BEAD Program: Pre-Registration Guidance Webinar Q&As

1. **When will ACA require the ISPs to provide the Letter of Credit (LOC)?**

    At the pre-registration stage, Potential Applicants are required to certify that they understand an executed performance security will be required after final award and prior to signing of the grant agreement. ACA intends to provide additional guidance regarding performance security submission requirements as part of the project application stage.

2. **If a Potential Applicant provides a Surety Letter with the pre-registration application, can they shift to providing and using a LOC once awarded?**

    Potential Applicants are not required to provide a surety letter at the pre-registration stage. Potential Applicants are only required to certify that they understand an executed performance security will be required after final award and prior to signing of the grant agreement.

3. **(a) If a Potential Applicant's financials are included in the parent's financials, can the Potential Applicant submit their parent company's financials for the past three years?**
    (b) If so, will the Potential Applicant need to also supply a parent guarantee letter?

    Potential Applicants can submit the financial information of a parent or affiliate company for the last three years to satisfy the pre-registration requirement. In these instances, ACA requires a certification that the entity that provides the financial information will be responsible for the obligations of the Potential Applicant if those two entities are different.

4. **Can Potential Applicants submit a pre-registration application without credit ratings?**

    Potential Applicants are not required to have a credit rating. ACA requires Potential Applicants to submit a credit rating for review only if it is available. If a credit rating is not available, Potential Applicants will indicate that they are not publicly rated in the portal.

5. **In the "Organization" section, what constitutes an affiliate?**

    As per the BEAD NOFO, the term "affiliate" consistent with 47 U.S.C. § 153(2) refers to a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common

ownership or control with, another person. For purposes of pre-registration, the term "own" means to own an equity interest (or the equivalent thereof) of more than 10 percent.

6. **For cooperatives that are not publicly traded, owned 100% by all their cooperative electric broadband members, and therefore do not have a list of owners, what information should be provided in the ownership section?**

If the cooperative has more than 25 members, they can list board members, officers, and/or executive committee members in place of its members. Additionally, the Potential Applicant should also include as attachment(s) a description of its composition and nature as a cooperative and any supporting organizational documents and materials that demonstrate this as part of the organizational structure requirements under the managerial capability section of the pre-registration application. This information should include, at a minimum, information on the structure of the cooperative, number of members, role of the board members, officers, and/or executive committee and governance structure.

7. **If an organization is a large nonprofit that serves veterans by assisting with housing needs, would the BEAD program be able to assist in providing broadband technologies to the veterans supported in housing, as well as to the organization's support service offices?**

While nonprofit entities are also eligible to apply for BEAD funding, the referenced veteran housing and support offices can receive connectivity only if they are classified as Unserved, Underserved, or Community Anchor Institution (CAI) Broadband Service Location (BSL) in the project area defined by ACA. Please note that each Potential Applicant will be required to serve every eligible Unserved and Underserved location within the project area, not just a select list of BSLs. The number of CAIs to be covered in each project area is at the Potential Applicant's discretion. However, Potential Applicants will receive a higher score if they propose to serve the maximum number of eligible CAIs.

8. **What should be entered if contractors are not selected until after the BEAD award is granted?**

Potential Applicants are required to provide information on contractors/subcontractors only if they have identified contractors or subcontractors for BEAD projects at the pre-registration stage. If not identified during pre-registration, Potential Applicants will be required to provide this information as part of their project application submission.

9. **For Question 47, "Provide details on any broadband deployment projects in the last two years in the state of Arizona." Is that intended for completed, started, or awarded projects?**

Potential Applicants are encouraged to list any projects they have completed using private funds, federal government funds, state government funds, and similar sources. ACA is assessing Potential Applicants' geographic familiarity with Arizona and their understanding of the state's permitting process. This evaluation helps ACA ensure that Potential Applicants are capable of effectively navigating Arizona's BEAD program. Potential Applicants can include any projects they have started, been awarded, or are currently building – that is, anything that demonstrates their experience in deploying broadband within the state of Arizona.

