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BEAD INITIAL PROPOSAL VOLUME II

IDAHO DEPARTMENT
OF COMMERCE

OFFICE OF BROADBAND

*[FINAL DRAFT SUBMITTED
TO NTIA FOR APPROVAL]*



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Acronyms

ACP	Affordable Connectivity Program
AIC	Association of Idaho Cities
APA	Application Project Areas
ARPA	American Rescue Plan Act
ATNI	Affiliated Tribes of Northwest Indians
BAT	Broadband Action Teams
BABA	Build America, Buy America Act
BEAD	Broadband Equity, Access, and Deployment
Broadband DATA	Broadband Deployment Accuracy and Technological Availability Act
BSL	Broadband Serviceable Locations
CAI	Community Anchor Institution
CARES	Coronavirus Aid, Relief, and Economic Security
CB	Census Blocks
CFR	Code of Federal Regulations
CPF	Capital Projects Fund
CPI	Consumer Price Index
CPL	Cost Per Location
DAAI	Digital Access for All Idahoans
ECC	Emergency Communications Centers
FAQ	Frequently Asked Questions
FEMA	Federal Emergency Management Agency
FCC	Federal Communications Commission
FLSA	Fair Labor Standards Act
Gbps	Gigabit per second
GIS	Geographic Information Systems
IAC	Idaho Association of Counties
IBAB	Idaho Broadband Advisory Board
ICfL	Idaho Commission for Libraries
IDOL	Idaho Department of Labor
IJA	Infrastructure Investment and Jobs Act
IOB	Idaho Office of Broadband
ISP	Internet Service Provider
IWDC	Idaho Workforce Development Council
KPI	Key Performance Indicators
LOI	Letter of Intent
LSA	Labor Surplus Area
MBDA	Minority Business Development Agency
MBE	Minority Business Enterprise
Mbps	Megabits per second
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act
NIST	National Institute of Standards and Technology
NOFO	Notice of Funding Opportunity
NTIA	National Telecommunications and Information Administration
OSHA	Occupational Safety and Health Act

PSA	Public Service Announcement
RDOF	Rural Digital Opportunity Fund
ROW	Right-of-Way
SBA	Small Business Administration
SCRM	Supply Chain Risk Management
TBCP	Tribal Broadband Connectivity Program
URS	Urban Rate Survey
WBE	Women Business Enterprises

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Executive Summary

“In a data-driven society, connectivity is imperative for a strong economy. Improved broadband infrastructure means both urban and rural Idaho will be connected and well-positioned to attract business and enhance our citizens’ quality of life.”

– Governor Brad Little, Idaho¹

The Idaho Office of Broadband (IOB) and Link Up Idaho are pleased to present Volume II of the Initial Proposal as required under the Broadband Equity, Access, and Deployment (BEAD) Program. The IOB has considered comments received during the public comment period and submits this document for consideration to the National Telecommunications and Information Association (NTIA), the administrators of the BEAD Program.

The BEAD Program, established by the Infrastructure Investment and Jobs Act (IIJA) of 2021, provides \$42.45 billion (about \$130 per person in the U.S.) to achieve reliable, affordable, and high-speed internet coverage throughout the U.S. This funding will establish the critical infrastructure that drives economic opportunities, expand access to healthcare services, enrich educational experiences of students, and improve overall quality of life for Idahoans and for all U.S. residents. NTIA recently awarded Idaho \$583,256,249.88 in BEAD funds.²

The Idaho Broadband Advisory Board (IBAB) was created by the Idaho Legislature in 2021, via the passage of [House Bill 127](#).³ The board consists of three members from the Idaho House of Representatives, three from the Idaho Senate and three appointed by the Governor.

The IBAB developed and released the [Idaho Broadband Strategic Plan](#),⁴ which supports the board’s vision that Idahoans have access to affordable and reliable broadband infrastructure. The IBAB is responsible for structuring, prioritizing and dispersing state and federal grants, which will enhance connectivity across the state and address the need for equal access to economic development, telework, public safety, telehealth, and education.

Idaho will prioritize its BEAD funding to extend high-speed broadband infrastructure to the 85,902 unserved and the 52,094 underserved Broadband Serviceable Locations (BSL) that have been identified based on the Federal Communication Commission’s (FCC) Broadband Serviceable Location Fabric⁵ followed by eligible Community Anchor Institutions (CAI) lacking access to 1 Gbps (Gigabit per second) symmetrical broadband connectivity.

BSLs are considered unserved if they receive speeds of less than 25 Megabits per second (Mbps) download and 3 Mbps upload. BSLs are considered underserved if they are (a) not an unserved location, and (b) that the Broadband Deployment Accuracy and Technological Availability (Broadband DATA Act) Maps show as lacking access to Reliable Broadband Service

¹ Office of the Governor, “Gov. Little signs “Idaho First” broadband investments into law,” March 20, 2023, <https://gov.idaho.gov/pressrelease/gov-little-signs-idaho-first-broadband-investments-into-law/>

² “Biden-Harris Administration Announces State Allocations for \$42.45 Billion High-Speed Internet Grant Program as Part of Investing in America Agenda,” June 26, 2023, USDOC, NTIA.

³ <https://legislature.idaho.gov/sessioninfo/2021/legislation/H0127/>

⁴ https://commerce.idaho.gov/content/uploads/2022/06/Idaho-Broadband-Advisory-Board-Idaho-Broadband-Plan-Final-Version_.pdf

⁵ Federal Communications Commission, National Broadband Map Fixed Broadband Availability, July 12, 2023, release, and Cost Quest Broadband Serviceable Location Fabric, December 2022 release.

offered with – (i) a speed of not less than 100 Mbps for downloads; and (ii) a speed of not less than 20 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds.⁶ Locations that receive Reliable Broadband Service with speeds greater than 100 Mbps download and 20 Mbps upload are considered served and are not included in Idaho’s list of unserved and underserved locations and CAIs.

Idaho’s Volume II of the Initial Proposal is drafted to meet the following sixteen [BEAD Notice of Funding Opportunity \(NOFO\) requirements](#).⁷

- Requirement 1: Long Term Objectives
- Requirement 2: Local, Tribal, and Regional Broadband Planning Processes
- Requirement 4: Local Coordination
- Requirement 8: Deployment Subgrantee Selection
- Requirement 9: Non-Deployment Subgrantee Selection
- Requirement 10: Eligible Entity Implementation Activities
- Requirement 11: Labor Standards and Protection
- Requirement 12: Workforce Readiness
- Requirement 13: Minority Business Enterprises (MBEs)/ Women’s Business Enterprises (WBEs)/ Labor Surplus Firms Inclusion
- Requirement 14: Cost and Barrier Reduction
- Requirement 15: Climate Assessment
- Requirement 16: Low-Cost Broadband Service Option
- Requirement 17: Use of 20 Percent of Funding
- Requirement 18: Eligible Entity Regulatory Approach
- Requirement 19: Certification of Compliance with BEAD Requirements
- Requirement 20: Middle-Class Plans

Both Volume I and II of the Initial Proposal were posted for a minimum of 30 days, from September 29, 2023, through November 10, 2023. See section 2.17 for details on the comments received.

Upon NTIA approval of both Volumes I and II, the IOB will begin conducting the challenge

⁶ The Infrastructure Act defines “reliable broadband service” as “broadband service that meets performance criteria for service availability, adaptability to changing end-user requirements, length of serviceable life, or other criteria, other than upload and download speeds, as determined by the Assistant Secretary in coordination with the Commission.” Id. § 60102(a)(2)(L). For the purposes of this definition, the Assistant Secretary adopts the criteria that Reliable Broadband Service must be (1) a fixed broadband service that (2) is available with a high degree of certainty, (3) both at present and for the foreseeable future, and finds, after coordination with the Commission, that the definition of Reliable Broadband Service set forth in this NOFO best meets those criteria.

⁷ https://broadbandusa.ntia.doc.gov/sites/default/files/2023-07/BEAD_Initial_Proposal_Guidance_Volumes_I_II.pdf

process as outlined in Volume I. NOFO guidance allows flexibility in the Initial Proposal submission process, and this two-volume approach allows the IOB to maintain an accelerated timeline of approval and implementation of funds, provided under the BEAD Program.

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2.1 Long Term Objectives (Requirement 1)

Outline long-term objectives for deploying broadband, closing the digital divide, addressing access, affordability, equity, and adoption issues, and enhancing economic growth and job creation including information developed by the Eligible Entity as part of the Five-Year Action Plan and information from any comparable strategic plan otherwise developed by the Eligible Entity, if applicable.

The IOB has identified five primary goals and accompanying objectives to address the requirements of: closing the digital divide in Idaho; addressing deployment and access, affordability, and adoption issues; and enhancing economic growth, digital skills, and job creation. These goals are centered around the areas of Infrastructure & Technology, Economic Development, Educational Access, Operations & Data, and Public Safety & Communications and are presented in Table 1.

Table 1

Idaho's Goals and Objectives for Broadband Deployment

Infrastructure & Technology	
Goal	Objectives
Prioritize infrastructure investments to connect residents, businesses, Tribal Nations, and CAIs that are unserved and underserved in Idaho.	<ul style="list-style-type: none"> Support the delivery of broadband speeds of 100/20 Mbps service to close the gap on the 21% of locations in Idaho that are unserved and underserved within five years with the understanding that many locations could fall within an Extremely High-Cost area and the technology may not provide speeds of 100/20 Mbps. Evaluate and approve BEAD projects strategically focused on the most vulnerable areas identified by the Idaho Broadband Advisory Board. Continue to engage with Internet Service Providers (ISPs), local governments, state agencies, Tribal Nations, and experts to leverage collective expertise and resources to implement broadband initiatives successfully. Promote Dig Once principles and streamlined Right-of-Way (ROW) permitting and other policies for supporting the buildout of broadband infrastructure.

Economic Development	
Goal	Objectives
<p>Prioritize broadband investments that support the economic ecosystem for businesses in Idaho by supporting the deployment of broadband infrastructure that is adequate, reliable, and affordable.</p>	<ul style="list-style-type: none"> • Support the economic development of previously unserved or underserved areas through the provision of broadband infrastructure. • Actively promote economic growth and diversification by leveraging improved connectivity to create opportunities for businesses and industries in targeted areas. • Maintain ongoing communications with Idaho’s state and regional economic development organizations to inform communities about broadband activities and opportunities including remote work, remote learning, and telehealth as well as enhancements to public safety. • Increase Affordable Connectivity Program (ACP) or Lifeline participation through dedicated outreach and resources. • Partner with state agencies and community-based organizations and support of the varying needs of rural community infrastructure.
Educational Access	
Goal	Objectives
<p>Prioritize students’ and educators’ access to affordable and Reliable Broadband Services in their homes, schools, libraries, and communities across Idaho in unserved and underserved locations.</p>	<ul style="list-style-type: none"> • Work with school districts to inform students and their families about affordable internet options such as ACP, Lifeline, and the low-income and middle-class offerings required of BEAD and Capital Projects Fund (CPF) recipients. • Engage with the public-school officials, independent school districts, libraries, and institutions of higher learning to identify and close broadband infrastructure gaps. Partner with state agencies, business and industry, and non-profit education organizations to improve digital access, literacy, and usage.

