

From: Lance Ware [lance@digitalequityfoundation.com]
Sent: 9/10/2024, 11:47 PM
To: bead@ntia.gov
Subject: BEAD Alternative Broadband Technology Guidance Comments

Digital Equity Foundation (“DEF”) appreciates the NTIA’s openness to “alternative” technologies. While it is unfortunate that this openness has come after some states that could benefit the most have closed their pre-qualification windows, it is positive that others may benefit.

DEF is against the funding of Low Earth Orbit technologies for a variety of reasons. In particular, the frailty of the business model, and technology, combined with the implied supplier concentration does nothing to increase competition, build resiliency, or deepen much needed middle mile networks where they have not been previously built before.

Consideration of LEO as an alternative technology should require substantial oversight and approval, only if there are funds left and no other financially viable alternatives are available.

Additionally, such deployments should only be considered for remote populations of less than a 1 BSL per square mile.

DEF also wishes to re-iterate its position that the definition of Reliable Broadband Service, Unserved, and Underserved, remain misleading to the extent that service providers continue to be allowed to not disclose the capacity, utilization, and available of their middle-mile and backhaul networks.

DEF urges the NTIA, as administrator of the BEAD funds to revisit the FCC’s data for areas purported as served but with not enough capacity to meet the promised services at 80% utilization or higher.

With respect to the specific areas for additional input:

1. No, NTIA should not allow supplemental reimbursement payment by Eligible Entities. No, NTIA should not allow Eligible Entities to subsidize all BSLs in a project area.
2. No, there should be no tiering of guarantees of reimbursements to LEOs any more than their should be to traditional Sub Grantees. If LEOs are desirous of this business they should allocate for that in the matches, in-kind or in cash. LEOs have a significant advantage inherent advantage in the their ability to cover large swathes of unserved areas without the need for guaranteed reimbursements.
3. A more suitable requirement would be for NTIA to require LEOs to prove 80% capacity of the 100Mbps/20Mbps requirement for other providers at all BSLs. It is unacceptable that Alternative Broadband Technology providers are held to a lower standard than current broadband providers overstating their last mile offerings due to limited middle mile technologies. Congress should sincerely look at the tradeoffs of enabling two standards this late in the process.
4. As stated in 3, the introduction of this guidance at this late date effectively dampens the ability of Alternative Technology providers to properly prepare a successful application, with

the possible exception of one or two LEO providers.

5. The willingness of the NTIA to offer a no-cost extension for LEO Subgrants would seem to grant preference to this Alternative Technology vs. others.

6. No, this risk should be born by the LEO if they desire to participate in BEAD.