10. **Is the "History of Operations" section asking about operations specifically in Arizona or nationwide?**

Potential Applicants are required to provide a narrative on the details of successful past operations nationwide and additionally also indicate the years of operation in the state of Arizona. Additionally, Potential Applicants are required to provide details of current subscribers for household, businesses, and Community Anchor Institutions in the state of Arizona and at the state level outside of Arizona.

For demonstrating experience with broadband projects specifically in Arizona, Potential Applicants are required to list any projects they have completed using private funds, federal government funds, state government funds, and similar sources in the last two years.

11. **Will the Cybersecurity and Supply Chain Risk Management (SCRM) Plans submitted be deemed confidential?**

Yes, all company-related materials submitted through the portal, including Cybersecurity and SCRM Plans, will be treated as confidential. Potential Applicants are required to mark and indicate confidential information submitted as part of the pre-registration application. However, given this is a government procurement, please note that all applications are subject to the public information request process.

12. **Will ACA allow ISPs to submit their full Cybersecurity and SCRM Plans before the execution of the BEAD grant agreement rather than in the pre-registration phase?**

ACA strongly encourages all Potential Applicants to submit their full Cybersecurity and SCRM Plans during the pre-registration phase. This allows applicants to concentrate on completing

their application during the project application phase. If the plans are not provided during pre-registration, Potential Applicants will be required to submit them during the project application phase.

13. If an organization is submitting an application to service areas with alternative technologies, do they only need to complete the pre-registration for Round 2?

Applicants are required to complete pre-registration only once, whether they intend to apply in one or both rounds of project applications. pre-registration can be started any time before the deadline but must be completed before submitting a project application. ACA strongly encourages Potential Applicants to submit their pre-registration as early as possible. This will allow plentiful time for preparation during and before the project application phases and ensure the timely receipt of all necessary documents.

It's important to note that even if Potential Applicants intend to apply only in the second round, due to proposing an alternative technology solution, ACA still encourages Potential Applicants to propose a full fiber solution in the first round, complete with a cost analysis for the BSLs to be served. Applicants should also specify what their alternative technology solutions proposal would be. This will allow ACA to potentially remove high-cost BSLs from project areas and serve them on a case-by-case basis. Furthermore, it may open the possibility for alternative solution applications to be accepted for specific project areas at the start of the second round of project applications.

14. Has the NTIA approved the challenge results following the conclusion of the challenge process?

The challenge results, including any post-challenge data adjustments, are currently under review by NTIA. While the exact timeline for approval is not guaranteed, ACA expects to receive approval before the opening of the Round 1 Application.

15. When will the final list of eligible BSLs and project areas be released?

The Initial Project Areas are currently posted and available on the Arizona Broadband Navigator. Following the conclusion of the Market Sounding phase, ACA will review and analyze the feedback received from interested parties and stakeholders across the state. An updated list of Project Areas and BSLs will be announced once they are available. ACA expects the Project Areas and eligible BSLs to be finalized prior to the opening of the Round 1 Application.

16. During pre-registration, is it assumed that tribes will have already identified their partners?

The decision about partnerships will be left up to each specific tribe. Tribes have multiple options for being awarded BEAD funding: they can partner with other entities, apply as a tribal government, or through a tribal telecom company authorized by the tribal government/council. ACA makes no assumptions regarding partnerships. The highest priority for ACA is to ensure that each tribe is represented, participating in the BEAD funding process, and receiving the necessary funding to serve all BSLs within their tribal lands.

17. If a tribal group is applying for a project area that is outside of their tribal area, are there any specific considerations that the Applicant will need to address?

No, there are no specific considerations for a tribal group applying for a project area outside of their own tribal lands. They can proceed through the regular application process without any additional requirements. However, if the project areas are on other tribal lands, a consent form from the respective tribal leaders is required to apply for those areas.

18. Are tribal entities allowed to receive technical assistance from ACA or its consultants during the application window?

No, once the application window opens, ACA and its consultants do not provide technical assistance. This is to avoid conflicts of interest with potential BEAD subgrantees. ACA offers technical assistance through publicly available resources on the website.