Operational & Data	
Goal	Objectives
<p>Establish grant programs and other projects that enable broadband infrastructure investments that are driven by relevant, accurate, complete, reliable, and current data.</p>	<ul style="list-style-type: none"> • Actively collaborate with other state agencies to identify, plan, and execute broadband infrastructure projects, fostering a united approach to address connectivity challenges. Act as a facilitator to encourage and enhance collaboration between state agencies, stakeholder groups, and overlapping service providers, fostering a cooperative environment to maximize the impact of broadband initiatives. • Implement clear and efficient standard operating procedures for managing grant programs, capital projects, and community engagement initiatives, ensuring streamlined processes and consistent execution. • Establish procedures to support a proactive flow of pertinent data and information from the Idaho Department of Commerce to the Idaho Broadband Advisory Board, supplying them with the necessary insights to make informed decisions and guide strategic actions.
Public Safety & Communications	
Goal	Objectives
<p>Prioritize broadband investments to strengthen access to reliable, resilient, scalable, and redundant broadband services to Idaho's Emergency Communications Centers (ECC) and other public safety facilities.</p>	<ul style="list-style-type: none"> • Facilitate the identification of ECC and other public safety facility locations in Idaho that are not served by the current CAI standard of 1Gbps symmetrical broadband service and prioritize connecting those facilities in grant applications. • Work with the public safety community to pinpoint potential single points of failure in facility connections and determine options for redundancy, promoting the development and implementation of strategies to ensure robust and reliable connectivity. • Develop map layers that identify ECC and other public safety locations that are not adequately served and share them with other State agencies so they can incorporate those into grant applications.

2.2 Local, Tribal, and Regional Broadband Planning Processes (Requirement 2)

Identify, and outline steps to support, local, Tribal, and regional broadband planning processes or ongoing efforts to deploy broadband or close the digital divide and describe coordination with local and Tribal Governments, along with local, Tribal, and regional broadband planning processes.

2.2.1 Text Box: Identify and outline steps that the eligible entity will take to support local, Tribal, and regional broadband planning processes or ongoing efforts to deploy broadband or close the digital divide. In the description, include how the Eligible Entity will coordinate its own planning efforts with the broadband planning processes of local and Tribal Governments, and other local, Tribal, and regional entities. Eligible Entities may directly copy descriptions in their Five-Year Action Plans.

Public engagement plays a pivotal role in Idaho's broadband planning, enabling communities to provide input, grasp the benefits of broadband, and collaborate on shared objectives. Key engagement goals encompass raising awareness about broadband, gathering stakeholder feedback, garnering support for universal internet access, and identifying community-based solutions. Moreover, fostering partnerships involves community organizations, government entities, service providers, and residents.

Public engagement is vital for responsive broadband infrastructure deployment in urban and rural areas. Clear public engagement goals include feedback from all geographic regions, meaningful engagement with diverse stakeholders, utilizing multiple communication channels, ensuring transparency, and prioritizing underserved communities.

The public engagement model comprises four essential elements:

1. **Assess:** Evaluating the current broadband landscape in Idaho.
2. **Engage:** Engaging meaningfully with stakeholders to address their needs effectively.
3. **Inform:** Disseminating information to inform stakeholders and the public about program efforts.
4. **Document:** Recording community-based solutions in the Five-Year Action Plan and Initial Proposal.

These components together form a comprehensive plan to enhance broadband infrastructure, bridging the digital divide and creating opportunities for all Idaho residents. The chart below shows past and ongoing engagements that have helped align objectives within Link Up Idaho.

Table 2

Ongoing and Completed Public Engagement Activities

No.	Tactic	Element	Description
Ongoing Public Engagement Activities			
1.	IBAB Meetings	Inform and Engage	The IBAB was created by the Idaho Legislature in 2021 and consists of three members from the Idaho House of Representatives, three members of the Idaho Senate, and three members appointed by the Governor. The Board is responsible for structuring, prioritizing, and disbursing state and federal grants, which will enhance connectivity across the state and address equal access to economic development, telework, public safety, telehealth, and education. During ongoing meetings, IBAB publicly shares broadband updates and information.
2.	Link Up Idaho Program Branding & Website (https://linkup.idaho.gov/)	Inform	Link Up Idaho has been established as the program name for the infrastructure side of the Broadband program managed by the Idaho Department of Commerce. A website has been launched and serves as the hub for the project, disseminating the latest information and project updates. The site is being expanded to include numerous resources, including educational materials, ACP information, tribal resources, Frequently Asked Questions (FAQ), a calendar of events, and more. It is available in Spanish, English and more than 100 languages.
3.	Email Address for Idahoans to contact IOB	Inform	Residents can email questions about Link Up Idaho or the state’s broadband program at any time directly to broadband@commerce.idaho.gov . Responsiveness is between 24 and 72 hours (about three working days).

No.	Tactic	Element	Description
4.	Statewide Public Broadband Survey – Challenge Process	Engage	More than 1.25 million Ookla speed tests were submitted through the State’s FCC Challenge webpage from residents across the state in the first 10 months of 2023, averaging about 127K tests per month. The IOB used this information to submit challenges to the FCC. The speed test will remain open to serve as a direct way for residents to report poor internet to the state for challenge consideration.
5.	Digital Access for All Idahoans (DAAI) Steering Committee	Inform and Engage	In January 2023, the DAAI Team launched an 11-member Steering Committee comprising representatives from each covered population to help guide the DAAI planning process. The IOB manager participates in the meetings and provides updates as a non-voting member. This steering committee meets every other month, provides direct feedback to the Idaho Commission for Libraries (ICfL) about the plan, and facilitates connection with the covered populations.
6.	DAAI Community Coalition Calls	Inform and Engage	In February 2023, a quarterly coalition call was established to enable all interested stakeholders/constituencies to sustain engagement with digital access efforts to ensure that they continue to influence and impact the development of Idaho’s digital goals and strategies. Participation averaged around 60 people per call. Moving forward, DAAI Community Coalition calls will be held a minimum of twice annually.
7.	DAAI Coordination with Broadband Action Teams (BAT)	Inform and Engage	DAAI is working with city and county BATs to advance access, adoption, and digital skill building. IOB will reach out to the DAAI periodically for updates.
8.	DAAI Website (https://idahodigitalskills.org/)	Inform	This DAAI website aggregates numerous online digital literacy and digital skills training modules that provide resources to the covered populations and the public.

No.	Tactic	Element	Description
9.	ISP Roundtables	Engage	To date, two ISP Roundtables have been hosted by the IOB, with participation of more than 40 ISPs and interested parties in each session. The IOB has plans to resume roundtables in Q1 of 2024. Led by the IOB, ISPs and industry executives will continue to meet quarterly to discuss the progress of BEAD Initial Proposals and the Final Proposal.
10.	Listening Sessions Follow-up	Engage	Based on the feedback collected during the six regional Broadband 101 Workshops/Listening Sessions and other ad hoc Listening Sessions (see tactic 43, below), the IOB will be available to meet in each region upon request, focusing on those with the most unserved and/or underserved locations.
11.	Stakeholder Database	Document	The IOB will maintain and continue expanding its stakeholder database for direct and network outreach.
12.	NTIA Engagement Tracker	Document	Outreach efforts will continue to be documented in a modified version of the NTIA Engagement Tracker.
Completed Public Engagement Activities			
13.	Engagement Plan	Assess	The IOB created a stakeholder engagement plan that served as a roadmap for engagement activities.
14.	Stakeholder Analysis	Assess	Analyzed and categorized broadband stakeholders in the state and created a detailed master list.
15.	Document Past Stakeholder Meetings and Public Comments in the Plan	Assess	All past public meetings and comments are included in the action plan and reflected in the NTIA Engagement Tracker in Appendix D.
16.	Internet for All Idahoans Local Coordination Stakeholder Workshop	Engage	Partnered with NTIA for a statewide workshop in November 2022 to collect feedback on the needs and barriers for broadband statewide.

No.	Tactic	Element	Description
17.	Idaho Broadband CPF Public Comments	Engage	Reviewed and considered lessons learned from Idaho’s CPF broadband grant program public comments and feedback during scheduled office hours. Incorporated relevant lessons learned into BEAD engagement activities.
18.	Idaho Broadband Fund Grant Program Feedback	Engage	Reviewed and considered lessons learned from Idaho’s Broadband Fund Grant program feedback. Incorporated relevant lessons learned into BEAD engagement activities.
19.	DAAI Focus Groups	Engage	From March through May 2023, the DAAI Team conducted 14 regional focus groups in public libraries, engaging directly with the covered populations and other citizens in discussions of digital equity barriers, obstacles, and needs.
20.	Readying Rural Communities to Capture the Benefits of Digitalization Conference	Engage	In mid-April 2023, the IOB partnered with the ICfL-DAAI team and the University of Idaho Extension Office’s Digital Economy Program in a workshop focused on providing tools and resources to address digital access as part of local economic development in rural communities. This was an opportunity to promote the stakeholder inventory survey and collect feedback on needs and barriers. A second workshop was held on June 28, 2023, in Moscow (north Idaho).
21.	Idaho Rural Success Summit	Engage	In late April 2023, the IOB attended and exhibited at the Idaho Department of Commerce table at Idaho’s Rural Success Summit, co-hosted by the Idaho Women’s Business Center, United States Department of Agriculture, Rural Development, and the Federal Reserve Bank of San Francisco. More than 250 stakeholders were in attendance, the stakeholder survey was promoted through the presentation, and flyers were distributed and discussed with participants.

