ARConnect

The Arkansas State Broadband Office

ARCONNECT

BEAD CHALLENGE PROCESS RESOURCE GUIDE

Version 1.0 – January 25, 2024

Table of Contents

Definition of Terms

The list below explains terms and acronyms referenced throughout this document. These definitions are intended to help readers — they are not a substitute for official definitions published in the BEAD Notice of Funding Opportunity (NOFO) or Policy Notice.

Area – Area refers to a Census Block Group (CBG), which is a geographical unit used by the U.S. Census that is in between the Census Tract and the Census Block. These units are relevant to discussions on broadband serviceability, as well as project areas for new deployment. Census block groups roughly align with the way typical fiber deployment projects are planned and result in an area size that was neither too large nor too small.[1]

Area or MDU challenge – Optional modification in the BEAD Challenge Process that allows multiple individuals to file one challenge as an area or multiple dwelling units (MDU), shifting the burden of proof from an individual to the provider.

BEAD – The Broadband Equity, Access, and Deployment (BEAD) Program provides $42.45 billion to expand high-speed internet access by funding planning, infrastructure deployment and adoption programs in all 50 states, Washington D.C., Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Broadband – The Federal Communications Commission (FCC) defines basic broadband as transmission speeds of at least 25 Mbps (megabits per second) downstream (from the internet to the user's computer) and 3 Mbps upstream (from the user's computer to the internet).

Broadband serviceable locations (BSLs) – A business or residential location in the United States at which mass-market fixed broadband internet access service is, or can be, installed.[2]

Challenge Phase – The challenge phase will run for 30 calendar days. During this phase, eligible challengers will be able to submit challenges using the Challenge Portal.

Census Block Group (CBGs) – Also known as Block Groups (BGs), they are statistical divisions of census tracts, generally defined to contain between 600 and 3,000 people, and are used to present data and control block numbering. A BG usually covers a contiguous area.[3]

Community anchor institutions (CAI) – Community anchor institution (e.g., school, library, health clinic, health center) that facilitates greater use of broadband service by vulnerable populations.

Challenge Process – A process by which each ARConnect allows stakeholders (Permissible Challengers) to help refine the map of locations that are eligible for BEAD funding.

Data cap – An internet service provider-imposed limit on the amount of data (usually in a month) that a consumer can use.

---

[1] https://www.internetforall.gov/program/broadband-equity-access-and-deployment-bead-program/bead-allocation-methodology

[2] https://help.bdc.fcc.gov/hc/en-us/articles/16842264428059-About-the-Fabric-What-a-Broadband-Serviceable-Location-BSL-Is-and-Is-Not

[3] https://www.census.gov/programs-surveys/geography/about/glossary.html#par_textimage_4

Deployment – In this document, deployment specifically references the buildout of broadband infrastructure to unserved and underserved locations. Within deployment, projects may be referred to as priority (fiber) or non-priority (non-fiber) in alignment with the BEAD NOFO's requirement to prioritize fiber service wherever feasible.

Download speed – The rate that digital data is transferred from the internet to a computer usually denoted as the first number of an internet speed, ex: 100/20 Mbps means a 100 Mbps download speed.

DSL – Digital Subscriber Line, i.e., a networking technology that provides broadband over conventional telephone lines.

Eligible community anchor institution – A community anchor institution that lacks access to gigabit-level broadband service.

Enforceable commitment – An NTIA classification for locations within a state that are receiving broadband infrastructure buildouts from federal and/or state programs *excluding BEAD*; these locations are considered served by these other programs and are therefore ineligible for BEAD funding if those commitments are upheld.

Fabric (Location Fabric) – The Broadband Serviceable Location Fabric (Fabric) is a dataset of all locations in the United States and its territories where fixed broadband internet access service is or could be installed. The Fabric allows broadband availability data filers, the FCC, and other stakeholders to work from a single, standardized list of locations for the Broadband Data Collection (BDC).[4]

High-speed internet – A generic term used for internet service that is faster than the average. Traditionally, the way to determine if a connection is high-speed is to test its ability to connect multiple devices simultaneously to allow streaming and access to modern applications.

IIJA – The Infrastructure Investment and Jobs Act (also known as the Bipartisan Infrastructure Law) is a federal law passed in 2021.

Internet service provider (ISP) – A company that provides individuals and organizations access to the internet and other related services.

Latency – The time (aka: lag/delay) it takes for a packet of data to travel from one designated point to another in a network. Lower latency is good; higher latency is bad.

Location – For the purposes of the NTIA BEAD Challenge Process, a "location" is an address on the Fabric map.

Mbps – Megabits per second are the units of measurement that generally refer to upload and download speeds to measure the file size of data transferred per second over a channel and are used to show how fast a network or internet connection is.

---

[4] https://help.bdc.fcc.gov/hc/en-us/articles/5375384069659-What-is-the-Location-Fabric-

Multiple dwelling unit (MDU) – Residential duplexes, triplexes, fourplexes, apartment buildings, condominiums, mobile home parks, trailer courts, or similar types of multi-unit arrangements on one parcel of land often served by one internet service provider.

NTIA – The National Telecommunications and Information Administration, an agency of the U.S. Department of Commerce overseeing the BEAD Program.

Permissible Challengers – During the BEAD Challenge Process, ARConnect will only allow challenges from nonprofit organizations, units of local government, and broadband service providers, as recognized by the State of Arkansas.

Portal (Challenge Portal) – Cloud-based software interface that hosts the Challenge Process Map and Dashboard.

Rebuttal – For the purposes of the Challenge Process, a rebuttal is a when a provider disputes a challenge that has been made against their service.

Reliable Broadband Service – Broadband service that the National Broadband Maps show is accessible to a location via: (i) fiber-optic technology; (ii) cable modem/ hybrid fiber-coaxial technology; (iii) digital subscriber line (DSL) technology; or (iv) terrestrial fixed wireless technology utilizing entirely licensed spectrum or using a hybrid of licensed and unlicensed spectrum.

Served – For the BEAD Program, defined as broadband serviceable locations that have internet access above 100/20 Mbps.

Speed test – Measurement of speed between a device and a test server, using a device's internet connection.

Unserved – For the BEAD Program, defined as broadband serviceable locations that have no internet access or access below an internet speed of 25 megabits per second for downloading content, and 3 megabits per second for uploading content (25/3 Mbps).

Underserved – For the BEAD Program, defined as broadband serviceable locations that have internet access below an internet speed of 100 megabits per second for downloading content, and 20 megabits per second for uploading content (100/20 Mbps), but greater than or equal to 25/3 Mbps.

Units of local government – As defined by ARConnect, may include mayors, county judges, members of the general assembly, school board members, justices of the peace, city council members, and any other elected official.

Upload speed – The rate that online data is transferred from a computer to the internet, usually denoted as the second number in an internet speed. For example, 100/20 Mbps service has a 20 Mbps upload speed.

BEAD Challenge Process Guide

As required by statute, the initial eligibility determinations for funding under the Broadband Equity Access and Deployment (BEAD) Program are based on the Federal Communication Commission's (FCC) [National Broadband Map](#).[5]

The BEAD Arkansas Challenge Process is designed to provide stakeholders in Arkansas with an opportunity to challenge the funding eligibility of locations within the state. Based on the process approved by the National Telecommunications and Information Administration (NTIA), Permissible Challengers can dispute the data from the National Broadband Map using local data.

Questions related to policy or procedural items should be directed to:

broadband.challenges@arkansas.gov

Questions related to technical assistance issues should be directed to:

arhelpdesk@ready.net

Note: Due to ongoing discussions between federal agencies and Arkansas' partners, the information in this document is subject to change. Any changes will be announced through official channels and documented in a change log.

Allowable Challenges

What Can Be Challenged?

The BEAD Challenge Process has been designed to accommodate various categories of challenges that are necessary to develop the most accurate list of BEAD eligible locations.

There are different challenge types within each category, but a location can only be challenged on the following grounds:

- BEAD eligibility determinations for broadband serviceable locations (BSLs),
- Enforceable commitments for existing BSLs (locations with existing funding)
- Planned or existing service for existing BSLs
    - Including refutation of DSL modification
- The identification of eligible community anchor institutions (CAIs), as defined in the State of Arkansas Initial Proposal Volume 1
- CAI BEAD eligibility determinations
    - Note: This option only applies to administrative offices of public housing organizations **not** residential housing properties (whether single or multi-family)

---

[5] https://broadbandmap.fcc.gov/home

Permissible Challengers

Who Can Submit a Challenge?

Per NTIA regulations, only the following entities are permitted to submit formal challenges during the BEAD Challenge Process:

- Units of local government (see Definition of Terms above)
- Nonprofit organizations
- Broadband providers (ISPs, etc.)

Role of Residents, Businesses, and CAIs

While residents and businesses are not allowed to submit challenges directly, they are an essential part of the Challenge Process. For many types of challenges, the data submitted by Permissible Challengers may be collected directly from residents and/or businesses that have not been provided the level of broadband service that is reported as available to them.

Structure and Timing

The BEAD Challenge Process must be completed before ARConnect can distribute any funding as part of the BEAD Program. The BEAD Challenge Process ensures that the list of eligible locations is finalized before the grant application window opens.

Prior to the start of the BEAD Challenge Process, ARConnect will post the latest eligibility determinations on broadband.arkansas.gov. These determinations will be presented as a public map and a challenge map in the Challenge Portal.

