

Answer: The portal opens at 12:00 AM on November 6 and closes at 11:59 PM on **November 22 (ChST)**.

9. What types of file formats are accepted when submitting evidence on the challenge portal?

Answer: Supported file formats include PDF, CSV, SHP, KML, KMZ, and GeoJSON. The accepted coordinate reference system (CRS) is EPSG: 4326 - WGS 84. Please note that geospatial file formats (SHP, KML, KMZ, GeoJSON) must contain polygon or multipolygon geometries for proper submission.

10. Question: Can the rebuttal period be extended?

Answer: Unfortunately, the rebuttal period cannot be extended. However, once rebuttals to initial challenges are made in the portal, you may view them immediately, allowing for additional time to prepare your response.

Evidence & Rebuttals

1. Who is allowed to rebut planned service challenges?

Answer: Per BEAD Challenge Process Policy, "all types of challengers may rebut planned service (P) and enforceable commitment (E) challenges." All P and E challenges will be made available for registered users to review.

2. How does an ISP know they have been challenged? (updated on 11/06/2024)

Answer: After a challenge passes initial review, the challenged entity will be notified via email with instructions on how to respond and submit a rebuttal when the 14-day rebuttal window

opens on **November 30**. In addition, ISPs will be able to view all challenges submitted against their reported service in their challenge dashboard. ISPs will be able to view their challenges immediately, even before the rebuttal period begins. This ensures they have sufficient time to review and prepare their rebuttal.

3. How should I submit confidential information during the Challenge process, and will it be protected from FOIA requests? (11/04/2024)

Answer: If your evidence contains confidential or proprietary information, mark it clearly with the labels “Confidential” and “Trade Secret.” Properly marked documents may qualify for FOIA Exemption 4, which protects trade secrets and certain commercial or financial information. To strengthen confidentiality, provide a brief rationale for why specific sections should be protected as trade secrets or sensitive business information. This labeling and justification can help support your confidentiality claim if a FOIA request is made.

Under Guam’s Sunshine Reform Act of 1999, Section 10108(i) provides an exemption from public disclosure for certain records. Specifically, it states: “Records which are protected from disclosure by law.”

4. Who will access my confidential information once it’s submitted? (11/04/2024)

Answer: Access to confidential and trade secret information is restricted to individuals directly involved in the Challenge review process.

Webinar Q&A (10/28/24)

1. Why would you create a zone? What’s the purpose of creating one?

Answer: A zone allows participants to pre-select locations for challenges, making it easier to submit them during the challenge process.

2. Is the zone required for submitting a challenge?

Answer: A zone is not required for submitting a challenge; it is just one of the options that may make submission easier.

3. Is there a difference between license-fixed wireless and licensed-by-rule fixed wireless? Will the OIPD treat the licensed fixed wireless and licensed-by-rule wireless the same way?

Answer: Licensed-by-rule fixed wireless is a reliable broadband technology and is acceptable for existing services and would be treated the same way as licensed fixed wireless.

To prove licensed-by-rule compliance, service providers need:

- Spectrum usage records demonstrating operation within licensed-by-rule frameworks (e.g., Citizens Broadband Radio Service (CBRS) or General Authorized Access (GAA)).
- Network configuration documentation showing alignment with FCC codes 71 or 72.
- Performance testing results that meet BEAD's technical standards (100/20 Mbps speeds and low latency).

Service-area-specific evidence: The ISP must prove compliance for each area where the service operates under licensed-by-rule. Since the CBRS GAA framework is dynamic, providers must ensure that local spectrum availability and use are compliant in all operational areas.

4. Can you click on the details button?

Answer: Yes, clicking it zooms into the map and shows the details about the selected area, such as who submitted the challenge and any attached evidence.

5. Can I add evidence to a challenge after submitting it?

Answer: To add or update evidence, the original challenge must be withdrawn, and a new one submitted.

6. When I submit evidence, should it be limited to just the 500 locations being challenged?

Answer: *As per Ready.net (as of 10.31), the maximum number of locations has been updated to 3,500.*

7. Is there a copy of the resource guide available?

Answer: The resource guide is available on the registration site (register.challenge.guam.gov) hover on "About" and then click on the "Documents and Resources" section.

9. On the CAI (Community Anchor Institutions) challenges, is it the exact same process?

Answer: Yes, it follows the same general steps, including uploading evidence and submitting challenges.

