CONNECTING NEBRASKA



2026 ANNUAL REPORT

ON THE STATUS OF BROADBAND DEVELOPMENT

NEBRASKA BROADBAND OFFICE

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Glossary

BEAD Program: A $42.5 billion federal program to expand access to affordable, reliable, high-speed Internet nationwide administered by the NTIA. NBO administers the $405 million from this program allocated to Nebraska.

Broadband Serviceable Location: A business or residential location in the United States at which fixed broadband Internet access service is, or can be, installed.

BEAD Eligible Location: A broadband serviceable location that is either underserved or unserved and that does not have an enforceable commitment from another program to deploy broadband to that location.

Digital Equity: The condition in which individuals and communities have the information technology capacity needed for full participation in the society and economy of the United States.[1]

Digital Inclusion: The activities that are necessary to ensure that all individuals in the United States have access to, and ability to use, affordable information and communication technologies.[2]

Digital Literacy: The skills associated with using technology to enable users to find, evaluate, organize, create, and communicate information.[3]

Internet Service Speed: The measure of how quickly data can be transmitted over an internet connection, typically measured in Megabits per second and formatted as download speed / upload speed.

Last Mile: The physical infrastructure that connects a provider's network to a home, business, or other end-user device.

Middle Mile: The physical infrastructure that connects a network operator's core network to local networks.

Nebraska Served: A broadband serviceable location is considered Nebraska Served by NBO if availability data indicates that an internet service provider reports offering speeds greater than or equal to 100/100 Mbps at that location to the FCC.

BEAD Served: A broadband serviceable location is considered served by the FCC if an internet service provider reports to them that they offer service speeds greater than or equal to 100/20 Mbps at that location.

Underserved: A broadband serviceable location is considered underserved by the FCC if an internet service provider reports to them that they offer service speeds less than 100/20 Mbps but greater than or equal to 25/3 Mbps.

[1] 47 U.S.C. § 1721 (10)
[2] 47 U.S.C. § 1721 (11)
[3] 47 U.S.C. § 1721 (12)

Unserved: A broadband serviceable location is considered unserved by the FCC unless an internet service provider reports to them that they offer service speeds greater than 25/3 Mbps at that location.

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List of Abbreviations

BEAD.....Broadband Equity, Access, and Deployment Program
BSL..... Broadband Serviceable Location
CPF ..... Capital Projects Fund
DE.....Digital Equity
DECAP .....Digital Equity Capacity Grant Program
E-ACAM ..... Enhanced Alternative Connect America Cost Model Program
FCC ..... Federal Communications Commission
FTTP/FTTH..... Fiber-to-the-Premises/Fiber-to-the-Home
Gbps ..... Gigabits per Second
ISP.....Internet Service Provider
LEO ..... Low-Earth Orbit
LFW.....Licensed Fixed Wireless
ULFW .....Unlicensed Fixed Wireless
Mbps..... Megabits per Second
NBBP ..... Nebraska Broadband Bridge Program
NBO..... Nebraska Broadband Office
NIST ..... National Institute of Standards and Technology
NTIA..... National Telecommunications and Information Administration
NUSF ..... Nebraska Universal Service Fund
PRO-AG .....Precision Agriculture Infrastructure Grant Program
PSC ..... Nebraska Public Service Commission
RDOF .....Rural Digital Opportunities Fund Program
RPN..... BEAD Restructuring Policy Notice
SDPN .....BEAD Supplemental Deployment Policy Notice
TBCP.....Tribal Broadband Connectivity Program
USAC .....Universal Service Administrative Company

Letter from the Interim Director

The Nebraska Broadband Office (NBO) is dedicated to delivering the best possible outcome for Nebraskans when it comes to connectivity across the state. In May, when returned to the Broadband Equity, Access, and Deployment Program as interim director of the Broadband Office (NBO), we focused on operating within the opportunities and limits of BEAD, while adjusting to an evolving federal landscape. With that approach in mind, NBO continues to adapt its approach to meet the needs of Nebraskans.

One product of this evolving landscape was the need to execute a re-award round to connect 1,705 locations that providers declined in the original BEAD funding round. NBO strengthened its award process by enhancing transparency and improving application accessibility. The results were successful, with all locations being awarded, as well as 139 additional community anchor institutions.

This was not just a product of the revamped award process but also through NBO's advocacy successes. In coordination with Governor Pillen's Administration, we worked with the National Telecommunications and Information Administration (NTIA) to include those 139 CAIs in the 2026 Re-Award Round awards. This success is unique as Nebraska stands as the only state to have added CAIs that were not originally awarded previously. This is emblematic of the effort that this administration and the NBO staff will put in to deliver the best possible results for Nebraskans.

NBO now turns to the next steps of the BEAD program, and the likelihood of another round of funding to come next year. To that effect, we will soon begin executing the requirements of the Supplemental Deployment Policy Notice, and in turn connect remaining unserved locations in Nebraska. This additional round presents an opportunity for us to replicate our success and deliver the best end-user experience possible to these unserved locations. We are working relentlessly to realize this opportunity to deliver high speed broadband.

In addition, the work on projects approved in earlier BEAD funding rounds continues. Nebraska is a national leader in the BEAD environmental review process, and NBO staff work hard to further the many grant processes that turn a BEAD award into a broadband connection for a Nebraska family. We are positioned for many of our awards and projects to begin construction that will connect Nebraskans next year.

Sincerely,

Vicki Kramer

Interim State Broadband Director | Nebraska Broadband Office

Executive Summary

This annual report covers the following based on the requirements contained in Neb. Rev. Stat. § 86-331:

I. Describe the status of all publicly administered broadband deployment programs, including the number of projects funded through October of the report year.
II. Describe the quality of broadband service being provided to Nebraska residents.
III. Provide any updates to the strategic plan.
IV. Summarize the Nebraska Broadband Office's outreach efforts and collaboration with all interested stakeholders.
V. Provide an update on efforts to promote digital equity and inclusion on behalf of Nebraska residents.
VI. Provide an update on state advocacy on broadband issues being conducted at the federal level.

The report was written using data and information provided by the Nebraska Public Service Commission (PSC) through ongoing collaboration concerning broadband deployment.

Status of Broadband Deployment Programs

I. *Describe the status of all publicly administered broadband deployment programs, including the number of projects funded through October of the report year.*

State

There are multiple broadband deployment programs that have been funded by the State of Nebraska. These programs are administered by the Nebraska Public Service Commission (PSC). Each program has distinct structures to achieve the goal of broadband access for all Nebraskans.

Nebraska Universal Service Fund (NUSF)

The Nebraska Universal Service Fund (NUSF) was created in 1997 by the Nebraska Telecommunications Universal Service Fund Act[4] and prompted the PSC to open an investigation on how to meet the universal voice service obligations set forth by the act. This investigation culminated with PSC implementing a multi-year transitional mechanism to reform intercarrier compensation and establish funding for NUSF in 1999. In 2001, PSC sought comment on methodologies to determine permanent funding for NUSF from Nebraska eligible telecommunications carriers (ETCs). In 2002, PSC adopted goals for the NUSF long-term support mechanism set forth as outlined in the 1997 legislation.

This mechanism is funded through a $1.75 surcharge per connection for residential and businesses, and a 6.95% assessment for all other assessable services.[5] These surcharges provide the necessary funding to support high-cost areas throughout the State and ensure that the quality service provided is affordable.

When the legislature passed the Nebraska Telecommunications Universal Service Fund Act it provided the PSC authority to create and regulate programs to further the goals set out within the legislation. The PSC then created several NUSF subprograms, each organized under their own docket. Among other objectives, the NUSF supports the development of broadband-capable voice networks as well as the ongoing operation and maintenance of those networks.

There are three NUSF programs specific to broadband buildout: NUSF-99, NUSF-108, and NUSF-131. As of January 1, 2022, NUSF awards require projects to provide a minimum broadband speed of 100/100 Mbps.[6] NUSF grant-based support is not provided to companies until proof of costs incurred is submitted to and reviewed by the PSC.

[4] LB686 1997.
[5] The residential surcharge was changed to a per connection basis in 2019; it changed for businesses in 2021.
[6] Neb. Rev. Stat. § 86-324.01.

NUSF High-Cost Support Programs

Between 2015 and 2024 NUSF-99 and NUSF-108 were used to support the deployment of wireline broadband-capable voice infrastructure by price-cap carriers and rate-of-return carriers (respectively) in high-cost areas of Nebraska. The PSC utilized NUSF-99 and NUSF-108 support as reimbursement to carriers that built projects to bring voice and broadband-capable service to census blocks that were identified as eligible by the PSC. The PSC used cost modeling to determine the maximum amount a carrier is eligible to receive in support each funding year, and to cap the amount that any carrier could receive to build out eligible areas of Nebraska. Carriers were required to submit project notices to the PSC that included estimated project costs and the census blocks to which they planned to extend service. As of September 30, $15 million remains committed to projects funded through NUSF-99, and $6.7 million remains committed to projects funded through NUSF-108.[7] These figures include projects awarded by the PSC across multiple program years and projects at varying stages of completion.

In 2025, the PSC determined that it was appropriate to suspend broadband deployment support provided by NUSF high-cost programs in anticipation of broadband infrastructure grants being made through other programs, such as the Broadband Equity, Access, and Deployment (BEAD) Program.[8] The PSC has shifted NUSF support towards supporting the ongoing costs of voice and broadband-capable infrastructure in rural areas. As a result, no new projects have been supported in NUSF-99 and NUSF-108 since 2024.

NUSF Reverse Auction Program

NUSF-131 is a reverse-auction[9] program that supported the deployment of broadband-capable[10] voice infrastructure in unserved census block groups. In the NUSF-131 reverse auctions, approved carriers were able to bid in one of two tiers, a baseline tier or the gigabit tier. The baseline tier required service speeds of 100/100 Mbps, and the gigabit tier required service speeds of 1 Gbps/500 Mbps. Funding came from NUSF support that was either withheld or unused by the carrier to which it was originally allocated.

Buildout was required to be completed within two years, although extensions could be granted if approved by the PSC. Payments were structured so that one-half of awarded support was distributed to winning bidders upon approval of the bidders' Post-Auction Commitment Forms, with the remainder to be distributed once the bidder completed its build of service to the bid area and fulfilled speed testing requirements.

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[7] Nebraska Public Service Commission 2026 Annual Report on Telecommunications.
[8] Nebraska Public Service Commission Docket NUSF-139.
[9] In the reverse auction format, carriers make bids on bidding units indicating their willingness to build out that bidding unit for a specified support amount. If there are multiple bidders for a bidding unit, or if all bids received in total exceed the available budget, additional rounds are conducted where the prices are lowered, and bidders must continue to bid as rounds continue to be conducted.
[10] NUSF-131 reverse auction awards were made on a technology neutral basis provided the technology could provide the minimum speed requirement for their winning bid tier.

The PSC held one NUSF-131 reverse auction in 2022 and two reverse auctions in 2024. As of September 30, 2026, $10.2 million remains committed to projects funded through NUSF-131.[11]

2024 NUSF-131 first reverse auction awards are detailed in Table 1.

Winning Bidder	ILEC Bid Area	Total Awarded	Complete
Great Plains Communications LLC	Frontier	$2,260,862.35	Complete
Great Plains Communications LLC	Windstream	$1,286,942.34	Complete
Hamilton Consortium	Frontier	$864,335.11	Complete
Hamilton Consortium	Windstream	$598,421.08	Complete
Midstates Data Transport, LLC	Frontier Auction	$7,036,406.31	Complete
Pinpoint Communications, Inc.	Frontier Auction	$5,073,762.88	Complete
Pinpoint Communications, Inc.	Windstream	$3,841,517.04	Complete
Total		$20,962,247.11	

Table 1 - 2024 NUSF-131 1st Reverse Auction Awards.

2024 NUSF-131 second reverse auction awards are detailed in Table 2.

Winning Bidder	ILEC Bid Area	Locations	Tier	Award	Complete
Great Plains Communications LLC	Citizens	12	Gigabit	$223,160.71	Complete
Great Plains Communications LLC	Qwest	126	Gigabit	$1,220,267.47	Complete
Great Plains Communications LLC	UTC	30	Gigabit	$1,134,156.64	Complete
Great Plains Communications LLC	Windstream	16	Gigabit	$393,813.26	Complete
Hamilton Consortium	Citizens	12	Gigabit	$379,828.63	Complete
Hamilton Consortium	Qwest	14	Gigabit	$278,802.25	Complete
Hamilton Consortium	Windstream	9	Gigabit	$151,574.62	Complete
Pinpoint Communications, Inc.	Citizens	171	Gigabit	$2,237,341.12	Complete
Pinpoint Communications, Inc.	Qwest	93	Gigabit	$1,099,480.33	Complete
Pinpoint Communications, Inc.	Windstream	153	Gigabit	$1,497,455.09	Complete
Windstream Nebraska, Inc.	Windstream	25	Gigabit	$623,826.99	Complete
Glenwood Telecommunications, Inc.	Qwest	119	Gigabit	$906,146.31	Complete
Glenwood Telecommunications, Inc.	Windstream	150	Gigabit	$2,673,213.74	Complete

[11] Nebraska Public Service Commission 2026 Annual Report on Telecommunications.

Table 2, Continued.

Winning Bidder	ILEC Bid Area	Locations	Tier	Award	Complete
Consolidated Telephone Company	Qwest	97	Baseline	$1,175,474.77	Complete
Consolidated Telephone Company	UTC	11	Baseline	$370,214.73	Complete
Northeast Nebraska Telephone Company	Qwest	220	Baseline	$2,205,278.48	3/30/2027
Total		1,258		$16,570,035.14	

Table 2 - 2024 NUSF-131 2nd Reverse Auction Awards. Dates reflect the current project completion deadline as extended pursuant to a PSC order.

Nebraska Broadband Bridge Program (NBBP)

On May 26, 2021, former Governor Pete Ricketts signed the Nebraska Broadband Bridge Act, LB 388 (NBBP Act, or Act), which created the Nebraska Broadband Bridge Program to facilitate and fund the deployment of broadband networks in unserved and underserved areas of Nebraska. Each biennium the legislature appropriated $20 million per fiscal year from the State General Fund to be distributed as grants through the program and to pay administrative costs associated with the program. The PSC was allowed under Neb. Rev. Stat. § 86-1310 to adopt and promulgate rules and regulations to implement NBBP.

By statute the PSC distributed grants based on the following three priorities:

1. A project in a project area that is an unserved area which the commission has determined pursuant to § 75-160 or § 86-166 and needs further support but has not received public assistance for the development of a broadband network.
2. A project that is in an unserved area that has received federal support for development of a broadband network, and that will not be completed within twenty-four months after the grant application deadline if the commission determines that a grant under the program will accelerate the deployment of the broadband network.
3. A project in a project area that is an underserved area and that the commission determines to have a digital inclusion plan.

The PSC also established a minimum weighted scoring system pursuant to the Act to rank the applications. The Act outlined the following as the minimum criteria:

- The financial, technical, and legal capability of the applicant to deploy and operate broadband service;
- Whether the applicant is an eligible telecommunications carrier;
- The ability of the applicant to offer comparable market rates inside the project area as they do outside of the project area;
- A minimum speed requirement of 100/100 Mbps;
- The scalability of the project in the future, and;
- Whether the applicant has committed to fund more than 50% of the total development costs of the project is located outside of a high-cost area, or more than 25% of the total development costs if the project is located inside a high-cost area.[12]

[12] The PSC publishes information on eligible high-cost areas in Nebraska for participants. High-cost areas include areas outside of cities, villages, or unincorporated areas as defined in the 2020 US Census, and census blocks with less than 20 households and densities lower than 42 households per square mile.

The PSC implemented an evidence-based challenge process to prevent overbuilding in areas where carriers already served or were in the process of building infrastructure to serve. The PSC distributed 25% of awarded NBBP grant funds to awardees upon award of the grant, 25% of funds in the ninth month following the grant award, and the remaining funds upon project completion subject to successful speed testing and submission & review of invoices proving costs incurred.

NBBP projects were required to be completed within 18 months of award. Applicants could request deadline extensions for reasons such as weather delays, supply chain, labor or equipment availability issues, permitting or right-of-way challenges, or other unforeseen circumstances that can affect project construction timelines.



Figure 1 - Nebraska Broadband Bridge Program 2023 Extended Project Locations Map

The PSC conducted four annual grant cycles, beginning in 2021, with the most recent cycle conducted in 2024. While most projects have been completed and are in various stages of closeout, six projects have been granted extension requests that extended their deadlines into 2026 or later. Figure 1 shows 2023 NBBP project locations that have received deadline extensions.

The six 2023 NBBP projects that have had deadline extensions are detailed in Table 3.

Applicant	Project	Award	Locations	Complete
Hartington Telecommunications Co., Inc (dba Hartelco)	Project A1 (Rural Fordyce)	$925,413.00	46	7/9/27
Hartington Telecommunications Co., Inc (dba Hartelco)	Project A2 (Menominee)	$1,286,975.00	48	7/9/27
Hartington Telecommunications Co., Inc (dba Hartelco)	Project B (Rural St. Helena)	$1,030,710.00	41	7/9/27
Hartington Telecommunications Co., Inc (dba Hartelco)	Project E (Lewis and Clark Lake)	$3,949,781.00	479	7/9/27
Pinpoint Communications, Inc.	Rural Beatrice 2	$535,500.00	23	1/8/27
Pinpoint Communications, Inc.	Rural Cook to Talmage	$1,165,500.00	55	Complete
Total		$8,893,879.00	692	

Table 3 - Nebraska Broadband Bridge Program 2023 Extended Projects. Dates reflect the current project completion deadline as extended pursuant to a PSC order.

Awards for the 2024 NBBP cycle were announced in January 2025. The PSC approved and funded 21 projects. 2024 NBBP projects had a completion deadline of July 7, 2026, and deadline extension requests for some projects have been granted. Figure 2 is a map showing 2024 NBBP project locations.

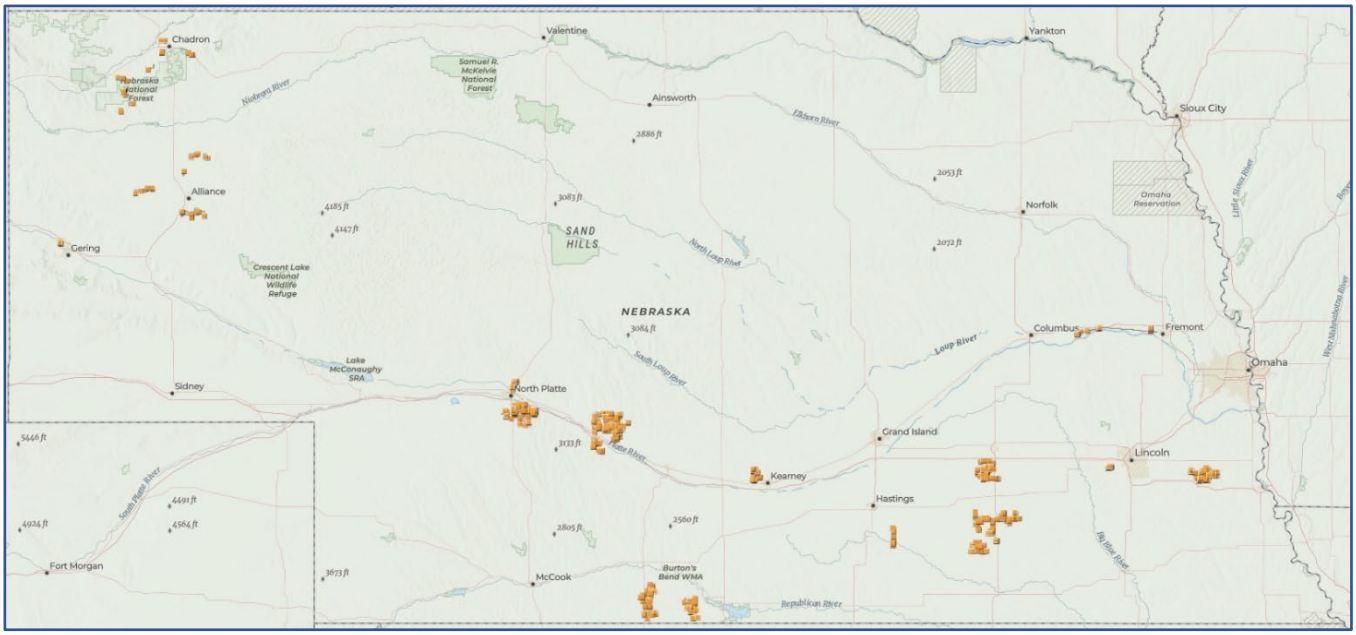

Figure 2 - Nebraska Broadband Bridge Program 2024 Project Locations

Table 4 details 2024 NBBP projects.