The Challenge Process Phases

Timeline

Challenge Submission Window	March 20 – April 19, 2024	
Rebuttal Submission Window		April 20 – May 20, 2024	
Final Determination			May 21 – June 20, 2024

Challenge Phase

The Challenge Phase will run for 30 calendar days. During this phase, all Permissible Challengers will be able to submit challenges using the Challenge Portal. After a challenge is submitted, ARConnect will perform an initial review of the challenge and determine if it meets the minimum level of evidence outlined in this Resource Guide. If clarifying information or additional evidence is required, ARConnect *may* reach out and allow you **one revision**. However, a revision opportunity is not guaranteed. You will **not** be allowed to submit additional evidence after the 30-day Challenge Phase closes.

If a challenge is determined to meet the minimum level of evidence, it will be considered a valid challenge and proceed to the Rebuttal Phase. For bulk challenges that include multiple locations, each location will be assessed on its own merit.

After the initial review has been completed for all challenges, all valid challenges will be processed collectively to identify any Area and MDU challenges.

Because the intention of the Challenge Process is to modify BEAD funding eligibility status, rebuttals will only be required for locations where a successful challenge has the potential to change the eligibility status of an affected location. For example, if there are two providers reporting coverage at 100/20 Mbps speeds at the same location and only one of those providers is challenged, the challenged provider will not be required to submit a rebuttal for that location. However, that challenge will still be considered for the purposes of reaching the Area challenge threshold.

Tip: Submit your challenges early! You will NOT be allowed to submit additional evidence, revise, or fix errors or omissions after the 30-day Challenge Phase closes.

Rebuttal Phase

After the Challenge Phase closes and challenges are processed, the Rebuttal Phase will run for 30 calendar days. At the beginning of the Rebuttal Phase, all the challenges that are eligible for rebuttal will be posted in the Challenge Portal. For challenges related to location eligibility that are directed against providers, only the challenged provider may submit a rebuttal.

Notifications will be sent to broadband providers when the Rebuttal Phase has started. Broadband providers will be notified of any challenges directed against them by email and provided with the details necessary to respond to them during the Rebuttal Phase. The challenged provider will have 30 days to agree with or dispute the challenge. If the rebuttal evidence is deemed not sufficient, the broadband providers may be allowed to submit **one revision**. For Availability, Technology, Speed, Latency, Data Cap, and Business Service Only challenge types, challenges that do not receive a rebuttal in the allotted time will be sustained.

After a rebuttal is submitted, ARConnect will review all evidence and determine if it meets the evidentiary requirements. If a rebuttal submission is determined to meet the minimum level of evidence, it will be considered a 'valid rebuttal.' At the end of the Rebuttal Phase, all challenges with valid rebuttals will be marked as disputed and proceed to the Final Determination Phase. All challenge types that do not require rebuttals will also proceed to the Final Determination Phase to determine if the submitted evidence is sufficient to sustain the challenge.

Final Determination Phase

Within 30 days of the end of the Rebuttal Phase, ARConnect will review the submitted evidence for each challenge, including the evidence from any rebuttals, and will make final determinations to "sustain" or "reject" each challenge. Reviewers will evaluate all submitted information included in each challenge and rebuttal prior to making any final determinations.
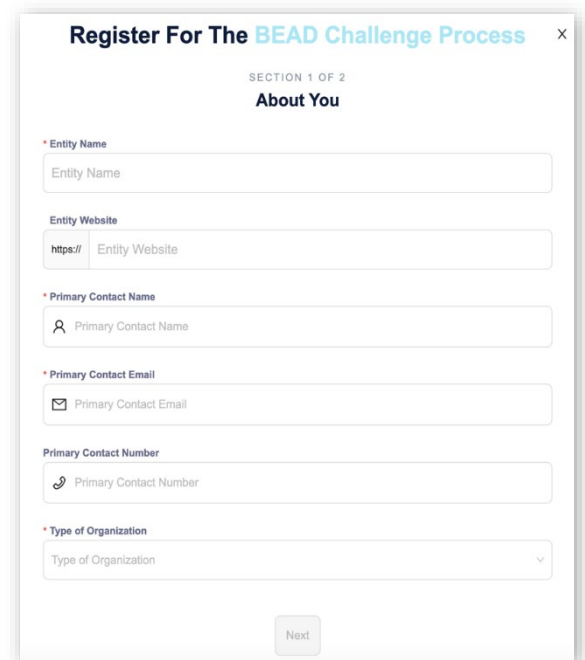
How to Participate in the Challenge Process

Account Registration

Before a Permissible Challenger can participate in the Challenge Process, they must register for an account in the Challenge Portal, ensuring that only permissible parties submit challenges. Account registration will open on the same day that ARConnect publishes the public map of BEAD eligibility determinations, which is anticipated to be March 12, 2024.

Registration Steps

1. **Visit the registration page** – The registration page provides a brief overview of the Challenge Process and several helpful links. The registration page is located at: https://register.broadband.arkansas.gov/

2. **Click the "Register" button** – The "Register" button will open an intake form for you to fill out some necessary information.

3. **Complete the intake form** – The intake form will collect information needed to verify your account as a Permissible Challenger.

   a. **General information** – Every registrant for the Challenge Process will be asked to provide the following information:
      i. Entity Name
      ii. Entity Website (Optional)
      iii. Primary Contact Name
      iv. Primary Contact Email
      v. Primary Contact Phone Number

Register For The BEAD Challenge Process ✕

SECTION 1 OF 2
About You

* Entity Name

Entity Name

Entity Website

https:// | Entity Website

* Primary Contact Name

Primary Contact Name

* Primary Contact Email

Primary Contact Email

Primary Contact Number

Primary Contact Number

* Type of Organization

Type of Organization

Next

      vi.   Type of Entity (select from dropdown)

   b.   Broadband Providers Information
      i.   Provider Name (select from dropdown)
      ii.   FCC Registration Number (FRN)
      iii.   Physical Address
      iv.   Additional documentation to verify identity

   c.   Unit of Local Government Information
      i.   Physical Address
      ii.   Additional documentation to verify identity

   d.   Nonprofit Organization Information
      i.   Employer Identification Number (EIN)
      ii.   Physical Address
      iii.   Additional documentation to verify identity

4. **Click "finish" and submit the form** – After you submit the form, you will receive an email confirmation.

5. **Wait for account approval** – After submitting your request for an account, each registration will be manually reviewed by ARConnect and its partners before it is approved. As a result, there will be a slight delay between registration form submission and account setup. If your registration lacks necessary details, you will be notified by email to update your account request with the required information.

6. **Complete account setup** – Once approved, you will receive an email with a link to access your account.

How to Submit Challenges and Rebuttals

Once your registration has been approved and your account has been set up, you will be able to submit challenges and rebuttals during the respective phases.

Submitting Challenges

In general, all Permissible Challengers are eligible to submit challenges of any type. The primary exception involves "Planned Service or Existing Service Challenges" which should only be submitted by service providers.

Challenge Steps

1. **Log-in to the Challenge Portal** – There are two ways in which users can log-in to the Challenge Portal:

    a. Via a "Magic Link" – Users provide their registered email and then they will be sent an email with a direct link to log-in without a password.

    b. Users can set a password and use their email address and password as their log-in credentials.

2. **Expand "Challenge" menu in the Navigation Pane** – There are a range of options in the left sidebar's navigation pane. After clicking on the Challenge menu, a sub-menu will expand to display two options: "Dashboard" and "Challenge Map."

3. **Click on either "Dashboard" or "Challenge Map"** – Both options provide distinct functions, but each of them will open a challenge submission window. The Challenge Map provides a visual representation of the eligibility designations under BEAD, while the Dashboard displays all challenges you have submitted in one place. If you are a provider, your Dashboard view will also be the place in which you will also see any challenges that have been submitted against you.

4. **Click on "Add Challenge" button** – The "Add Challenge" button is found in the top right corner of the "Submitted Challenges" panel of the Challenge Map page or on the top-right of the challenges table on the Dashboard page. Clicking this button will open the "Create a Challenge" page, which includes the Challenge Map. This page includes a challenge flow panel on the right and layers that can be used to filter the map by different layers.

5. **Create a Challenge** – When creating a challenge in the Challenge Portal, there are several steps required to complete the challenge:

    a. **Select Challenge Category and Type** – Each challenge category includes multiple challenge types to select from:
        i. **Planned or Existing Service**
            1. Planned Service
            2. Existing Service

        3. DSL Modification Refutation

   ii.   **Enforceable Commitments**
        1. Covered by Enforceable Commitment
        2. Not Covered by Enforceable Commitment

   iii.   **Provider Service Level**
        1. Availability
        2. Speed
        3. Latency
        4. Data Cap
        5. Technology
        6. Business Service Only

   iv.   **Anchor Institution Classification**
        1. Location is a CAI - Note: The *Public Housing Organization* category only applies to administrative offices of public housing organizations **not** residential housing properties (whether single or multi-family)
        2. Location is not a CAI
        3. Location does not receive 1 Gigabit per second (Gbps) service
   4. Location does receive 1 Gbps service

b. **Select Challenge Details** – After selecting the Challenge Type, the data in the map will be filtered to display only locations that are eligible for the selected challenge type. For example, if an area is already unserved, you will not be able to file an Availability challenge. From the locations that are eligible for the selected challenge type, you will be prompted to provide challenge details that will further filter the selected locations, based on the options you choose. The required challenge details will vary by challenge type, as described further throughout this document.

c. **Select Locations** – After providing the challenge details, only the locations that are eligible for the selected challenge type will be displayed. From the remaining locations, you will be prompted to select the location(s) that you want to challenge. You can add locations one-by-one or select a group of locations. Group your challenges into meaningful locations such as neighborhood, census block group, award area, building permits granted, etc.