Webinar Q&A (10/25/24)

1. What is the expected turnaround time for review and approval of registration submissions?

Answer: Once your registration is submitted, the Guam Broadband Office typically aims to review and approve applications within **72 hours**. This timeframe allows us to verify submitted information and ensure all required documentation is provided.

2. Will there be any further updates to the Challenge Process Resource Guide?

Answer: While updates to the Challenge Process Resource Guide may occur, we do not have a confirmed schedule for additional revisions at this time. If updates become available, we will promptly notify all stakeholders. Please refer to the current version (Revision 2) for the latest guidance.

3. Is the map currently available on the registration portal the final version?

Answer: No, the map available on the registration portal is not the final version. The map used during the initial registration provides a foundational view of service areas, and additional layers and research options will be integrated in the Challenge Process Portal when it launches on November 6, 2024.

4. Will there be additional sessions or webinars as we move into the Challenge Submission period?

Answer: Yes, we plan to facilitate additional webinars and Q&A sessions around the Challenge Submission period to guide you through the process. We'll reach out with dates and details as we get closer to the submission window.

5. Will the portal open at the same time as the challenge period?

Answer: Yes, the portal will open around the time the challenge period begins, specifically when the challenge submission window opens on November 6.

General Q&A (10/28/24)

1. Why is My Participation Important?

Answer: Your participation in the BEAD Challenge helps ensure that Guam's broadband map is accurate and up-to-date. This data is crucial for securing funding to improve internet access across our island. By testing your speed and submitting results, you're directly contributing to the future of Guam's digital infrastructure.

2. Who qualifies as a challenger?

Answer: Under the federal policy for the BEAD Program, only the following entities are eligible to submit formal challenges during the BEAD Challenge Process :

- Units of local government
- Units of governments
- Non-profit organizations
- Broadband providers

A broadband provider does not need a current certificate of authority to operate in Guam, as companies can apply for and obtain the required documentation before beginning any work on the island.

3. Can I submit challenges regarding availability data not reflected in the Broadband Map? For example, there is existing reliable broadband service at a location, but it is not reflected on the map.

Answer: Yes. Please use the “Planned or Existing Service” option in the challenge portal to challenge that available service is not reflected in the map. This will be classified as challenge type P (Planned Service). Please review the BEAD Challenge Process Instructions for details on what evidence is required to demonstrate “reliable broadband service.”

4. Is there a limit on the number of challenges a registered entity may submit?

Answer: There is no total limit on the number of challenges that may be submitted. However, challengers will be limited to 3,500 locations per challenge submission for most challenge types. Locations may be selected by uploading polygons, drawing a polygon on the map, 'shift-dragging' across a set of locations, uploading a csv of location IDs, or individually selecting locations.

5. Is there an opportunity to add a missing location that should be a Broadband Serviceable Location (BSL) during this challenge process?

Answer: No. The NTIA will not permit new BSLs to be added to or removed from the Fabric and will not permit challenges to the classification of a BSL on the Fabric. See BEAD Challenge Process Policy.

6. Can challenges be withdrawn?

Answer: Yes. If a challenge was submitted by mistake or the challenger has received new information that negates the challenge, a challenge can be withdrawn. To withdraw a submitted challenge, visit the dashboard and click on the vertical three-dot menu next to “View Details” and click withdraw challenge. If you want to withdraw a challenge after it has been reviewed, please submit a request by email to broadband@guam.gov.

7. Why are some locations in Guam not shown on the FCC maps for the BEAD Challenge process?

Answer: Some southern locations and a few northern locations may not appear on the FCC maps due to deduplication rules that prevent areas with existing or planned broadband infrastructure from being listed. In these locations, there are already plans in place to build out broadband services, which is why they are excluded from the challenge process. This ensures resources are focused on areas that do not yet have coverage or planned development.

8. How can individual residents go about submitting challenges? (11.7.2024)

Answer: Individuals may submit challenges through Manelu, the designated non-profit organization handling challenges on behalf of residents.

9. Is there any advantage to submitting a challenge early?

Answer: Yes. Challenges are reviewed on a rolling basis. By submitting early, you may learn of issues with your challenge, such as insufficient evidence, and still have time to resubmit the challenge. After the challenge phase ends, there is no opportunity to resubmit or provide additional evidence.

10. What Happens After I Submit My Results?

Answer: After you submit your results, your data will be used to help map Guam's broadband coverage. This information is vital for identifying areas that need better service and securing the funding to make it happen. Your participation is an important step in improving Guam's internet.