No.	Tactic	Element	Description
22.	County Updates	Engage	<p>The State Broadband Program Manager has been coordinating with various counties, including:</p> <p>April 28: Magic Valley Tour/ Commissioner meetings (Jerome, Lincoln Gooding, and Camas Counties)</p> <p>May 3: Meeting in New Meadows with local leaders from Boise and Grangeville</p> <p>May 4: Meetings/tours in Grangeville, Cottonwood, Kooskia, and Lewis and Idaho Counties</p>
23.	Interviews with Key Stakeholders	Engage	<p>Based on research, interviews were conducted with key partners advancing broadband and connected to those stakeholders who need it most, including the AIC (Association of Idaho Cities), IAC (Idaho Association of Counties), ICfL, the University of Idaho Extension Office, College of Western Idaho, Idaho Workforce Development Council, Imagine Idaho, and the Idaho Economic Development Association.</p>
24.	Media and Communications Resources/Toolkit	Inform	<p>This toolkit includes all promotions supporting the project launch, calls for feedback, education, and awareness through press releases, social media, newsletter articles, e-news blasts, images, and printed mailers, and encourages residents to participate in the statewide Idaho Digital Access Survey. It was distributed via email to stakeholders and was available for widespread download on LinkUp.Idaho.gov.</p>
25.	2023 AIC Annual Conference	Engage	<p>The annual AIC Conference was held in Boise June 21-23, 2023. The IOB attended a seminar as a subject matter expert promoting broadband adoption training, establishing partnerships, collecting information, and promoting the stakeholder survey and new Link Up Idaho website.</p> <p>Broadband ranked #2 in investment from cities that responded to a recent Association of Idaho Cities Infrastructure survey.</p>

No.	Tactic	Element	Description
26.	Direct Mail – Public Survey	Inform	<p>In late October 2023, the IOB compiled a list of the State's most rural ZIP codes and distributed 19,600 direct mail pieces to rural postal routes through Every Door Direct Mailing with the United States Postal Service. The direct mail pieces encouraged rural residents to participate in the statewide public survey, the Idaho Digital Access Survey, on www.LinkUp.Idaho.com. The mailers were sent out in both English and Spanish.</p>
27.	Workforce & Economic Development Focus Groups	Engage	<p>Given the existing collaboration and synergies between workforce and economic development in Idaho, two statewide focus groups were organized convening in October 2023 that brought together local and industry leaders. The groups explore further individual and overlapping opportunities that aimed to begin an in-depth, multi-perspective discussion about the challenges now facing Idaho as it pertains to broadband expansion in the workforce and the economy and how both could be positioned for a better future given this historic opportunity. Key groups were engaged, including the College of Western Idaho, regional economic development organizations, Imagine Idaho, city governments, Idaho Department of Labor, Idaho Regional Optical Network, the International Brotherhood of Electrical Workers, and the Communications Workers of America Fiber Technician Apprenticeship Program.</p>

No.	Tactic	Element	Description
28.	Statewide Digital Access Survey (DAAI)	Engage	<p>The DAAI Team with the ICfL conducted a public survey in coordination with Boise State University via phone from May 17 – May 24, 2023. This statewide survey aimed to reach 1,000 English speakers and another 400 Spanish or bilingual speakers to capture a representative sample of state digital access data. In addition to the statewide survey, the protocol also included a package of digital equity one-on-one interview questions to permit individual experiences to be collected. ICfL has published its methodology and results in its DAAI Plan, October 2023. Moving forward, a public survey, the Idaho Internet Access Survey, will be made available continuously with the intention of documenting residents' broadband issues and speed test data. This will continue to provide residents with a direct avenue to share broadband issues with the state and provide the state with current data for future expansion efforts.</p>
29.	DAAI Coalition Call 2.16.23	Engage	<p>The DAAI coalition call on February 16, 2023, allowed the ICfL to share progress on the DAAI Plan and for participants to engage in the process. The agenda included Digital Inclusion 101, an Introduction to the DAAI planning process with the ICfL, a deeper dive into plan development with Boise State University's Idaho Policy Institute, a question-and-answer section, and an ongoing chat.</p>
30.	DAAI Coalition Call 5.18.23	Engage	<p>The DAAI coalition call on May 18, 2023, served as an opportunity for the ICfL to share progress on the DAAI Plan and for participants to engage in the process. The agenda included sessions on closing the digital skill divide, question-and-answer section sessions, and planning updates.</p>

No.	Tactic	Element	Description
31.	ISP Roundtables	Engage	<p>In late May 2023, 43 ISPs and industry executives participated in in-depth roundtable discussions focused on current geographic, regulatory, and workforce barriers and barriers to affordability. The Idaho Department of Commerce YouTube channel made the recording available to participants. A feedback survey was given to attendees to assess preferred engagement times and tactics for future events.</p> <p>In late August 2023, IOB hosted an ISP roundtable discussion to inform ISPs of the Five-Year Action Plan, Initial Proposal Volume I, Volume II, and overall project progress. More than 40 ISPs attended. Two separate breakout sessions focused on Workforce Development and Digital Equity and Access.</p> <p>The Idaho Department of Commerce YouTube channel made the recording available to participants. A feedback survey was given to attendees to assess preferred engagement times and tactics for future events.</p> <p>The IOB is committing to quarterly ISP roundtable discussions for the next year and a half.</p>
32.	Direct Mail – Public Comment Period	Inform	<p>In mid-October 2023, the IOB compiled a list of the State's most rural ZIP codes and distributed direct mail to rural postal routes through Every Door Direct Mailing with the United States Postal Service reaching 19,600 homes. The direct mail pieces encouraged rural residents to participate in the public comment period for the BEAD Initial Proposal Volume I and Volume II.</p>

No.	Tactic	Element	Description
33.	Public Comment Period	Document and Assess	From September 29, through November 10, 2023, the IOB hosted a formal public comment period for the BEAD Volumes I and II. Volumes were posted on LinkUp.Idaho.gov and were available in English and Spanish. A how-to guide sheet was provided to aid residents in commenting through email (broadbandcomments@commerce.idaho.gov) and traditional postal mailing. Copies of the Initial Proposal and the guide sheet were distributed to many libraries in the ICfL network.
34.	Public Comment Period Communications	Inform	A toolkit was developed in English and Spanish and was distributed to stakeholders to help promote the public comment period. All assets were also available online for download at LinkUp.Idaho.gov. Public Service Announcements (PSA) about the comment period were widely distributed and/or additions to local event calendars through print media, radio, and broadcast. Classified ads were purchased in local newsprint outlets.
35.	Stakeholder Asset Inventory Survey	Engage	In April 2023, a detailed asset inventory survey was shared with the State's extensive stakeholder list to document all assets and broadband-related work in progress or underway. The survey was promoted at all engagement events and interviews and will continue to serve as a feedback mechanism for the State.
36.	Formal Consultation Request Sent to Tribal Leaders (Dear Tribal Leader Letter)	Inform	In April 2023, the Governor signed and submitted a letter to the five tribal leaders with a consultation request.

No.	Tactic	Element	Description
37.	Formal Consultation with Shoshone-Paiute Tribe	Engage	Meetings were held on September 21 and 27, 2023, to discuss Tribe’s experiences with and desire for telecommunications expansion. The IOB leadership gave a BEAD overview and listened as tribal leaders shared their stories. The State sought information on how to best assist the Shoshone-Paiute Tribe with sustainability studies, mapping, FCC mapping challenges, and more.
38.	Formal Consultation with Coeur d’Alene Tribe	Engage	A meeting was held on October 4, 2023, to discuss Tribe’s experiences with and desire for telecommunications expansion. The IOB leadership gave a BEAD overview and listened as tribal leaders shared their stories. The State sought information on best assisting the Coeur d’Alene Tribe with sustainability studies, mapping, FCC mapping challenges, and more.
39.	Formal Consultation with Shoshone-Bannock Tribe	Engage	A meeting was held on November 17 to discuss Tribe’s experiences with and desire for telecommunications expansion. The IOB leadership gave a BEAD overview and listened as tribal leaders shared their stories. The State sought information on how to best assist the Shoshone-Bannock Tribe with sustainability studies, mapping, FCC mapping challenges, and more.
40.	Formal Consultation with the Kootenai Tribe	Engage	A meeting was held on October 3, 2023, to discuss Tribe’s experiences with and desire for telecommunications expansion. The IOB leadership gave a BEAD overview and listened as Tribal leaders shared their stories. The State sought information on how to best assist the Kootenai Tribe with sustainability studies, mapping, FCC mapping challenges, and more.

No.	Tactic	Element	Description
41.	Formal Consultation with Nez Perce Tribe	Engage	A meeting was held on October 18, 2023, to discuss Tribe’s experiences with and desire for telecommunications expansion. The IOB leadership gave a BEAD overview and listened as tribal leaders shared their stories. The State sought information on how to best assist the Nez Perce Tribe with sustainability studies, mapping, FCC mapping challenges, and more.
42.	Statewide Regional Broadband 101 Workshop and Listening Sessions - Communications	Inform	Geographically targeted Facebook campaigns were launched to help promote each of the six Broadband 101 sessions. Local government stakeholders received a letter requesting their assistance in facilitating and/or spreading the word about the events in their communities. Printed flyers were distributed in local schools. An “RSVPify” website was created for residents to find in-person locations and register for events, though no registration was required. PSAs were distributed to local traditional media outlets.
43.	Statewide Regional Broadband 101 Workshop and Listening Sessions	Inform and Engage	Through a partnership with ICfL and the University of Idaho Extension Office, the IOB conducted training events in communities with the most unserved and underserved populations. Six separate in-person events happened, each with a virtual option. Multiple in-person locations were established for the six sessions, each focusing on a different state region. This training addressed the practical aspects of broadband deployment, aided in forming Broadband Action Teams locally, and the second half of each event served as a listening session for the IOB. Details of events have been logged in the NTIA Tracker (Appendix B).

2.3 Local Coordination (Requirement 4)

Certify that the Eligible Entity has conducted coordination, including with Tribal Governments, local community organizations, unions and worker organizations, and other groups, consistent with the requirements set forth in Section IV.C.1.c of the NOFO, describe the coordination conducted, summarize the impact such coordination had on the content of the Initial Proposal, detail ongoing coordination efforts, and set forth the plan for how the Eligible Entity will fulfill the coordination requirements associated with its Final Proposal.

2.3.1 Text Box: Describe the coordination conducted, summarize the impact such coordination has on the content of the Initial Proposal, and detail ongoing coordination efforts. Set forth the plan for how the Eligible Entity will fulfil the coordination associated with its Final Proposal.

The IOB engagement strategy aims to connect with diverse stakeholders throughout the State, considering their unique geographical, cultural, demographic, and economic characteristics. These stakeholders are crucial in ensuring statewide broadband expansion, especially in unserved and underserved areas. The engagement efforts align with the State's strategic plan values – access, affordability, alignment, competition, data-driven decision-making, and responsiveness. Additionally, the IOB has set goals for outreach, transparency, partnership, teamwork, and communication to guide their outreach initiatives.

Key engagement initiatives include:

- Statewide Stakeholder Asset Inventory Survey
- ISP Roundtables
- Broadband 101 Community Listening Sessions
- Public Survey
- Tribal Engagement
- Workforce and Economic Development Focus Group
- Listening Sessions

In April 2023, Idaho launched the Statewide Stakeholder Asset Inventory Survey to identify ongoing broadband improvement programs and pinpoint areas with the greatest needs. The insights gained led to the discovery of broadband pilot programs. After the survey, ISP Roundtables brought together industry professionals to discuss crucial elements such as permitting, Right-of-Way access, affordability, and workforce availability, which are pivotal in shaping the State's broadband deployment strategy.