Note: The Challenge Process portal will only allow up to 500 locations per challenge. ARConnect recommends you submit much smaller groupings to facilitate the review process.

   i.   **Adding Individual Locations** – To add an individual location, click on a location on the map, which will then display a pop-up of the address of that location and an "Add to Challenge" button. If the address aligns with the location you intend to challenge, click the "Add to Challenge" button and

then click "Confirm" in the following prompt. You can add multiple locations to the same challenge submission by using this method.

    ii.   **Adding Locations in Bulk** – When filing bulk challenge submissions, you can add locations in groups, rather than adding each location individually. There are two ways to add multiple locations as a group:

1. **Shift + Click + Drag your cursor** – This method allows you to quickly select multiple locations directly on the map. This is the quickest, but least precise method of selecting multiple locations, because the selection boundaries are in a rectangular shape. Once you have selected locations using this method, you will be prompted to confirm that you want to add these locations to your challenge. The prompt will include the number of locations that you have selected.

2. **Select or Upload Area by creating a "Zone"** – This method allows you to upload an area by defining a zone. To add a zone, first make sure the map tools panel is open on the left side of the map. Then, click on the "Zones" tab in the left panel and click the "Create a Zone" button to define a new zone by drawing, or uploading a shapefile. After you've created your zone, select the locations you want to submit as part of your challenge by clicking on the "Select or Upload the Area" on the right side of the page and choosing your zone from the list. The Challenge Portal will take a few moments to load your locations.
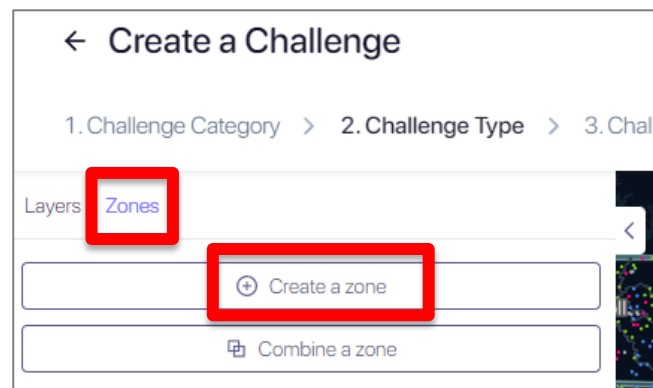
NOTE: If you want to select locations by creating a zone, you must create a zone before you begin the process of submitting your challenge.

3. **Upload List of Locations** – This method allows you to upload a .csv file with a list of FCC Fabric Location IDs. Once uploaded, the software selects the locations in the .csv and adds them to the challenge. The .csv should only include a single column with a header, such as "Location ID."

4. **Removing Locations from Selection** – If you mistakenly added locations that you do not wish to challenge, you can remove the

locations by clicking the trash icon next to the location in the right panel or remove all the selected locations by clicking "Remove All."

d. **Upload Evidence and Documentation** – Once you have finalized the location(s) that you want to challenge, you will be asked to provide any evidence and documentation that you want to be reviewed as part of your challenge. For challenges that require you to provide separate evidence files per location, you will be prompted to download a .csv file with the selected location and other fields necessary to map the evidence files to the individual locations.

e. **Attestation** – After you have uploaded your evidence, you will be required to accept and complete an attestation that states that the details submitted have been entered to the best of your knowledge and that the challenge is true, complete, and accurate.

Area and MDU Challenges

ARConnect will administer Area and Multiple Dwelling Unit (MDU) challenges for Availability, Speed, Technology, Latency, and Data Cap challenge types. An Area challenge will be triggered if six or more BSLs are challenged under the same challenge type and are using a particular technology and a single internet service provider (ISP) within a census block group[6]. An MDU challenge requires challenges to at least three units or 10% of the unit count listed in the FCC Fabric within the same broadband serviceable location, whichever is larger.

Please note that all Technology challenges will be recorded as an Availability challenge under Reason Code 5, as described in Table 1. This means that Technology challenges will be combined with Availability challenges for the purposes of triggering Area and MDU challenges. However, this is based on pending feedback from the NTIA. Therefore, it is recommended that you submit all Technology challenges under Availability and Reason Code 5.

The provider receiving an Area challenge or MDU challenge must demonstrate that they are meeting the Availability, Speed, Technology, Latency, and Data Cap challenge requirements respectively, for all locations within the area or all units within an MDU. The provider can use any of the permissible rebuttals described in this document for the respective challenge type.

Area challenges for Availability need to be rebutted with evidence that shows that service is available for all BSLs within the census block group. For wireline providers this should include network diagrams that show fiber or hybrid fiber coaxial (HFC) infrastructure and/or customer subscribers. For fixed wireless service, the challenge system will offer a representative random

---

[6] Area challenge determinations will be determined based on 2020 Census Block Groups

sample of the area in contention, but no fewer than [10], where the provider must demonstrate service availability and speed (e.g., with a mobile test unit).[7]

For a Speed Test Area challenge, the challenged provider will be required to submit a rebuttal for at least 10% of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule, i.e., 80% of these locations must experience a speed that equals or exceeds 80% of the speed threshold. Only speed tests conducted by the provider between the hours of 7 p.m. and 11 p.m. local time will be considered as evidence for a challenge rebuttal.

For a Latency Area challenge, the challenged provider will be required to submit a rebuttal for at least 10% of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule, i.e., 80% of these locations must experience a latency that does not exceed 80 milliseconds (ms).

In the event of a representative random sample being used for a rebuttal, such as with a latency area challenge or a fixed wireless provider, the rebuttals against the original challenged locations will not count toward the minimum number of locations required for the area challenge rebuttal.

Submitting Rebuttals

1. **Notifications of Rebuttal Phase Start** – When the Rebuttal Phase starts, broadband providers will be notified of any challenges directed against them by email and provided with the details necessary to respond to them during the Rebuttal Phase. The challenged provider will have 30 days to agree with or dispute the challenge.

2. **Log-in to the Challenge Portal** – There are two ways in which users can log-in to the Challenge Portal:

   a. Via a "Magic Link" – Users provide their registered email and then they will be sent an email with a direct link to log-in without a password.

   b. Users can set a password and use their email address and password as their log-in credentials.

3. **Expand "Challenge" menu in the navigation pane** – There are a range of options in the navigation pane. When clicking on the Challenge menu, the sub-menu will expand to display two options: "Dashboard" and "Challenge Map." To view the challenges available for rebuttal, click on the "Dashboard."

   a. **Go to "Dashboard"** – During the Rebuttal Phase, the Dashboard is your portal to review the challenges that you are eligible to submit rebuttals for. The "Challenges Received" tab will display the challenges that you have received against your

---

[7] A mobile test unit is a testing apparatus that can be easily moved, which simulates the equipment and installation (antenna, antenna mast, subscriber equipment, etc.) that would be used in a typical deployment of fixed wireless access service by the provider.

reported service. The challenges will be grouped by submission and include details, including the challenging entity, challenge type, number of challenged locations, and other details.

4. **Click "View Details"** – To begin the Rebuttal Process, click "View Details" on the challenge that you want to submit a rebuttal against. This will pull up an interface with a map displaying the locations and details of the challenged locations included in the submission. The information on the challenge submission will be available in the right panel, which has two tabs: "Details" and "Locations."
   a. **Details:** The challenge details will be similar to those provided in the Dashboard but will include an expanded description of the challenge type and some additional information.
   b. **Locations:** The locations tab will provide a full list of locations that were challenged under the selected submission.

5. **Rebut or Accept Challenges** – Using the locations tab, you can choose which individual location challenges you want to rebut, and which individual location challenges you want to accept. If you want to submit or accept all the challenges, you can do so using the "Rebut All/Accept All" button. Note that accepting challenges is only an option for providers reviewing challenges against them because they are the only ones eligible to rebut those challenges.

6. **Upload Evidence and Documentation** – Once you have finalized the location(s) that you want to challenge you will be asked to provide any evidence and documentation that you want included in the review of your challenge.

7. **Attestation** – After you have uploaded your evidence, you will be required to accept and complete an attestation that states that the details submitted have been entered to the best of your knowledge and that the challenge is true, complete, and accurate.

Evidence and Documentation Requirements

The evidence and documentation submission are the most important part of the challenge submission. If your submission does not meet the minimum level of evidence sufficient to establish a valid challenge, it will not be approved and will not proceed to the Rebuttal Phase.

The minimum level of evidence required varies by challenge type.

Availability Challenges

The Availability challenge type in the BEAD Challenge Process closely resembles the FCC Challenge Process. It supports challenges that have evidence that the service reported in the maps at a specific location is not actually currently available, or cannot be delivered within 10 days, over the reported technology and maximum advertised speeds at standard installation cost.

In alignment with the FCC Challenge Process, the BEAD Challenge Process requires the "Reason for the Challenge" to be documented, using the reason code field from the *FCC Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsource Data.*[8]

Evidence for Availability Challenges

When filing availability challenges, you will be required to select one of the following reasons and provide evidence for each challenge. Table 1 outlines acceptable evidence for each Reason Code and the maximum age of the evidence submitted to support the challenge.

