

Final Proposal (FP) Submission Requirements: Non-Service Codes

This document is intended solely to assist Eligible Entities in better understanding the BEAD program and the requirements set forth in the Notice of Funding Opportunity (NOFO) for this program. This document does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements, the specific terms and conditions of a BEAD award, or the specific application requirements set forth in the NOFO. In all cases, statutory and regulatory mandates, the specific terms and conditions of a BEAD award, and the requirements set forth in the NOFO, shall prevail over any inconsistencies contained in this document.



Non-Service Codes Overview

WHAT ARE NON-SERVICE CODES? _____

Non-service codes are a set of **7 unique codes** used to **specify the reason** why a location on the Final List (i.e., the list of BEAD-eligible Broadband Serviceable Locations (BSLs) from the approved challenge process results) **will not be included** in a BEAD project.

WHAT IS THE PURPOSE OF NON-SERVICE CODES? _____

There may be **rare cases** where an Eligible Entity (EE) opts to identify one or more BEAD-eligible locations as **not requiring broadband service or already being served** through an enforceable commitment or non-subsidized service.

In these cases, EEs have the option to either include the locations in a BEAD project or use non-service codes to explain **why these BEAD-eligible locations will not be served by a BEAD project**. All locations from the Final List must be included in either the **No BEAD Locations CSV** file (with accompanying Non-Service Code) or the **Locations CSV** file (i.e., BSLs that will be served through BEAD projects).

HOW DOES AN EE USE THEM? _____

To use a non-service code, EEs must collect evidence that proves that a location in the **No BEAD Locations CSV** file **meets the criteria of one of the reason codes**.

NTIA will not collect the evidence in the Final Proposal but will **analyze the CSV files to affirm that the EE has met its universal coverage obligations**, per statutory and BEAD NOFO requirements.

Seven Non-Service Codes

There are seven non-service codes that EEs may use to explain why BEAD-eligible locations from the Final List will not be served through a BEAD deployment project (note that codes 1, 2, and 4 have subcodes). For more details, see the [Final Proposal Guidance 1.2](#).



WHAT ARE THE NON-SERVICE CODES? ———

1 No Broadband Connection

Location should not have a broadband connection (example: barn, hay bale, or rock)

2 No Demand for Mass-Market Broadband Service

Location does not need mass-market broadband service due to the nature of internet use (example: the entity located at the BSL requires enterprise service)

3 Removal from FCC's Fabric

Location has been removed from the latest version of the FCC Fabric

4 Enforceable Commitment

Location will be served through an enforceable commitment (EC) that was not deduplicated during the EE's challenge process

5 Served by Non-Subsidized Service

Location is already served by non-subsidized service (i.e., a network built by an ISP with private funds). The current FCC National Broadband Map must depict currently available qualifying broadband service at the location.

6 Other Reasons


Any other reasons that are not listed

7 Insufficient Funds

The EE is financially incapable of serving an underserved location

Key:

 Reason codes with sub-codes

 EEs must file an FCC Location Challenge prior to FP submission

Non-Service Codes | *Sub-codes*

If an EE intends to use Reason Code 1, 2, or 4 it must provide the applicable sub-code as well.



WHAT ARE THE DIFFERENT SUB-CODES? —

1

No Broadband Connection

Location should not have a broadband connection (example: barn, hay bale, or rock). EEs must provide the Non-BSL sub-code.

- **D:** Location has been demolished and is not expected to be rebuilt
- **B:** Residential location is no longer habitable
- **U:** Location is a support structure (e.g., a garage, parking structure, barn, silo, storage shed) for a nearby building
- **M:** Location is intended to be mobile and has not been permanently installed in its current location (e.g., it is an RV or boat)
- **R:** Location is not a building but a land formation, such as a large rock or collection of hay bales
- **Z:** Location is not serviceable for another reason

2

No Demand for Mass-Market Broadband Service

Location does not need mass-market broadband service due to the nature of internet use. EEs must provide the Location Type sub-code.

- **E:** Enterprise location
- **C:** CAI location
- **P:** Government property

4

Enforceable Commitment

Location will be served through an EC announced after challenge results submission to NTIA. EEs must provide the type of enforceable commitment.

- **State EC:** state-administered/consulted program (even if federally funded) or a state-funded program
- **Federal EC (select from list):** federal program directly awarding grant or support to entity responsible for deployment

Strategies for Non-Service Codes

If an EE plans to assign a location a non-service code in the FP, it may be helpful to inform prospective subgrantees that the EE plans to remove that BSL from the BEAD project proposals. EEs can use the following strategies to remove the BSL from the proposals.