The IOB collaborated with the Idaho Commission for Libraries (ICfL) and the University of Idaho Extension Office to conduct the Broadband 101 Community Listening Sessions. Held strategically across the state, these sessions facilitated dialogue on broadband issues and offered practical training on deployment. Emphasizing the initiative's overarching goal of ensuring high-speed internet access throughout Idaho, the Broadband 101 initiative educated constituents on the benefits of high-speed internet, highlighting its significance in education, healthcare, business, public safety, and daily communication. It also guided communities in

securing funding for broadband projects, addressing obstacles such as geographical challenges, affordability concerns, the digital divide, infrastructure limitations, and cybersecurity issues. The initiative drew valuable lessons from challenges and emphasized key factors like affordability, digital literacy, environmental considerations, partnerships, political neutrality, comprehensive planning, and direct community engagement for successful broadband expansion. Outreach efforts were comprehensive, involving engagement with local leaders and organizations, tailored social media campaigns, proactive inquiries, closed captioning, and translation services to ensure accessibility and inclusivity.

The IOB further encouraged public participation by distributing 19,600 dual English and Spanish direct mailers, urging Idahoans to partake in public surveys and speed tests on www.LinkUp.Idaho.gov. Any collected information will be used to inform IBAB when making project selections and distributing funds.

As the engagement continued, the focus shifted to tribal engagement, with the BEAD program necessitating formal tribal consultations involving the five recognized tribal nations in Idaho. Acknowledging the demands on tribal leadership's time, the IOB made themselves available for informal and formal consultations, aiming to gather data on broadband availability, tribal priorities, existing broadband development, partnerships, and interest in grant funding. Formal consultation options included on-site and virtual meetings.

In addition, the IOB conducted a comprehensive focus group with key stakeholders to assess the state of the workforce's broadband technology skills and identify sector-specific needs. The group recognized a gap in specialized expertise, particularly in rural areas, prompting initiatives like technology hubs, internships, and online training platforms to address gaps and broaden educational access. However, barriers such as funding limitations, the need for more trained educators, infrastructure challenges, and resistance to change were acknowledged.

In line with its mission to bridge the digital divide and enhance connectivity across Idaho, the Idaho Office of Broadband (IOB) is actively implementing comprehensive engagement strategies and meticulously developing processes to deploy broadband services in underserved and unserved locations throughout the state. The IOB recognizes that some of these engagement approaches may not have resonated with Idahoans in the past due to historical traditions.

Despite this acknowledgment, the IOB remains steadfast in its commitment to engage with all Idahoans, particularly those in the most vulnerable communities. This includes low-income households, aging individuals, incarcerated individuals, veterans, persons of color, Indigenous and Native American individuals, members of ethnic and religious minorities, women, LGBTQI+ individuals, persons with disabilities, persons with limited English proficiency, individuals in rural areas, and those otherwise adversely affected by persistent poverty or inequality during the implementation stage.

By consistently engaging with Idahoans and actively working towards broadband deployment in unserved and underserved areas, the IOB's efforts represent a multifaceted investment with far-reaching positive effects on education, healthcare, the economy, and overall quality of life.

For full community feedback, please see the Regional Engagement Summaries in the Appendix A.

2.3.1.1 Attachment: As a required attachment, submit the Local Coordination Tracker Tool to certify that the Eligible Entity has conducted coordination, including with Tribal Governments, local community organizations, unions and work organizations, and other groups.

Please see the NTIA Tracker (an Excel spreadsheet) in Appendix B.

2.3.2 Text Box: Describe the formal tribal consultation process conducted with federally recognized Tribes, to the extent that the Eligible Entity encompasses federally recognized Tribes. If the Eligible Entity does not encompass federally recognized Tribes, note “Not applicable.”

The BEAD program mandates formal Tribal Consultations as an integral part of the grant process in Idaho. These consultations encompass five Tribal Nations: the Kootenai Tribe of Idaho, the Coeur d'Alene Tribe, the Nez Perce Tribe, the Shoshone-Bannock Tribes, and the Shoshone- Paiute Tribes of the Duck Valley Indian Reservation. Achieving this endeavor involved multiple strategies:

Informal Engagement: Since his appointment in September 2022, Ramón S. Hobdey-Sánchez, the IOB's Broadband Program Manager, has been actively connecting with key broadband advocates within Idaho's Five Tribal Nations. These advocates are deeply committed to advancing broadband access within their respective communities. Throughout these dialogues with Idaho's Tribal Nations, the IOB is collecting valuable data on the following critical topics:

Current Broadband Availability: This encompasses an assessment of both broadband speeds and affordability in the Tribal Nations' areas.

Tribal Priorities for Broadband: Identifying the specific areas where broadband is crucial, such as healthcare, education, cultural enrichment, e-commerce, government services, public safety, and more.

Tribal Broadband Development to Date: This involves tracking the progress of tribal broadband development, including grants secured (e.g., TBCP (Tribal Broadband Connectivity Program) and Coronavirus Aid, Relief, and Economic Security (CARES) Act funding), the formulation of broadband plans, the adoption of broadband services, and the overall development of tribal broadband infrastructure.

Anticipated Partnerships with Local Providers: Exploring potential collaborations and partnerships with local broadband service providers to enhance connectivity in Tribal Nations.

Interest in BEAD Funding as Sub-Recipients: Assessing the level of interest within Tribal Nations in becoming sub-recipients for BEAD funding when it becomes available.

Identifying Impediments to Grant Applications: Recognizing and addressing any challenges or barriers that Tribal Nations may encounter when applying for grant funding to facilitate broadband expansion.

Addressing Broadband Mapping Issues: Tackling issues related to mapping broadband coverage is crucial for accurate planning and resource allocation.

Through this informal engagement process, the IOB aims to gather comprehensive insights and

build strong partnerships to support broadband development and access across Idaho's Tribal Nations.

Formal Consultation: The Governor's office has initiated government-to-government consultation by dispatching a consultation letter to the tribal leadership of each Tribal Nation in Idaho. Ramón Hobdey-Sánchez, designated the State Broadband Program Manager by the Governor, serves as the representative for formal consultations. The Governor has extended various consultation options to accommodate the convenience of Tribal Nations, recognizing the time constraints on Tribal Leadership. These options include on-site meetings with tribal leadership, virtual online meetings, and listening sessions scheduled for the May 2023 ATNI (Affiliated Tribes of Northwest Indians) convention, which IOB attended.

Dates of Tribal Formal Consultations

- Shoshone-Paiute – 9/20/23 and 9/27/23
- Kootenai – 10/03/23
- Coeur d'Alene – 10/04/23
- Nez Perce – 10/18/23
- Shoshone-Bannock – 11/17/23

Idaho recognizes the importance of extending broadband access to Tribal Lands. A primary issue in addressing the digital divide in these sovereign territories has been the need for consistent and reliable data collection to assess internet access accurately. To understand the unique and substantial barriers facing the state's Native communities, several rounds of consultations were held with representatives of the Coeur d'Alene, Kootenai, Nez Perce, Shoshone-Paiute, and Shoshone-Bannock Tribes.

Coeur d'Alene Tribe

Summary

The Coeur d'Alene Tribe has built over 103 miles of fiber, including backbone and middle mile segments. They currently have 1,208 customers with a 30% take-rate of homes in the area. The remaining houses are either unserved, underserved, or served by other ISPs. The Coeur d'Alene Tribe has a long history of running its own ISP to ensure tribal sovereignty and affordable broadband are available for tribal members.

There are still many homesites that still need service. These are primarily in the Bay communities and are challenging to reach. Some homes are scattered throughout the area or in small clusters and distant from an existing fiber plant. Not only are the bay communities challenging to reach, but the pole replacement activities of Kootenai Electric Cooperative have hampered construction in those locations. Homes between the Bay Area locations are remote and may not have a line of site to the towers. This means that they cannot receive the Red-Spectrum service.

Much of the FCC fabric does not include tribal homes. The Tribe submitted a challenge to the FCC map to indicate that their homes exist and where they are located; they submitted over 700

challenges, but only 60 were accepted.

Key Takeaways

- The Coeur d'Alene Tribe has a long and successful background in running its own tribal ISP (Red-Spectrum).
- The Coeur d'Alene Tribe is seeking funding to finish building out their fiber network.
- The Tribe believes many homes are missing from the FCC mapping fabric.

Kootenai Tribe

Summary

Before 2021, within the Mission portion of the reservation, there was no fiber connecting government buildings, the clinic, and homes. Although broadband was available from a local provider for government purposes, it was limited in bandwidth, and the monthly recurring costs were very high. With Cares Act dollars, the Kootenai Tribe constructed fiber between buildings on the government campus and Mission area homes, which was completed in 2022. E.L. Internet Northwest (E.L.) is a local ISP that provides service throughout the area and is the Tribes' primary broadband provider. The Kootenai Tribe decided to work with E.L. rather than stand up their own ISP. The Council reviewed the option to become an ISP but concluded that the requirements, potential health risks, and negative aspects of operating telecommunications towers outweighed the positives.

The Kootenai Tribe continue to have broadband infrastructure challenges. The Three Mile property will eventually be served by E.L. once all State approvals are secured. Reaching the Twin River site will be challenging since it is in a canyon area; it will likely be a year before E.L. can reach it. Broadband reliability for this site will be critical because it is an active fish hatchery with Sturgeon tanks. The other area lacking broadband is the Frontier Village, their other primary housing site. This will also be a challenging site to serve because it's down a winding road and surrounded by trees. E.L. has applied for State CPF funding to serve Frontier Village.

Other than their experience with E.L., the Tribe's experience with other ISPs has not been positive. They used Intermax Networks out of Coeur d'Alene but were unhappy with the service. Ziplly Fiber also has a presence in the area, and the Tribe used to get its' basic government phone service from them, but they now use a self-hosted private brand exchange (PBX) service. Another challenge is that the Tribe has a lot of old switches and electronics in its network, which need to be replaced before it can experience the full benefits of increased broadband capacity.

Key Takeaways

- The Kootenai Tribe has a positive relationship with E.L. Internet.
- They have extensively provided fiber connectivity to the Mission area.
- There are still other areas of the reservation that require broadband.
- The Tribe is interested in learning more about cyber security.
- The Tribe is interested in broadband mapping.

Nez Perce Tribe

Summary

The Nez Perce Tribe operate their own ISP called Nez Perce Systems. The Nez Perce Systems was established approximately 20 years ago, starting as a dial-up operation, then moving to wireless, and now having deployed fiber throughout the BlackWing community. The Tribe is expanding its fiber network throughout the reservation to replace the fixed-wireless network. Their next application for NTIA-TBCP funding contemplates a reservation-wide fiber network; they are concerned about how much it will cost to build.

The Port of Lewiston fiber project was discussed during the consultation. The Nez Perce Tribe wants to make sure there is no duplication of fiber; there should be a determination of how much fiber is needed and coordination with the Tribe. The Nez Perce want any fiber crossing the reservation to be laid by the Tribe itself. The reliability of the existing wireless network is an ongoing issue. The Nez Perce wants a stable, fiber-based network for students and Tribal elders so that every home can access remote healthcare and education. Another challenge that was discussed was securing railroad rights for the construction of their fiber network as well as the cost of ROW fees.