If you choose to provide "Other evidence to support challenge," instead of Arkansas' identified evidence types, *we cannot ensure that the evidence will meet the minimum requirements*. To support our review, please provide a thorough explanation of any evidence classified as "other."

Table 1

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
1	Provider failed to schedule a service installation within 10 business days of a request.	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Other evidence to support challenge	365 days
2	Provider did not install the service at the agreed upon time.	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Other evidence to support challenge	365 days
3	Provider requested more than the standard installation fee to connect the location.	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot	365 days

---

[8] See "Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsource Data (Section 3.2)," Federal Communications Commission, January 12, 2023, bdc-bulk-fixed-challenge-dataspecifications.pdf.

		• Documentation of phone call or in-person interaction • Other evidence to support challenge	
4	Provider denied the request for service.	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Other evidence to support challenge	180 days
5	Provider does not offer the technology entered above at this location.	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Terms of Service/service description • End-user contract or offer • Infrastructure knowledge/evidence including manufacturer and model number of residential gateway • Other evidence to support challenge	365 days
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location.	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Terms of Service/service description • End-user contract or offer • Infrastructure knowledge/evidence • Other evidence to support challenge	180 days
7	Intentionally Omitted[9] (Does not constitute a formal challenge).	• N/A	N/A

[9] The Availability challenge does not adjudicate whether the actual speed of the service falls below the advertised speeds. The FCC Code 7 is used for consumer complaints when "Subscribed Speed Not Achievable."

8	No wireless signal is available at this location (only for technology codes 70 and above).	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Infrastructure knowledge/evidence • Other evidence to support challenge	365 days
9	New, non-standard equipment had to be constructed at this location.	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Infrastructure knowledge/evidence • Other evidence to support challenge	365 days

Evidence for Availability Rebuttals

Only the challenged provider may submit a rebuttal to a Latency challenge. This evidence must include evidence that counter the Reason Code and evidence provided by the challenger. The acceptable forms of evidence are provided in Table 2.

Table 2

Code	Reason	Acceptable Evidence Types for Rebuttals
1	Provider failed to schedule a service installation within 10 business days of a request.	Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill. If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. Provider supplies a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.
2	Provider did not install the service at the agreed upon time.	Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill. If the evidence was a screenshot and believed to be in

		error, a screenshot that shows service availability. Provider supplies a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.
3	Provider requested more than the standard installation fee to connect the location.	The provider submits evidence that service is now available as a standard installation, e.g., via a copy of an offer sent to the location. A standard installation is defined in the Broadband DATA Act (47 U.S.C. § 641(14)) as "[t]he initiation by a provider of fixed broadband internet access service [within 10 business days of a request] in an area in which the provider has not previously offered that service, with no charges or delays attributable to the extension of the network provider."
4	Provider denied the request for service.	Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill. If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. Provider supplies a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.
5	Provider does not offer the technology entered above at this location.	Provider has countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location.	Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill. If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. Provider supplies a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.

7	Intentionally Omitted[10] (Does not constitute a formal challenge).	N/A
8	No wireless signal is available at this location (only for technology codes 70 and above).	Provider has countervailing evidence to demonstrate service availability and speed (e.g., with a mobile test unit).
9	New, non-standard equipment had to be constructed at this location.	The provider submits evidence that service is now available as a standard installation, e.g., via a copy of an offer sent to the location.

Evidence for Speed Test Challenges

ARConnect will accept speed tests as evidence for substantiating challenges and rebuttals. Evidence for each speed test challenge must consist of at least three measurements, taken on different days. Speed tests cannot predate the beginning of the challenge period by more than 60 days. Speed tests can take four forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., DSL modem, cable modem (for HFC), ONT (for FTTH), or fixed wireless subscriber module.

2. A reading of the speed test available from within the residential gateway web interface.

3. A reading of the speed test found on the service provider's web page.

4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway.

Each speed test measurement must include:

- The time and date the speed test was conducted.
- The provider-assigned internet protocol (IP) address, either version 4 or version 6, identifying the residential gateway conducting the test.

Each group of three speed tests must include:
- The name and street address of the customer conducting the speed test.
- A certification of the speed tier the customer subscribes to (e.g., a copy of the customer's last invoice).

---

[10] The Availability challenge does not adjudicate whether the actual speed of the service falls below the advertised speeds. The FCC Code 7 is used for consumer complaints when "Subscribed Speed Not Achievable."

- An agreement, using an online form provided by the Eligible Entity, which grants access to these information elements to the Eligible Entity, any contractors supporting the Challenge Process, and the service provider.

The IP address and the subscriber's name, and street address are considered personally identifiable information (PII) and thus are not disclosed to the public (e.g., as part of a Challenge Dashboard or open data portal).

Each location must conduct three speed tests on three different days; the days do not have to be adjacent. The median of the three tests (i.e., the second highest [or lowest] speed) is used to trigger a speed-based (S) challenge, for either upload or download. For example, if a location claims a broadband speed of 100 Mbps/25 Mbps and the three speed tests result in download speed measurements of 105, 102 and 98 Mbps, and three upload speed measurements of 26, 18, and 17 Mbps, the speed tests qualify the location for a challenge, because the median measured upload speed (18) marks the location as underserved.

Speed tests may be conducted by subscribers, but speed test challenges must be gathered and submitted by units of local government, nonprofit organizations, or a broadband service provider.

Subscribers submitting a speed test must indicate the speed tier to which they are subscribing. If the household subscribes to a speed tier of between 25/3 Mbps and 100/20 Mbps and the speed test results in a speed below 25/3 Mbps, this broadband service will not be considered to determine the status of the location. If the household subscribes to a speed tier of 100/20 Mbps or higher and the speed test yields a speed below 100/20 Mbps, this service offering will not count towards the location being considered served or underserved. However, even if a particular service offering is not meeting the speed threshold, the eligibility status of the location may not change. For example, if a location is served by 100 Mbps licensed fixed wireless and 500 Mbps fiber, conducting a speed test on the fixed wireless network that shows an effective speed of 70 Mbps does not change the status of the location from served to underserved.

As of November 2023, the NTIA has approved the following applications to perform speed and latency tests:

- Ookla (https://www.speedtest.net/)
- M-Lab (https://speed.measurementlab.net/#/)
- Cloudflare (https://speed.cloudflare.com/)
- Netflix (https://fast.com/)
- Any speed test sites *operated or sponsored by ARConnect* (accessible either through the Challenge Portal or the ARConnect website)

Please see the attached Appendix for instructions on how Permissible Challengers may use the Speed Test Tool to facilitate the collection of speed test information.

Evidence for Speed Test Rebuttals

A service provider may rebut an Area speed test challenge by providing speed tests, in the manner described above, for at least 10% of the customers in the challenged area. The customers must be

randomly selected. Providers must apply the 80/80 rule, i.e., 80% of these locations must experience a speed that equals or exceeds 80% of the speed threshold. For example, 80% of these locations must have a download speed of at least 20 Mbps (that is, 80% of 25 Mbps) and an upload speed of at least 2.4 Mbps to meet the 25/3 Mbps threshold and must have a download speed of at least 80 Mbps and an upload speed of 16 Mbps to be meet the 100/20 Mbps speed tier. Only speed tests conducted by the provider between the hours of 7 p.m. and 11 p.m. local time will be considered as evidence for a challenge rebuttal.

Evidence for Latency Challenges

Latency challenges must provide evidence that the round-trip latency of the broadband service exceeds 100ms. This will require multiple speed tests by the subscriber at each challenged location, showing the excessive round-trip latency. Refer to the "Evidence for Speed Test Challenges" section above for details about requirements for speed test evidence.

Please use the "Idle Ping" measurement when collecting your data for consistency and to eliminate variations due to user computer and networking equipment.[11]

Evidence for Latency Rebuttals

Only the challenged provider may submit a rebuttal to a latency challenge. This evidence must include countervailing speed/latency test evidence showing latency at or below 100ms, e.g., from their own network management system or the Connect America Fund (CAF) performance measurements.

Speed/latency tests must include three measurements, taken on different days. The measurements do not need to occur on consecutive days but must be conducted between the hours of 7 p.m. and 11 p.m. local time to be considered as evidence for a challenge rebuttal. The median of the three tests is used for the rebuttal to the challenge.

Each measurement must include the following details:

- The time and date each speed/latency test was conducted.
- The provider-assigned internet protocol (IP) address identifying the residential gateway where the test is conducted.

If an Area challenge is triggered for a Latency challenge, the provided rebuttal must be for at least 10% of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule, i.e., 80% of these locations must experience a latency that does not exceed 80ms.

---

[11] A ping test is a method of determining connectivity and reaction time of a computer connection. See Ookla Speed test, What is "ping", "download speed", and "upload speed"?, available at https://support.speedtest.net/hc/enus/articles/203845290-What-is-ping-download-speed-and-upload-speed-.

Additional Provider Service Level Challenges

In addition to the Availability challenge type in the BEAD Challenge Process, there are five additional allowable Provider Service Level Challenge Types: Speed, Latency, Data Cap, Technology, and Business Service Only.