Applicant	Project Name	Locations	Grant Award	Complete
ALLO Communications LLC	Fremont to Schuyler[13]	73	$447,624	1/14/27
ALLO Communications LLC	North Conestoga Lake	39	$339,282	Complete
ALLO Communications LLC	North of North Platte	66	$604,725	Complete
ALLO Communications LLC	Northwest Kearney	118	$128,328	Canceled[14]
ALLO Communications LLC	Northwest Lake Maloney	15	$158,149	Complete
ALLO Communications LLC	West Lake Maloney	22	$586,393	1/14/27
ALLO Communications LLC	West Scottsbluff	20	$139,591	Complete
Glenwood Telecommunications, Inc.	Fillmore County 3	88	$1,548,196	Complete
Glenwood Telecommunications, Inc.	Glenvil Spur	12	$271,203	Complete
Glenwood Telecommunications, Inc.	Strang	24	$68,353	Complete
Glenwood Telecommunications, Inc.	York County 2	53	$981,962	Complete
Mobius Communications	24_MOBIUS_BBC	23	$1,013,659	Complete
Mobius Communications	24_MOBIUS_DAWES	28	$805,910	Complete
Pinpoint Communications, Inc.	Beaver City 1	7	$300,000	Complete
Pinpoint Communications, Inc.	Beaver City 3	31	$1,476,769	1/14/27
Pinpoint Communications, Inc.	Gothenburg 1	26	$756,155	1/14/27
Pinpoint Communications, Inc.	Gothenburg 2	32	$888,944	1/14/27
Pinpoint Communications, Inc.	Gothenburg 3	87	$3,450,000	1/14/27
Pinpoint Communications, Inc.	North Platte Southeast	97	$2,625,000	Complete
Pinpoint Communications, Inc.	North Syracuse	85	$2,185,286	1/14/27
Pinpoint Communications, Inc.	South Stamford-Orleans	22	$1,275,000	1/14/27
Total		968	$20,099,602	

Table 4 - Nebraska Broadband Bridge Program 2024 Projects. Dates reflect the current project completion deadline as extended pursuant to a PSC order.

No additional state funding was allocated for NBBP grants in 2025 and 2026. As such, the PSC did not make new NBBP awards in 2025 or 2026.

[13] Allo's Fremont to Schuyler project was modified pursuant to a 10/27/26 PSC order approving Allo's request to remove 8 non-serviceable locations near Rogers from the project and designate 14 locations near Schuyler to be served by Vyve Broadband after construction is complete.

[14] Allo requested to cancel the Northwest Kearney project in a 6/2/26 motion filed with the PSC. PSC held a hearing on the motion on 8/11/26. In a 10/27/26 order approving the cancellation, PSC determined that having Allo complete the project would not be a prudent use of broadband funding due to excessive costs and the inability of the project to be completed in a timely manner. Allo must return all grant funds received for the project by 11/13/26 and are subject to additional scrutiny when applying for PSC programs in the future.

Capital Projects Fund (CPF)

On April 18, 2022, then-Governor Pete Ricketts signed the Economic Recovery Act (LB1024 (2022)) which authorized Nebraska to receive and use funds from the federal Coronavirus Capital Projects Fund (CPF) to support capital projects across the state. This program was funded by a one-time infusion of funds from the federal American Rescue Plan Act of 2021 (ARPA). The purpose of the funding was to allow Nebraska to carry out capital projects enabling work, education, and health monitoring in response to the COVID-19 pandemic.

Nebraska received $128,740,178 from ARPA. The Economic Recovery Act directed CPF funding as follows to Nebraska's Congressional Districts as follows:

1. No less than $40 Million for Broadband Projects in CD-1
2. No more than $35 Million for Multipurpose community facilities in CD-2
3. No less than $40 Million for Broadband Projects in CD-3
4. No more than $5 Million for total administration of the program

The funds were allocated to the Department of Economic Development by the Economic Recovery Act, which entered a Memorandum of Understanding with the PSC to administer the broadband projects in CD-1 and CD-3 consistent with Nebraska Broadband Bridge Program requirements.

CPF projects require service speeds scalable to 100/100 Mbps or greater. LB 1024 § 13(2) exempted CPF projects from the matching funds requirement of the NBBP. However, the PSC included a matching funds component in the application scoring process.[15]

Eligible project areas were defined in the Economic Recovery Act to be in an unserved area or underserved area within CD-1 or CD-3 as defined by the PSC. In the case of CD-3, projects in the first round of awards (known as CPF-1) were required to be entirely located within the geographical boundaries of cities of the second class as defined by Neb. Rev. Stat. § 17-101, and villages as defined by Neb. Rev. Stat. § 17-201.

To ensure compliance with grant requirements, 25% of grant funds are dispersed upon award; 50% of funds are dispersed in the ninth month following the award; the remaining funds are dispersed upon completion of the project[16]. All disbursements to awardees for Capital Projects Fund projects must be completed by December 31, 2026, unless granted an extension per U.S. Treasury guidance.

In May 2026, the Treasury Department updated CPF guidance to provide for consideration of deadline extension requests for projects that faced construction,

[15] Matching funds were not required, but applicants would receive additional points in the scoring calculation that determined awards for including matching funds in their application.
[16] Subject to proof of actual costs, and successful speed testing.

permitting, or other project delays. Awardees could request a single deadline extension of up to six months. These requests were due for all projects on July 31, 2026. The PSC coordinates as necessary with the Treasury Department for such extension requests.

In June 2023 the PSC issued CPF-1 awards totaling $40,311,361.47 in CD-1 and $20,033,925.62 in CD-3. CPF-1 projects had an original completion deadline of December 27, 2024. Three CPF-1 projects, pictured in Figure 4, had deadlines that were extended into 2026. These CPF-1 projects are detailed in Table 5.

Because funding remained available following CPF-1, particularly for projects in CD-3, the Commission initiated a second round of grants known as CPF-2 on December 20, 2023, to allocate the remaining funds. Pursuant to statutory changes enacted through LB683 (2023), eligibility in CPF-2 was expanded to include all unserved or underserved areas in CD-3.[17]

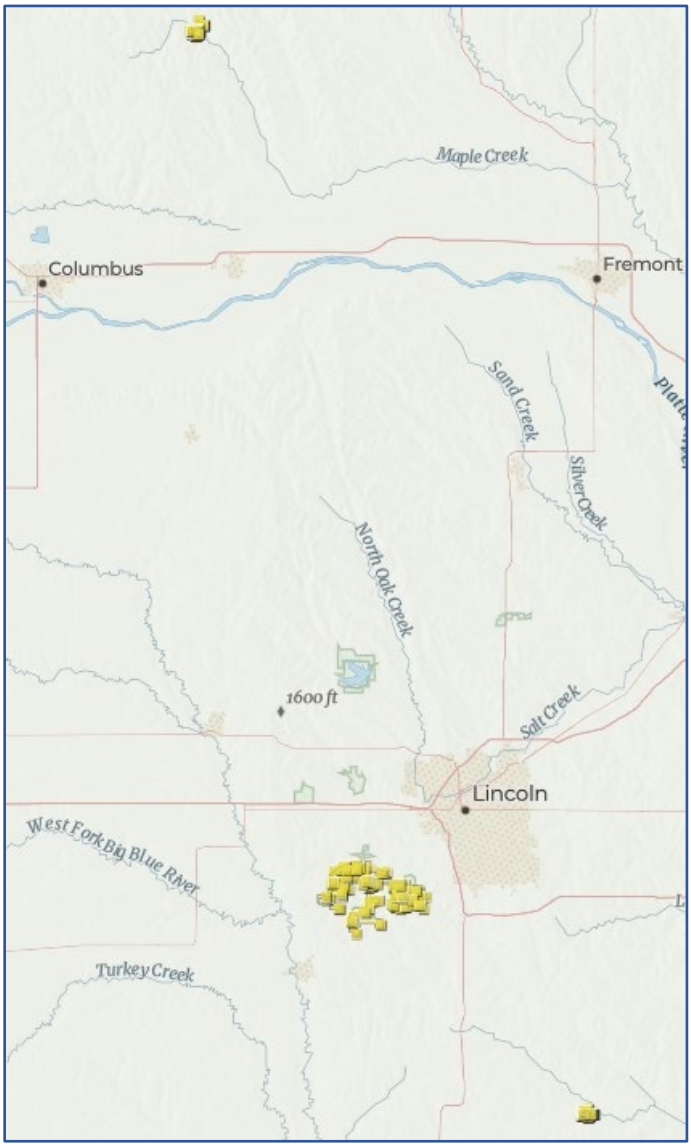

Figure 3 – Map of Capital Projects Fund 1 Project Locations with Deadlines Extended into 2026

Applicant	Project	Locations	Award	Complete
CenturyLink	Clarkson	241	$1,029,679.00	Complete
Windstream	Adams	102	$314,453.88	Complete
Windstream	Denton	178	$3,200,584.71	Complete
Total		521	$4,544,717.59	

Table 5 - Capital Projects Fund 1 Extended Projects

[17] Rather than being limited to cities of the second class and villages as required under the original provisions of LB 1024.

CPF-2 grant awards were issued in June 2024 and had a completion deadline of December 25, 2025. CPF-2 project locations are pictured in Figure 5.

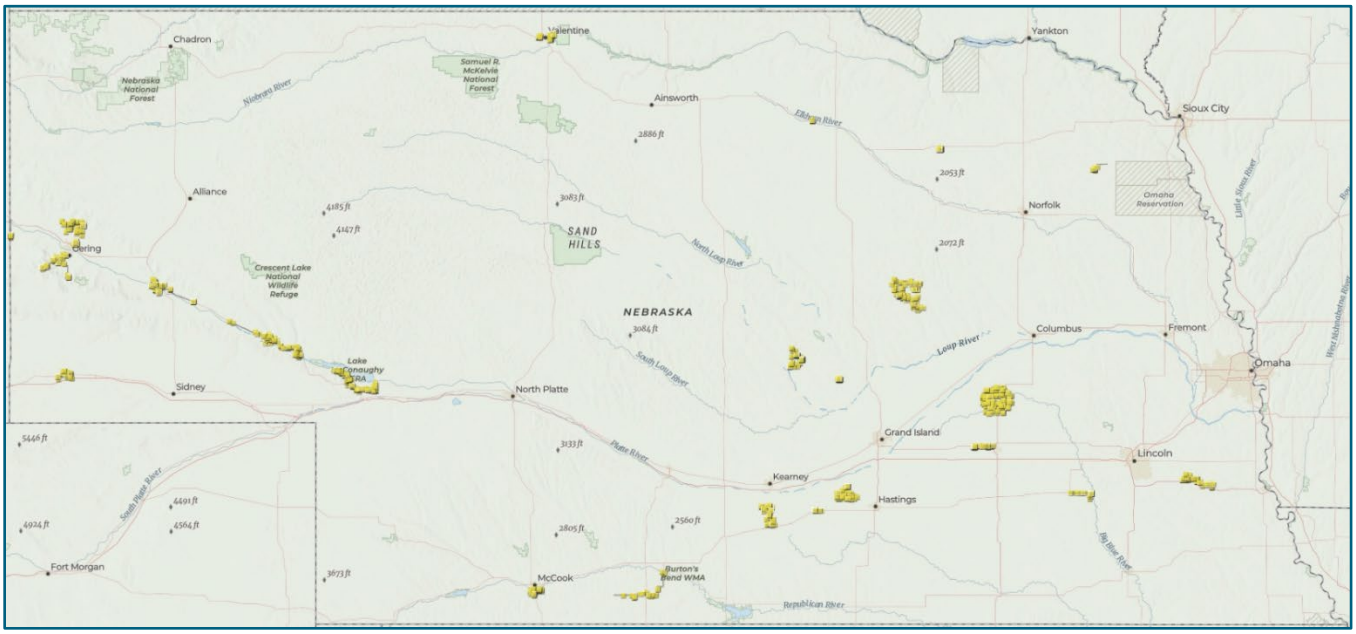

Figure 4 - Capital Projects Fund 2 Project Locations Map

Table 6 summarizes CPF-2 projects.

Applicant	Project Name	Locations	Award	Complete
ALLO Communications LLC	Blue River Lodge/Saline County Rural	107	$760,354.00	Complete
ALLO Communications LLC	East Valentine	63	$320,912.00	Complete
ALLO Communications LLC	North Ogallala	625	$3,610,697.00	Complete
ALLO Communications LLC	North Scottsbluff	67	$266,886.00	Complete
ALLO Communications LLC	Scotts Bluff National Monument	5	$121,103.00	Complete
ALLO Communications LLC	South Bridgeport	18	$225,698.00	Complete
ALLO Communications LLC	Village of Bradshaw	260	$594,074.00	Complete
ALLO Communications LLC	Wayne Rural - Wakefield	13	$539,639.00	Complete
ALLO Communications LLC	West Valentine	46	$275,235.00	Complete
Glenwood Telecommunications, Inc.	Heartwell	46	$364,217.08	Complete
Glenwood Telecommunications, Inc.	Kearney County	59	$1,005,167.02	Complete
Glenwood Telecommunications, Inc.	Prosser	84	$1,417,886.03	Complete
Great Plains Communications LLC	Project Brunswick	130	$1,120,098.28	Complete
Great Plains Communications LLC	Project Emmet	56	$381,651.52	Complete
Great Plains Communications LLC	Project McCook South	108	$1,161,237.12	Complete

Table 6 Continued.

Applicant	Project Name	Locations	Award	Complete
Inventive Wireless of Nebraska, LLC dba Vistabeam	Garden-NBBP-HWY26	163	$2,974,350.00	Complete
Inventive Wireless of Nebraska, LLC dba Vistabeam	Kimball-NBBP-Kimball	202	$903,336.00	Complete
Inventive Wireless of Nebraska, LLC dba Vistabeam	Morrill-NBBP-HWY26	154	$1,420,250.00	3/4/2027
Inventive Wireless of Nebraska, LLC dba Vistabeam	ScottsBluff-NBBP-Lyman	21	$413,725.00	Complete
Inventive Wireless of Nebraska, LLC dba Vistabeam	ScottsBluff-NBBP-North	63	$1,931,875.00	Complete
Inventive Wireless of Nebraska, LLC dba Vistabeam	ScottsBluff-NBBP-South	45	$1,702,215.00	Complete
Midstates Data Transport, LLC d/b/a Stealth Broadband	Boone County West Unserved	128	$2,197,650.83	Complete
Northeast Nebraska Telephone Company	Polk County	176	$3,777,885.00	Complete
Pinpoint Communications, Inc.	Beaver City to Wilsonville	15	$900,000.00	Complete
Pinpoint Communications, Inc.	Edison to Beaver City	8	$742,500.00	Complete
Pinpoint Communications, Inc.	Syracuse to Palmyra	69	$1,125,000.00	Complete
Qwest Corporation d/b/a CenturyLink QC	Farwell	121	$414,920.00	Complete
Spectrum Mid-America, LLC, managed by Charter Communications, Inc.	Charter Communications – Sherman County	361	$252,871.00	Complete
Total		3,213	$ 30,921,432.88	

Table 6 - Capital Projects Fund 2 Projects. Dates reflect the current project completion deadline as extended pursuant to a PSC order.

Precision Agriculture Infrastructure Grant Program

Created by LB1144 (2022), the Precision Agriculture Infrastructure Grant Program (PRO-AG) is administered by the PSC intended to propel Nebraska agricultural producers to be national leaders in precision agriculture and provide high-speed internet service to farm operations. PRO-AG does this through two subprograms, the Connectivity Subprogram and the Devices and Technology Subprogram. By statute the PSC is allowed to award up to one-half of the available grant funds in each of the subprograms.

The Connectivity Subprogram supports the provision of adequate precision agriculture connectivity to farm structures and devices. Broadband buildout direct costs are permitted, though they are not to exceed 25% of the total project costs and must demonstrate alignment with program objectives. Awardees have twelve months after being awarded to complete the project and must submit speed tests to verify they are providing the required 100/20 Mbps minimum service. The PSC may grant one six-month extension upon request with good cause shown by the applicant.

To date only three Connectivity Subprogram awards have been made, all in the 2023 - 2024 program year. The awards were all to Vistabeam which totaled $391,280 for projects in western Nebraska that enabled connectivity to image-based non-contact water monitoring devices at multiple North Platte Natural Resources District locations. As of September 30, nearly all Precision Agriculture Infrastructure Grant Program projects in both subprograms have been completed.[7]

The PSC did not make awards for the Connectivity subprogram in 2026 due to no additional funding being appropriated for new grant awards.[7]

Federal

Currently, there are multiple broadband deployment programs funded by different federal appropriations. The administrative structure of federal broadband programs varies, with some being administered by states and others by the federal agency itself. The BEAD program is federally funded but administered by the Nebraska Broadband Office (NBO). The Rural Digital Opportunities Fund (RDOF), Enhanced A-CAM (EACAM), Enabling Middle Mile Infrastructure Program, and Tribal Broadband Connectivity Program (TBCP) are directly administered by federal agencies.

National Telecommunications and Information Administration (NTIA) Programs

Broadband Equity, Access, and Deployment Program

The BEAD program is a $42.25 billion federal grant program created in 2021 by the Infrastructure Investment and Jobs Act (IIJA). The BEAD program aims to connect every American to high-speed internet by funding broadband infrastructure projects. The BEAD program is administered by the National Telecommunications and Information Administration (NTIA), a U.S. Department of Commerce agency. NTIA announced the allocations, determined by a formula, to states and territories in June 2023.

Nebraska was allocated $405,281,070.41 in BEAD funding. While the federal BEAD program is administered by NTIA, states and territories are responsible for the administration of state-level versions of BEAD as the eligible entity of NTIA. NBO administers the BEAD program in Nebraska as the Nebraska Broadband Equity, Access, and Deployment (NBEAD) program.

NBO began an award process on April 1, 2025, prior to NTIA's release of the BEAD Restructuring Policy Notice (RPN). However, none of the applications received during this round could be considered for award under the requirements of the RPN, released on June 6, 2025. The RPN, included as Annex 1, introduced significant changes to the BEAD program, chief among them a restructuring of the award-making criteria and a reduction in Nebraska's BEAD inventory. States were given 90 days to implement the changes, conduct a Benefit of the Bargain (BoB) award process, and submit their Final Proposals to NTIA. NBO quickly complied with the changes laid out in the RPN and was one of the first states to conduct a BoB award process.

NBO carried out the BoB award process[18] in the summer of 2025 as required by the RPN and submitted its preliminary BEAD awards to NTIA for approval in September 2025. NBO received NTIA approval of its preliminary awards in December 2025 and began working with the nine preliminarily awarded broadband providers to execute their awards and begin deployment. NBO worked to achieve this throughout early 2026 and successfully signed subgrants with providers.

[18] See NBO's 2025 Annual Report for more details regarding the Benefit of the Bargain process.

During that time, Nebraska and NBO marked a monumental milestone for the BEAD program nationally. On May 14, 2026, Governor Jim Pillen and NTIA Assistant Secretary of Commerce for Communications and Information Arielle Roth attended and spoke at an event celebrating the first reported BEAD connected household nationwide. The event was held at the connected household, which is part of an Inventive Wireless of Nebraska LLC (d.b.a. Vistabeam) fixed wireless project near Ogallala, Nebraska. The deployed service is capable of speeds far exceeding BEAD required minimums and recorded a speed of 800/200 Mbps during testing.

On May 22, 2026, NBO announced that it had successfully signed agreements with seven of its preliminary awardees. The signed awards accounted for 88% of Nebraska's BEAD inventory. However, the decision by two preliminary awardees to decline their award left 1,735 locations without a BEAD award commitment. As a result of private development and more accurate map data, the total locations available were reduced to 1,705. Because of the large number of locations without alternative applications within 15% of the cost of the original awardee, NBO opened an additional award round in compliance with RPN procedures. NBO designed the 2026 Round to promote transparency, encourage competition, and deliver the best possible service for end users. This round was called the 2026 Award Round.

Additionally, as part of the 2026 Round, NBO sought to make 151 additional community anchor institutions (CAIs) available for award alongside the 1,705 locations. These CAIs had been available for application in the Benefit of the Bargain (BoB) round but went unawarded. NBO worked with NTIA to make this possible and was ultimately successful in including the CAIs in its 2026 Round inventory. As a result of NBO's efforts, all but 12 CAIs identified in 2025 as lacking 1/1 Gbps service either currently possess speeds of at least 1/1 Gbps, or now have awards committed to them that will provide speeds of at least 1/1 Gbps.

NBO sought to enhance the program based on insights gained from the BoB Round and feedback received from a Request for Information (RFI) released on June 5, 2026. The RFI sought comment from BoB Round participants, consistent with NTIA guidance, that would improve efficiency of the NBEAD award process. Comments were accepted until June 15, 2026. Key improvements to the NBEAD award process for the 2026 Round included greater transparency regarding the $30,000 NTIA cost cap, the technology tiering system[19], optimizations to the defined project area creation methodology, and streamlining of the NBEAD application forms and processes.

[19] Three tiers existed based on an assessment of what technology is most conducive to the award area. 1,303 locations were deemed most conducive to fiber; 384 locations were deemed most conducive to licensed fixed wireless; and 175 locations were deemed most conducive to Low-Earth Orbit Satellite.