The Nez Perce Tribe asked about the State's capacity for partnerships in the form of Memorandum of Understanding (MOU)/Memorandum of Agreement and is interested in knowing if an MOU could be developed to deploy fiber on the reservation and facilitate the Tribe's plans for a fiber ring. The Tribe pointed out that it already has an MOU with the State for firefighting activities and asked if it could be expanded to include those activities. The Nez Perce also acknowledged the significant funding available for broadband build-out but is concerned about a trained workforce able to do the work. They asked if any funds could be allocated to training specifically to prepare their workforce to be able to implement these projects.

Key Takeaways

- The Nez Perce Tribe has made significant investments over 20 years to own and operate its own ISP and is committed to upgrading its broadband infrastructure and service.
- The IOB wants to continue these broadband discussions with the Tribe beyond the consultation and encourage the Tribe to provide input to the Initial Plan that will be submitted to NTIA by the end of the year (2023).

Regarding The Port of Lewiston: IOB and Nez Perce should undertake a coordination conversation on the Moscow to Grangeville project, specific to crossing reservation and treaty lands.

Regarding grant awards affecting the Nez Perce Tribe: as the IOB makes further grant awards, the Nez Perce Tribe will be notified if any of those awards will potentially cross their Tribal Lands.

The IOB will follow up with the Tribe regarding assistance with FCC mapping challenges.

The IOB will ensure that the State's Initial Plan identifies rights-of-ways from railroads and utility

companies as an issue that deserves attention and the fees charged for such access.

Shoshone-Paiute Tribes

Summary

Most homes have access to the Shoshone-Paiute Tribes' internet service called Smart Cities. They have a waiting list of 60 people who want the Smart Cities service, but the Tribes lack funding for more equipment and contractors to do the installations.

Fiber reliability is an issue with the Lumen fiber that runs north of the reservation; when it goes down, all internet service is interrupted because there is no redundant, alternative path. The Shoshone-Paiute Tribes want to establish a fiber path south to Elko, Nevada, so they have two fiber paths off the reservation and won't have to experience extended service outages (as they do currently). The Tribes also need additional towers on the Idaho side of the reservation to reach a handful of homes that do not now have a line of sight to the existing towers.

Tribal leadership stated that there should be no competition between their needs and those of the other four Tribal Nations of Idaho. Regarding funding allocation and timing, Shoshone-Paiute believes their remote location and lack of revenue should be priorities.

This consultation was held in two sessions: one in-person session with Council Member Daliah Abel and a second session online with Tribal Chairman Brian Mason and Vice Chairman Arnold Thomas.

Key Takeaways

- The Tribes would like the State to consider waiving the match requirement for the BEAD funding since the Tribe does not have the revenue to participate in a match.
- IOB to reach out to the Nevada broadband staff to ensure that the two states are not duplicating efforts and to maximize opportunities for the Shoshone-Paiute Tribes.
- The Shoshone-Paiute believes many homes are missing from the FCC mapping fabric.
- IOB encouraged the Tribes to review the Initial Plan (Volumes I and II) and provide input so that the BEAD funding agency can consider it their request.

Shoshone-Bannock Tribes

Summary

Francis Goli, Broadband Manager, explained the Tribes' historical experience with broadband. Back in 2020, Fort Hall Business Council Chairman Lee Juan Tyler brought up the issue of the lack of high-speed internet for the community, and that is when Ms. Goli was asked to do some research and look for possible solutions. First, she looked at the 2.5 GHz frequency option that was open to Tribal Nations. Unfortunately, their Tribal Lands were not eligible because those frequencies had already been assigned to other carriers/cell providers. Then, during the pandemic, the Tribes secured Cares Act funding to build out towers for wireless point-to-multipoint broadband to be used by private ISPs. When the TBCP grants were announced, the

Tribe submitted a successful application and secured \$22,485,260 to construct its own ISP. Ms. Goli stated that the next step is to determine what is feasible and what is not from a deployment standpoint and then to take the necessary steps to ensure that whatever they are building in terms of broadband will last for seven generations. Regarding planning for this network, the Tribes are commissioning a feasibility study to determine the best pathway to service their Tribal Lands with broadband.

The Fort Hall reservation comprises of five districts; three of the five are in remote areas that are difficult to reach. These three districts will be their highest priority for the Tribal ISP service. In doing their outreach for ACP, the Tribe is finding that 20% to 30% of Tribal members are unable to subscribe to any internet service in their area. The Shoshone-Bannock Tribes have decided to create their own ISP (through their TBCP award) and were learning from the long experience of the Coeur d'Alene and Nez Perce Tribes in creating and operating their own successful Tribal ISPs.

There are known infrastructure gaps throughout the far-flung reservation. Fixed wireless is the primary delivery system for broadband around the reservation, and this technology has many service issues. The Tribe plans on applying for BEAD funding. This additional funding would be very important in order to serve their remote Tribal Lands. Because the reservation is so large, they are unique from all the other Idaho tribes.

Key Takeaways

- The Shoshone-Bannock Tribes are dedicated to developing a tribally owned ISP that is designed to serve many generations of Tribal members.
- The large landmass of the Fort Hall reservation will make it challenging and expensive to reach all homes, and the Tribes look forward to BEAD funding to help them in this effort.
- Ramón Hobdey-Sánchez stated that he would escalate discussions with utilities in Idaho better to address pole attachment, make-ready, and permitting issues.

Table 3

Ongoing and Completed Tribal Activities

Completed and Ongoing Tribal Activities			
Completed			
1.	ATNI Midyear Convention 2023	Engage	<p>In early May 2023, the IOB attended the ATNI Midyear Convention hosted by the Coeur d'Alene Tribe in Worley, Idaho. The IOB held an afternoon listening session for the Idaho Tribal Nations, organized by NTIA. The IOB also participated in the two Telecommunications and Technology Committee meetings held later that week.</p> <p>The stakeholder survey was promoted through discussion with participants, and flyers were distributed. Most importantly, the IOB heard firsthand some of the broadband challenges facing Idaho Tribal Nations today.</p>
2.	Outreach to Tribal Nations	Engage	<p>Since September 2022, the IOB's Broadband Program Manager has been actively contacting Idaho's Tribal Nations to begin informal engagement with Tribal broadband champions.</p> <p>Meetings have taken place in person and via video calls and have been an effective introduction to the IOB, explaining the BEAD program and beginning meaningful conversations.</p>
3.	Tribal Consultation and Engagement Meetings	Engage	<p>Held formal consultation with the Kootenai Tribe of Idaho, the Coeur d'Alene Tribe, the Nez Perce Tribe, the Shoshone-Bannock Tribes, and the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation. Conduct two-day meetings on each tribal reservation for this engagement and consultation.</p>
Ongoing			
4.	Other Tribal Outreach	Engage	<p>Attending ATNI Telecommunications Committee meetings at regular ATNI conferences.</p>
5.	Other Tribal Outreach	Engage	<p>Create unique, tribal-specific agendas and questions focused on broadband infrastructure needs, collaboration with ISPs, digital equity, and workforce and digital skills training.</p>

6.	Other Tribal Outreach	Engage	Extended time blocked for the tribes to share and discuss topics identified as important to each.
7.	Other Tribal Outreach	Engage	Moderate quarterly information-sharing sessions for tribal broadband champions and document meetings.

2.3.2.1 Optional Attachment: As a required attachment only if the Eligible Entity encompasses federally recognized Tribes, provide evidence that a formal tribal consultation process was conducted, such as meeting agendas and participation lists.

These items can be found in Appendix C.

2.4 Deployment Subgrantee Selection (Requirement 8)

Include a detailed plan to competitively award subgrants consistent with Section IV.B.7.a of this NOFO with regard to both last-mile broadband deployment projects and other eligible activities. With respect to last-mile broadband deployment projects, the plan must explain how the Eligible Entity will ensure timely deployment of broadband and minimize the BEAD subsidy required to serve consumers consistent with Section IV.B.7 and the other priorities set out in the NOFO. The Initial Proposal must include identification of, or a detailed process for identifying, an Extremely High Cost Per Location Threshold to be utilized during the subgrantee selection process described in Section IV.B.7 of the NOFO. Each Eligible Entity must establish its Extremely High Cost Per Location Threshold in a manner that maximizes use of the best available technology while ensuring that the program can meet the prioritization and scoring requirements set forth in Section IV.B.7.b of the NOFO. NTIA expects Eligible Entities to set the Extremely High Cost Per Location Threshold as high as possible to help ensure that end-to-end fiber projects are deployed wherever feasible.

Deployment Projects Subgrantee Selection Process & Scoring Approach

2.4.1 Text Box: Describe a detailed plan to competitively award subgrants to last-mile broadband deployment projects through a fair, open, and competitive process.

The IOB seeks to invest the funding from NTIA and other sources in last-mile broadband infrastructure to bring affordable broadband service to Idaho residents, businesses, and community anchor institutions. The IOB will execute a Request for Application (RFA) process using a web-based application intake portal developed by the Idaho Department of Commerce.

The IOB will establish a competitive subgrantee selection process for last-mile broadband deployment projects that is fair, open, and equitable through a multi-phase approach. Each step in the process will ensure that adequate protections are in place to protect the integrity of the competition, including protections against collusion, bias, subjective decisions, conflicts of interest, and other factors that may undermine confidence in the process.

These principles are consistent with the Act and enable the IOB to incorporate key public policy objectives into contracts with private partners while increasing choice and competition from service providers.

Fair. The IOB seeks to level the playing field with specific gating and award criteria that are clear and not overly restrictive so that qualified eligible entities of all sizes can participate. To safeguard against bias and collusion, the IOB will ensure fairness with a review and scoring process that is transparent, objective, systematic, grounded in data, and consistent with the Act. The IOB will establish and clearly communicate evaluation criteria, which the IOB will include in the application guidelines (see Section 2.4.2 for further details on scoring and evaluation criteria); and will apply these criteria consistently.

Open. The IOB has developed a process that is open, inclusive, and transparent through a Request for Application process. This process will prevent favoritism and collusion. Any type of ISP or any qualified entity capable of providing internet service in Idaho is welcome to apply including, but not limited to, for-profit entities, public utilities, public utility districts, local governments, non-profit organizations, co-operatives, and public-private partnerships. To encourage responses from a wide variety of potential proposers, the IOB will make materials, resources, and guidance available to prospective applicants with adequate public notice via the Link Up Idaho website and other communications channels.

Competitive. The IOB has devised an application selection process designed to increase the number of applicants to participate in the BEAD grant program while maintaining a level playing field through the following measures.