Evidence for Additional Provider Service Level Challenges

The Speed and Latency challenges have specific requirements that differ from the rest, as described above in the "Evidence for Speed Test Challenges" and "Evidence for Latency Challenges" sections. However, the Data Cap, Technology, and Business Service Only challenge requirements are similar to those for Availability challenges. Table 3 outlines the acceptable evidence for each of these challenge types and the maximum age of the evidence submitted to support the challenge.

If you choose to provide "Other evidence to support challenge," instead of Arkansas' identified evidence types, we cannot ensure that the evidence will meet the minimum requirements. To support our review, please provide a thorough explanation of any evidence classified as other.

Table 3

Type	Reason	Acceptable Evidence Types for Challenges	Data Age
Data Cap	The only service plans marketed to consumers impose an unreasonable capacity allowance ("data cap") on the consumer.	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Terms of Service/service description • End-user contract or offer • Other evidence to support challenge	180 days
Technology	Provider does not offer the technology entered above at this location (The technology indicated for this location is incorrect).	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Terms of Service/service description • End-user contract or offer	365 days

		• Infrastructure knowledge/evidence, including manufacturer and model number of residential gateway • Other evidence to support challenge	
Business Service Only	The location is residential, but the service offered is marketed or available only to businesses.	• Screenshot from provider website • Email from provider • Text message or voicemail transcript from provider • Letter from provider – scanned or screenshot • Documentation of phone call or in-person interaction • Terms of Service/service description • End-user contract or offer • Other evidence to support challenge	180 days

Evidence for Additional Provider Service Level Rebuttals

Only the challenged provider may submit a rebuttal to a Latency challenge. This rebuttal must include evidence that counter the reason code and evidence provided by the challenger. The acceptable forms of evidence are provided in Table 4.

Table 4

Type	Reason	Acceptable Evidence Types for Rebuttals
Data Cap	The only service plans marketed to consumers impose an unreasonable capacity allowance ("data cap") on the consumer.	Provider has terms of service showing that it does not impose an unreasonable data cap or offers another plan at the location without an unreasonable cap.
Technology	Provider does not offer the technology entered above at this location (The technology indicated for this location is incorrect).	Provider has countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.
Business Service Only	The location is residential, but the service offered is marketed or available only to businesses.	Provider documentation that the service listed in the BDC is available at the location and is marketed to residential customers.

Enforceable Commitment Challenges

In preparation for the deployment of the BEAD Program, ARConnect is required to identify every location where an "Enforceable Commitment" exists to deploy qualifying broadband service at or above 100/20 Mbps, regardless of the current service available at the funded locations. This includes identifying the broadband serviceable locations served by federal and Arkansas funding programs.

Evidence for Enforceable Commitment Challenges

The Enforceable Commitment Challenge allows Permissible Challengers to provide evidence that unserved or underserved locations have an existing federal, Arkansas, or local funding that should make those locations ineligible for BEAD.

The following details and evidence will be required:

1. Obligation Deployment Download Speed in Mbps

2. Obligation Deployment Upload Speed in Mbps

3. Obligation Deployment Technology

4. An attestation to confirm that the round-trip latency of deployed service will be under 100ms.

5. An attestation to confirm that the network will be fully deployed to the challenged locations by the dates required by the award.

6. Whether the deployed service be available as residential service, business service, or both.

7. Evidence should include:

   a. Evidence of award such as authorization letter and executed agreement with funding entity.
   b. List of funded locations included in award.
   c. If available, methodology used to match awarded locations to Fabric IDs.

Enforceable Commitment Identification - Process and Methodology

ARConnect has deduplicated the list of BEAD-eligible locations, based on existing funding from current programs.

Federally Administered Grant Programs in Arkansas
- FCC Connect America Fund II (CAFII)
- Federal Communications Commission (FCC) E-Rate
- Rural Digital Opportunity Fund (RDOF)
- Alternative Connect America Cost Model (ACAM)
- Enhanced Alternative Connect America Cost Model (E-ACAM)

- Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Program
- Connect America Fund (CAF) Broadband Loop Support
- Capital Projects Fund (CPF)
- Coronavirus Aid, Relief, and Economic Security (CARES) Act
- Alternative Connect American Cost Model (ACAM) II
- Connect America Fund (CAF) Phase II Auction
- Federal Communications Commission Emergency Broadband Benefit (EBB) Program
- ReConnect Loan and Grant Program
- Broadband Initiative
- Arkansas Office of Skills Development (OSD)
- Connecting Minority Communities Pilot Program (CMC)
- Arkansas's Rural Broadband I.D. Expenses Trust Fund Grant
- Federal Communications Commission COVID-19 Telehealth Program Phase I
- Federal Communications Commission Affordable Connectivity Program (ACP) Outreach Pilot Program
- Digital Equity Act (DEA) Initial Planning Funds

ARConnect is aware that the FCC has adopted rules for the Enhanced Alternative Connect America Model (E-ACAM), allowing providers to participate in the extension of the program and deploy at speeds of 100/20 Mbps or greater. As of the November 11, 2023, the FCC has released the Enhanced A-CAM Election Letters by State.[12] In addition, the locations have been added to the FCC Broadband Funding Map. To ensure that all locations subject to an existing enforceable commitment are captured, an additional deduplication process will be run prior to the Challenge Process. This second round of deduplication occurred in January 2024. If you are a provider electing to participate in Enhanced A-CAM, we encourage you to notify ARConnect proactively.[13]

Evidence for Not Enforceable Commitment Challenges

The Enforceable Commitment Challenge allows Permissible Challengers to provide evidence that a location is not covered by an Enforceable Commitment identified by ARConnect. This evidence provided for the challenge type should demonstrate the following:

- Documentation that the provider has defaulted on the commitment or is otherwise unable to meet the commitment. This may include:
  o Public notice of default published by the funding agency
  o Default notice sent to the provider

- Documentation that the location(s) are in an area that are subject to an Enforceable Commitment to less than 100% of locations and the location(s) are not covered by that commitment.

---

[12] https://www.fcc.gov/general/rate-return-resources#enhanced
[13] https://www.fcc.gov/document/enhanced-cam-offers-report

Evidence for Not Part of an Enforceable Commitment Rebuttals

Only the provider with the challenged Enforceable Commitment can submit a rebuttal to a Not Part of an Enforceable Commitment Challenge.

The rebuttal must produce evidence that counters the challenge and may include the following:
- Evidence that provider has not defaulted on the commitment
- Evidence that the provider is able to meet the commitment
- Evidence that 100% of the locations are covered by the commitment

Planned or Existing Service Challenges

If a provider has deployed service or will deploy service that will be available to subscribers within **six months from the start of the Challenge Process**, they can file a "Planned or Existing Service Challenge."

Evidence for Planned Service Challenges

If you have begun building out broadband service to unserved and/or underserved locations, you may challenge under the "Planned Service" subtype and provide evidence that service will be available to the locations within six months from the start of the Challenge Process.

The information and evidence required for this challenge type includes:

1. Maximum Advertised Download Speed in Mbps

2. Maximum Advertised Upload Speed in Mbps

3. Technology Type of Service

4. Confirmation that the round-trip latency will not exceed 100ms.

5. An attestation to confirm that service will be deployed to the locations included in this challenge within six months from the start of the Challenge Process with the technology, speeds, and latency provided.

6. Will the planned deployment, including the listed speeds, latency, and technology be deployed to the selected locations within six months from the start of the Challenge Process?

7. Evidence that the deployment is on track to be completed on time, which should include as many of the following as possible:

   a. Planned or existing network diagrams
   b. Evidence of all necessary permits that were applied for and/or obtained
   c. Inspection results
   d. Construction contracts and invoices
   e. **You are also highly encouraged to submit other evidence that may demonstrate that the deployment is in progress**

For a Planned Service challenge to be successful, you will be required to enter into a binding agreement with ARConnect that service will be deployed and available as documented in the challenge. Additional guidance will be provided on a case-by-case basis by ARConnect.

Evidence for Existing Service Challenges

If you have completed broadband deployment to locations currently designated as unserved and/or underserved locations, you may challenge under the "Existing Service" subtype and provide evidence that your service is currently available. Note: Existing Service challenges are classified as Planned Service challenges under the NTIA Model Challenge Process. However, they refer to service that is currently available to customers but is not yet reflected in the FCC National Broadband Map.

The information and evidence required for this challenge type includes:

1. Maximum Advertised Download Speed in Mbps

2. Maximum Advertised Upload Speed in Mbps

3. Technology Type of Service

4. Confirmation that the round-trip latency does not exceed 100ms.

5. Indicate if you have already reported the available broadband service to FCC's Broadband Data Collection Program (BDC).

    a. If yes, you will need to confirm which BDC filing window you filed the service under
    b. If no, you will need to attest that the service availability will be reported to the FCC during the next BDC filing window

6. Evidence that service is deployed and available (As many of the following as possible): **Note: Providing as much evidence as possible will increase the likelihood of your challenge being accepted**

    a. Submitted BDC Filing (If applicable)
    b. Evidence of subscribers
    c. Network diagram of deployments
    d. Evidence of completed deployment, such as evidence of all necessary permits that were obtained, inspection results, or construction contracts and invoices

Evidence for DSL Modification Refutation Challenges

If you have existing DSL broadband deployment to locations currently designated as underserved locations, but you believe that your service meets the requirements of reliable broadband as defined for the BEAD Program you may challenge under the "DSL Modification Refutation" subtype and provide evidence that your service meets the requirements of reliable broadband.