NBO released the Request for Applications (RFA) on June 25, 2026, beginning the 2026 Round. Applications closed on July 16, 2026. All previously Approved Applicants[20] were eligible to apply. NBO received a total of 49 applications from four entities in the 2026 Round. Table 7 summarizes 2026 Round awards.

Provider	Technology	Award	Locations	CAIs
AMG Technology Investment Group, LLC	LFW	$8,428,323.14	1,339	122
Midstates Data Transport LLC	Fiber	$3,549,885.00	145	10
Northeast Nebraska Telephone Co.	Fiber	$4,783,155.99	217	7
Quick Current-Nebraska LLC	LFW	$119,996.00	4	-
Total		$16,881,360.13	1,705	139

Table 7 - Broadband Equity, Access, and Deployment Program 2026 Round Award Summary

To finalize the 2026 Round awards, NBO was required to complete NTIA's post-award change (PAC) process. NTIA submitted its PAC materials to NTIA on September 4, 2026. NTIA approved NBO's PAC on October 2, 2026. As of November 16th, 2026, budget authority for those funds is pending approval from the National Institute of Standards and Technology (NIST), the final step before NBO can execute subgrant agreements.

Table 8 summarizes all BEAD awards[21] by provider, technology, total award amount, total locations awarded, and total Community Anchor Institutions (CAIs) awarded.

Provider	Technology	Award	Locations	CAIs
AMG Technology Investment Group, LLC	LFW	$27,607,163.37	9,241	122
Inventive Wireless of Nebraska LLC	LFW	$423,375.00	93	-
Midstates Data Transport LLC	Fiber	$13,360,185.00	558	20
Mobius Communications Co.	Fiber	$1,979,312.06	293	-
Nedelco, Incorporated	Fiber	$5,155,738.06	328	-
Northeast Nebraska Telephone Co.	Fiber	$4,783,155.99	217	7
Quick Current-Nebraska LLC	Fiber (CAIs) & LFW (Locations)	$629,979.00	4	17
Space Exploration Technologies Corp.	LEO Satellite	$2,480,672.16	3,268	-
Total		$56,419,580.64	14,002	166

Table 8 - Broadband Equity, Access, and Deployment Program Award Summary

While NBO conducted the 2026 Round, work continued with 2025 subgrantees on their projects. That work focused primarily on environmental review and permitting. Nebraska is a national leader in advancing BEAD projects through environmental review and permitting and is second in the country with total number of projects approved. Nebraska secured approvals for 156 of its 292 subprojects from 2025 and sits at 45.96% of BSLs approved or exempted from permits. Nebraska accounts for 38.5% of all environmental

[20] These were applicants approved in the original NBEAD RFA and the Benefit of the Bargain Round RFA.
[21] Inclusive of both 2026 Re-Award Round awards and Benefit of the Bargain Round awards.

permits approved nationwide. Based on this progress NBO expects many projects to complete work and begin deploying services in 2027.

BEAD Supplemental Deployment Policy Notice

On September 3, 2026, NTIA released the BEAD Supplemental Deployment Policy Notice (SDPN), included as Annex 2. The SDPN allows states to address locations that remain unserved after BEAD awards due to defaults in other broadband deployment programs and/or changes to the FCC National Broadband Map using unawarded BEAD funds. There is currently no provision to award funding to underserved locations.

Under the SDPN, NTIA provided each state broadband office with a Supplemental BEAD Eligible Location List identifying locations eligible for funding. Prior to this list being compiled, NBO coordinated with NTIA to submit locations it believed remained unserved, including locations affected by defaults in other broadband deployment programs. This was the only opportunity to add locations to the list. On November 6, 2026, NTIA provided NBO with Nebraska's SDPN list of 5,286 locations.

The SDPN requires the following to be done by NBO:

1. NBO must complete an initial review of the locations identified by NTIA to prevent duplicative or unnecessary funding within 30 calendar days of receiving the Supplemental BEAD Eligible Locations List, due December 7, 2026[22]. NBO has coordinated with the PSC on reviewing the list of locations;
2. NBO must publish the revised Supplemental BEAD Eligible Location List for public inspection and provide instructions on how to submit location challenges within seven calendar days of completing its initial review, due December 14, 2026;
3. Per the SDPN "broadband service providers, local governments, and nonprofit organizations" will have 45 calendar days from NBO's publication of the revised Supplemental BEAD Eligible Location List to submit evidence to NBO that a location included on the list does in fact have service or planned service and should be removed,[23] due January 28, 2027;
4. NBO must adjudicate location challenges within 30 calendar days of the close of the challenge period, due March 1, 2027;
5. NBO must submit the final proposed Supplemental BEAD Eligible Location List to NTIA for review and approval. NTIA will determine the amount of additional funding to be released to complete deployment based on the number of locations in the approved list multiplied by the average cost of deployment per location in Nebraska's approved Final Proposal, anticipated around May 2027[24];

[22] Per the SDPN, if a deadline falls on a Saturday, Sunday, or a Federal holiday then the deadline is the next Federal business day.
[23] Per the SDPN, locations may only be removed by location challenges, and the burden of evidence lies with the challenge submitter.
[24] NTIA has not specified how long this determination will take.

6. Upon NTIA approval of the final proposed Supplemental BEAD Eligible Location List and additional funding amount, NBO will have 90 calendar days to conduct a second Benefit of the Bargain round & submit a proposed plan to serve locations contained in the approved Supplemental BEAD Eligible Location List, anticipated around August 2027;
7. NTIA will have 90 calendar days to approve the Supplemental Deployment Plan submitted by NBO, anticipated around November 2027.

Enabling Middle Mile Broadband Infrastructure Program

The Enabling Middle Mile Broadband Infrastructure Program is a federal program administered by NTIA intended to enhance middle mile broadband infrastructure. $980 million was allocated to tribal entities nationwide in 2023. The Omaha Tribe of Nebraska was awarded $36,374,797 through the program on June 16, 2023. The proposed project would see the Omaha Tribe of Nebraska and its 100% Tribally owned subsidiary, Quick Current LLC, deploy a fiber-based middle mile network to cover currently unserved and underserved Tribal and adjacent rural areas in eastern Nebraska and western Iowa. The project has a specific focus on providing middle mile infrastructure and services to the tribal area of the Omaha Tribe of Nebraska and Iowa and surrounding areas.

NTIA's Middle Mile Tracking Dashboard[25] lists overall project completion at 74%,[26] with 230 of 472 miles of fiber completed as of October 31, 2026. As part of applying, applicants agreed to complete their proposed project within five years of funds being released. Documentation made publicly available by NTIA & USASpending.gov[27] indicate the award end date of this project is December 31, 2027.

Tribal Broadband Connectivity Program

The Tribal Broadband Connectivity Program (TBCP) is a federal program administered by NTIA that supports Tribal entity led projects to enhance broadband connectivity and increase digital skills on Tribal lands. NTIA also invited proposals that included broadband infrastructure deployment projects. Projects approved through TBCP have a period of performance of one year unless extended by the supervising NTIA grants officer.

Nebraska had three projects that supported broadband infrastructure deployment awarded during the first TBCP round held in 2023 that are still in progress:

[25] Available at https://nbam.maps.arcgis.com/apps/dashboards/fd2a9ba59b5448e5866eec4d021f85c3#
[26] This is a 32-percentage point increase since the 2025 Annual Report. NTIA calculates project completion based on multiple factors, including but not limited to environmental assessment completion, network design, permit obtainment, network build, and equipment deployment.
[27] According to USASpending.gov this is the date by which the recipient will finish their work, or the award will otherwise end

- An Iowa Tribe of Kansas and Nebraska project that proposed to replace 22 miles of fiber backbone infrastructure, upgrade wi-fi service, and support broadband adoption was awarded $498,000;
- A Santee Sioux Nation project that proposed to deploy wireless broadband service was awarded $500,000;
- A Winnebago Tribe of Nebraska project that proposed to deploy fiber broadband to 602 unserved Tribal households, 40 unserved Tribal businesses, and 16 unserved Tribal CAIs was awarded $35,252,376.44.

Projects approved in TBCP 1 have a standard period of performance of one year unless extended by the supervising NTIA grants officer. Based on the award end date listed on USASpending.gov for these awards, their deadlines are:[27]

- June 30, 2027, for the Iowa Tribe of Kansas and Nebraska project;
- December 31, 2026, for the Santee Sioux Tribe project;
- August 31, 2028, for the Winnebago Tribe of Nebraska project.

No Nebraska entities were awarded in the second TBCP round held in 2024. NTIA announced it was pursuing reforms to the Tribal Broadband Connectivity Program in November 2025 and intended to release a third Notice of Funding Opportunity (NOFO) in Spring 2026. NTIA issued the third TBCP NOFO on June 17, 2026. The application deadline for third TBCP round was November 17. NTIA expects to begin making awards on a rolling basis in Spring 2027.

Connecting Minority Communities Program

The Connecting Minority Communities Program was a federal pilot program administered by NTIA to enhance broadband connectivity and adoption at Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), Minority-Serving Institutions (MSIs), and their surrounding communities.

The Nebraska Indian Community College was awarded $2,938,816 from this program in 2023. Through this project they intended to hire the professionals needed to facilitate the college's major technology shift to online classes and remote coursework, provide laptops students, and invest in equipment that augments the build-out of their campus network. The award's end date was February 28, 2026, according to USASpending.gov.[27]

No other awards to entities in Nebraska have been made through the Connecting Minority Communities Program.

U.S Department of Agriculture Programs

ReConnect Loan and Grant Program

The USDA ReConnect Program offers loans, grants, and loan-grant combinations to facilitate broadband deployment in areas of rural America that currently do not have sufficient access to broadband. It seeks to facilitate the expansion of broadband services and infrastructure, thereby fueling long-term rural economic development and opportunities in rural America. Projects financed by ReConnect must be fully completed within five years of the date the funds are released.

Nebraska has had USDA ReConnect projects approved in previous years. In 2019, Eastern Nebraska Telephone Company had a $5.7 million project to serve 489 households with fiber technology approved. In 2020, Rock County Telephone Company had a $3.1 million project to serve 115 households with fiber technology approved.

There were no USDA ReConnect Loan and Grant Program projects approved in Nebraska in 2026.

USDA Rural Utilities Service Telecommunications Infrastructure Loans & Loan Guarantees Program

The Rural Utilities Service Telecommunications Infrastructure Loans & Loans Guarantees Program provides financing for the construction, maintenance, improvement, and expansion of telecommunications service in rural areas. Most entities (including state and local governmental entities, federally recognized tribes, non-profits, and for-profit businesses that are a corporation or limited liability company) in qualified rural areas[28] are eligible to apply.

Applicants must agree to complete the proposed project within five years from the day they are notified that funds are available to be eligible for assistance. Loans made through this program must be repaid with interest within a period, rounded to the nearest whole year, equal to the composite economic life of the financed assets.[29]

In 2026, K. & M. Telephone Company had a $12,453,998 loan approved for a project to build buried fiber-to-the-premises networks within its two Incumbent Local Exchange Carrier (ILEC) exchanges. The proposed network will be 100/100 Mbps capable and cover 460 households and 57 businesses over a 613 square mile area around Chambers Nebraska. This project's completion deadline is in 2031.

Nebraska has had nineteen other projects covering 29,355 households financed by $151.5 million in loans approved through this program between 2005 and 2015.

[28] Qualified rural areas are rural areas and towns with a population of 5,000 or less, areas without telecommunications facilities, or areas where the applicant is the recognized telecommunications provider.
[29] 7 CFR 1738.153

Federal Communications Commission Programs

Rural Digital Opportunities Fund

The Rural Digital Opportunity Fund (RDOF) is a Federal Communications Commission (FCC) program administered by the Universal Service Administrative Company (USAC). RDOF had a reverse auction structure that provided support to connect rural homes and small businesses to high-speed broadband networks. The RDOF Phase 1 Auction ended in November 2020 and $9.2 billion in support will be disbursed to 180 winning bidders over 10 years.

RDOF participants must offer stand-alone voice services and broadband services at speeds consistent with their winning bid (minimum 25/3 Mbps) at a price reasonably comparable to those available in urban areas to all locations within the award area over eight years of the 10-year program. Award areas are based on census block groups. Carriers are required to complete 40% of deployments by the end of year three, 60% of deployments by the end of year four, 80% of deployments by the end of year five, and 100% of deployments by the end of year six.[30]

Table 9 details the carriers with RDOF obligations in Nebraska, their support amounts, and locations assigned.

Carrier	10-Year Assigned Support	Locations Assigned
AMG Technology Investment Group LLC	$25,350,146.70	13,919
CenturyLink, Inc.	$326,802.00	69
Grain Communications Opportunity Fund II, L.P.	$19,816.40	116
Hamilton Long Distance Company	$128,560.30	167
LTD Broadband LLC	$33,228,644.00	28,729
Skywave Wireless, Inc.	$57,660.00	12
Windstream Services LLC, Debtor-in-Possession	$579,530.00	195
Wisper-CABO 904 Consortium	$11,256.00	11
Total	$59,702,415.80	43,218

Table 9 - Rural Digital Opportunities Fund Obligations

The FCC and USAC are in the process of the scheduled adjustment of RDOF deployment obligations. The FCC plans to revise current RDOF location lists using the version of the FCC BDC Fabric to be released in December 2026 and publish the adjusted lists in January 2027. The FCC anticipates that it will release the final RDOF required location lists around May 2027. Carriers will have until the end of year eight[31] to complete deployment to all locations in their adjusted required locations list.

[30] 2027 or 2028, depending on if the carrier received support authorization in 2021 or 2022.
[31] 2029 or 2030, depending on if the carrier received support authorization in 2021 or 2022.

In an October 28 letter, Cox informed the FCC that it was withdrawing from RDOF and returning their awards in multiple states, including their three awarded census block groups in Nebraska.[32] Cox added that broadband service has already been deployed to a "substantial number" of their award required locations, and they were withdrawing due to challenges related to speed testing and service milestone requirements. Cox includes that they provided NTIA with the remaining unserved locations on October 27 so that NTIA could consider them for inclusion in BEAD.

Enhanced A-CAM

The Enhanced Alternative Connect America Cost Model (Enhanced A-CAM) program is an FCC program established in 2023 and is administered by USAC. Beginning in 2024, $1.27 and $1.33 billion is distributed annually over a 15-year period to carriers to deploy, maintain, and improve broadband service networks. Broadband service supported by Enhanced A-CAM funding must be capable of speeds not less than 100/20 Mbps.

Broadband carriers had to elect to participate in Enhanced A-CAM. Carriers accepting Enhanced A-CAM support in Nebraska, their annual support amounts and the number of locations they are required to deploy to is detailed in Table 10.[33]

Carrier	Annual Support	Required Locations
American Broadband Holding Company	$4,473,074	4,729
Arapahoe Telephone Company	$2,096,587	507
BW Telcom	$1,486,091	51
Consolidated Companies, Inc.	$11,832,633	2,564
DTC Holding Company	$946,618	-
Great Plains Communications	$32,874,622	16,775
K&M Telephone Company	$1,820,943	804
Nedelco, Inc.	$6,940,898	1,669
Northeast Nebraska Telephone Company	$6,104,841	-
Pinpoint Holdings, Inc.	$751,821	148
Southeast Nebraska Communications, Inc.	$1,280,745	14
USConnect Holdings, Inc.	$4,037,545	938
Total	$74,646,418	28,199

Table 10 - Enhanced Alternative Connect America Cost Model Support

Carriers are required to meet the following deployment milestones[34]:

- Complete 50% of deployments by December 31, 2026;
- Complete 75% of deployments by December 31, 2027;
- Complete 100% of deployments by December 31, 2028.

[32] Cox had 185 locations assigned in Nebraska; the letter does not say how many of their assigned Nebraska locations were built to through RDOF or how many remain unserved.
[33] Based on Enhanced ACAM Authorization Report 1.4, dated 10/19/26 available at https://docs.fcc.gov/public/attachments/DOC-425962A1.xlsx.
[34] Failure to meet milestones may subject carriers to penalties, including recovery of disbursed support.

Quality of Broadband Service

II. Describe the quality of broadband service being provided to Nebraska residents.

The quality of broadband service being provided to Nebraska residents can be described in multiple ways. Nebraska residents receive or have access to vastly different qualities of broadband service, generally bifurcated between the western and eastern halves of the state. This report focuses on the average levels of service, the distribution of broadband technology, and the cost of deployment across Nebraska.

Average Levels of Service

The FCC identifies 794,390 Broadband Serviceable Locations (BSLs) in Nebraska. 94.1% of BSLs have at least one ISP reporting they offer service of at least 100/20 Mbps to that location, qualifying it as served by the FCC.[35] 92.7% of served BSLs in Nebraska have a service option of 100/100 Mbps or faster, exceeding federal standards and meeting the speed requirement of Nebraska's own state broadband programs.

Figure 5 shows the percentage of locations served by county as of October 2026.

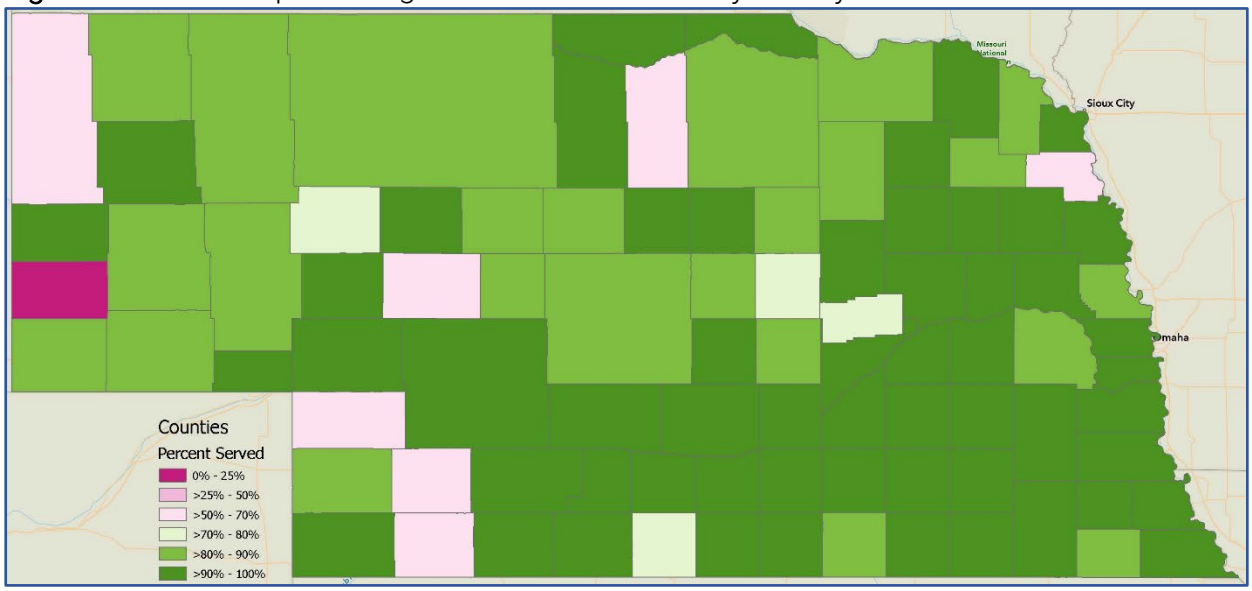

Figure 5 - Nebraska County Percent Served Map

Nebraska counties on average have 85.71% of their BSLs reported as served. 39 counties have more than 90% of BSLs reported as served. Boyd County is reportedly 100 % served, with Adams, Arthur, Box Butte, Douglas, Garfield, Hamilton, Loup, and Sarpy County being over 99% served. 35 counties range between 80% and 89.99% served, and 17 counties range between 50% and 79.99% served. Table 11 in Appendix A lists the number of Nebraska Served, served, underserved, and unserved locations per county.

[35] Based on FCC BDC Fabric Data as of 6/30/2026. Availability data is reported to the FCC by internet service providers, so this reflects existing service availability conditions as of 6/30/2026 and does not account for future service availability (i.e., service resulting from a broadband deployment program award).

Technology Summary

One factor contributing to service discrepancies is the type of technology available. Nebraska residents can subscribe to many different types of technologies. The type of technology used to provide service often impacts the service speeds available to a location. The following is an overview of the main types of broadband technologies.

Fiber

Fiber-optic broadband, colloquially known as "fiber," is an extremely fast broadband connection that can reach speeds of up to 10 Gbps. This technology uses glass cables that can send data at a rate that is 70% the speed of light and buried fiber is resilient to severe weather conditions when compared to other types of technology. Rather than using electricity to transfer data like other technologies, fiber utilizes light to transmit information along fibers which are bundled together into cables.

Fixed Wireless

Fixed wireless internet uses radio waves sent from a tower to a subscriber's home through an exterior receiver (i.e., an antenna). This requires the construction of a tower in the vicinity (typically within five miles) of the subscriber, a network connection to the tower itself,[36] and relatively few obstructions between the tower and the subscriber.