- Incentivize applicants to collaborate with other providers, local governments, and community organizations.
- Enact reasonable timelines to allow all applicants to construct quality applications.
- Provide all potential applicants with the same information.

The scoring rubric developed follows BEAD guidelines for competitively neutral criteria (covered in Section 2.4.2) and allowing applicants to define project areas using clusters of census blocks as a basic area unit enables both large and small service providers to participate while encouraging the broadest feasible coverage of BSLs (covered in Section 2.4.6).

In addition, submitted applications will be kept confidential until the announcement of awards.

Protections Against Collusion

To safeguard against collusion, bias, conflicts of interest, and arbitrary decisions, IOB will disqualify an application if an applicant or their representative attempts to improperly influence the grant process or collude in any way. The IOB and its partners will ensure that application reviewers do not have any conflicts of interest and will not enter business or actions that result in a conflict of interest.

Idaho Public Records Law

Business records and information provided to the IOB are subject to public disclosure under the Idaho Public Records Law ([Idaho Code §9-337](#) et seq.)⁸ and [Idaho Code § 67-4708](#),⁹ unless specifically exempt from public disclosure. The IOB shall consider any records or information

⁸ <https://legislature.idaho.gov/statutesrules/idstat/title28/t28ch9/sect28-9-337/>

⁹ <https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH47/SECT67-4708/>

exempt from public disclosure as confidential.

The applicant shall declare and identify each individual document it considers confidential and exempt from public disclosure. The applicant shall mark each page of all such documents as “confidential – proprietary information”. The IOB will not accept a legend or statement on one page that all, or substantially all, of a document is exempt from disclosure. The applicant shall also provide the legal basis for each exempt document and provide a brief explanation of the application of the identified legal basis to the corresponding document(s). Applicant shall indemnify and defend the IOB and the State of Idaho against all liability, claims, damages, losses, expenses, actions, attorney fees and suits whatsoever for honoring any designation by the applicant of Confidential Information or for the applicant’s failure to designate individual documents as exempt. An applicant’s failure to designate as exempt any document that is released by the IOB shall constitute a complete waiver of any and all claims for damages caused by any such release. If the IOB receives a request for records claimed exempt by the applicant, the applicant shall provide the legal defense for such claim and pay all expenses incurred by the IOB in connection with such request.

- **2.1 Confidential information shall not include information which:**

- Is or becomes generally available to the public other than as a result of a disclosure by the IOB or any of its directors, officers, employees, agents, counsel, consultants or other representatives, or any other person to whom the IOB discloses such information (whether orally or in writing);
- Was within the IOB’s possession or actual knowledge prior to the information being furnished to the IOB in connection with this Agreement, provided that the source of such information was not bound by a confidentiality agreement with, or similar obligation to, the applicant with respect to such information;
- Becomes available to the IOB on a non-confidential basis from a source other than the applicant, provided that such source is not bound by a confidentiality agreement with, or similar obligation to, the applicant with respect to such information;
- Is independently developed by the IOB under circumstance not involving the applicant’s application and this Agreement without use or reference to any of applicant’s confidential information;
- Is publicly disclosed pursuant to a lawful requirement or request from a governmental agency acting within its jurisdiction; or
- Is otherwise open to public inspection and copying, unless exempt, under the Idaho Public Records Law (Idaho Code §9-337 et seq.), or Idaho Code § 67-4708.

The applicant will be required to affirmatively warrant and represent it has sufficient authority to provide the IOB with confidential information.

Applicant Support

The IOB intends to provide extensive communication, technical assistance, and administrative support to applicants throughout the process to provide guidance to applicants and clarify requirements. The IOB will use its existing communications channels to share current and accurate information regarding key deadlines and milestones for the BEAD program. The IOB’s

outreach processes and technical assistance materials will provide guidance, templates, and information about each of the subgrantee selection process sections discussed below; the How-To-Apply Webinar is discussed in a subsequent section.,

- **3.1 Materials, Website, Email**

The IOB plans to make BEAD application materials available on the Link Up Idaho website simultaneous with opening the application portal. Materials will include Application Guidelines and a frequently asked question (FAQ) document which will be updated periodically to include additional, pertinent questions and answers. The Link Up Idaho website will be updated to direct applicants to third-party resources that may be of use, such as those provided by the NTIA, National Institute of Standards and Technology (NIST), FCC, and others. The IOB will also publish and manage a dedicated email address for applicants and other interested parties to submit questions and request technical assistance.

- **3.2 Technical Assistance**

The IOB will offer technical assistance to applicants throughout the process by holding one-on-one meetings with applicants who have questions or need clarification regarding the process, portal use, project areas, scoring, awards, and other areas.

Applicant Eligibility

Eligible applicants include eligible broadband providers as defined by [Idaho Code § 40-517 \(2022\)](#),¹⁰ incorporated businesses or partnerships, nonprofit organizations, limited liability companies, corporations, cooperative entities that provide broadband services, Idaho local or Tribal governments, or non-traditional providers (e.g., telecommunications provider, electric cooperative).

Subgrantee Selection Process and Estimated Timeline

Once the Challenge process is completed and this document, the Initial Proposal Volume II, is approved by the NTIA, the IOB will commence the subgrantee selection process. Due to time constraints associated with selecting awardees and the development and submission of a Final Proposal within one year of NTIA's approval of Idaho's Initial Proposal, the IOB plans to execute a pre-qualification phase and then award grants in a single round. The IOB reserves the right to add additional funding rounds if necessary to distribute any funds remaining after a single round.

The following table summarizes the proposed subgrantee selection activities and estimated timeline for each. Subsequent sections describe these activities in more detail.

¹⁰ <https://legislature.idaho.gov/statutesrules/idstat/title40/t40ch5/sect40-517/>

Table 4
Subgrantee Selection Activities and Timeline

Subgrantee Selection Estimated Timeline	
Activity	Estimated Time in Calendar Days
Set up letter of intent (LOI) and funding application portal; determine Application Project Areas; develop and distribute communication materials for applicant support	20 days
How-to-Apply webinar	1 day
Pre-Qualification/Letter of Intent Submission Window	30 days following webinar
Letter of Intent Submission Review and Approval	60 days after LOI submission window closes
Funding Application Window	45 days after LOI approvals complete
Application summaries and Application Project Areas posted to Link Up Idaho website	21 days after application window closes
Application Review <ul style="list-style-type: none"> • Compliance and Completeness Review • State Administrative Review • Scoring Committee Review • IBAB Review and Selection 	90-120 days after application window closes
Provisional Subgrantee Award Announcements of BEAD determinations, subject to NTIA approval of the Final Proposal	120-150 days after application window closes
Submit Final Proposal to NTIA	30 days following public comment period on Final Proposal
Notify Applicants	After the Final Proposal has been approved by the NTIA

As noted, the IOB will establish a fair, open, and equitable competitive subgrantee selection process for last-mile broadband deployment projects. This process will ensure that adequate protections are in place to protect the integrity of the competition, including protections against

collusion, bias, subjective decisions, conflicts of interest, and other factors that may undermine confidence in the process outlined above. The IOB will evaluate each LOI and application submitted using the scoring criteria outlined in section 2.4.2.1 of this document.

- **5.1 Definition of Application Project Areas (APA)**

The IOB plans to cluster non-tribal census blocks into Application Project Areas using BSL service data designating unserved and underserved locations as a basis. Census blocks will be clustered such that they include as many unserved, then underserved locations as possible as well as considering the potential for ISPs to apply for funding for each.

Tribal areas will not be clustered. Each tribal area with unserved and/or underserved locations will be considered an APA.

The IOB reserves the right to divide or expand APAs in the interest of incentivizing inclusion of more rural unserved or underserved BSLs. The IOB will publish APAs, their assigned unique identifiers, and associated budgets; a final/challenged/NTIA-approved list of unserved and underserved locations; and a final/challenged/NTIA-approved list of community anchor institutions according to the Subgrantee Selection Estimated Timeline above. Potential applicants will be encouraged to reach out to the IOB to discuss any division or expansion of APAs prior to the Letter of Intent Submission Window opening.

- **5.2 How-to-Apply Webinar**

The IOB will host a How-to-Apply Webinar for potential applicants prior to the pre-qualification/LOI submission window opening. The webinar will provide general instructions, discuss the program's goals and objectives, map out major program milestones, and answer questions. The webinar will be recorded and posted to the Link Up Idaho website for those who cannot attend or need to reference the training.

- **5.3 Pre-Qualification/Letter of Intent Submission Window**

The IOB will conduct a pre-qualification/LOI phase prior to the application phase/funding round. LOI submissions will include initial information demonstrating an applicant's financial, managerial, operational, and technical capabilities, as well as their compliance with required standards and laws. The results of the evaluation of LOI submissions will determine eligibility for submitting an application for funding.

The following information will be required in an LOI submission, based on the current BEAD requirements:

- EHP and BABA compliance (2.4.5)
- Financial capability (2.4.11)
- Managerial capability (2.4.12)
- Technical capability (2.4.13)
- Compliance with applicable law (2.4.14)
- Operational capability (2.4.15)
- Information on ownership (2.4.16)

- Information on other public funding (2.4.17)
- Labor standards and protection (2.7.1 and 2.7.2)
- Certification of Nondiscrimination and Civil Rights (2.16.3)
- Certification of compliance with BEAD requirements – cybersecurity and supply chain risk management (2.16.4)
- Letter of intent for number of project areas the applicant is planning to apply for on company letterhead
- Additional qualification requirements as directed by the NTIA

Applicants that do not submit all required and complete documents initially will be given seven calendar days from notification to resubmit after which they may be disqualified from applying for funding. The IOB reserves the right to ask for additional information to verify the eligibility of the applicant.

- **5.4 Letter of Intent Submission Review and Approval**

The IOB will evaluate LOI submissions and determine which applicants are eligible to apply for BEAD funding based on the defined criteria. If an applicant is deemed eligible for applying for funding, scores from the LOI evaluation will be included in the evaluation and scoring of each of the applicant's funding applications.

The IOB will accept LOI submissions for 30 days after project areas have been defined and published. No information in the LOI submissions will be publicly posted on the Link Up Idaho website. Applicants must appropriately label confidential information to ensure this information will not be subject to public disclosure. The IOB will publish a list of approved applicants on the Link Up Idaho website and also announce the results via a press release.

The IOB reserves the right to disqualify any approved applicant who was deemed qualified in the pre-qualification LOI phase at any time during the evaluation process.

The following details the criteria for approval for applying for funding:

- **5.4.1 Environmental and Historic Preservation and Build America, Buy America Act Compliance (see Section 2.4.5)**
 - Certification that the applicant has no history of failure to comply with environmental and historic preservation and [Build America, Buy America Act](#) (BABA)¹¹ requirements, and intents to fully comply in the future.
- **5.4.2 Financial Capability (see Section 2.4.11)**
 - Certification that the organization has the necessary financial qualifications, capabilities, and resources to successfully participate in the program.
 - Certification that the applicant is aware of and understands the letter of credit obligations and processes for the BEAD Program, including the

¹¹ <https://www.whitehouse.gov/omb/management/made-in-america/build-america-buy-america-act-federal-financial-assistance/>

programmatic waiver modifying the letter of credit requirement for subgrantees issued by the NTIA on November 1, 2023, and that the applicant has the qualifications and resources to obtain the required letter of commitment and letter of credit to meet BEAD requirements.