The information and evidence required for this challenge type includes:

1. Maximum Advertised Download Speed in Mbps

2. Maximum Advertised Upload Speed in Mbps

3. Confirmation that the round-trip latency does not exceed 100ms

4. (optional) Technology Type of Service (i.e. non-DSL technologies, such as fiber, are offered at the locations)

5. (required) 3 Speed test files for each location. Evidence must consist of at least three measurements, taken on different days. Speed tests cannot predate the beginning of the challenge period by more than 60 days.

CAI Challenges

There are two categories of community anchor institutions (CAI) challenges, including:

- Identification of CAIs
- Eligibility based on broadband need

The identification of community anchor institutions for the purposes of BEAD is based on the definition and process outlined in Section 1.3 of the State of Arkansas Initial Proposal Vol. 1, which includes:

- **Schools:** The list includes public, private, and charter K-12 schools in the State of Arkansas. Data obtained from Homeland Infrastructure Foundation Level Data (HIFLD).
- **Libraries:** The list includes public libraries in Arkansas. Data obtained from HIFLD.
- **Health clinic, health center, hospital, or other medical providers:** The list includes health clinics, health centers, hospitals and other medical providers obtained from HIFLD. Facility types that are not generally responsible for healthcare delivery (e.g., home care offices) were not considered eligible CAIs. Based on ARConnect's determinations, while private physician groups are important to their communities, they are not common sources of internet accessibility. Therefore, the dataset does not include private physician groups (a large set of providers that could potentially add several thousand sites if added). ARConnect will consider challenges from specific private physician groups to be included as CAIs. ARConnect will evaluate these challenges against the criteria outlined (e.g., facilitating of greater use of broadband service by vulnerable populations including, but not limited to, low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals) to determine CAI eligibility.
- **Public safety entity:** The list includes entities such as fire houses, emergency medical service stations, police stations, and public safety answering points (PSAP). Data obtained from HIFLD.
- **Institutions of higher education:** The list includes all junior colleges, community colleges, public university systems, other universities, or other educational institutions. Data obtained from HIFLD.
- **Public housing organizations:** The list includes public housing organizations identified through online data sources and vetted with various state agency contacts. The State of Arkansas does not maintain an independent list of public housing agencies (PHAs). This

option only applies to administrative offices of public housing organizations not residential housing properties (whether single or multi-family).

- **Community support organizations:** Arkansas did not initially include any specific types of community support organizations as CAIs, as other types of CAIs were determined to better provide broadband service and access to vulnerable populations.

Identification of CAI

All Permissible Challengers can challenge the designation of the location as a CAI, based on the categories described above.

Evidence for Location is a CAI Challenge

If you believe that a location is incorrectly identified as a non-CAI, you may challenge to have that location included as a CAI. Note that this option only apples to administrative offices of public housing organizations **not** residential housing properties (whether single or multi-family). To submit a successful challenge, you will need to submit the following information and evidence:

1. Official entity name of the institution

2. The type of CAI, selecting from the categories defined above:

    a. Depending on the entity type, you will be asked to provide different types of identification numbers, e.g., CMS Certification Number (CCN) for hospitals.
    b. If it is a community support organization, include an explanation of how the organization facilitates the greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals.

3. Evidence to support the challenge, which may include:

    a. Registration documents
    b. Contact information for verification
    c. Other evidence that demonstrates that the organization meets the requirements of the selected category of CAI

When challenging to add a location as a CAI, you will be given an opportunity to indicate whether the institution has unmet broadband needs based on the standard of 1000/1000 Mbps.

Note: If the location for a CAI is missing entirely from the map, please send an email for further instructions to: broadband.challenges@arkansas.gov.

Evidence for Location is a Not a CAI Challenge

If you believe that a location is incorrectly identified as a CAI, you may challenge to have that location removed from the list.

To submit a successful challenge, you will need to submit the following information and evidence:

1. Identify the basis for the challenge that claims the locations is not a CAI.

    a. Location is a residence.
    b. Location is a non-CAI business.
    c. Institution does not fall under listed category:
        i. Identify the institution type that the location should be listed as
    d. CAI has ceased operations:
        i. Date CAI ceased operations:
        ii. Is there another CAI currently operating at this location? If so, provide the following information:
            1. Official entity name of the institution
            2. The type of CAI, selecting from the categories defined above
                a. Depending on the entity type, you will be asked to provide several types of identification numbers, e.g., CMS Certification Number (CCN) for hospitals.
                b. If a community support organization, explanation of how organizations facilitate greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals.
                c. Other evidence that demonstrates that the organization meets the requirements of the selected category of CAI.

2. Evidence that demonstrates that the location is a non-CAI or is no longer in operation.

CAI BEAD Eligibility Based on Broadband Need

Evidence for CAI Qualifying Broadband Unavailable Challenge

If you have countering evidence to show that a CAI that is reported to have 1 Gbps service does not have this service, you may file a "Qualifying Broadband Unavailable" Challenge. To submit this challenge type, you will be asked to provide the following information and evidence.

1. Attest that 1 Gbps/1 Gbps broadband service is not available at this location.

2. (Optional) If there is an available internet connection at the location, you will be asked to provide the following information:
    a. Who is the current provider?
    b. What technology is delivering the current services?
    c. What are the speeds of your current plan?

3. Upload evidence that current subscription is below 1 Gbps/1 Gbps and/or evidence that a request for service was not met.

4. Signed attestation or upload evidence.

Evidence for CAI Qualifying Broadband Unavailable Rebuttal

Any Permissible Challenger may submit a rebuttal for a Qualifying Broadband Unavailable challenge. The information and evidence must include evidence that the CAI location has an existing connection capable of delivering 1 Gbps/1 Gbps speed or a connection that is readily available via a standard installation at 1 Gbps symmetrical speeds.

Evidence for CAI Qualifying Broadband Available Challenge

1. I confirm that selected CAI location(s) have an existing connection capable of delivering 1 Gbps/1 Gbps speed or a connection that is readily available via a standard installation at 1 Gbps symmetrical speeds.

2. (Optional) If available please provide the following information:
    a. Who is the current provider? (Do not use dropdown of providers, as it may not include the network delivering enterprise ISPs)
    b. What technology is delivering the current services? (Dropdown from the Technologies used in other challenges)
    c. What are the speeds of your current plan?

3. Upload evidence of recent bill/invoice, photo of the provider gateway, or network infrastructure evidence to support the challenge.

4. Signed attestation or upload evidence.

Evidence for CAI Qualifying Broadband Available Rebuttal

Any Permissible Challenger may submit a rebuttal for a CAI Qualifying Broadband Available Challenge. The information and evidence requirement are the same as must include evidence that 1 Gbps/1 Gbps broadband service is not available at the CAI location.

Obtaining CostQuest Associates BSL Fabric Licenses

In order to administer the BEAD Program, ARConnect is required to use the FCC National Broadband Map as the baseline, which provides reported broadband availability data at the location level and relies on a proprietary dataset to provide the location data.

ARConnect was required to enter into a license agreement with CostQuest Associates, the owner of the dataset, to access the data for the purposes of the BEAD Program including the Challenge Process. The terms of this license agreement restrict ARConnect from making the data fully available to stakeholders participating in the Challenge Process.

While ARConnect cannot make the data fully available to stakeholders, the participants in the Challenge Process are eligible to apply for their own licenses with CostQuest. The NTIA entered into a contract with CostQuest to cover the cost of these licenses, so there is no expense to the licensees.

A CostQuest License is not required to file challenges directly through the Challenge Portal. However, if you are considering submitting bulk challenges (challenges to more than one location in the same submission), we highly recommend that you obtain a license from CostQuest,[14] which will allow us to provide a bulk challenge template pre-populated with Location IDs that you select.

License Tiers

There are two tiers of licenses relevant for the BEAD Program:

- **Tier D License** – The Tier D License is available to all qualified, or presumptively qualified, recipients and subrecipients of federal broadband grants. This license is available to broadband providers, including co-ops.
  Request License
- **Tier E License** – The Tier E license is intended for units of local government, nonprofits, broadband providers that do not intend to apply for federal grants, and other organizations that have signed an FCC Tier 4 license.
  Request License

---

[14] https://apps.costquest.com/NTIArequest/

APPENDIX 1: Speed Test Tool

About the Speed Test Tool

The Speed Test Tool serves as a community data collection tool that enables members of the public to send data about their internet connection speeds directly to ARConnect and registered permissible BEAD challengers to support the BEAD challenge process.

Any member of the public can use the Speed Test Tool on the ARConnect website and have their data sent directly to ARConnect and registered permissible challengers[15]. Registered permissible challengers who wish to do so will then be able to use the collected data to submit BEAD challenges on behalf of the community.

The Speed Test Tool uses multiple speed tests to collect robust data (M-Lab, Cloudflare, Speedtest.net, Ready.net).

Who will use this tool?

- The general public
- Some permissible challengers (Units of Local Government and Non-Profit Organizations)

When will this tool be used?

- The public can use this tool for informational purposes when they want to know what internet speeds they are receiving. The results are captured in the Portal and will be accessible to permissible challengers, who can submit a speed test challenge on their behalf. There is no guarantee a registered permissible challenger will use this data to enter a BEAD Challenge.
- Permissible challengers can use this tool when they want to gather information from their public constituents and stakeholders in order to submit BEAD challenges on their behalf. The data collected by this tool can be used by permissible challengers to support submission of speed test challenges for individual locations as well as to trigger area challenges.