Fixed wireless service can use either licensed or unlicensed radio spectrum. Licensed fixed wireless service uses spectrum bands licensed from the FCC for private use. Licensed spectrum offers guaranteed capacity and stability by eliminating interference from other users. Unlicensed fixed wireless service uses publicly accessible spectrum that does not require an FCC license for use. Because unlicensed fixed wireless service uses public spectrum it can be less reliable than licensed fixed wireless as other users may use the same spectrum simultaneously. Unlicensed fixed wireless service providers can manage and reduce interference by employing a variety of techniques that reduce the incidence of interference and minimize disruptions when it occurs.

Digital Subscriber Line (DSL)

DSL is a type of technology that transmits digital data on telephone lines. This technology can deliver internet access and phone calls simultaneously, distinguishing it from dial-up. This technology is colloquially referred to as "copper" because of the use of copper telephone cables to deliver service. While laboratory settings have produced high speeds, DSL subscribers typically receive download speeds between 0.25 and 25 Mbps and upload speeds between 0.5 Mbps and 3 Mbps. For comparison, the download and upload speeds necessary for a location to be considered served by the FCC for broadband mapping is 100/20 Mbps.

[36] This may be a fiber connection to the tower or another wireless connection.

Cable

Cable broadband uses coaxial cable technology which is the same type of cable technology that TV service uses. It is often widely available in urban and suburban areas bundled with TV service. This technology relies on a coaxial wire that originates at an Internet Service Provider (ISP) access point to the modem located within the house of the subscriber.

Low Earth Orbit (LEO) Satellite

LEO satellite broadband technology uses constellations of satellites orbiting Earth at altitudes between 111 and 1,242 miles to deliver service to subscribers with receivers (i.e., a satellite dish) installed. There are currently few companies that offer LEO satellite broadband service but competition in the market is expected to increase in the coming years.

Deployment Cost

The cost to deploy broadband infrastructure varies significantly depending on factors including the type of technology, density of locations built to, the proximity of locations to existing network infrastructure, and geographical constraints. These factors, in combination, influence the private investment decisions of ISPs to independently deploy broadband infrastructure to expand their subscriber base. Network expansion through private investment still regularly occurs and is a major reason for connectivity improvements nationwide, but it is influenced by factors that may make expansion into unserved and underserved areas less likely.

Deployment cost is a significant factor in the quality of service available as it influences internet service provider decision making on expanding their service range. Expanding a network over long distances or to an area without enough expected subscribers to be gained can make it cost prohibitive for a provider to expand into an unserved area through private investment alone. The type of broadband technology deployed matters as well. Those that offer greater maximum speed and reliability are generally more expensive to deploy. Technology further influences what providers may expand into unserved areas due to differences in deployment costs and the expected return on investment in different technologies.

The cost of serving locations in the BEAD program by technology provides an illustration of these differences. Table 11 below illustrates this difference.

Technology	Cost to Serve Per Location
Fiber	$ 17,908.59
Licensed-Fixed Wireless	$ 2,975.74
Low-Earth Orbit Satellite	$ 759.08

Table 11 - Cost to Serve Per Location by Technology

Often the locations that remain unserved and underserved are the least appealing locations to be built to through private investment alone. Broadband infrastructure subsidy and grant programs attempt to mitigate the deployment cost factor and encourage buildout to unserved and underserved areas. Broadband infrastructure subsidies do not guarantee that providers will seek to deploy broadband to unserved areas, but many federal and state programs have succeeded in encouraging deployment to unserved and underserved areas nationwide.

Progress

Progress continues to be made connecting every Nebraskan through a combination of private investment and broadband deployment programs at both the state and federal levels. Pictured in Figure 6 is a comparison of the average fastest available speeds throughout Nebraska in June 2022 and June 2026.[37]

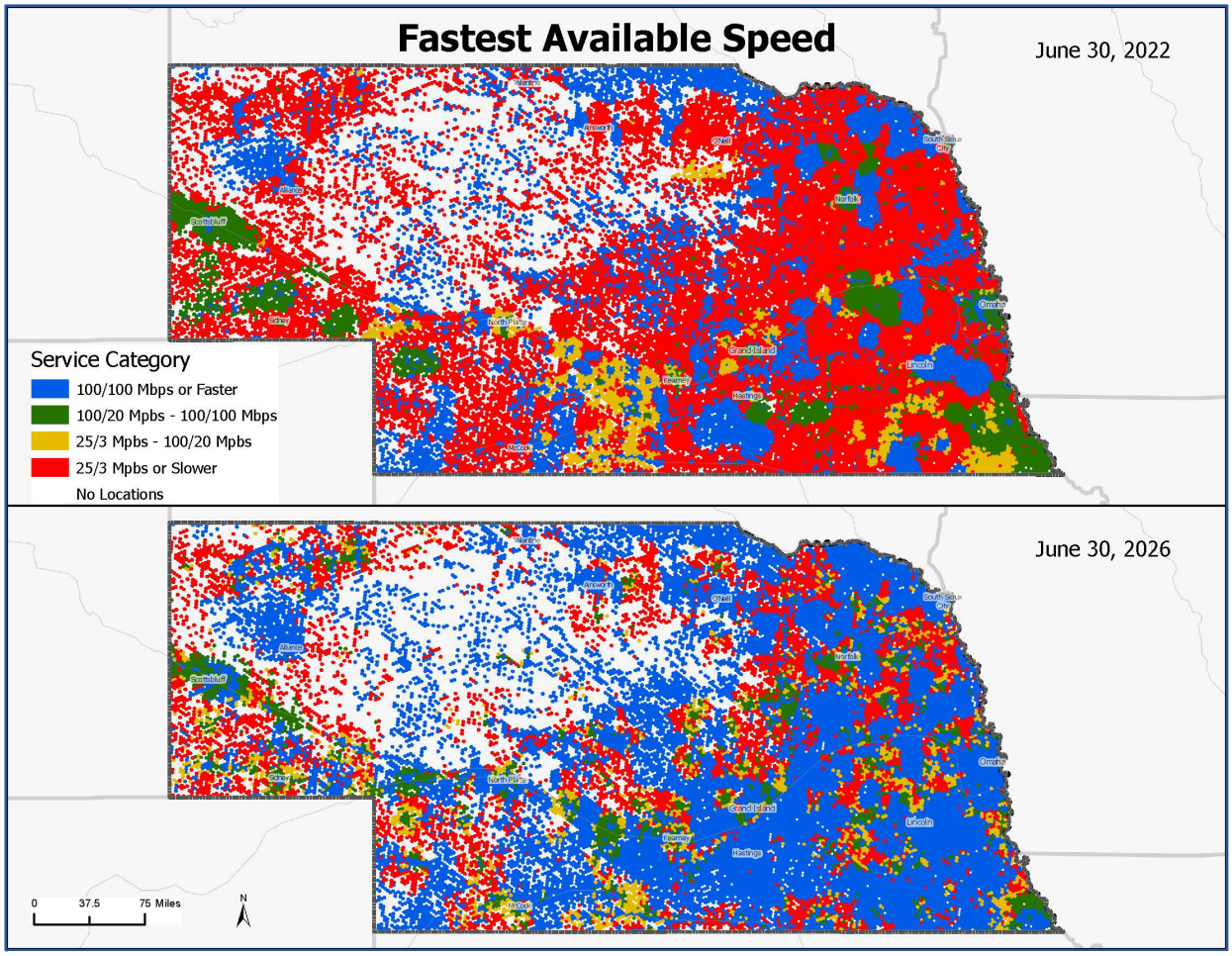

Figure 6 - Fastest Available Speed Comparison Map

These maps are included separately in Appendix B as Figures 7 and 8.

[37] Maps based on Version 1 and Version 9 of FCC BDC Fabric Data, respectively.

While significant progress has been made in improving average broadband service in Nebraska, work remains to be done to connect the remaining underserved and unserved homes and businesses in Nebraska.

Strategic Plan Updates

III. Provide any updates to the strategic plan.

The Nebraska Strategic Broadband Plan was developed through engagement with a broad range of stakeholders throughout February and July 2023. The Nebraska Strategic Broadband Plan was designed to achieve five goals, dependent on the funding and program timelines of NTIA:

1. Bolster economic opportunity by connecting 100% of residents, particularly those in rural communities, to high-speed internet by 2027.
2. Expand digital inclusion and adoption to achieve affordability, access, and digital literacy by 25% by 2027.
3. Enable Nebraska to thrive by fostering and supporting a digital economy by 2027.
4. Develop robust collaboration across Nebraskan communities through strategic planning of broadband and digital equity to ensure that all unserved, underserved, and underrepresented communities are connected.
5. Ensure the long-term sustainability of deployed infrastructure necessary to preserve access by all Nebraskans to affordable and reliable communications services provided by broadband capable networks.

The strategic plan's 2027 projections have been complicated by delays in the BEAD program. As originally projected by the strategic plan, 75% of BEAD funds were expected to be utilized by 2026 with the final 25% to be utilized in 2026. Due to several[38] factors, BEAD awards were not approved until late 2025. As a result, work on BEAD projects just began in 2026, with many projects still working through environmental review and permitting processes before work to deploy service can begin.

Some goals have also been complicated in more than just their timeline for completion. The RPN's elimination of BEAD requirements and allowances for workforce development and digital adoption efforts greatly restricted NBO's abilities in those areas. Alongside NTIA's delay in releasing expected non-deployment guidance, NBO effectively has no tools at its disposal to use BEAD in furtherance of those goals. The elimination of the Digital Equity grant programs has similarly restricted NBO's abilities to work in furtherance of digital inclusion and adoption goals.

Despite this, Nebraska is one of the states with the most progress in BEAD and is positioned to remain a leader in BEAD.

[38] Major factors include the 6/6/2025 BEAD Restructuring Policy Notice and the duration of NTIA's review of required state submissions requiring approval before states can progress.

Nebraska Broadband Office's Outreach

IV. Summarize the Nebraska Broadband Office's outreach efforts and collaboration with all interested stakeholders.

NBO's outreach efforts in 2026 initially focused on providing technical assistance to subgrantees. These efforts took the form of digital townhall style technical assistance calls wherein NBO staff and invited representatives discussed topics relevant to BEAD, such as BEAD reporting requirements, environmental review processes, and best practices. Recordings of these sessions are available online via NBO's YouTube page.

Additionally, NBO released a request for information (RFI) that solicited comments intended to identify improvements that could be made in the award process prior to the 2026 Re-Award Round. NBO had internally identified some opportunities for improvement based on experience from the 2025 Benefit of the Bargain award round. However, NBO recognized that program participants may have distinct ideas on improvements worth consideration. NBO pursued the RFI to promote transparency in the program, answering concerns from subgrantees and potential subgrantees to ensure higher amounts of competition and better end-user experience for Nebraskans.

NBO released the RFI on June 5, 2026, and requested responses be submitted by email by June 15. NBO welcomed comments from NBEAD Approved Applicants on how NBO's communications influenced their decision making, feedback on the proposed Defined Project Areas (DPAs) for the 2026 Re-Award Round, potential barriers to entry, and whether they planned to participate. The RFI provided NBO with useful insights that allowed for key enhancements to be made to the upcoming award round.

After the conclusion of the 2026 Re-Award Round, NBO's outreach efforts shifted to focus on preparing for non-deployment uses. NBO originally anticipated that NTIA would release expected non-deployment guidance in late 2026. In advance of that anticipated guidance, NBO met with sister agencies, public & private entities, and other stakeholders in areas related to precision agriculture, public safety, and telehealth[39] about potential opportunities for non-deployment programming. Though NTIA has not yet released non-deployment guidance, these meetings proved invaluable to begin preparation for future non-deployment programming coordination between NBO and stakeholders.

[39] While precision agriculture, public safety, and telehealth are NBO's primary focus areas, NBO did meet with other stakeholders on other potential opportunities for non-deployment programming.

Nebraska Digital Equity

V. Provide an update on efforts to promote digital equity and inclusion on behalf of Nebraska residents.

NBO's efforts to promote digital equity and inclusion on behalf of Nebraska residents were funded by the Digital Equity Act of 2021. The Digital Equity Act created two programs administered by NTIA, the Digital Equity Capacity Grant Program and the Digital Equity Competitive Grant Program. NBO's efforts were constrained in 2026 due to the termination of federal funding provided to Nebraska by the Digital Equity Capacity Grant Program in 2025.

NBO received its notice of award for the Digital Equity Capacity Grant Program in late 2024 for $6,500,627.76. The U.S. Department of Commerce National Institute of Standards and Technology (NIST) terminated the funding for the Capacity Grant Program in accordance with Presidential Executive Orders 14151 and 14173 in May 2025.[40] The termination of funding led NBO to pause work on the program indefinitely. NBO communicated the termination to stakeholders via email on May 14, 2025.

The Digital Equity Competitive Grant Program was a $1.25 billion program that made awards to private entities. State broadband offices were not eligible for award but could facilitate the applications of eligible private entities. NBO collaborated on applications and was informed by its partners that several applications were submitted by Nebraska-based entities. However, no Nebraska-based entity was awarded. NIST also terminated funding for the Competitive Grant Program in May 2025.

In October 2025 the National Digital Inclusion Alliance, a Competitive Grant Program award recipient, filed a lawsuit in the U.S. District Court for the District of Columbia challenging the program's termination. In a June 2026 filing the government argued § 1721(8)(G) of the Digital Equity Act[41] was racially discriminatory, and if severed, NTIA would resume the Competitive Grant Program. On July 15 the court issued a decision that held § 1721(8)(G) was racially discriminatory and severed it. The government indicated in an October filing that NTIA was on track to publish a new Notice of Funding Opportunity (NOFO) and applications for the Competitive Grant Program in December. [42] Further litigation has been paused until two weeks after NTIA issues the new NOFO or January 15, 2027, whichever is earlier.

[40] Executive Orders 14151 and 14173 eliminated federal Diversity, Equity, Inclusion (DEI) programs and directed federal agencies to end use of DEI preferences in decision-making.
[41] § 1721(8)(G) includes "individuals who are members of a racial or ethnic minority group" in the definition of covered populations used by the Digital Equity Act.
[42] Because the lawsuit only addresses the Competitive Grant Program, it is unclear whether the Capacity Grant Program will also be restored in the future.

Federal Broadband Advocacy

VI. Provide an update on state advocacy on broadband issues being conducted at the federal level.

Nebraska's federal advocacy efforts have continued to succeed in securing wins for the State regarding broadband issues throughout 2026.

A significant advocacy topic was to persuade NTIA to allow Nebraska to include community anchor institutions (CAIs) in its 2026 Re-Award Round awards. NBO worked closely with the Office of the Governor, utilizing Governor Pillen's unique relationship with NTIA Assistant Secretary of Commerce for Communications and Information Arielle Roth to accomplish this. The effort was successful and resulted in an additional 139 CAIs being included in awards. This represents 139 additional community-critical institutions that will receive access to 1/1 Gbps broadband service. To NBO's knowledge, Nebraska is the only state that has successfully added CAIs to its re-award outcomes.[43]

Another primary advocacy topic for NBO was the release of BEAD non-deployment funding and its potential uses. NBO and the Governor's Office engaged an array of federal actors on this topic to advocate for the release of non-deployment guidance, pushing for the inclusion of precision agriculture, public safety, and telehealth as eligible uses. NBO also coordinated and supported the efforts of other Nebraska officials and agencies when advocating for this topic as well. NTIA has not yet released non-deployment guidance and has signaled the guidance will not be released until after the conclusion of the SDPN award process.

NBO staff attended both NTIA's 2026 State Broadband Leaders Network (SBLN) Winter and Summer Summits at the invitation of NTIA.[44] During the Summer Summit, the office spoke with NTIA about elements of the Supplemental Deployment Policy Notice. Topics of advocacy included the addition of known unserved locations in Nebraska to NTIA's list and Nebraska's per location cost allowance that will be used to determine Nebraska's additional funding amount. Following the summit, NTIA asked states to submit locations they believed should be included on the SDPN inventory list in October, a decision that appeared to have been influenced by the advocacy of states at SBLN. NTIA is continuing to release SDPN guidance and NBO is optimistic that its efforts, alongside those of other state broadband offices, will continue to have an influence.

More generally, the SBLN events provide opportunities to directly engage with senior officials of NTIA and other federal agencies involved in BEAD on a range of topics,

[43] Based on communications with other state broadband offices and BEAD program officials.
[44] NTIA invited NBO's permitting specialist to participate in an environmental review & permitting panel at the Winter Summit and invited NBO Deputy Director Patrick Redmond to participate in a panel discussing how states share BEAD progress with the public at the Summer Summit.

including permitting and environmental reviews; potential BEAD non-deployment uses; and expediting approval of Nebraska's proposed awards from the 2026 Re-Award round.

NBO will continue to champion Nebraska's broadband priorities at the federal level.

Appendix A – County BSL Details

Table 12 summarizes the number of broadband serviceable locations per county by service classification based on FCC data as of the most recent public release.

County	NE Served	Served	Underserved	Unserved	Total
Adams	13,226	184	65	60	13,535
Antelope	3,284	33	64	829	4,210
Arthur	272	0	1	1	274
Banner	31	84	71	286	472
Blaine	318	2	8	29	357
Boone	1,170	1,742	114	275	3,301
Box Butte	5,250	41	3	29	5,323
Boyd	1,744	0	0	0	1,744
Brown	1,966	16	19	161	2,162
Buffalo	15,774	1,828	530	580	18,712
Burt	2,304	1,348	191	460	4,303
Butler	2,486	785	638	1,069	4,978
Cass	10,873	1,180	563	576	13,192
Cedar	3,360	1,172	96	195	4,823
Chase	1,959	54	77	289	2,379
Cherry	2,880	30	108	548	3,566
Cheyenne	4,047	448	252	543	5,290
Clay	3,784	19	26	51	3,880
Colfax	1,835	2,179	219	474	4,707
Cuming	3,598	587	146	515	4,846
Custer	5,611	195	122	583	6,511
Dakota	6,657	696	73	115	7,541
Dawes	2,234	1,287	227	467	4,215
Dawson	8,836	1,516	349	184	10,885
Deuel	755	362	83	105	1,305
Dixon	2,244	527	151	222	3,144
Dodge	14,793	1,067	264	402	16,526
Douglas	184,273	3,182	435	398	188,288
Dundy	1,298	0	1	24	1,323
Fillmore	2,866	402	108	295	3,671
Franklin	1,978	7	15	233	2,233
Frontier	1,639	0	19	33	1,691
Furnas	2,674	68	407	61	3,210
Gage	10,413	247	228	246	11,134
Garden	1,039	77	140	314	1,570
Garfield	1,211	0	0	10	1,221
Gosper	665	636	80	41	1,422
Grant	315	0	4	129	448
Greeley	414	659	75	378	1,526
Hall	20,254	1,815	240	308	22,617
Hamilton	4,824	98	1	6	4,929
Harlan	2,145	102	443	207	2,897
Hayes	356	17	39	218	630
Hitchcock	774	386	450	393	2,003
Holt	5,622	78	271	581	6,552
Hooker	476	0	0	21	497

Table 12 Continued.

County	NE Served	Served	Underserved	Unserved	Total
Howard	1,260	1,387	224	509	3,380
Jefferson	3,709	279	179	252	4,419
Johnson	2,408	70	83	240	2,801
Kearney	2,927	226	181	175	3,509
Keith	4,931	803	40	84	5,858
Keya Paha	654	0	2	45	701
Kimball	1,912	149	105	285	2,451
Knox	4,031	454	155	1,014	5,654
Lancaster	104,648	925	814	467	106,854
Lincoln	14,306	1,069	405	473	16,253
Logan	371	0	1	65	437
Loup	533	0	0	1	534
Madison	12,183	1,348	290	729	14,550
McPherson	96	63	12	103	274
Merrick	3,005	871	196	283	4,355
Morrill	926	1,372	167	443	2,908
Nance	392	1,215	23	507	2,137
Nemaha	3,118	116	309	447	3,990
Nuckolls	2,362	37	34	559	2,992
Otoe	6,488	748	317	307	7,860
Pawnee	1,725	48	108	157	2,038
Perkins	423	737	137	430	1,727
Phelps	4,574	39	59	11	4,683
Pierce	2,560	1,029	102	190	3,881
Platte	13,460	592	187	217	14,456
Polk	2,754	142	158	296	3,350
Red Willow	4,799	433	268	69	5,569
Richardson	3,594	1,127	252	87	5,060
Rock	76	540	103	433	1,152
Saline	5,671	226	267	343	6,507
Sarpy	63,847	2,102	252	210	66,411
Saunders	7,072	1,918	1,305	1,019	11,314
Scotts Bluff	13,709	2,626	156	189	16,680
Seward	6,366	453	695	559	8,073
Sheridan	1,618	1,076	117	551	3,362
Sherman	1,234	747	78	121	2,180
Sioux	118	390	75	416	999
Stanton	2,106	349	153	342	2,950
Thayer	2,812	66	123	422	3,423
Thomas	386	25	49	34	494
Thurston	486	778	396	1,103	2,763
Valley	828	1,336	139	256	2,559
Washington	6,704	662	815	800	8,981
Wayne	3,027	415	178	274	3,894
Webster	2,117	9	27	168	2,321
Wheeler	558	0	12	115	685
York	6,012	170	175	561	6,918
Total	693,423	54,323	17,339	29,305	794,390

Table 12 - County Broadband Serviceable Location Summaries

Appendix B – Fastest Available Speed Maps

Figure 7 shows the aggregate fastest available speeds in Nebraska in June 2022.