- Audited financial statements from the two prior fiscal years by an independent certified public accountant.
- If the applicant has not been audited during the normal course of business, in lieu of submitting audited financial statements, it must submit unaudited financial statements from the prior fiscal year and certify that it will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant by a deadline specified by the IOB.
- A statement signed by an executive with the authority to bind the company's financial qualifications.
- Business plans and related analyses that substantiate the sustainability of the proposed project.
- **5.4.3 Managerial Capability (see Section 2.4.12)**
 - Current resumes of key management personnel and a narrative description of their expected roles in a BEAD funded project.
 - An organizational chart and a narrative detailing the applicant's processes and structure to manage large projects.
 - Narrative description of the applicant's background and experience managing broadband infrastructure projects of comparable size and scope and under similar circumstances; the applicant's resources and readiness to fulfill proposed project requirements; and the organization's plans regarding independent contractors, consultants, and subcontractors.
- **5.4.4 Technical Capability (see Section 2.4.13)**
 - Certification that the applicant is technically qualified to complete and operate the proposed project and that applicant can implement the funded activities in a competent manner, including that they will use an appropriately skilled and credentialed workforce.
 - Certification that the applicant has the processes and resources in place to employ an appropriately skilled and credentialed workforce and that key team members are current on all required credential renewals.
 - Certification that if the applicant chooses to contract resources, all contracted resources will have the relevant and necessary skills.
 - List of business and technical certifications and licenses that will be relevant to BEAD participation that the applicant holds nationally and in Idaho.

- Narrative description of technical experience designing and constructing broadband infrastructure of similar size and scope and experience operating the network to offer last.
- **5.4.5 Legal Compliance (see Section 2.4.14)**
 - Notarized certification attesting to the organization’s awareness of federal and State laws applicable to BEAD projects, current compliance with all relevant laws, and description of any violations, current or pending investigations, and current or pending legal actions.
 - Narrative description of processes in place to conduct BEAD-funded activities in full compliance with federal or State laws, including descriptions and documentation of procurement practices.
 - Documentation of the applicant’s policies and practices regarding compliance with health and safety laws and regulations.
- **5.4.6 Operational Capability (see Section 2.4.15)**
 - Certification that applicant has provided a voice, broadband, and/or electric transmission or distribution service for at least two consecutive years or that they are a wholly owned subsidiary of such an entity and attest to and specify the number of years the applicant or its parent company has been operating.
 - If applicable, details on the applicant’s voice and broadband service operations in Idaho and other states
 - If the applicant has provided a voice and/or broadband service, certification that the applicant has filed FCC Form 477s and Broadband DATA Act submissions, if applicable, as required during current reporting period, and otherwise has complied with FCC requirements.
 - If the applicant has not provided broadband service and has operated only an electric transmission or distribution service, the applicant will be asked to submit qualified operating or financial reports, that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.
- **5.4.7 Ownership Information (see Section 2.4.16)**
 - Documentation on ownership structure and shareholder interests, consistent with federal regulations set forth in 47 C.F.R. § 1.2112(a)(1)-(7).
- **5.4.8 Other Public Funding (see Section 2.4.17)**
 - A list of applications the applicant submitted or plans to submit related to federal or State broadband funding, and every broadband deployment project that the applicant or its affiliates are undertaking or have committed to undertake at the time of the application using public funds.

- **5.4.9 Labor Standards and Protection (see Section 2.7 and 2.4.14)**
 - Certification from an Officer/Director-level employee, or an equivalent, of consistent past compliance with federal labor and employment laws on broadband deployment projects in the last three years, including:
 - Certification that the applicant, as well as its contractors and subcontractors have not violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years; or
 - Disclosure of any findings of such violations.
 - Certification that the applicant has existing labor and employment practices in place and that the applicant will recertify this annually for the duration of the BEAD implementation period, including:
 - Applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the network.
 - Certification that the applicant will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects and that the applicant will recertify this annually for the duration of the BEAD implementation period.
 - Certification that the applicant will ensure that all contractors and subcontractors also meet these requirements.
 - Provide project employment and local impact reports where applicant does not certify using Davis-Bacon wages.
 - The anticipated size of the workforce required to perform the proposed work, including details on whether full or part-time staff will be used for proposed project.
 - Discussion of the applicant's current and planned future approach to project labor agreements.
- **5.4.10 Certification of Nondiscrimination and Civil Rights (see Section 2.16.3)**
 - Certification of compliance with Title VI of the Civil Rights Act, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and any other applicable non-discrimination law(s).
- **5.4.11 Cybersecurity and Supply Chain Risk Management (see Section 2.16.4)**

▪ **5.4.11.1 Cybersecurity Compliance**

- Certification that the applicant has a cybersecurity risk management plan in place that is either: (a) operational, if the applicant is providing service prior to the award of the grant; or (b) ready to be operationalized upon providing service, if the applicant is not yet providing service prior to the grant award.
 - Certification that the applicant's cybersecurity plan reflects the latest version of the NIST Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls that applicant will implement.
- Certification that the applicant's cybersecurity plan will be reevaluated and updated on an annual basis which is in line with industry best practices.
- Certification that the applicant will submit a cybersecurity plan to the IOB following execution of grant agreement, and if the applicant makes any substantive changes to the plan, the applicant will submit an updated version to the IOB within 30 days.

▪ **5.4.11.2 Supply Chain Compliance**

- Certification that the applicant has a supply chain risk management plan in place that is either: (a) operational, if the applicant is already providing service at the time of the grant; or (b) ready to be operationalized, if the applicant is not yet providing service at the time of grant award.
 - Certification that the applicant's supply chain risk management plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management (SCRM): Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented.
- Certification that the applicant's SCRM plan will be reevaluated and updated on an annual basis which is in line with industry best practices.
- Certification that the applicant will submit SCRM plan to the IOB prior to the allocation of funds, and if the applicant makes any substantive changes to the plan, the applicant will submit an updated version to the IOB within 30 days.

- **5.5 Funding Application Window**

Once eligible applications are selected and notified, the IOB will open the funding application window. The IOB will provide technical assistance to applicants during this time providing individual guidance in meetings and scheduling published office hours. The IOB will also update the FAQ with pertinent questions and answers.

Applicants will use the same web-based portal for application submissions as they used for LOI submissions. The IOB will use the approved scoring criteria to evaluate and select awardees.

- **5.6 Application Summaries and APAs Posted to Link Up Idaho Website**

The IOB will post summaries of submitted applications and the associated APAs on the Link Up Idaho website. The IOB will redact any personal identifiable information and/or confidential, proprietary information submitted by the applicant prior to publication.

- **5.7 Application Review**

After confirming reviewers have no conflict of interest, the IOB and its designees will conduct the following review process for each application. This process will include a comprehensive review of all submitted materials, including an evaluation of project feasibility, compliance with program requirements, and alignment with strategic priorities.

Each applicant must provide sufficient evidence to demonstrate that it can implement the proposed project in a competent manner, including by demonstrating that the applicant has the financial, technical, and operational capability to operate the resulting broadband network.

- Compliance and Completeness Review
- State Administrative Review
- Committee Scoring Review
- IBAB Review and Selection

This process will include a comprehensive review of all submitted materials, including an evaluation of project feasibility, compliance with program requirements, and alignment with strategic priorities. As noted previously, scoring elements from the LOI evaluation of a particular entity will be incorporated into the score for each application submitted by that entity.

- **5.7.1 Conflict of Interest and Ethical Considerations During Application Review**

A conflict of interest or the appearance of a conflict of interest may occur if a reviewer is directly or indirectly involved with an organization that has submitted a grant application for evaluation. Prior to evaluating any grant applications, application reviewers will be required to inform the IOB of any potential conflicts of interest or the appearance thereof. If a reviewer becomes aware of any potential conflict of interest during grant application review, they will be required to immediately notify the IOB and may be disqualified. This includes conducting oneself in such a way that could create the appearance of bias or unfair advantage with or on behalf of any grant application, potential grantee, agent, subcontractor, or other business entity, whether through direct association with contractor representatives, indirect associations, through recreational activities or otherwise.

Examples of potentially biasing affiliations or relationships are listed below:

- Solicitation, acceptance, or agreement to accept from anyone any benefit, pecuniary or otherwise, as consideration for your decision or recommendation as it pertains to your evaluation of any grant application.
- Affiliation with a grant applicant. For example, a conflict may exist when a reviewer:
 - is employed by or are being considered for employment with the company or institution submitting any grant application or hold a consulting, advisory, or other similar position with said company or institution.
 - holds any current membership on a committee, board, or similar position with the company or institution.
 - holds ownership of the company or institution, securities, or other evidence of debt.
 - Is currently a student or employee in the department or school submitting a grant application, such as the case.
- A reviewer's relationship with someone who has a personal interest in the grant application. This includes any affiliation or relationship by marriage or through family membership, any business or professional partnership, close personal friendship, or any other relationship that might tend to affect objectivity or judgment or may give an appearance of impropriety to someone viewing the relationship from the outside.

To ensure against risks of bias, collusion, conflict of interest, self-dealing, and arbitrary decisions, the IOB will ensure that reviewers are also financially independent of all applicants. Each reviewer will be required to verify that they have no employment, contract, or other business relationship with any applicant or any affiliate or subsidiary of any applicant.

The IOB will disqualify an application if applicants or any of their representatives attempt to inappropriately influence the grant process or collude in any material way. All reviewers will be required to sign attestation of no conflict of interest.

- **5.7.2 Compliance and Completeness Review**

The IOB will conduct a Compliance and Completeness review to determine that applicants have submitted all the necessary information for review as defined in the scoring criteria. In the event reviewers deem a submission incomplete, non-compliant, or unclear, the IOB may choose to provide up to ten (10) business days for applicants to cure their submission. The IOB will send curing requests via email and allow modifications to the application in the portal.

The IOB will require responses to scoring criteria as well as information required for Workforce Readiness; Minority Enterprise, Women Business Enterprise and Labor Surplus Area Firm Participation; Natural Hazard Risk Mitigation, Low-Cost Service Option, and Middle-Class Service Plan as well as additional Technical Capability items as follows.

- **5.7.3 Workforce Readiness (see Section 2.8)**
 - A plan to ensure that the project workforce will be appropriately skilled and credentialed, including discussion of the applicant's current and

planned future practices regarding training, certification, and licensure.