---

[15] Permissible challengers (ISPs, Units of Local Government and Non-Profit Organizations)

How to Use the Speed Test Tool for Permissible Challengers

Preparation for Permissible Challengers that Want to use Speed Test Data from the Public
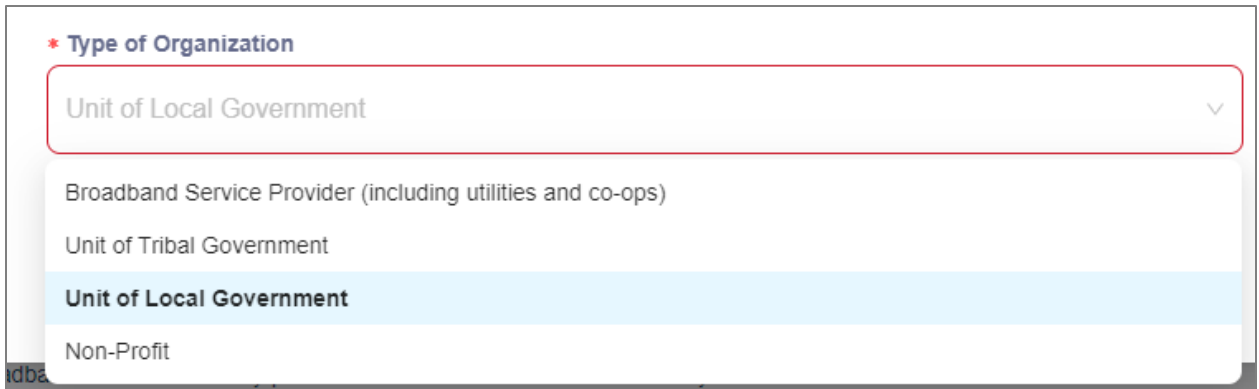
If permissible challengers (only units of local government and non-profits) wish to collect speed test data from their public constituents and stakeholders, they must first register as a challenger in the ARConnect BEAD Challenge Portal.

Go to the registration page on the ARConnect website to register:

https://register.broadband.arkansas.gov/

During the registration process permissible challengers must do the two following steps if they want to collect speed test data from the public.

1. When selecting the Type of Organization, you must select unit of local government or non-profit

2. You must select Yes when asked if you are interested in submitting challenges on behalf of residents
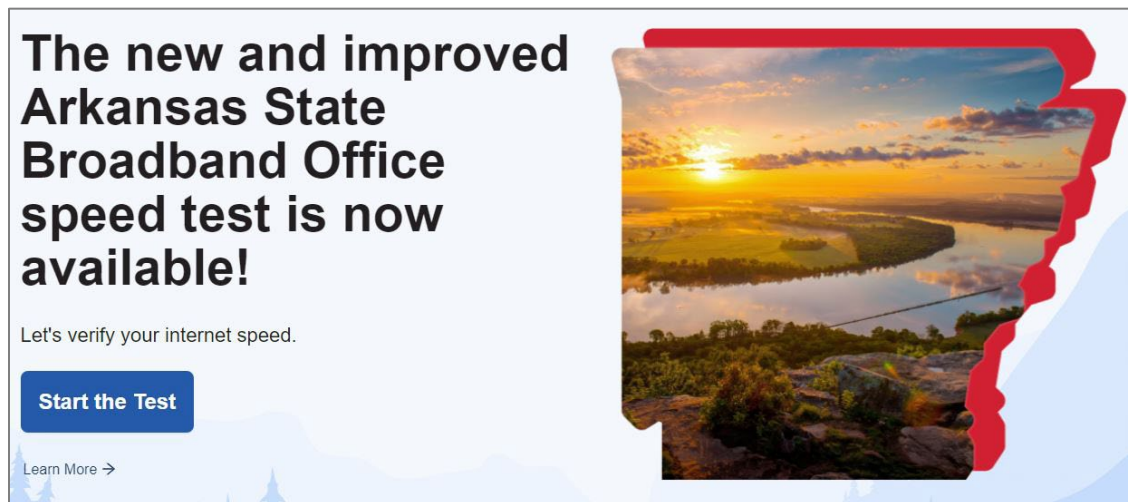
Upon selecting "Yes" for the above question, permissible challengers will be brought to an interface where they can select their geographic area of interest. Permissible challengers will be able to access speed test data submitted by the public in the area they choose.

After registering, permissible challengers need to let their constituents and stakeholders know about the tool so they can begin to submit speed test data. Public outreach to encourage the use of the Speed Test Tool will be the responsibility of the permissible challenger.

Permissible Challengers should engage with their stakeholders and encourage them to use the Speed Test Tool for the purpose of providing useable data as evidence for a Challenge.

Accessing the Tool

The tool can be accessed from the ARConnect website homepage.

Using the Tool

The tool is easy to use, simply work through the series of steps that are presented. The first two steps ask the user for some basic identifying information; their address and name.

Before We Begin...

Your location is required to help Arkansas get better internet. Please enter your address below. It will not be shared with the public.

If you are reporting that you have no internet at home from a different location, enter in your home address and select the option below.

☐ I do not have internet service at this address

1311 Rebsamen Park Rd, Little Rock, AR 72202, USA

Current Location ◉

Next

Before We Begin...

Hover over underlined terms for additional information.

① — ② — ③ — ④ — ⑤ — ⑥ — ⑦

What is your name?

John Q Public

Next, the user is asked to attest that the information they are providing is true and accurate.

Before We Begin...

Hover over underlined terms for additional information.

✓ — ② — ③ — ④ — ⑤ — ⑥ — ⑦

Attestation: I certify to the best of my knowledge and belief that the information I will provide in the completion of this performance test and survey is true, complete, accurate, and up-to-date.

✓ Yes   ✕ No

Next, the user is prompted to answer some questions regarding their connection to the internet.
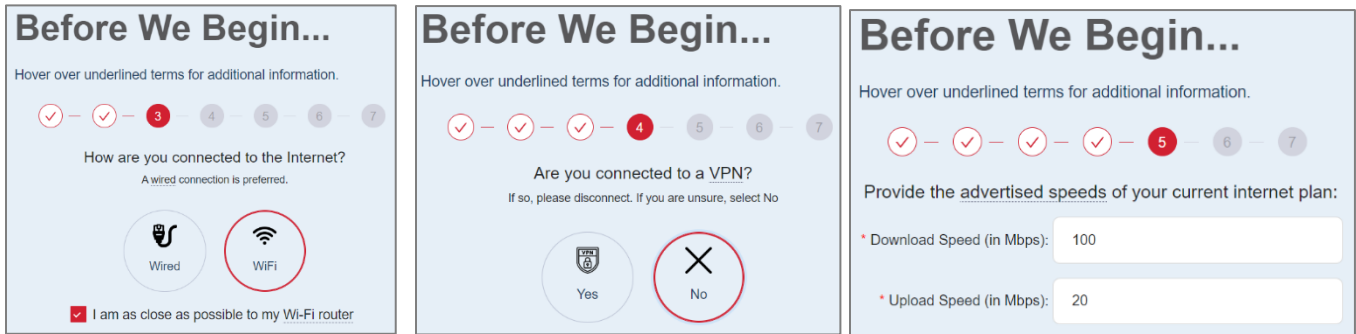
In order to respect the user's privacy, they must authorize ARConnect and its partners to utilize their data to support the challenge process.
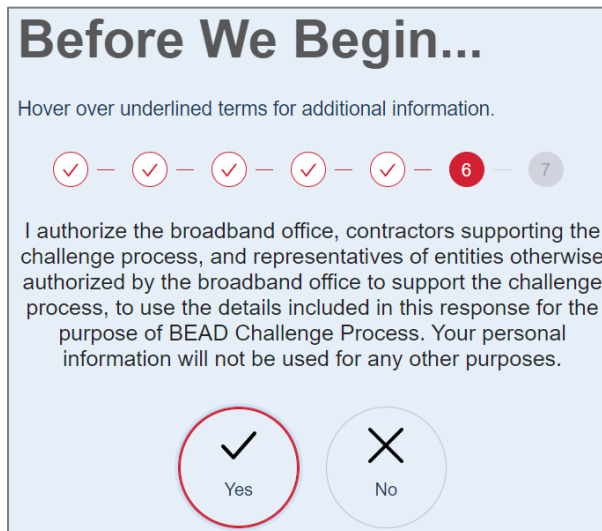
Once all 7 "Before We Begin" steps have been completed, the speed test will begin to run. The speed test runs in the left side of the page, and on the right side there are survey questions for the user to answer.

Running M-Lab...

Downloading

46.86 Mbps

Visionary Communications

M-Lab | Cloudflare | Speedtest | RST

What is the connection technology of your internet plan?
- ○ Cable
- ○ DSL (Digital Subscriber Line)
- ○ Fiber
- ○ Fixed wireless
- ○ Satellite
- ○ Dial-up
- ○ I don't know

1 / 6

When the speed test finishes, the results are displayed for the user.

Thank you!

Here are your results. If you weren't able to complete the survey, please take the test again.

For best results, take the test once per day for the next 7 days.

Please provide your email address for reminders to take the test several more times, as required by the rules of the challenge process.