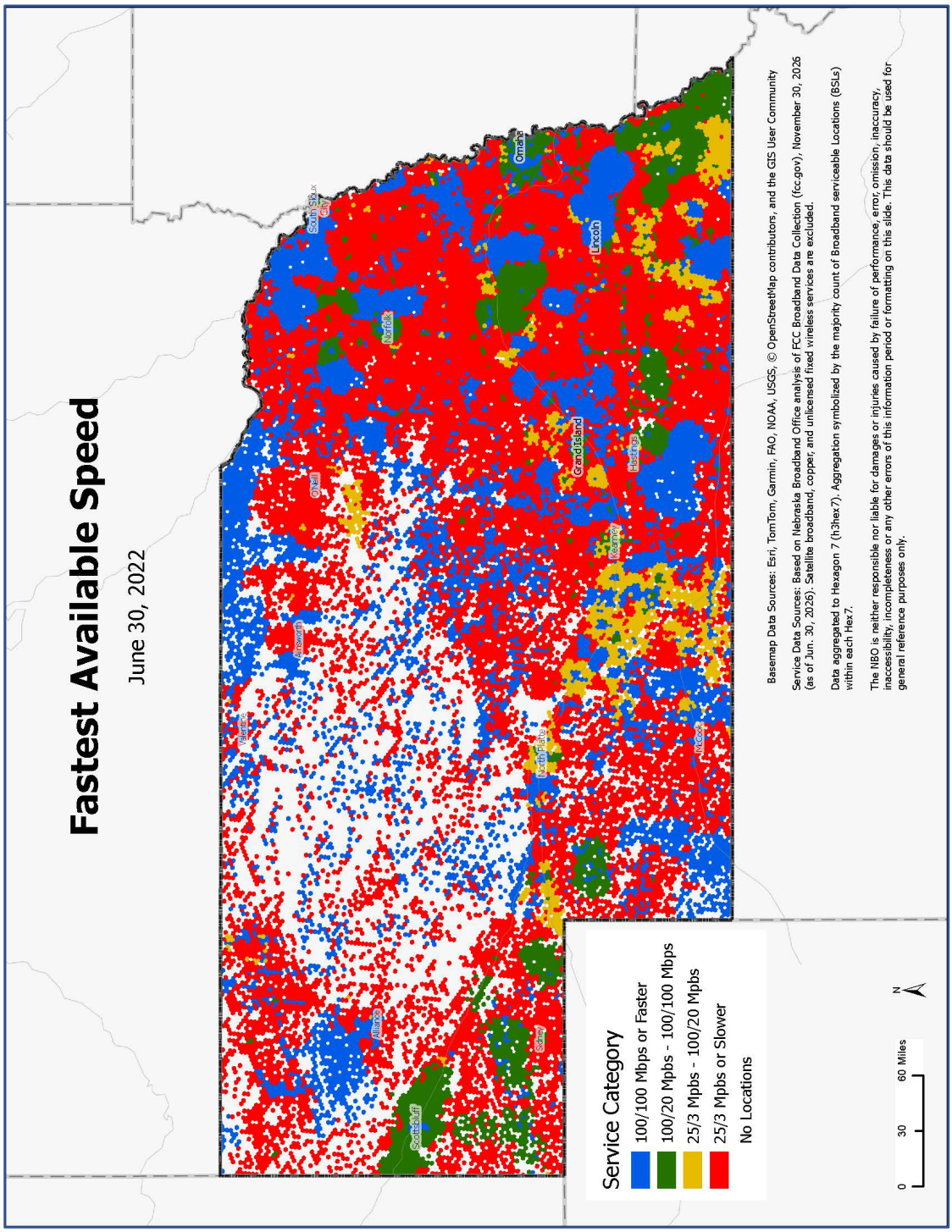

Figure 7 - Fastest Available Speed Map 6/30/2022

Figure 8 shows the aggregate fastest available speeds in Nebraska in December 2025.

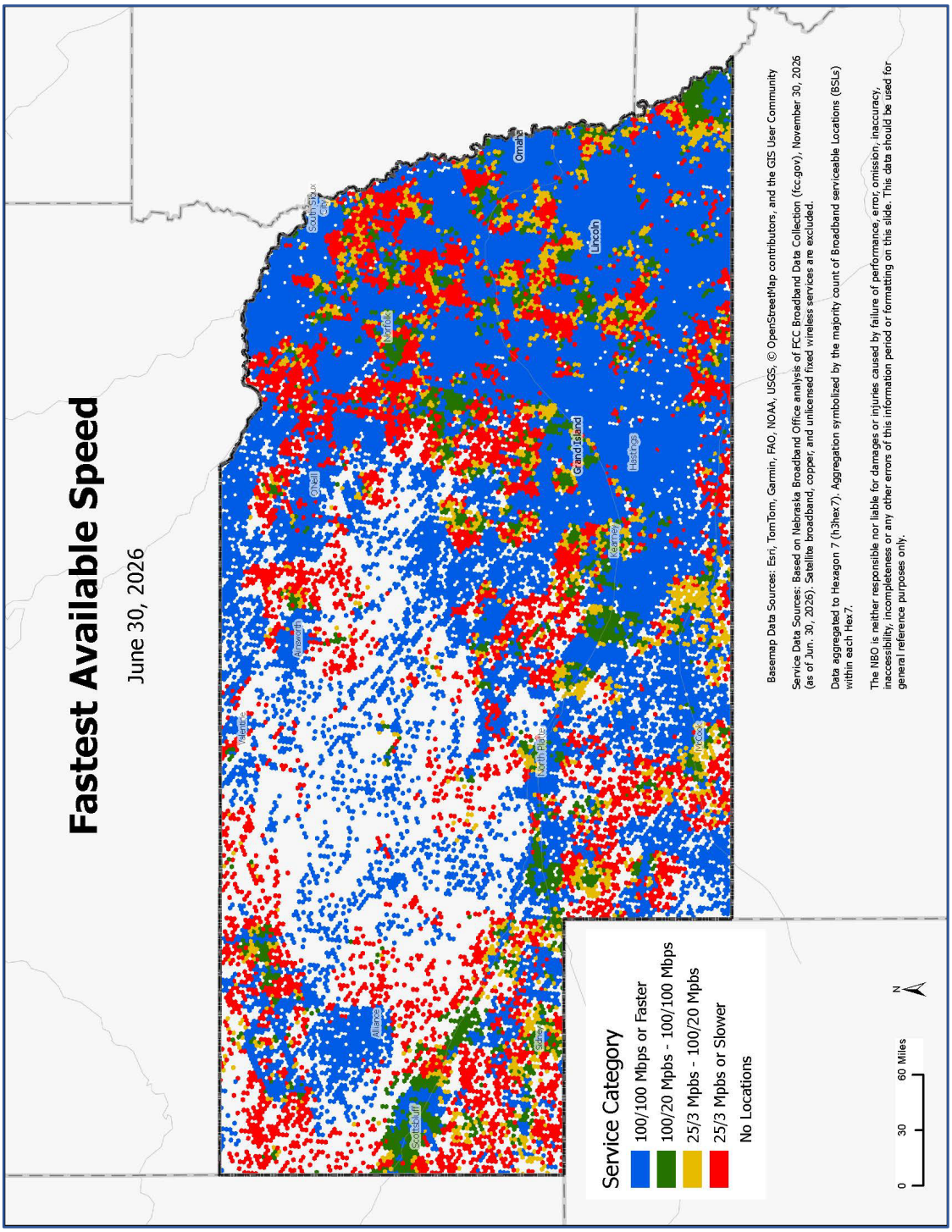

Figure 8 - Fastest Available Speed Map 6/30/2026

Annex 1 – BEAD Restructuring Policy Notice

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Broadband Equity, Access, and Deployment (BEAD) Program: BEAD Restructuring Policy Notice

ACTION: Notice

SUMMARY:

The Infrastructure Investment and Jobs Act (IIJA) provides funding for robust investment in American infrastructure projects. IIJA established the Broadband Equity, Access, and Deployment (BEAD) Program, which provides $42.45 billion of funding to achieve high-speed broadband access throughout the United States. *See* Infrastructure Investment and Jobs Act of 2021, Division F, Title I, Section 60101, Public Law 117-58, 135 Stat. 429 (November 15, 2021) (codified at 47 U.S.C. § 1701 *et seq.*).

The National Telecommunications and Information Administration (NTIA), as the agency responsible for administering the BEAD Program, provides herein guidance for Eligible Entities (States, Territories, and the District of Columbia) to ensure American taxpayers obtain the greatest value for their broadband investment or "Benefit of the Bargain" under the BEAD Program.

This Policy Notice modifies and replaces certain requirements outlined in the BEAD Notice of Funding Opportunity (NOFO).[1] Each Eligible Entity must comply with this Policy Notice to gain approval of its Final Proposal from the Assistant Secretary of Commerce for Communications and Information.[2]

[1] NTIA, Notice of Funding Opportunity, Broadband Equity, Access, and Deployment Program (May 12, 2022), NOFO.pdf (doc.gov).

[2] This document does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements. In all cases, statutory and regulatory mandates shall prevail over any inconsistencies contained in this document.

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1. Background and Purpose

Congress allocated $42.45 billion to the BEAD Program to connect every American to high-speed broadband Internet access. Instead of ensuring the swift and efficient use of these funds, the Biden Administration imposed significant non-statutory burdens and red tape that increased taxpayer costs, limited marketplace competition, and diverted resources away from actual deployment. As a result of these counterproductive Biden Administration burdens, the BEAD Program has failed to put a single shovel in the ground since IIJA's passage in 2021 —leaving many Americans unconnected. This Policy Notice rights these wrongs and institutes much needed reforms to the BEAD Program that will realign the Program with statutory intent, speed broadband deployment, and guarantee that American taxpayers receive the greatest "Benefit of the Bargain" for their historic investment.

These reforms are necessary. NTIA nevertheless recognizes that stakeholders have invested significant resources participating in the BEAD Program since IIJA passed in 2021. Accordingly, this Policy Notice carefully balances the work that has previously been done with necessary changes to ensure the success of the BEAD Program. Specifically, NTIA does not require Eligible Entities to repeat the initial stages of the Program but removes the extralegal Biden Administration burdens and promotes greater competition. This targeted approach will ensure that all Americans receive the greatest Benefit of the Bargain and that the BEAD Program moves forward expeditiously.

2. Elimination of Regulatory Burdens

Through this Policy Notice, NTIA eliminates burdensome and non-statutory requirements contained in the NOFO published on May 12, 2022. There is widespread agreement among states, lawmakers, and industry that the superfluous requirements imposed by the Biden Administration made the BEAD Program more complex and expensive, stifled competition, and led to reduced participation levels.[3] This section of the Policy Notice identifies the NOFO provisions that are hereby terminated.[4]

[3] Letter from Grant Spellmeyer, et al., to The Honorable Gina Raimondo, July 23, 2024, available here; Letter from Senator Ted Cruz, to The Honorable Alan Davidson, Assistant Secretary of Commerce, August 13, 2024, available here; Letter from Senator Ted Cruz, to The Honorable Alan Davidson, Assistant Secretary of Commerce, November 21, 2024, available here; Letter from Senator John Thune, et al., to The Honorable Howard Lutnick, Secretary of Commerce, March 27, 2025, available here; Letter from Senator John Thune, et al., to The Honorable Alan Davidson, Assistant Secretary of Commerce, April 20, 2023, available here; Letter from Senator Susan Collins, et al., to The Honorable Gina M. Raimondo, Secretary of Commerce, August 18, 2022, available here; Letter from Glenn Hegar, Texas Comptroller of Public Accounts, to Senator Ted Cruz, February 6, 2025, available here; Jericho Casper, *ACA Connects Pushes for Less Regulation, Faster BEAD Deployment*, Broadband Breakfast, January 31, 2025, available here.

[4] NTIA has attempted to identify each individual section of the NOFO from which references to non-statutory requirements are eliminated. However, to the extent such identification is impossible or impractical within the foregoing guidance, NTIA will provide additional technical assistance further clarifying individual references to eliminated requirements.

As described below, Eligible Entities shall eliminate the following non-statutory requirements from BEAD application scoring, subgrantee agreements, and subgrantee reporting requirements. Eligible Entities are hereby prohibited from imposing any of the obligations removed by this Policy Notice on subgrantees as part of the BEAD Program. Where state law conflicts with the requirements of this Policy Notice, Eligible Entities may seek a waiver of that requirement from the Assistant Secretary.

1. Labor, Employment, and Workforce Development Requirements

NTIA hereby eliminates the non-statutory requirements in the NOFO related to labor, employment, and workforce development. These central planning and diversity, equity, and inclusion (DEI) edicts disadvantage both workers and providers, drive up costs, and undermine broadband buildout, especially in the rural communities the Program is intended to help.[5] Specifically, NTIA hereby eliminates the following sections of the NOFO: "Fair Labor Practices and Highly Skilled Workforce"; "Advancing Equitable Workforce Development and Job Quality Objectives"; and "Civil Rights and Nondiscrimination Law Compliance."[6] The related Initial Proposal and Final Proposal requirements[7] and the corresponding reporting requirements are also eliminated.[8] The "Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms" section is also eliminated.[9]

Eligible Entities shall satisfy the statutory requirement to "give priority to projects based on . . . [a] demonstrated record of and plans to be in compliance with Federal labor and employment laws"[10] by requiring a subgrant applicant to certify compliance with such laws to the Eligible Entity.[11]

2. Climate Change Requirements

NTIA hereby eliminates the requirements in the NOFO related to climate change, which prioritized the prior Administration's radical environmental social agenda at the expense of swift and efficient broadband deployment. Specifically, NTIA hereby eliminates the "Climate

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[5] Johnny Kampis, *"State and federal policies may stymie BEAD participation*," The Center Square, May 19, 2021, available here; Doug Dawson, *Another Red Flag – the BEAD Labor Requirements*, POTs and PANs (July 18, 2023), available here.

[6] NOFO, Section IV.C.1.e-g, pgs. 56-62.

[7] NOFO, Section IV.B.5.b.11-13, pg. 32, and NOFO, Section IV.B.9.b.11.b-c, pg. 48.

[8] NOFO, Section VII.E.2.9,12, pgs. 90-92.

[9] NOFO, Section VII.D.7, pgs. 88-89.

[10] 47 U.S.C. §1702(h)(1)(A)(iv)(IV).

[11] To the extent state laws impose additional labor and employment obligations, Eligible Entities must seek a waiver of this provision from NTIA, as necessary to comply with state law.

Resilience" section of the NOFO[12] and the related Initial Proposal and Final Proposal requirements.[13]

Subgrantees shall satisfy the statutory requirement to incorporate best practices defined by NTIA for ensuring reliability and resilience of broadband infrastructure[14] by establishing risk management plans that account for technology infrastructure reliability and resilience, including from natural disasters (e.g., wildfires, flooding, tornadoes, hurricanes, etc.), as applicable, as well as cybersecurity best practices.[15]

3. Open Access/Net Neutrality

NTIA hereby eliminates the non-statutory requirements in the NOFO related to open access and net neutrality. Specifically, NTIA eliminates the "Consumer Protections" section of the NOFO[16] that required Eligible Entities to "ensure that each prospective subgrantee does not impose data usage caps on any plans offered over a Funded Network or impose unjust or unreasonable network management practices." NTIA further eliminates the "Interconnection Requirements and Wholesale Access" section of the NOFO.[17]

NTIA finds that these NOFO provisions were superfluous to the goals of the BEAD Program, discouraged provider participation, and, as a result, were ultimately counterproductive for Eligible Entities undertaking the complex and difficult mission of connecting all of their constituents to broadband. Although subgrantees must still satisfy the statutory requirement to "include interspersed conduit access points at regular and short intervals" for any project that involves laying fiber optic cables or conduit underground or along a roadway,[18] NTIA eliminates the "Conduit Access Points" section of the NOFO to the extent it imposes additional obligations beyond those in the statute.[19]

4. Local Coordination and Stakeholder Engagement

NTIA hereby eliminates the non-statutory requirements in the NOFO related to local coordination and stakeholder engagement, including burdensome obligations to consult with representatives of various demographic and identity-based interest groups. These provisions only served to delay plan submissions and contribute to the current lack of broadband deployment in

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[12] NOFO, Section IV.C.1.h, pgs. 62-64.

[13] NOFO, Section IV.B.5.b.15, pg. 32, and NOFO, Section IV.B.9.b.11.e, pg. 48.

[14] 47 U.S.C. §1702(g)(1)(C).

[15] See, e.g., National Institute of Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity, *Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations,* NIST 800-161 Rev.1 and *Key Practices in Cyber Supply Chain Risk Management: Observations from Industry,* NIST IR 8276.

[16] NOFO, Sec. IV.C.2.c.ii, pg. 68.

[17] NOFO, Sec. IV.C.2.c.v, pg. 69.

[18] 47 U.S.C. §1702(h)(4)(D).

[19] NOFO, Sec. IV.C.2.b.ii, pg. 66.

the BEAD Program. Specifically, NTIA eliminates the "Local Coordination" and "Public Notice" sections of the NOFO[20] and the related Initial Proposal and Final Proposal content requirements[21] that dramatically expand on the statutory local coordination requirements.

IIJA statutorily requires Eligible Entities to adopt local coordination requirements established by NTIA. NTIA concludes that an Eligible Entity shall satisfy this requirement by certifying that it observed the Final Proposal public comment requirements and received plans submitted by political subdivisions up until submission of the Final Proposal to NTIA.

5. Non-Traditional Broadband Providers

NTIA hereby eliminates requirements in the NOFO that favored non-traditional broadband providers (such as municipalities or political subdivisions) by forcing Eligible Entities to justify awards to traditional providers when a competing proposal from a non-traditional provider was submitted. This illogical requirement introduced a bias that risked redirecting scarce funds to less capable providers.[22] Specifically, NTIA eliminates the "Consider All Provider Types" section of the NOFO[23] and the related Initial Proposal and Final Proposal requirements.[24]

Eligible Entities must still adhere to the statutory requirement regarding the non-exclusion of various entities from eligibility for BEAD subgrants.[25]

6. Middle Class Affordability Plan

NTIA hereby eliminates the NOFO requirement for Eligible Entities to develop, implement, and provide updates on a middle-class affordability plan.[26] NTIA finds that this non-statutory provision was confusing, arbitrary, impossible to operationalize, and deterred provider participation in the program.

7. Low-Cost Service Option

NTIA hereby eliminates the non-statutory requirements in the NOFO related to the BEAD low-cost broadband service option (LCSO). Specifically, NTIA hereby eliminates the "Affordability

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[20] Section IV.C.1.c, pgs. 51-56, and NOFO Section IV.C.2.c.iv, pgs. 68-69.

[21] NOFO, Section IV.B.5.b.4, pg. 31, and NOFO, Section IV.B.9.b.5, pg. 47.

[22] Andrew Long, *New Study Once Again Dispels Municipal Broadband Viability: And Affirms the Wisdom of State Bans*, Free State Foundation, August 18, 2021, available here (noting "that most municipal broadband projects can't even cover their costs.")

[23] BEAD Section IV.C.1.a, pg. 50-51.

[24] NOFO, Section IV.B.5.b.18, pg. 32, and NOFO, Section IV.B.9.b.10, pg. 48.

[25] 47 USC §1702(h)(1)(A)(iii).

