

Via Email to BEAD@NTIA.gov

September 10, 2024

National Telecommunications and Information Administration (NTIA)
United States Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Re: Public Comment Regarding Proposed BEAD Alternative Broadband Technology Policy Notice

Dear NTIA,

It is likely that the BEAD Program will need participation from alternative technologies to be successful in reaching 100% of its connectivity goals. The Arkansas State Broadband Office (ARConnect) would kindly propose the following changes to further streamline the process for participation of alternative technology providers:

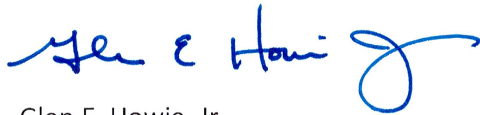
1. **NTIA could allow for a broader definition of the “performance requirements” of alternative technologies. States can use, but should not be required to only use, the "capacity-based" technical showings in section 3.2. Ultimately, states should have more leeway to assess whether an alternative technology can meet BEAD performance standards.**
 - Capacity-based analysis is not always straightforward, and state broadband offices should be granted the ability to use other approaches. In the BEAD Challenge Process, states had discretion in their review of technology claims, and alternative technologies could be treated similarly.
2. **NTIA could clarify that from a timeline perspective, the required 7- and 30-day notice periods for alternative providers can be run concurrently with other "direct negotiations" steps after the end of the primary subgrantee selection process.**
 - The timelines are currently unclear based on the draft guidance.
3. **NTIA could clarify which specific employee- and contractor-related provisions in sections (IV)(C)(1)(e) and (f) of the BEAD NOFO do not apply to low Earth orbit (LEO) providers.**
 - For LEO providers, because all infrastructure operates on a global and shared basis, the application of the BEAD NOFO provisions in sections (IV)(C)(1)(e) and (f) is unclear given that there may not be a workforce specifically dedicated to BEAD projects.
 - Applying these compliance obligations to a LEO provider’s entire workforce may discourage LEO participation.
4. **NTIA could automatically include the framework for alternative technology selection in all approved or pending Initial Proposal Volume II (IPvII) submissions.**
 - The draft guidance requires state broadband offices to explicitly request updates to their IPvII to utilize NTIA’s new framework – an effort that can take significant time for both states and NTIA.
 - If NTIA makes the requested changes to the program, this would enable an expedited process for evaluating alternative technologies as part of the BEAD process.

5. NTIA should not require LEO providers to affirm with every state broadband office that they do not meet the BEAD performance requirements to participate in a state BEAD program.

- NTIA's requirement that LEO providers inform each state broadband office that they do not currently meet the BEAD standards through a capacity analysis is time-taking and resource-intensive.

ARConnect formally submits these comments for consideration.

Kindest regards,

A handwritten signature in blue ink, reading "Glen E. Howie, Jr." with a stylized flourish at the end.

Glen E. Howie, Jr.
State Broadband Director