[Enter email] **Get alerts**

You are
Underserved

Download Test Results

1311 Rebsamen Park Rd, Little Rock, AR 72202, USA
IP Address: 72.55.211.233
January 31, 2024 at 8:26:57 AM

Following NTIA grant guidelines, reliable broadband connections should have at least 100 Mbps download and 20 Mbps upload.

⊥ DOWNLOAD	⊤ UPLOAD	⏱ LATENCY	⊞ JITTER
45.1 Mbps	4.58 Mbps	14.5 ms	5.43 ms
Underserved	Underserved		

After the Speed Test

Multiple Speed Test Requirement: In order to meet the evidentiary requirements of a challenge, the NTIA requires three (3) separate speed tests to be done on 3 different days. For permissible challengers who are seeking to collect data from the public to submit BEAD challenges, it is **very important** that public users take the speed test at least three times. Otherwise, the data will not be able to be used to submit BEAD challenges (Per federal guidelines from the NTIA).

The first time a user takes the speed test, they will be prompted to enter their email address. They will receive emailed reminders to take the speed test multiple times in the following days.

It is very important that public users take the speed test at least three times. Otherwise, the data will not be able to be used to submit BEAD challenges (Per federal guidelines from the NTIA)

How Permissible Challengers Can Acquire the Speed Test Data and Submit BEAD Challenges:

During the registration process, individuals who are authorized to submit challenges on behalf of residents will have access to a dashboard called "**Resident Corrections**" containing publicly submitted speed test data. These authorized individuals will be able to view speed test data from the specific area of interest they selected during registration. They should carefully review each speed test record and decide whether or not to submit that record as a challenge on behalf of the resident who submitted the speed test data.

Note that only speed test data that qualifies as an acceptable challenge will be shown this dashboard. If a member of the public fails to take the speed test at least 3 times, their data will not

be shown in the dashboard. If a member of the public takes a speed test and the speed test indicates that their internet speeds are not low enough to qualify for BEAD funding (less than 100 mbps / 20 mbps), their data will not be shown in the dashboard.

In order to submit the public speed test data as an official BEAD challenge, permissible challengers can select the speed test data record and follow the on-screen instructions to finish the challenge submission process.

APPENDIX 2: Internet Performance Data

Collection Tool

About the Tool

Similar to the Speed Test Tool, the **Internet Performance Data Collection Tool** will enable members of the public to send other information about their internet service directly to ARConnect and registered permissible BEAD challengers to support the BEAD challenge process.

Registered permissible challengers (Units of Local Government and Non-Profit Organizations) who wish to do so will be able to use the collected data to submit BEAD challenges on behalf of the community.

When will this tool be used?

This tool allows the public to identify inaccuracies and submit evidence. Results will be made accessible to permissible challengers who can submit a BEAD Challenges on their constituent's behalf. There is no guarantee a challenger will use this data. They can also use the tool to gather info and submit challenges for individual locations or trigger area challenges.

Preparation for Permissible Challengers that Want to use Data from the Public
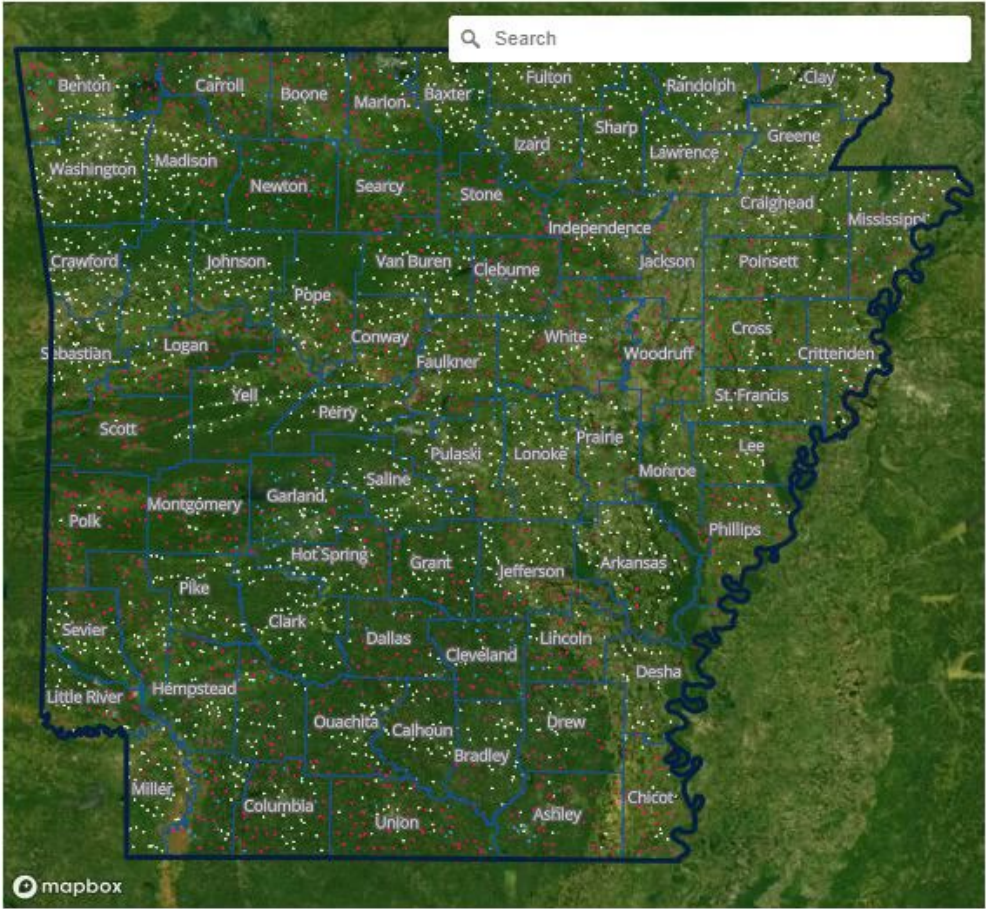
Challengers who want to submit challenges through public comments can register like they did for the Speed Test Tool.

Using the Tool

The tool will be accessible directly from the ARConnect website homepage. The tool's main page will display a map which allows users to search specific locations. If a location is already eligible for BEAD funding, it cannot be commented on.

Once a location is selected, users can submit data on Availability, Latency, Data Cap, Technology, Business Service Only, and Other. Users will then be prompted to submit necessary data.

Select Comment Type

Please select which type of comment you would like to submit.

Availability

The broadband services reported as available at your location on the map are not actually available.

Speed

The actual speeds reported at your location on the map fall below the BEAD Program's eligibility thresholds.

Latency

The actual round-trip latency of services available at your location exceeds 100 milliseconds.

Data Cap

The services available at your location have a data limit below 600 GB/month.

Technology

The type of technology (ex: Fiber Optic, Cable, Etc.) reported as available at your location on the map is incorrect.

Business Service Only

The services reported on the map are available to Businesses only, not Residents.
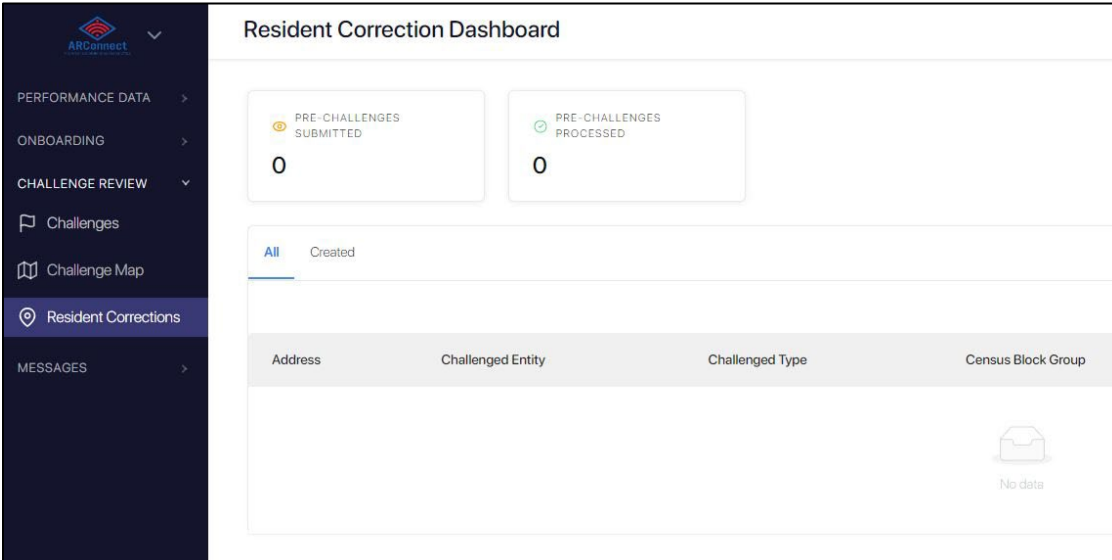
Other

Use this option to submit a general comment about the broadband options available at your location.

Back   Next

After the Public Comment Submission

How Permissible Challengers Can Acquire the Public Comment Data and Submit BEAD Challenges:

Similar to the Speed Test Tool, individuals who are authorized to submit challenges on behalf of residents will have access to a dashboard called "**Resident Corrections**" containing submitted public comment data. These authorized individuals will be able to view data from the specific area of interest they selected during registration. They should carefully review each public comment and decide whether or not to submit that record as a challenge on behalf of the resident who submitted the data. You will be able to select the comment in this dashboard and submit a challenge based on this information.