[26] This notice eliminates the NOFO section titled Affordability and Low-Cost Plans, which includes the requirements for a middle-class affordability plan.

and Low-Cost Plans" section of the NOFO.[27] and the related Initial Proposal and Final Proposal requirements to the extent they are inconsistent with this Policy Notice.[28]

IIJA requires BEAD subgrantees to "offer not less than 1 low-cost broadband service option for eligible subscribers."[29] IIJA also clearly prohibits NTIA from regulating the rates charged for broadband service.[30] NTIA finds that by offering a "model" low-cost service option with specific dollar amounts and requiring Eligible Entities to set a specific rate in order to be approved by NTIA, the Biden Administration engaged in improper rate regulation in the NOFO. Moreover, some Eligible Entities imposed unreasonable rates consistent with the parameters outlined in the NOFO. NTIA finds that this raised the cost of participating in BEAD and prevented some providers from pursuing BEAD subgrants entirely.[31]

BEAD subgrantees must still comply with the statutory provision to offer at least one LCSO,[32] but NTIA hereby prohibits Eligible Entities from explicitly or implicitly setting the LCSO rate a subgrantee must offer. To be clear, NTIA will only approve Final Proposals that include LCSOs proposed by the subgrantees themselves. Finally, NTIA also hereby modifies the eligible subscriber definition (below) to align it with the Federal Communications Commission's (FCC) Lifeline Program and other Federal assistance programs.

a. LCSO Service Requirements

Consistent with IIJA, Eligible Entities shall require potential BEAD subgrantees to propose an LCSO as part of their applications that meets certain speed and performance criteria. As required by IIJA and the NOFO, the LCSO must offer speeds of at least 100/20 Mbps and latency performance of no more than 100 milliseconds. Applicants that already offer a low-cost plan that meets these service requirements may satisfy the LCSO requirement by proposing to offer their existing low-cost plan to eligible subscribers.

b. Eligible Subscriber Definition

IIJA directs NTIA to define "eligible subscriber" for the BEAD low-cost broadband service option. The NOFO adopted the eligibility requirements of the FCC's Affordable Connectivity Plan which is no longer operational. Accordingly, NTIA hereby redefines "eligible subscriber" to match the eligibility criteria for the FCC's Lifeline Program. This eligibility change aligns the BEAD LCSO requirement with an existing communications

[27] NOFO, Section IV.C.2.c.i, pg. 66-68.

[28] NOFO, Section IV.B.5.b.16, pg. 32, and NOFO, Section IV.B.9.b.11.d, pg.48.

[29] 47 U.S.C. §1702(h)(4)(B).

[30] *Id.* at §1702(h)(5)(D). "Nothing in this subchapter may be construed to authorize the Assistant Secretary or [NTIA] to regulate the rates charged for broadband service."

[31] Ana Radelat, *Internet for All Plans in Minnesota in Trouble as Broadband Providers Balk at Onerous Regulations*, MINNPOST (June 24, 2024), available here.

[32] Subgrantees must also still comply with the statutory and NOFO requirements pertaining to service level.

affordability program as well as other Federal benefit qualifications for low-income Americans. The definition of an Eligible Subscriber for the LCSO stated in the NOFO is hereby stricken and is replaced with the following:

> Eligible Subscriber—The term "Eligible Subscriber" means any household seeking to subscribe to broadband internet access service that is eligible for the FCC's Lifeline Program.[33]

BEAD subgrantees are responsible for verifying LCSO eligibility and may ask potential subscribers to provide the same documentation necessary to confirm eligibility as is required under the Lifeline program.

3. Technology Neutrality

To guarantee that American taxpayers obtain the greatest return on their broadband investment – the Benefit of the Bargain – NTIA finds that the full force of the competitive marketplace must be utilized. Therefore, all broadband technologies that meet the performance requirements of IIJA and the NOFO must be eligible to participate in the BEAD Program. Accordingly, NTIA rejects the Biden Administration's imposition of technology preferences on Eligible Entities and instead adopts a technology neutral approach for the BEAD subgrantee selection process.

The NOFO limited priority broadband projects to those using end-to-end fiber. In doing so, the NOFO relegated other capable technologies, including terrestrial wireless and low Earth orbit (LEO) satellite services, to a third-tier status, limiting the ability of these technologies to fully participate in the NOFO subgrantee selection process and denying the taxpayer the Benefit of the Bargain via increased competition. None of these technology limitations are in statute, and they undermine the ability of Eligible Entities to select not only the most cost-effective technologies, but also those that are much quicker to deploy, and which may be better suited to a given Eligible Entity's particular circumstances. Accordingly, NTIA hereby eliminates the "Fiber Preference" section of the NOFO[34] and permits Eligible Entities to select from all qualifying technologies.

3.1 Priority Broadband Projects

IIJA requires Eligible Entities to prioritize funding for "priority broadband projects." The statute defines a priority broadband project as one designed to:

(i) provide broadband service that meets speed, latency, reliability, consistency in quality of service, and related criteria as the Assistant Secretary shall determine;[35] and

(ii) ensure that the network built by the project can easily scale speeds over time to –

[33] Lifeline eligibility criteria are defined in 47 CFR §54.409.

[34] NOFO, Section IV.B.7.b.2.i-ii.

[35] NTIA previously determined that broadband services must meet the statutory minimum speeds of 100/20 Mbps and latency less than or equal to 100 milliseconds (consistent with the FCC).

a. meet the evolving connectivity needs of households and businesses; and
b. support the deployment of 5G, successor wireless technologies, and other advanced services.[36]

The NOFO, however, limited this definition to one technology: end-to-end fiber.[37] The definition of a Priority Broadband Project as stated in the NOFO is hereby stricken and is replaced with the following:

> Priority Broadband Project—The term "Priority Broadband Project" means a project that provides broadband service at speeds of no less than 100 megabits per second for downloads and 20 megabits per second for uploads, has a latency less than or equal to 100 milliseconds, and can easily scale speeds over time to meet the evolving connectivity needs of households and businesses and support the deployment of 5G, successor wireless technologies, and other advanced services.

Any applicant may seek to have the Eligible Entity treat its application as a Priority Broadband Project regardless of the technology used. The applicant's project, however, must still meet the required speed and latency standards set forth in the statute and the NOFO and demonstrate that it meets the additional statutory criteria, including that the project can easily scale speeds over time to support evolving connectivity needs and the deployment of 5G and successor wireless technologies. Applicants must provide supporting documentation sufficient for the Eligible Entity to assess the network application and determine that the proposed network architecture for each specific project area meets this standard.

Eligible Entities may not categorically exclude any given technology and may only reject treatment of an application as a Priority Broadband Project if the project could not meet the statutory definition for a specific project area. As discussed in Section 3.4 below, NTIA reserves the right to reverse an Eligible Entity's determination that a project does or does not meet the standard for a Priority Broadband Project if such determination is unreasonable.

As required by IIJA, Eligible Entities shall give priority to proposals that meet the definition of a Priority Broadband Project. If an Eligible Entity determines that no proposal meets the definition of a Priority Broadband Project, then it may select a non-priority broadband project that meets the speed and latency requirements of the statute and NOFO.[38] Eligible Entities are no longer required to establish an Extremely High Cost Per Location Threshold, but an Eligible Entity shall reject a Priority Broadband Project if the cost of the project is excessive. The NOFO's additional distinctions between fiber, other reliable broadband services, and alternative technologies are hereby eliminated.

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[36] 47 U.S.C. §1702(a)(2)(I).

[37] NOFO, Section I.C(r), pg. 14.

[38] In other words, a "non-priority" proposal would offer service at or above 100/20 Mbps and latency less than or equal to100 milliseconds, but could not necessarily meet the statutory scalability requirements in 47 U.S.C. §1702(a)(2)(I)(ii).

Scoring for both Priority Broadband Projects and non-Priority Broadband Projects will be conducted pursuant to the scoring rubric outlined below.

3.2 Technologies Eligible for Participation

The United States is topographically diverse and the most effective broadband technology for one part of the country may not be the best fit for another. Therefore, NTIA eliminates the NOFO's rigid three-tier structure for prioritizing technology. Fiber-optic technology, cable modem/hybrid fiber-coaxial technology, LEO satellite services, and terrestrial fixed wireless technology utilizing entirely licensed spectrum, entirely unlicensed spectrum, or a hybrid of licensed and unlicensed spectrum, may be used in applications for Priority Broadband Projects so long as the technologies employed in the project proposal meet the technical performance requirements in the NOFO, as redefined by this Policy Notice, and the statute.[39]

3.3 The Benefit of the Bargain Round (Subgrantee Selection)

It is critical that the subgrantee selection process reflect the technology neutral approach Congress outlined in IIJA and this Policy Notice implements. At the same time, NTIA recognizes that given the Biden Administration's misdirection, some Eligible Entities have completed or are in the process of completing their subgrantee selection. As such, NTIA is requiring Eligible Entities to conduct at least one additional subgrantee selection round for every BEAD-eligible location (the "Benefit of the Bargain Round"). The Benefit of the Bargain Round must permit all applicants – regardless of technology employed or prior participation in the program – to compete on a level playing field undistorted by the non-statutory regulatory burdens eliminated above. All subgrantee selection conducted after the release of this Policy Notice must comply with the terms of this Policy Notice.

Eligible Entities must rescind all preliminary and provisional subaward selections and notify applicants that a further round of applications will be considered before final awards are made. Eligible Entities that have already completed subgrantee selection must conduct at least one Benefit of the Bargain round. Eligible Entities have 90 days to comply with the obligations outlined within this Policy Notice and submit a Final Proposal that reflects the results of the Benefit of the Bargain round. This deadline replaces the deadline extensions previously granted in the Programmatic Waiver of the Final Proposal Deadline Requirements.[40] NTIA will complete its review of each Final Proposal within 90 days of submission.

To the extent an Eligible Entity has a prequalification process, it must be reopened to all interested applicants, although the Eligible Entity may make prequalification submissions part of the application package. Existing qualified applicants do not need to resubmit prequalification documentation. If an applicant previously failed the prequalification process, it may choose to update its materials and seek prequalification again. Eligible Entities, however, must still ensure

[39] Appendix A contains further guidance regarding the technical performance requirements unlicensed fixed wireless (ULFW) services must meet to be eligible for BEAD subgrants.

[40] *See* BEAD Programmatic Waiver of the Final Proposal Deadline Requirements (Apr. 22, 2025), available here.

that applicants meet the financial and managerial capacity, technical and operational capability, and other requirements in 47 U.S.C. § 1702(g)(2)(A).

Where an applicant elects to stand on an existing subgrantee application received prior to the publication of this Policy Notice, that application shall be rescored under the rubric detailed below and may be awarded during the Benefit of the Bargain round, but no BEAD subgrantee will be permitted to recover costs to comply with the regulatory burdens eliminated in this Policy Notice. Existing applicants may also choose to submit a new application that eliminates the cost of these regulatory burdens in anticipation of competition from additional applicants. Eligible Entities must exclude all non-statutory regulatory burdens as identified above from the application and scoring processes for subgrantee selection. Eligible Entities must also allow applicants to propose to exclude select broadband serviceable locations (BSLs) that the applicant determines are excessively high-cost locations from the project area (or would otherwise make the project economically unviable for the technology being used).[41]

As required by IIJA, all subgrantees must deploy the planned broadband network, regardless of the technology utilized, and be able to perform a standard installation for each customer that desires broadband services within the project area not later than four years after the date on which the subgrantee receives the subgrant from the Eligible Entity.[42] For purposes of this requirement, a standard installation is the initiation by a provider of fixed broadband internet access service within 10 business days of a request with no charges or delays attributable to the extension of the network of the provider. BEAD subgrantees may charge standard installation fees to subscribers on the BEAD-funded network but may not require subscribers to make modifications to their own or surrounding property or charge fees for the same in connection with installation of broadband services funded by the BEAD Program.

3.4 Scoring Rubrics

The goal of restructuring the BEAD Program is to ensure that the American taxpayers receive the greatest benefit from their investment in broadband infrastructure while also providing Eligible Entities with the flexibility to meet the needs of their unique circumstances. Instead of establishing straightforward selection criteria focused on the efficient deployment of broadband, the Biden Administration's guidelines to Eligible Entities were scattered and preoccupied with extraneous social policy goals. Thus, NTIA hereby revises the scoring criteria previously outlined in the NOFO to focus on minimizing the cost of deployment under the BEAD Program.

As Eligible Entities conduct further rounds of subgrantee selection to comply with this Notice, they must prioritize Priority Broadband Projects over non-Priority Broadband Projects. If an Eligible Entity determines that selecting a Priority Broadband Project would incur excessive costs, it shall select a lower cost non-Priority Broadband Project.

NTIA declines to adopt a national cost threshold over which a project would be deemed excessive. However, NTIA hereby reserves the right to reject any proposed deployment project

[41] Eligible Entities must solicit bids from other potential applicants for any such eliminated BSL, or applicant may propose a multi-provider solution.

[42] 47 U.S.C. §1702(h)(4)(C).

or specific BSL connection for which costs to deploy are excessive, as determined by NTIA based on the cost characteristics of the area to be served. The Biden Administration pursued an extreme technology bias and instructed Eligible Entities to set their Extremely High Cost Per Location Threshold "as high as possible."[43] This guidance led to excessive project area costs: Nevada's Extremely High Cost Per Location Threshold set at $200,000, for example, resulted in a Final Proposal that included 24 project areas with a per-BSL cost of $100,000 or more. This is an unjust and unfair expenditure of taxpayer dollars that this Administration simply will not let stand. Eligible Entities are strongly encouraged to exercise judicious cost oversight to avoid delay or denial in Final Proposal processing.

To ensure that taxpayer dollars are protected, NTIA reserves the right to reject an Eligible Entity's selection of a project for a subgrant if such project would impose unreasonable costs on the BEAD Program. As discussed in Section 3.1 above, NTIA also reserves the right to overturn an Eligible Entity's determination whether a project meets the definition of a Priority Broadband Project.

Eligible Entities shall score competing applications using the following criteria:

Primary Criteria. In deciding among competing applications covering the same general project areas, Eligible Entities must choose the option with the lowest cost based on minimal BEAD Program outlay.

> ***Minimal BEAD Program Outlay.*** The Eligible Entity must select the combination of project proposals with the lowest overall cost to the Program. This may involve selecting a proposal that is not the lowest-cost option for a given set of BSLs but is part of the combination of selected projects with the lowest overall cost to the Program.
>
> When comparing competing proposals, Eligible Entities shall assess the total BEAD funding that will be required to complete the project (i.e., the total project cost minus the applicant's proposed match) and the cost to the Program per location (i.e., the total BEAD funding that will be required to complete the project divided by the number of BSLs the project will serve).

Secondary Criteria. If an application to serve the same general project area proposes a project cost within 15% of the lowest-cost proposal received for that same general project area on a per BSL basis, the Eligible Entity must evaluate such competing applications based on the following three criteria. The relative weighting of these three criteria shall be at the discretion of the Eligible Entity:

> ***Speed to Deployment.*** The prospective subgrantee's binding commitment to provision service by a date certain that is earlier than four years after the date on which the subgrantee will receive the subgrant from the Eligible Entity subject to contractual penalties to the Eligible Entity. Greater consideration can be awarded to prospective subgrantees promising an earlier service provision date.

[43] NOFO, Section I.C.(k), ft. nt. 6, pg. 13.

Speed of Network and Other Technical Capabilities. Eligible Entities may weigh the speed, latency, and other technical capabilities of the technologies proposed by prospective subgrantees.

Preliminary/Provisional Subgrantees. For locations where Eligible Entities have already identified preliminary or provisionally selected subgrantees, Eligible Entities may give additional weight to those applications in the Benefit of the Bargain Round.

As required by IIJA, Eligible Entities must still ensure that subgrantees have a demonstrated record of, and plans to continue compliance with, Federal labor and employment laws. A subgrantee will satisfy this requirement through self-certification of compliance with Federal labor and employment laws. Fair labor practices shall no longer be considered within the scoring criteria. Likewise, the other secondary criteria identified in the NOFO (affordability, equitable workforce development and job quality, open access, local and tribal coordination), as well as any additional scoring criteria imposed by the Eligible Entity, shall no longer be considered as award selection criteria.

4. Optimizing BEAD Locations

Given the significant work and time already expended and to ensure the BEAD Program begins connecting Americans as soon as possible, Eligible Entities are not required to re-run their challenge process. NTIA-approved lists of BEAD eligible locations will only be altered in accordance with this section. To ensure that the lists of BEAD eligible locations are accurate and to prevent overbuilding of privately funded networks and Federal, state, or locally funded locations by BEAD, Eligible Entities must implement the following measures:

- Eligible Entities must investigate and account for locations that do not require BEAD funding using the reason code process as detailed in the Final Proposal Guidance.[44]

- Eligible Entities must modify BEAD-eligible location lists to include locations no longer served due to a default or change in service area on a Federal enforceable commitment where the Federal entity has notified NTIA and the Eligible Entity of the default by the release of this Policy Notice. To facilitate the process, NTIA will send each Eligible Entity, if applicable, a list of defaulted or newly eligible locations that qualify for BEAD within fourteen (14) calendar days of the issuance of this Policy Notice. Eligible Entities must: (1) determine that these locations are not served by some other means (e.g., state enforceable commitment); (2) certify that the locations are unserved or underserved; and

[44] Specifically, Eligible Entities must remove locations that have been removed from the latest version of the FCC Fabric (reason code 3), locations already served by an enforceable commitment (reason code 4), and locations already served by non-subsidized service (reason code 5) wherever possible and account for them in the Final Proposal. NTIA will validate that these reason codes have been exercised when reviewing Final Proposals. Furthermore, Eligible Entities must certify in the Final Proposal that none of the BEAD funded BSLs should be classified under reason code 1 (should not have a broadband connection) or reason code 2 (do not need mass-market broadband service due to the nature of use). Eligible Entities must utilize reason codes 1, 2, and 3 for the entire period of performance, in accordance with the Final Proposal Guidance.

(3) incorporate these locations into their BEAD location list prior to accepting applications in subgrantee selection. Eligible Entities with a need to incorporate these locations must update their post challenge locations list to reflect the new BEAD eligible locations (i.e., updated BSL classifications) in their submission to NTIA detailing implementation of the Policy Notice, as detailed in Section 8 below.

- Because unlicensed fixed wireless providers (ULFW) providers are now permitted to compete for BEAD subgrants on a level playing field with all other applications, Eligible Entities must account for BSLs with access to existing ULFW networks to prevent overbuilding. Thus, Eligible Entities must take the following steps to ensure that locations already served by an ULFW service that meets the technical specifications within Appendix A of this Policy Notice are not included in awards for BEAD deployment projects. Before implementing the Benefit of the Bargain round, Eligible Entities must review the FCC's National Broadband Map to determine whether such an ULFW provider (technology code 70) currently offers service to any BEAD-eligible BSLs in its jurisdiction. If so, the Eligible Entity must notify the ULFW provider (public posting is sufficient notice) that it has seven calendar days to respond that the ULFW provider intends to submit evidence that BEAD funding is not required for the locations it serves.

  Upon receiving the response, the Eligible Entity shall allow the provider seven (7) calendar days to submit documentation supporting the claim that the existing ULFW services meet the same technical and service standards required for a ULFW application for a BEAD subgrant (see Appendix A of this Notice) and the provider is reasonably capable of delivering the service for at least four years after the date of Final Proposal submission.[45] If a ULFW service provider demonstrates that it meets the requirements specified by this Policy Notice, the served locations will be ineligible for BEAD Program funding. If the provider does not respond or fails to meet the requirements specified by this Policy Notice herein, the locations in question will remain BEAD eligible.

- Eligible Entities must revise their list of eligible Community Anchor Institutions (CAIs) to ensure their designations conform with the statutory definition of a CAI as established by IIJA.[46] NTIA hereby revokes the more expansive definition adopted by the NOFO.[47] NTIA will closely review all CAI submissions and will narrowly interpret the term "community support organization" as used in the statute. NTIA reserves the right to reject any CAI designation.

[45] The Eligible Entity may request additional evidence from the ULFW service provider and receive information from other sources.

[46] 47 U.S.C. §1702(a)(2)(E).

[47] NOFO, Section I.C.(f), pgs. 11-12.

5. Non-Deployment Funding

Funding for allowable non-deployment purposes is under review and NTIA will issue updated guidance in the future. As of the date of this Policy Notice, NTIA rescinds approval of all non-deployment activities approved in Initial Proposals. NTIA will not reimburse Eligible Entities for any new costs associated with previously approved non-deployment activities incurred after the date of this Policy Notice. An Eligible Entity should consult with the NIST Grants Office and NTIA if the Eligible Entity believes that it is entitled to reimbursement for non-deployment activities or costs that were incurred prior to the publication of this Policy Notice. Final Proposals will only require detail on the use of BEAD funds for deployment projects.

6. Permitting

To support NTIA's goal of issuing National Environmental Policy Act (NEPA) approvals within two weeks for an estimated 90 percent of BEAD projects and eliminate approximately 3-6 months of environmental processing per project, all Eligible Entities are hereby required to use the Environmental Screening and Permitting Tracking Tool (ESAPTT) within the NTIA Grants Portal. ESAPTT will help Eligible Entities serve as joint lead agencies for NEPA reviews by identifying applicable categorical exclusions and enabling paperless transmission of environmental documents and generation of draft and final NEPA documents. NTIA will generate ESAPTT project records from BEAD subgrant award data, which must identify any awards containing multiple NEPA project areas. Eligible Entities are further encouraged to use ESAPTT's permitting tracking capacity to evaluate and track subrecipient NEPA milestone schedules and escalate Federal right-of-way permitting issues to NTIA for interagency resolution.

7. Alignment with Prior Guidance

The following Policy Notices addressing "Alternative Technologies" and BEAD subgrantee selection are now obsolete and are hereby rescinded:

- Broadband Equity, Access, and Deployment (BEAD) Program: Selecting the Most Robust, Affordable, Scalable Technology, released June 26, 2024; and
- Broadband Equity, Access, and Deployment (BEAD) Program: Alternative Broadband Technology Policy Notice, released December 12, 2024.

