Virgin River

Kaibab-Paiute
Tribe

Navajo Nation

San Juan
Southern Paiute

Colorado River

Hopi Tribe

Havasupai
Tribe

Hualapai
Indian
Tribe

Flagstaff

Fort Mojave
Indian Tribe

Little Colorado River

Pueblo of
Zuni

Lake Havasu
City

Yavapai-Apache
Nation

Bill Williams
River

Verde River

Yavapai-Prescott
Indian Tribe

Tonto Apache
Tribe

White Mountain
Apache Tribe

Colorado River
Indian Tribes

Fort McDowell
Yavapai Nation

Salt River Pima-Maricopa
Indian Community

Salt River

San Carlos Apache
Tribe

Phoenix

Gila Bend
(Tohono O'odham)

Gila River Indian
Community

Ak-Chin Indian
Community

Gila River

Gila River

Quechan Tribe

Santa Cruz River

San Pedro River

Yuma

Cocopah Tribe

Tohono O'odham Nation

Tucson

Pascua Yaqui
Tribe

San Xavier
(Tohono O'odham)

ASU

American
Indian Policy
Institute

Arizona State
University

2024 BEAD Challenge
Process Update and
Explainer

AZ BEAD Program Update: BEAD Challenge Process

On March 1, 2024, the [Arizona Commerce Authority](#) (ACA) initiated Arizona's challenge process as required by the [Broadband Equity, Access, and Deployment Program](#) (BEAD). The BEAD is a federal grant program administered by the National Telecommunications and Information Administration (NTIA). The BEAD is meant to expand access to high-speed internet across the country, and Arizona has been awarded approximately $993 million to accomplish this goal. This challenge process is the latest step in the implementation of BEAD, following the development of Arizona's BEAD [Five-Year Action Plan](#) and BEAD Initial Proposals [Vol.1](#) and [Vol. 2](#) in 2023. The full details of Arizona's BEAD challenge process are on the [ACA's challenge process website](#), and this explainer will give an introduction to the process.

The BEAD challenge process is a key part of the program because it gives an opportunity to correct the data used to determine how and where BEAD funding is utilized. The BEAD program is based on connecting Broadband Serviceable Locations (BSL), such as houses and apartment buildings, and Community Anchor Institutions (CAI), such as schools and libraries. Therefore, it is crucial that data on a BSL in a given area is accurate so that connectivity needs are addressed. [Arizona's BEAD challenge map](#) is an interactive map that shows individual BSLs and CAIs and the information associated with those locations. This map should be reviewed to see if the state's information on a given location is accurate. There will be no other opportunities to correct inaccurate information.

The [NTIA guidance document](#) explains that states have 120 days to complete the entire challenge process. This means that the publication of BSLs and CAI data, challenge submission period, rebuttal period, and final determinations must all be completed within 120 days. The ACA established the following timeline for Arizona's challenge process:

- March 1, 2024 - challenge process portal open for registration
- March 15, 2024 - challenge process submission starts and rebuttal starts on a rolling basis, service providers will have 15 calendar days from a notification of a challenge to provide a rebuttal
- May 14, 2024 - challenge process submission ends
- May 15 - June 30, 2024 - Final determination phase

Not everyone is eligible to submit a challenge. The [BEAD NOFO](#) only allows states to accept challenges from four categories of challengers. Eligible challengers must register on the ACA website and identify themselves as a part of one of the categories:

- Local governments
- Tribal governments
- Nonprofit organizations
- Internet service providers

The Arizona BEAD challenge map uses data from the [FCC's National Broadband Map](). However, the BEAD challenge process does not allow challenges to add new BSLs or other locations to the Arizona BEAD challenge map. Challenges regarding new BSLs or other locations can be [submitted]() to the FCC but will not be reflected on the Arizona BEAD challenge map. The BEAD challenge process allows for nine different types of challenges based on the circumstances at each BSL identified on the map. These challenge types are:

- Availability
- Speed
- Latency
- Data Cap
- Business Service Only
- Is/is not part of an Enforceable Commitment
- Planned Service
- Location is/is not a Community Anchor Institution (CAI)
- CAI qualifying broadband service is unavailable/available

These challenges can be applied to individual BSLs and CAIs marked on the Arizona BEAD challenge map. Below is a brief explanation of challenge types from the [NTIA Model Challenge Process]():

- Availability & Business Service Only - These challenge types involve the internet service available at a given BSL. Challenges can include screenshots of information from provider websites, declined service requests, and other evidence that providers do not provide residential service to the BSL.

- Speed, Latency, & CAI qualifying broadband service - These challenges address internet performance at a given BSL. Online speed tests are used to see how the internet at a BSL measures up to BEAD speed and latency thresholds. Internet speeds at 25/3 Mbps or less are unserved. Speeds between 25/4 - 100/20 Mbps are underserved. In addition to these speed thresholds, latency must also be under 100 ms. For CAIs, internet speed has to meet the 1/1 Gbps threshold to consider the CAI served.

- Data Cap - This challenge involves internet service at a BSL that is subject to a data allowance. The NTIA Model Challenge Process indicates that any internet service plans with a data allowance lower than 600 GB/month would be classified as unreasonable.

- Technology - This challenge involves the service technology (i.e. wireless, cable, or fiber) available at a given BSL. Information on the residential gateway unit at a BSL is needed to determine if the challenge process map correctly reflects the technology that is available.

- Enforceable Commitment & Planned Service - These challenges involve information on other sources of funding for broadband deployment and/or information on current

deployment projects scheduled for completion by June 30, 2024. The [BEAD NOFO](#) does not allow duplicate funding for a given BSL. Therefore, these challenges may require information on funding commitments or ongoing construction. Additional information such as Tribal Government Resolutions may be required for Tribal areas.

- Not part of enforceable commitment - These challenges involve information on areas with enforceable commitments that will not cover 100% of the BSLs in that area.

- Location is/is not a CAI - These challenges involve BSLs that may or may not be CAIs. Information on the current status of the facility as well as the information on the location's operation would be needed to make the determination.

Please refer to the ACA's BEAD Challenge website for full details and the latest updates on the BEAD challenge process in Arizona. The [ACA website](#) has information on how to register as a challenger, datasets for BSLs and CAIs, and upcoming webinars. The ACA is also hosting weekly office hours on the challenge process and preparing to begin the [Connecting Arizona Engagement Tour](#). Continue to follow AIPI for updates on Tribal broadband in Arizona as well as nationally.

Acknowledgements

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Image: Courtesy of InterTribal Council of Arizona