HOW TO IDENTIFY LOCATIONS TO AVOID IN A PROJECT AREA



Separate

*Separate locations that will be identified by **reason code 1 - 6** into new project areas to indicate to applicants the likelihood these locations will not receive BEAD funding*

- *Avoid separating No BEAD Locations into a single, large project area and instead separate these locations into compact and reasonable project areas*
- *These separate project areas and accompanying locations must be listed in the No BEAD Locations CSV file*



Indicate

*Indicate locations that will be identified by **reason code 1 - 6***

- *Locations can be indicated with an asterisk or by marking locations with a different color in the subgrantee selection portal or locations map*

Strategies for Non-Service Codes (contd.)

If an EE wants to denote a specific location on its map for applicants to be aware of during subgrantee selection, it can use one of the following strategies depending on which reason code it is using.

NON-SERVICE CODE STRATEGIES

	OMIT	SEPARATE	INDICATE	Must file an FCC Location Challenge prior to FP submission
Reason Code 1 No Broadband Connection	MAY NOT OMIT	★	★	★
Reason Code 2 No Demand for Mass-Market Service	MAY NOT OMIT	★	★	★
Reason Code 3 Removal from FCC's Fabric	★	★	★	FCC CHALLENGE NOT REQUIRED
Reason Code 4 Enforceable Commitment	★	★	★	FCC CHALLENGE NOT REQUIRED
Reason Code 5 Served by Non-Subsidized Service	MAY NOT OMIT	★	★	FCC CHALLENGE NOT REQUIRED
Reason Code 6 Other Reasons	MAY NOT OMIT	★	★	FCC CHALLENGE NOT REQUIRED
Reason Code 7 Insufficient Funds	MAY NOT OMIT	MAY NOT SEPARATE	MAY NOT INDICATE	FCC CHALLENGE NOT REQUIRED

NOTE | EEs can *omit* locations identified by *reason code 3* or *reason code 4* from the *BEAD-eligible BSL list* used for subgrantee selection. EEs may only separate or indicate No BEAD Locations identified by Reason Codes 1-6. Reason Code 7 may only be used after SGS is complete and the EE has consulted with NTIA regarding insufficient funds to connect all BSLs.

Deep Dive on Reason Code 4 (New ECs)

EEs must be prepared to either object to new federal ECs or account for them by clarifying that the covered locations will not be served by BEAD. EEs must also ensure that new state ECs are coordinated with preliminary BEAD subgrants. For more details, see the [Final Proposal Guidance 1.2](#).



ECs ANNOUNCED AFTER CHALLENGE RESULTS SUBMISSION

EC from federal program directly awarded to entity responsible for deployment (e.g., USDA ReConnect, USF High-Cost, EDA):

- ① The federal program will notify NTIA and the EE of the intent to award broadband funding and provide 30 days for the EE to object.
- ② An EE may **object to the award**. The locations in question will remain BEAD eligible and the other program must determine how to proceed with its award.
- ③ An EE may choose **not to object to the award**. Covered locations will be included in No BEAD Locations CSV with Reason Code 4.

EC from state-administered/consulted program (even if federally funded) or a state-funded program (e.g., Capital Projects Fund, SLFRF, regional commissions such as ARC & NBRC, all state-funded commitments)

- ① The EE must certify in its FP that it has coordinated its BEAD subawards with any awards from state-administered/consulted or state-funded programs.
- ② The EE will include the BEAD-eligible locations to be served through a new state EC in the No BEAD Locations CSV with Reason Code 4.



TIMELINE FOR ECs



Maintaining Appropriate Evidence

EEs must maintain evidence to substantiate the reason codes used in the “No BEAD Locations” CSV file. This evidence must be timely, stored in common formats, and follow the requirements outlined in the most recent Final Proposal Guidance.



WHY IS EVIDENCE NEEDED?

- ✓ **Evidence Objective** | The evidence should prove that the location does not need BEAD funds to avoid leaving locations un/underserved by mistakenly including them in the **No BEAD Locations** CSV.
- ✓ **Standard of Evidence** | The evidence must be clear and precise as to how the relevant reason code is substantiated (see [FP Guidance 1.2](#) for *minimum evidentiary standards*).
- ✓ **Possible Denial of Reason** | If the EE cannot maintain evidence that upholds these standards, or does not want to maintain such evidence, it should not include the locations in question in the **No BEAD Locations** CSV.

Note: NTIA will not be collecting evidence. EEs will, however, be required to maintain the evidence in the event of an audit of subgrantee selection results.



WHAT EVIDENCE MAY BE USED?

NTIA recommends the following sources of evidence that EEs can use to support their non-service code designation:



Photographic Evidence



Evidence of Subscription (Service Record)



Attestation by Unit of Local or Tribal Government



Network Diagram



Attestation by Private Property Owner



Network Speed Test