Certain portions of those Policy Notices addressed unique issues related to ULFW and LEO projects. These ULFW and LEO issues are now addressed in this Policy Notice as follows: (1) Deduplication of unlicensed fixed wireless services is addressed in Section 4 above, and (2) Procedures for LEO capacity subgrants are addressed in Appendix B.

8. Modification of Initial and Final Proposals

As of the date of this Policy Notice, any new costs incurred by an Eligible Entity to implement its Initial Proposal must comply with the terms of the Notice. Any costs incurred by an Eligible Entity after this Notice is published that do not comply with the terms of this Notice may be disallowed.

Further, NTIA hereby rescinds all Final Proposal approvals that occurred prior to the publication of this Notice, as those Final Proposals no longer effectuate the goals of the Program or the agency priorities that are detailed in this Notice.[48] Any Eligible Entity affected by this change must follow the same process as all other Eligible Entities, described in the next paragraph, to incorporate the terms of this Notice into its Initial Proposal.

To comply with this Policy Notice, the Authorized Organization Representative for each Eligible Entity must submit a letter to NTIA within 30 calendar days requesting an Initial Proposal correction to incorporate the terms of the Policy Notice into its Initial Proposal. A template of this letter is included in Appendix D below. No other modifications to Initial Proposals will be considered at this time. The submission must include the list of newly added locations described in Section 4 above, if applicable. An Eligible Entity may also submit an Initial Proposal Funding Request budget modification in addition to this letter, should it need access to additional BEAD funds or need to reallocate BEAD funding across cost categories to execute the actions required by this Policy Notice. An Eligible Entity may execute its modified subgrantee selection process once NTIA approves the Initial Proposal correction. Budget modifications will require both NTIA and NIST approval.

[48] NTIA executes these actions based on the authority in 2 CFR §200.340(a)(2), which is incorporated into each BEAD award.

Appendix A: Unlicensed Fixed Wireless Service Requirements

NTIA finds that concerns regarding the reliability of ULFW services could have been easily mitigated by implementing specialized technical requirements rather than by prohibiting their inclusion entirely in the BEAD Program. To ensure technology neutrality, increase competition, and drive down costs for taxpayers, NTIA determines that ULFW technology should be permitted to participate in the BEAD application process so long as it meets the technical criteria specified herein. Providers utilizing ULFW services must demonstrate that they have taken the steps necessary to resolve potential interference and capacity constraints associated with such technology. Specifically, ULFW applicants must demonstrate they have addressed the problems of interference from other Part 15 users[49] competing for the same spectrum and the difficulty of evaluating ULFW network capability. ULFW providers may adopt the following mitigation strategies to meet this burden.

Eligible Entities shall determine whether ULFW providers have presented sufficient evidence to address these concerns and are therefore qualified to apply for BEAD funds. This determination is separate from deciding whether a project application employing ULFW is a priority broadband project.

The following are examples of mitigation strategies that unlicensed fixed wireless providers may adopt to address the technical issues associated with ULFW deployments:

Mitigating Potential Interference:

- Beam forming and/or beam nulling antenna arrays at both base station and subscriber radios
- Interference mitigation (in addition to beam forming/nulling) technologies
- Advanced non-line-of-sight capabilities or design considerations
- Reserved base station capacity to account for periods of higher interference
- Conservative link budgets to account for potential interference/congestion losses
- Adherence with network equipment manufacturer best practices or guidance regarding items such as minimum signal strength necessary to meet speed and latency requirements

Evaluating Network Capability:

- To ensure that the ULFW provider will have sufficient capacity to meet the statutory speed requirement of 100 Mbps download and 20 Mbps upload, the network design for ULFW projects must demonstrate the ability to provide at least 5 Mbps (100Mbps downstream service - to be scaled for higher speed commitments) of simultaneous capacity to each BSL in the project area
- Reserved base station capacity to account for periods of higher interference
- Adherence with network equipment manufacturer best practices or guidance regarding items such as:
    - Capacity/loading of base station radios with respect to number of, and provisioned bandwidth of, subscribers

[49] 47 CFR Part 15 (Radio Frequency Devices).

- Minimum signal strength necessary to meet speed and latency requirements
- Backhaul requirements for base station deployments

Appendix B: Low Earth Orbit Capacity Subgrants

As noted in Section 7 above, the legal and regulatory framework for Federal grants that has historically applied to broadband deployment funding programs does not capture the differences between LEO deployments and other broadband technologies. For example, when funding traditional broadband service, the Federal government typically takes an interest in the physical plant to ensure performance. With LEO service, however, there is no defined network dedicated to fixed locations in which the Federal government could take an interest to ensure performance.

To address this issue, NTIA requires that Eligible Entities awarding BEAD subgrants to LEO providers employ "LEO Capacity Subgrants." Pursuant to a LEO Capacity Subgrant, an Eligible Entity shall reserve sufficient capacity from the LEO provider to deliver broadband service that meets the BEAD performance and technical requirements to each BSL in the project area and shall include the conditions set forth below.[50]

Conditions of LEO Capacity Subgrants

First, as required by 47 U.S.C. § 1702(h)(4)(C), like all other subgrantees, recipients of LEO Capacity Subgrants must begin providing broadband service to each customer that desires broadband service not later than four years from the date of the subgrant.[51] A recipient of a LEO Capacity Subgrant shall be deemed to have begun to provide service when it certifies to the Eligible Entity that the recipient can initiate broadband service within ten (10) business days of a request to any covered BSL in the project area, with no charges or delays attributable to extension of the service.[52]

Second, Eligible Entities shall require a period of performance[53] for LEO Capacity Subgrants that concludes ten years from the date upon which the subgrantee certifies to the Eligible Entity that broadband is available to every location covered by the project.[54] Recipients of LEO Capacity Subgrants must continue to offer access to broadband service to each BSL served by the project throughout the period of performance.[55] In other words, if a customer receiving

[50] These conditions apply even if only a portion of the BEAD funds under the subgrant goes to reimburse a subgrantee for the reservation of capacity on LEO network to deliver last-mile broadband service.

[51] 47 U.S.C. §1702(h)(4)(C); *see also* NOFO, Section IV.C.2.b.i, pg. 65.

[52] When evaluating whether to approve Final Proposals, NTIA will use the same standard of availability used in the Challenge Process Policy Notice, which aligns with the FCC's National Broadband Map standards. *See* NTIA, Policy Notice: BEAD Challenge Process at 10 (2023), BEAD Challenge Process Policy Notice (doc.gov).

[53] To reduce the administrative burden, Eligible Entities may close out all other subgrants while LEO Capacity Subgrants remain open. NTIA will extend the period of performance of the Eligible Entity's grant if needed to allow for this period of performance.

[54] For all other BEAD deployment subgrants, NTIA is applying a ten-year Federal interest period. *See* NTIA, Policy Notice: Tailoring the Application of the *Uniform Guidance* to the BEAD Program at 3 (2023), BEAD Policy Notice: Uniform Guidance Exceptions, Adjustments, Clarifications (doc.gov) ("Uniform Guidance Policy Notice").

[55] *See* NOFO, Section IV.C.2.b. at 68 ("Operators of Funded Networks shall provide access to broadband service to each customer served by the project that desires broadband service on terms and conditions that are reasonable and non-discriminatory.").

service at a BSL moves, the LEO service provider must continue to offer service to the BSL, but not necessarily the previous subscriber, under the terms of the subgrant if subsequent occupants request service.

Because of the nature of LEO service, Eligible Entities cannot identify a portion of the LEO network that is dedicated to certain locations in their jurisdiction. Therefore, NTIA will not take a Federal interest in equipment or property acquired or improved with a LEO Capacity Subgrant. Additionally, the consumer and taxpayer protections set forth in the NOFO apply to the recipients of such subgrants for the duration of this ten-year Federal interest period.[56] Extending the period of performance for LEO Capacity Subgrants[57] to ten years will help NTIA and Eligible Entities ensure that the consumer and taxpayer protections that apply to all other last-mile deployment projects will apply to LEO Capacity Subgrants for a similar duration.[58]

Third, Eligible Entities may reimburse recipients of LEO Capacity Subgrants in equal installments throughout the period of performance for each location where capacity is reserved. Alternatively, reimbursement may be based on subscriber milestones or another metric that creates an incentive for recipients of LEO Capacity Subgrants to enroll subscribers in BEAD-funded locations. Eligible Entities may advance up to 50% of the total cost of the subgrant: (1) at the time the subgrantee certifies the availability of service throughout the project area; (2) upon the subgrantee meeting subscription milestones established by the Eligible Entity (e.g., 50% of the locations in the project area subscribing to the subgrantee's qualifying broadband service); or (3) a combination thereof. If the Eligible Entity elects to advance a portion of the subgrant, the remaining portion shall be distributed in equal installments across the remaining period of performance. Eligible Entities may provide payment in yearly, semi-annual, or quarterly installments.[59]

Fourth, the Letter of Credit requirement must be administered in a way that incentivizes providers to reach out to potential subscribers to encourage adoption. This is because LEO subgrantees will receive funding for solely reserving capacity rather than constructing a physical network, and as a result, may have less incentive to pursue subscribers. Consistent with this reimbursement model, the LEO provider may reduce its Letter of Credit or performance bond by 50% at the point of certification that service is available to each location in the project area. The Letter of Credit can be reduced by an additional 25% of the original amount after the subscription rate reaches at least 25% of all locations in the project area and may be closed out

[56] *See* NOFO at 64-71.

[57] Subgrants solely for LEO capacity do not acquire or improve any real property and NTIA will not take a Federal interest in the LEO network capacity in LEO Capacity Subgrants.

[58] *See* Uniform Guidance Policy Notice at 3.

[59] For example, if the cost of reserving capacity for the extended period of performance is $100 per location and there are 100 locations, the total funding provided would be $10,000 and an Eligible Entity could provide a reimbursement of $1,000 per year, $500 semi-annually, or $250 quarterly. The numbers used are for illustrative purposes only and do not correspond to actual costs of LEO Capacity Subgrants.

once the subscription rate reaches 50 percent.[60] Regardless of the subscription rate, the Letter of Credit may be terminated four years after the LEO Capacity Subgrantee certifies that it can initiate broadband service within 10 business days of a request to any covered BSL in the project area.

Additionally, the NOFO requires the inclusion of clawback provisions and robust subgrantee monitoring practices.[61] As is the case for all other deployment projects, Eligible Entities must distribute funding for LEO Capacity Subgrants on a reimbursable basis (which allows the Eligible Entity to withhold funds if the subgrantee fails to take required actions under the terms of the subgrant).[62]

In light of the advantages conferred by the unique structure of the LEO Capacity Subgrant to the provider and the higher costs of consumer premises equipment (CPE) essential for delivery of broadband service via LEO satellite, LEO Capacity Subgrantees must provide all necessary CPE at no cost as part of the standard installation for each new subscriber (i.e. for each new resident or group of residents) at the BEAD-funded location throughout the period of performance.[63] If the same subscriber requests additional CPE after installation, the LEO Capacity Subgrantee may charge customary rates unless the request is made due to equipment malfunction or damage caused by a weather event.

As explained in the now-revoked Alternative Broadband Technology Policy Notice, determining the financial capacity of LEO providers presents a unique challenge for Eligible Entities as they determine whether applicants meet the subgrantee qualifications described in the NOFO, as modified by this Policy Notice. To reduce the burden on Eligible Entities, NTIA encourages LEO providers to submit audited financial statements to NTIA demonstrating their financial capacity to undertake the commitments of a subgrantee in all areas in which the provider seeks to serve. NTIA, in turn, will work with the provider to develop a financial certification letter documenting the financial capability of the provider. This letter can be relied upon by Eligible Entities in satisfying their obligation to ensure the financial capability of the subgrantee. Eligible Entities may accept this financial certification letter as a part of their qualification process.

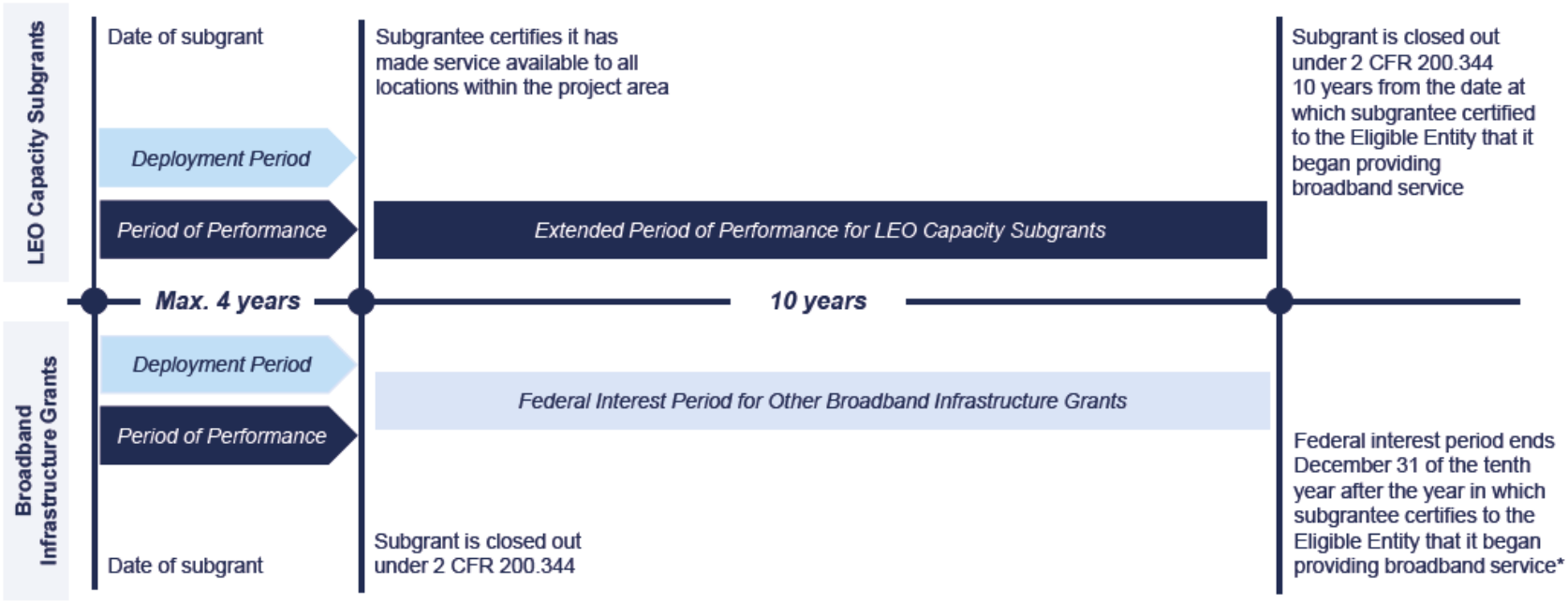
[60] To further illustrate the Letter of Credit requirement using this example, the original Letter of Credit would have been valued at $2,500. Upon certification of service availability, the Letter of Credit could be reduced to $1,250. After achieving a 25% "take rate" in the project area, the Letter of Credit could be further reduced to $625 and eliminated after reaching a 50% "take rate." The reduction in the Letter of Credit obligations continues to be allowable even if the subscription rate later drops.

[61] *See* NOFO at 51.

[62] *See id.*

[63] The LEO Capacity Subgrantee obligation is limited to no more than three (3) CPE during the period of performance.

Appendix C: Period of Performance for LEO Capacity Subgrants and Federal Interest Period for Broadband Infrastructure Grants



*See Tailoring the Application of the Uniform Guidance to the BEAD Program Policy Notice at 9: "The Federal interest in all real property or equipment acquired or improved as part of a subgrant for which the major purpose is a broadband infrastructure project will continue for 10 years after the year in which the subgrant for a project has been closed out in accordance with 2 CFR 200.344. For example, for all subgrants closed out in 2027, regardless of the month, the Federal Interest Period will last until December 31, 2037."

Appendix D: Initial Proposal Correction Template

[AOR Name]
[AOR Title]
[AOR Organization]
[AOR Address]

Courtney Dozier
Acting Director
Broadband Equity, Access, and Deployment Program
National Telecommunications and Information Administration

Re: June 6, 2025 BEAD Restructuring Policy Notice

Dear Mrs. Dozier,

[Insert name of EE] submits this letter to request an Initial Proposal (IP) correction pursuant to the June 06, 2025, BEAD Restructuring Policy Notice. This letter requests incorporation of the terms of the Notice into our IP. [Insert name of EE] confirms that it must modify its previously-approved subgrantee selection process to conform to the terms of the Notice. It will also take all other actions needed to conform the implementation of its BEAD award to the requirements contained in the Notice. [Insert name of EE] [will/will not] submit a budget modification to accompany this IP correction request.

Sincerely,
[AOR Name]
[Date]

Annex 2 – BEAD Supplemental Deployment Policy Notice

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Broadband Equity, Access, and Deployment (BEAD) Program: BEAD Supplemental Deployment Policy Notice

ACTION: Notice

SUMMARY:

The Infrastructure Investment and Jobs Act (IIJA) established the Broadband Equity, Access, and Deployment (BEAD) Program, which provides $42.45 billion to ensure broadband availability throughout the United States. See Infrastructure Investment and Jobs Act of 2021, Division F, Title I, Section 60101, Public Law 117-58, 135 Stat. 429 (November 15, 2021) (*codified at* 47 U.S.C. § 1701 *et seq.*).

Now that all Final Proposals[1] required by IIJA have been approved, the National Telecommunications and Information Administration (NTIA), as the agency responsible for administering the BEAD Program, provides herein guidance to Eligible Entities[2] (States, Territories, and the District of Columbia) regarding the next step in BEAD implementation. In furtherance of the BEAD program's core statutory mission—to ensure universal broadband availability throughout America—NTIA will allow Eligible Entities to access additional BEAD funding to address locations that may remain unserved due to defaults in other federal and/or state programs, misreporting by providers, and other changes to the Federal Communication Commission's (FCC) broadband DATA maps since the completion of Final Proposals.

This Supplemental Deployment Policy Notice modifies and replaces certain requirements outlined in the BEAD Notice of Funding Opportunity (NOFO).[3] Each Eligible Entity must comply with this Supplemental Deployment Policy Notice to access additional BEAD funds.[4]

[1] As defined by 47 U.S.C. §1702(e)(4).
[2] As defined by 47 U.S.C. §1702(a)(2)(F), (M).
[3] NTIA, Notice of Funding Opportunity (NOFO), Broadband Equity, Access, and Deployment Program (May 12, 2022), https://broadbandusa.ntia.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf.
[4] This document does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements. In all cases, statutory and regulatory mandates shall prevail over any inconsistencies contained in this document. Unless explicitly modified or replaced by this Supplemental Deployment Policy Notice, the requirements of the BEAD NOFO and the BEAD Restructuring Policy Notice remain in place.

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Appendix A 9

I. Background and Purpose

In June 2025, NTIA's Restructuring Policy Notice (RPN) returned the BEAD Program to its statutory mission of ensuring universal broadband availability through competition and accountability. As a result of the Benefit of the Bargain reforms, the program is on track to connect every BEAD eligible location while reducing costs by $21 billion and securing almost $12 billion in private matching funds.[5] With the approval of 56 Final Proposals, NTIA has successfully completed the Congressionally mandated process for approving BEAD deployment funding to all Eligible Entities.[6] Consistent with the RPN, NTIA now takes the next step in BEAD implementation by issuing its initial guidance on the use of additional BEAD funds (Benefit of the Bargain Savings).[7]

NTIA received significant input from interested parties on the appropriate use of the Benefit of the Bargain Savings. More than 1,700 attendees and 175 speakers participated in three NTIA listening sessions and NTIA received more than 200 written comments from industry, state officials, and broadband advocates. One consistent theme throughout these comments was the importance of addressing additional locations that remain unserved due to defaults in other programs or changes that have occurred since Eligible Entities submitted their Final Proposals.[8]

The core statutory objective of the BEAD Program is to ensure broadband availability for all Americans. Since NTIA's approval of Final Proposals, external factors may have resulted in additional unserved locations qualifying for BEAD funding. As required by IIJA, NTIA allocated Eligible Entities funding for broadband serviceable locations (BSLs) based upon the FCC's broadband DATA maps at a specific point in time.[9] NTIA, as required by IIJA, then required Eligible Entities to subject these BSLs to a challenge process and validation before committing funds for deployment.[10] Since these challenge processes were conducted, however, changes in other programs, planned deployments, and the FCC's broadband DATA maps may have resulted in additional unserved locations beyond those included in the Eligible Entities' Final Proposals.

Accordingly, NTIA adopts this Supplemental Deployment Policy Notice to ensure the Benefit of the Bargain Savings are used in a manner consistent with the objectives of IIJA. While NTIA will continue considering other uses for the Benefit of the Bargain Savings, the vast majority of Eligible Entities are still working to finalize subgrantee agreements and this step will ensure that

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[5] *See* NTIA, BEAD Restructuring Policy Notice (June 6, 2025), https://www.ntia.gov/sites/default/files/2025-06/bead-restructuring-policy-notice.pdf.
[6] 47 U.S.C. § 1702(e).
[7] Specifically, this Policy Notice is issued pursuant to the Assistant Secretary's authority under 47 U.S.C. § 1702(f)(6), 1702(i).
[8] *See e.g.,* Moran, J.; Collins, S.; & Fischer, D. (March 5, 2026), Letter to Administrator Arielle Roth, https://www.fischer.senate.gov/public/_cache/files/9c77f84c-3ede-4f73-bdb0-6154c7598016/12.16.25-ntia-letter.pdf.: Evers, T. & Baldwin, T. (April 24, 2026), Letter to Administrator Arielle Roth, https://content.govdelivery.com/attachments/WIGOV/2026/04/24/file_attachments/3628800/04242026_signed%20GTE_STB_BEAD%20letter%20to%20NTIA.pdf.
[9] 47 U.S.C. § 1702(c).
[10] 47 U.S.C. § 1702(h)(2).

Eligible Entities maintain focus on the statutory goal of ensuring universal broadband availability. Other uses of BEAD funding will be addressed in subsequent guidance.

II. Ensuring Coverage for All Americans

NTIA remains guided by Congress's objective of ending the digital divide in America once and for all and ensuring that broadband is available to all Americans.[11] To effectuate that goal, NTIA will address potential gaps in broadband coverage left by other programs, failures in planned deployments, and changes to the FCC's broadband DATA maps.

In the initial Benefit of the Bargain round, to reduce overbuilding and ensure efficient use of taxpayer funds, NTIA determined that certain BSLs were ineligible for BEAD funding if they were encumbered by enforceable federal and/or state commitments to serve those locations with non-BEAD funds. Unfortunately, some of the participating providers in those programs defaulted on their existing buildout and/or performance commitments and, unlike the BEAD program, those programs did not have a process to find a new provider to cover those locations. Further, certain locations removed from the list of BEAD-eligible locations during the challenge process have not been served by the providers that brought challenges based on claims of service. Lastly, the current FCC broadband DATA maps identify additional unserved locations that were not included in earlier versions of the Broadband Serviceable Location Fabric (Fabric).

NTIA will conduct a final "true-up" review of the Fabric to identify any remaining locations that may be unserved and provide this Supplemental BEAD Eligible Location List to each Eligible Entity. The Eligible Entities will validate the list, remove locations subject to state enforceable commitments or other planned service as appropriate (see below), and conduct an abbreviated challenge process. Eligible Entities will then submit the revised Supplemental BEAD Eligible Location list to NTIA for review.

NTIA will review and approve the final Supplemental BEAD Eligible Location Lists and authorize Eligible Entities to proceed with a second Benefit of the Bargain round to serve these locations. To ensure that the second-round advances cost-effective outcomes that protect taxpayers, NTIA will determine an upper limit of funding to release to each Eligible Entity for this stage. This upper limit will be based upon the average cost of serving a BSL under the Eligible Entity's approved Final Proposal and the number of additional unserved locations.

The second Benefit of the Bargain round must be conducted consistent with the RPN. This includes the requirement from IIJA that Eligible Entities prioritize funding for "priority broadband projects," as defined in the statute and the RPN.[12] Applicants will also be subject to the same requirements and certifications as in the RPN and NOFO.

Upon completion of this second Benefit of the Bargain round, Eligible Entities will submit a proposed Supplemental Deployment Plan to NTIA for approval. If the cost of the Supplemental Deployment Plan exceeds the threshold established by NTIA, the Eligible Entity may seek a waiver to access additional funds based upon a demonstration of extraordinary circumstances. However, NTIA expects each Eligible Entity to use all levers within its control to complete

[11] 47 U.S.C. § 1701.
[12] 47 U.S.C. § 1702(a)(2)(I); BEAD Restructuring Policy Notice, pp. 8-10 (defining "Priority Broadband Projects").

deployment within the established amount of funding. Any waiver request must demonstrate that the Eligible Entity has fully considered all available options, including the most cost-effective technologies, to remain within its established amount.

1. The Scope of Supplemental Deployment

This Supplemental Deployment Policy Notice is limited to unserved locations not addressed through the now completed Final Proposal process mandated by Congress. By addressing these newly identified unserved locations, NTIA can ensure that Eligible Entities maintain focus on the primary mission of BEAD: closing the digital divide through broadband deployment.

2. Supplemental BEAD Eligible Location List

Upon release of this Policy Notice, NTIA will provide each Eligible Entity with a list of unserved locations not addressed by the Eligible Entity's Final Proposal (the Supplemental BEAD Eligible Location List). This updated list will use the Fabric (Version 8) and will identify locations that may remain unserved within the Eligible Entity's jurisdiction. The list will exclude BSLs no longer in the Fabric (Version 9) and BSLs addressed through the Eligible Entity's approved Final Proposal (including removal of locations eliminated through reason codes 1-7)[13] and add locations that may remain unserved due to removal from other programs,[14] or that were incorrectly reported as served in previous FCC broadband DATA map versions. Finally, the list will include new unserved locations that were not previously included in the FCC's Fabric. The list will not account for state/local enforceable commitments, which must be addressed by the Eligible Entity through reason code 4.

3. Review and Publication of BEAD Eligible Location List

Eligible Entities must complete an initial review of the NTIA identified unserved locations not addressed within their Final Proposal and apply all applicable reason codes, including state or local enforceable funding commitments, within thirty calendar days of receipt of the unserved location list.[15] Within seven calendar days of completing this review, the Eligible Entity must then publish its revised Supplemental BEAD Eligible Location List for public inspection and be subjected to an abbreviated challenge process as outlined below.

4. Abbreviated Challenge Process

Eligible Entities must publish their revised Supplemental BEAD Eligible Location List for public inspection along with instructions for submitting location challenges within seven calendar days of completing the initial review. Broadband service providers, local governments, and nonprofit organizations will have thirty calendar days from publication to submit evidence that a

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[13] *See* BEAD Final Proposal (FP) Submission Requirements: Reason Codes, https://broadbandusa.ntia.gov/FP_Submission_Requirements_Reason_Codes.

[14] Locations may be removed from other federal funding programs due to default, descope, recission or any other formal mechanism that invalidates an enforceable commitment to deploy qualifying broadband service. Such removals must have been reported by the funding agency to NTIA and the FCC's Broadband Funding Map no later than the date of this Policy Notice.

[15] If a deadline described in this Policy Notice falls on a Saturday, Sunday, or Federal holiday, then the deadline is the next Federal business day.

purportedly unserved location on the list does in fact have BEAD qualifying service or has qualifying planned service and should be eliminated. This abbreviated challenge process will *only* be used to remove locations from the Supplemental BEAD Eligible Location List. No new locations may be added.

The abbreviated challenge process does not require the Eligible Entity to repeat the same processes designated in the BEAD Challenge Process Policy Notice.[16] Specifically, Eligible Entities may not use the abbreviated challenge process to reclassify locations from served or underserved to unserved and Eligible Entities are not required to identify discrete challenge types (speed test, availability, etc.).

During the abbreviated challenge process, the challenger will bear the burden of submitting sufficient evidence of service to justify removal of a BSL from the Supplemental BEAD Eligible Location List. Appendix A provides examples of the types of documentation necessary to demonstrate provision of service or planned service. Evidence should be consistent with the documentation required to support the use of BEAD Reason Codes. Eligible Entities will be responsible for assessing the submitted evidence and determining whether a BSL should be removed from the eligible location list. The Eligible Entity must retain such evidence and make it available to NTIA for review upon request. NTIA reserves the right to reverse the Eligible Entity's determination where necessary to ensure compliance with this Policy Notice and previous BEAD Reason Code guidance.

Eligible Entities must adjudicate challenges within thirty calendar days of the close of the challenge period. There will be no rebuttal round, and Eligible Entities will adjudicate challenges with the information submitted during the challenge window. Eligible Entities are required to maintain standards of evidence that are unbiased and apply those standards equally to all technologies and challengers.

5. NTIA Review and Funding Limits

Upon completion of the abbreviated challenge process, the Eligible Entity must submit the final proposed Supplemental BEAD Eligible Location List to NTIA for review and approval. NTIA will determine the amount of additional funding to be released to complete supplemental deployment based on the final Supplemental BEAD Eligible Location List. The amount of additional funding approved will be the Eligible Entity's average cost of deployment per BSL in its approved Final Proposal multiplied by the number of BSLs in the final Supplemental BEAD Eligible Location List.

Eligible Entities will be expected to provide broadband connectivity to all unserved locations on the approved BEAD eligible location list and to do so within the constraints of the additional funding amount. If the Eligible Entity determines, following completion of the second Benefit of the Bargain round (see description directly below), that the approved funding will not be sufficient, the Eligible Entity may seek additional funding but will be required to demonstrate extraordinary circumstances (*i.e.*, that it has taken all practicable steps to complete deployment

[16] BEAD Challenge Process Policy Notice, Version 1.3 (last modified February 8, 2024), https://broadbandusa.ntia.gov/sites/default/files/2024-02/BEAD_Challenge_Process_Policy_Notice_v1.3.pdf.

within its established amount, including consideration of the most cost-effective technologies).

6. Second Benefit of the Bargain Round

Upon NTIA approval of the final Supplemental BEAD Eligible Location List and specification of additional funds to be released for supplemental deployment, the Eligible Entity will have ninety calendar days to conduct a second Benefit of the Bargain round and submit a proposed plan to serve all unserved locations on the supplemental BEAD eligible list. The second Benefit of the Bargain round must be conducted consistent with the RPN. This includes the IIJA statutory requirement that Eligible Entities must prioritize funding for "priority broadband projects" as defined in the statute and the RPN. Applicants will also be subject to the same requirements and certifications imposed by the RPN and NOFO for the first Benefit of the Bargain round.

Upon completion of the second Benefit of the Bargain round, the Eligible Entity shall submit a Supplemental Deployment Plan and proposed budget modification. The budget modification shall include the costs of implementing the Supplemental Deployment Plan and should use the Final Proposal Funding Request Project Plan/Narrative Sample as a guide to the information to be included in the submission. The cost of conducting the challenge process and the second Benefit of the Bargain round must be reasonable, allocable, and aligned with prior guidance from NTIA on the use of programmatic funds for BEAD activities.[17]

7. NTIA Final Approval

Supplemental Deployment Plans shall be subject to NTIA review and approval. NTIA will have ninety calendar days to approve Supplemental Deployment Plans. The Assistant Secretary reserves the right to reject any project proposal that lacks sufficient detail, fails to meet the requirements specified in this Policy Notice, or imposes unreasonable costs on the program. Plans to serve the locations identified on the Supplemental BEAD Eligible Location list will be scrutinized for excessive deployment costs based on the cost characteristics of the area to be served. No additional uses of funds outside of those permitted in this Supplemental Deployment Policy Notice will be authorized at this time.

III. Budget Modifications

Eligible Entities may work within their current Final Proposal Funding Request (FPFR) budget to cover any costs associated with conducting the abbreviated challenge process and second Benefit of the Bargain round. Eligible Entities that anticipate needing a budget modification should contact their Federal Program Officer prior to the start of their abbreviated challenge process or second Benefit of the Bargain round.

Upon completion of the second Benefit of the Bargain round, the Eligible Entity must submit a Supplemental Deployment Plan and budget modification detailing the proposed cost of implementing the Supplemental Deployment Plan. The budget modification must include an updated consolidated budget form and project narrative. The budget narrative should only

[17] *See* NTIA BEAD Two Percent Grant Administration Spending Limitation Guidance (Sept 2025), https://broadbandusa.ntia.gov/sites/default/files/2025-09/BEAD_Two_Percent_Grant_Admin_Guidance_Primer.pdf.

address the changes resulting from the budget modification. Eligible Entities should use the Final Proposal Funding Request Project Plan/Narrative Sample as a guide for the information to include in the submission. NTIA and NIST will review the proposed budget modification to ensure the costs are reasonable and allowable.

All costs incurred to implement the programmatic activities described in this Supplemental Deployment Policy Notice must comply with the NOFO and the RPN. The programmatic costs associated with conducting the abbreviated challenge process, the second Benefit of the Bargain Round, and related submissions to NTIA are not subject to the two percent administrative cap.[18] For all activities in this Policy Notice, personnel and corresponding fringe costs are allowable. For activities associated with the abbreviated challenge process and conducting the second Benefit of the Bargain round, contracts are allowable and subgrants are unallowable.

None of the activities described in this Supplemental Deployment Policy Notice qualify as an allowable expense under Initial Planning Funds. Eligible Entities must close out and move any remaining Initial Planning Funds to the Final Proposal Funding Request no later than June 30, 2027. Guidance about moving Initial Planning Funds is forthcoming.

[18] For costs subject to the statutory two percent administrative cap, please review NTIA's prior guidance on the subject. *See* NTIA BEAD Two Percent Grant Administration Spending Limitation Guidance (Sept 2025), https://broadbandusa.ntia.gov/sites/default/files/2025-09/BEAD_Two_Percent_Grant_Admin_Guidance_Primer.pdf.

Appendix A

Demonstration of Provision of Qualifying Service or Planned Service

Below are examples of evidence that providers may use to challenge the Supplemental BEAD Eligible Location List. These examples are illustrative only. They are neither exhaustive, nor intended to establish minimum or maximum evidentiary requirements. The Eligible Entity must ultimately use its best judgment in determining evidentiary requirements and whether evidence submitted is sufficient to satisfy BEAD program requirements.

Eligible Entities are required to maintain standards of evidence that are unbiased and apply those standards equally to all technologies and challengers. Provider attestation and/or presence of service in the FCC's National Broadband Map alone are not sufficient evidence for challenges.

A successful challenge must demonstrate that BEAD qualifying broadband service exists or will be deployed within twelve months of the date of this Policy Notice. BEAD-qualifying broadband service should be consistent with the Performance Measures for BEAD Last Mile Networks Policy Notice and Primer,[19] including by providing actual speeds (not "up to" or "marketing" speeds) of at least 100 Mbps downstream and 20 Mbps upstream and round-trip latency to the nearest FCC designated internet exchange point (IXP) of not more than 100 ms round trip time. Additionally, service must meet the requirements for a BEAD standard installation, including initiation of fixed broadband internet access service within 10 business days of a request, with no charges or delays attributable to extending the provider's network. Service must use acceptable technology, including the FCC's Broadband Data Collection Technology Codes 10, 40, 50, 61, 70, 71, 72.

Specific Technologies

Because network technologies differ, the evidence needed to demonstrate that a network will meet qualifying broadband standards may vary by technology. For example, a propagation study supported by empirical evidence may be sufficient to demonstrate that a fixed wireless network meets qualifying broadband standards. For a wireline network, however, as-built network diagrams from a GIS system showing proximity to customers, segment capacities (e.g. HCF split, PON split ratios), and other relevant network characteristics may be appropriate. The BEAD RPN established additional criteria for unlicensed fixed wireless networks to address requirements specific to that technology.[20] LEO providers may be required to demonstrate that the existing network has the spot beam capacity and backhaul necessary to provide qualifying service to all claimed BSLs just as a fiber provider would need to demonstrate sufficient PON capacity.

Existing Customers

A provider may demonstrate existing service at a BSL by submitting evidence of an existing customer or the existence of a customer within the last 12 months, provided the service meets

[19] Performance Measures for BEAD Last Mile Networks, Version 1.0 (last modified Sept 19, 2025), https://broadbandusa.ntia.gov/funding-programs/policies-waivers/Performance_Measures_Policy_Notice.
[20] *See* BEAD Restructuring Policy Notice, Appendix A: Unlicensed Fixed Wireless Service Requirements.

BEAD criteria. Evidence should identify the technology used and that the service provided at the location meets the BEAD qualifying broadband service criteria. Evidence of a customer in one location is not evidence of qualifying service in a different location.

Network Design

Providers must demonstrate that their network is designed to deliver qualifying broadband service to the challenged BSLs. This may be demonstrated through network architecture and engineering documentation detailed enough to establish sufficient network capacity and coverage—from the last mile to the nearest FCC designated IXP—to serve both existing customers and every location the provider seeks to remove from BEAD eligibility.

Performance Data

Evidence may include performance data comparable to that required under the BEAD Performance Measures Policy Notice or similar federal programs, including FCC high-cost programs, to demonstrate that specific BSLs or network segments can meet required performance standards.

Physical Verification

Photographic evidence may supplement and validate network design documentation by demonstrating that the described components are in place and properly maintained.

Planned Service

Sufficient evidence must demonstrate that service will be available within twelve months. Such evidence may include documentation of completed and remaining construction, obtained permits, completed pole attachment agreements, or a contract or other binding agreement with the Eligible Entity.

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Broadband Equity, Access, and Deployment (BEAD) Program: Supplemental Deployment Policy Notice Amendment

ACTION: Notice

SUMMARY:

The Infrastructure Investment and Jobs Act (IIJA) established the Broadband Equity, Access, and Deployment (BEAD) Program, which provides $42.45 billion of funding to achieve high-speed broadband access throughout the United States. *See* Infrastructure Investment and Jobs Act of 2021, Division F, Title I, Section 60101, Public Law 117-58, 135 Stat. 429 (November 15, 2021) (codified at 47 U.S.C. § 1701 *et seq.*).

The National Telecommunications and Information Administration (NTIA), as the agency responsible for administering the BEAD Program, provides herein notice to Eligible Entities (States, Territories, and the District of Columbia) of an extension of the period of time within which broadband service providers, local governments, and nonprofit organizations may submit evidence challenging the inclusion of broadband serviceable locations ("BSLs") on the Supplemental BEAD Eligible Location List (the "List") created by the Supplemental Deployment Policy Notice from thirty (30) calendar days to forty-five (45) calendar days.

This Policy Notice modifies and replaces certain requirements outlined in the BEAD Supplemental Deployment Policy Notice.[1] Each Eligible Entity must comply with this Policy Notice to gain approval of its BEAD Supplemental Deployment Plan from the Assistant Secretary of Commerce for Communications and Information.[2]

[1] NTIA, Supplemental Deployment Policy Notice, Broadband Equity, Access, and Deployment Program (September 3, 2026).

[2] This document does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements. In all cases, statutory and regulatory mandates shall prevail over any inconsistencies contained in this document.

1. Background

On September 3, 2026, NTIA released the BEAD Supplemental Deployment Policy Notice to address potential gaps in broadband coverage left by other programs, failures in planned deployments, and changes to the FCC's broadband DATA maps.[3] The Supplemental Deployment Policy Notice outlined a process for identifying and validating the broadband serviceable locations (BSLs) eligible for funding, including an abbreviated challenge process. The BEAD Supplemental Policy Notice, section 4, Abbreviated Challenge Process stipulates:

> Broadband service providers, local governments, and nonprofit organizations will have thirty calendar days from publication [of the List] to submit evidence that a purportedly unserved location on the list does in fact have BEAD qualifying service or has qualifying planned service and should be eliminated.

The Assistant Secretary of Commerce for Communications and Information has determined that there is good cause, and it is in the best interest of Federal Government, to extend the thirty (30) calendar day window for broadband service providers, local governments, and nonprofit organizations to submit evidence challenging the inclusion of a BSL on the Supplemental BEAD Eligible Location List to forty-five (45) calendar days. Extending the challenge window will accommodate the intervening holiday schedule and maximize participation in the process, improving the accuracy of locations identified for BEAD Supplemental Deployment funding.

2. Modification of Requirement

This Notice hereby extends the period of time in which broadband service providers, local governments, and nonprofit organizations may submit evidence that purportedly unserved locations on the List do in fact have BEAD qualifying service or planned service from thirty (30) calendar days to forty-five (45) calendar days from the date of publication of the Eligible Entity's revised Supplemental BEAD Eligible Location List.

The overall Abbreviated Challenge Process timeline, outlined in the BEAD Supplemental Deployment Policy Notice, will thus proceed as follows:

The Eligible Entity has thirty (30) calendar days from receipt of the Supplemental BEAD Eligible Locations List to complete its initial review. Within seven (7) calendar days of completing this review, the Eligible Entity must publish its revised Supplemental BEAD Eligible Location List for public inspection along with instructions for submitting challenges to the list. Broadband providers, local governments, and nonprofit organizations will have forty-five (45) days to submit evidence challenging the inclusion of a BSL on the Supplemental BEAD Eligible Locations List.[4] The Eligible Entity must adjudicate challenges within thirty (30) calendar days of the close of the challenge period. There will be no rebuttal round.

Upon completion of the abbreviated challenge process, the Eligible Entity must submit the final proposed Supplemental BEAD Eligible Location List to NTIA for review and approval. NTIA

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[3] *See* BEAD Supplemental Deployment Policy Notice, p. 4
[4] *See* BEAD Supplemental Deployment Policy Notice, p. 5.

will determine the amount of additional funding to be released to complete supplemental deployment based on the final Supplemental BEAD Eligible Location List. [5]

[5] Supplemental Deployment Policy Notice, p. 5-6