- Details on the applicant’s labor practices, including workforce union status, current and planned future practices regarding using a directly employed or subcontracted workforce.
 - For non-union staff, additional details on job titles, size of workforce, and descriptions of training, certification, and/or licensure requirements.
 - Discussion of the applicant’s workforce development efforts including recruiting/training partnerships, local/regional hiring practices, efforts to diversify talent pipelines, employee engagement, workforce training, wraparound services, and employee support, etc.
- **5.7.4 Minority Business Enterprise (MBE), Women Business Enterprise (WBE) and Labor Surplus Area (LSA) Firm Participation (see Section 2.9)**
 - Discussion of the applicant’s efforts to recruit and retain MBEs, WBEs, and LSA firms to promote participation in the BEAD-funded project.
 - **5.7.5 Natural Hazard Risk Mitigation (see Section 2.11)**
 - Details on the applicant’s current and future planned natural hazard risk mitigation approach to broadband deployment, and any relevant experience implementing natural hazard risk mitigation measures.
 - Discussion of the applicant’s assessment of climate risks in the specific area(s) in which they plan to propose deploying broadband, as well as any specific mitigation strategies they would employ in such areas.
 - **5.7.6 Low-Cost Service Option (see Section 2.12)**
 - Confirmation that the applicant understands and will comply with IOB’s Low-Cost Service Option requirements.
 - Certification that the applicant currently participates in the ACP or will begin participating prior to beginning to offer services over BEAD-funded infrastructure.
 - **5.7.7 Middle-Class Service Plan (see Section 2.13)**
 - Details on how the applicant intends to provide high-quality broadband service to middle-class households at reasonable prices.

- **5.8 State Administrative and Technical Review**

The IOB’s State Administrative Review team will consist of Idaho Department of Commerce staff and, if needed, contracted support. The State Administrative and Technical Review team will review the submitted project network design, project costs and APA. Applicants will be required to submit a separate application for each APA. The IOB may request clarifications and if so, applicants will have five business days to submit a response. Applicants whose supporting documents are not complete, accurate, and timely submitted or that do not adequately substantiate the representations in their applications may be deemed non-responsive by the IOB.

Technical reviewers will examine the application's Technical Capability as described in the following section, assessing feasibility and reasonableness based on industry standards for the proposed technology. They will also evaluate the applicant's ability to execute the project within the submitted timeline considering items such as the plan and timing of environmental reviews, the plan for obtaining necessary permits, and infrastructure construction plans. The network design must be able to provide service to all individual locations within an APA.

The IOB will publish which APAs received applications on a publicly-available map or by other means. The IOB will identify which APAs received more than one application those that did not receive any.

- **5.8.1 Technical Capability (see Section 2.4.13)**
 - Submission of a network design diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule showing complete build-out and the initiation of service within four years of the date on which the applicant is under contract.
 - Certification by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the proposed project.
 - Descriptions of workforce training and certification programs that applicant depends on, or expect to depend on, to support a continued commitment to a highly skilled and trained workforce.

Scoring Committee Review

This Scoring Committee will be determined by the IBAB. It may comprise of staff in the Idaho Department of Commerce and potentially staff from other agencies such as the Idaho State Board of Education, Idaho Commission for Libraries, Idaho Transportation Department, Idaho Office of Information Technology, and/or others as deemed appropriate by the IBAB. The Scoring Committee will score applications and select awardees according to the NTIA-approved scoring criteria.

Applicants must submit proposals to provide service to all individual locations within the APA outlined above. Includes id of census block cluster applying for. Identify locations within the cluster with cost per location above what the ISP can handle.

IBAB Review and Selection

The IOB will submit a list of the recommended awardees the IBAB for review and approval.

Provisional Subgrantee Award Announcements of BEAD determinations, subject to NTIA approval of the Final Proposal

The IOB will notify the approved applicants of a provisional subgrant award and will notify unsuccessful applicants of the status of their application(s), subject to NTIA's review and approval of Idaho's Final Proposal. Applicants will have the opportunity to request a debrief within ten days of notification.

Prepare and Submit Final Proposal to NTIA

The IOB will then prepare and submit Idaho's Final Proposal to the NTIA based on the IBAB-approved awards.

Final Subgrantee Award Announcements

Once the Final Proposal has been approved, the IOB will notify applicants of the status of their application(s).

2.4.2 Text Box: Describe how the prioritization and scoring process will be conducted and is consistent with the BEAD NOFO requirements on pages 42 – 46.

Selection Criteria for Priority Broadband Deployment Projects

Projects that use end-to-end fiber-optic facilities to provision services to all end-user premises in an APA are defined as a Priority Broadband Project.¹² ***If the application does not provision services to all locations with end-to-end fiber-optic facilities, it will be categorized as "Other Last-Mile Broadband Projects" for scoring.***

The IOB will use the following scoring criteria and weights to evaluate priority broadband project applications received from eligible applicants. The maximum points an application can receive is 100 points. The evaluation criteria are broken down into primary and secondary categories with a maximum of 75 points for primary criteria and 25 points for secondary criteria for a total of 100 points. Each category consists of multiple items to be evaluated and scored based on the consideration factors under each area.

Primary Criteria – Maximum 75 Points; Weight 75%

- ***Minimal BEAD Program Outlay – Maximum 50 Points; Weight 50%***

The scoring for this section has two components:

1. Matching funds percentage (15%)
2. Average cost per location (CPL) in proposed project area (35%)

Matching Funds Maximum 15 Points; Weight 15%

Description: The total BEAD funding that will be required to complete the project, accounting for both total projected cost and the prospective subgrantee's proposed match (which must, absent a waiver, cover no less than 25% of the project cost), with the specific benefits awarded increasing as the BEAD outlay decreases.

Scoring: IOB will score applications based on meeting the minimum match threshold of 25% and then the incremental match beyond 25%. Each additional match percentage equates to .2 match points. For example, if an applicant proposes 75% match for the proposed project service areas, the application will receive 10 points, determined using the formula below:

¹² The BEAD NOFO defines "Priority Broadband Projects" as: "a project that will provision service via end-to-end fiber-optic facilities to each end-user premises. An Eligible Entity may disqualify any project that might otherwise qualify as a Priority Broadband Project from Priority Broadband Project status, with the approval of the Assistant Secretary, on the basis that the location surpasses the Eligible Entity's Extremely High Cost Per Location Threshold (as described in Section IV.B.7 in the NOFO), or for other valid reasons subject to approval by the Assistant Secretary." See page 14.

(Application Match Percentage - 25) * .2 = Match Points

(75-25) * .2 = 10 Points

Average Cost Per Location Maximum 35 Points; Weight 35%

Description: If more than one application is received for an APA, points will be allocated based on a comparison to the lowest average CPL (after match) received. If only one application is received for an APA, the maximum points will be allocated.

Maximum points available in this section * (Lowest Avg CPL in Project Area / Application CPL in Project Area) = Application Points

For example, if three applications are received for the same APA and the CPL after match are \$2,500, \$4,000, and \$4,500, the lowest CPL (\$2,500) will receive maximum points of 35 in this section. The \$4,000 CPL application will receive 22 points and the \$4,500 CPL application will receive 19 points. If this process results in a negative score in this category, the application will receive a score of zero. The points calculated will be rounded to the nearest whole number.

Max points available in this section * (Lowest Avg CPL in Project Area / Application CPL in Project Area) = Application Points

35 * (2500/2500) = 35 Points

35 * (2500/4000) = 22 Points

35 * (2500/4500) = 19 Points

Affordability – Maximum 15 Points; Weight 15%

The prospective subgrantee’s commitment to provide the most affordable total price to the customer for 1 Gbps/1 Gbps service in the project area. Applications will earn points in this section by demonstrating a commitment in their pricing practices to serve all Idahoans, regardless of income level.

Description: The application’s commitment to provide 1Gbps/1Gbps symmetrical services within the APA at an affordable price for subscribers.

Scoring: The application will receive 15 points under this section if the cost of the 1 Gbps symmetrical service package is less than \$70.00 per month, including all taxes, fees, and any other charges. The following points will be allocated based on proposed monthly service costs.

Table 5

Monthly Service Cost 1Gbps/1Gbps Priority Broadband Projects

Monthly Service Cost 1Gbps/1Gbps	Points
<\$70.00	15
\$80.00 - \$89.99	10
\$90.00 - \$99.99	5
\$100.00 - \$109.99	2.5

>\$109.99	0
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The IOB will require applications for Priority Broadband Projects to adhere to the following requirements:

1. Commit to a pricing schedule for eight years, subject to inflation adjustments;
 2. This price may be indexed to the CPI, as outlined by the U.S. Bureau of Labor Statistics, but shall not exceed an increase four percent annually;
 3. The service costs must be inclusive of all taxes, fees, and charges, with no additional non-recurring costs or fees to the consumer (i.e., no installation or equipment costs)
 4. Provide latency of less than 100 milliseconds;
 5. Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere; and
 6. If the applicant later offers a lower cost plan and/or a plan with higher speeds at the same price, it will permit subscribers who are subscribed to the service option to upgrade to the new offering at no additional cost.
- **Fair Labor Practices – Maximum 10 Points; Weight 10%**

Description: Applications must include a narrative demonstrating a record of and plans to follow federal labor and employment laws. Applicants who do not have a record of compliance with labor and employment laws can make forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects. For additional information on this scoring section, please see Section 2.7.1.

Scoring: The IOB will assess and score narrative responses under this category. Applications that provide the required information and certify compliance with existing labor requirements outlined in the BEAD Notice of Funding Opportunity (NOFO) will receive ten points in this category. Applications will receive points based on the information submitted for each element of the fair labor category. Applications that provide no response will receive zero points in this category.

Table 6

Fair Labor Requirements Priority Broadband Projects

Fair Labor Requirement	Maximum Points
<p>Applicant submits Certification of Compliance attesting to past compliance with relevant labor laws.</p> <p>New entrants without a record of labor and employment law compliance will be allowed to mitigate this certification by providing forward-looking commitments to strong labor and employment standards and protections.</p>	5

Fair Labor Requirement	Maximum Points
Application demonstrates record of and will be compliant with federal labor and employment laws	1
Application includes disclosure of any violations of labor and employment laws. If the applicant does not have any violations, the application will need to state as such to receive this point	1
Application includes disclosure of contractor and/or subcontractor of any violations of labor and employment laws. If the applicant does not have any violations, the applicant will need to state this to receive point	1
Application includes information about wage scales and overtime payment practices for each classification of employees involved in the broadband deployment project	1
Applicant defines how they will currently implement or will implement a workplace safety committee	1

Secondary Criteria – Maximum 25 Points; Weight 25%

- **Speed to Deployment – Maximum 5 Points; Weight 5%**

Description: All applicants that receive BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each subscriber that desires broadband services within the APA not later than four years after the date on which the subgrantee receives the award from the IOB.

Scoring: The IOB will score committed speed to deployment according to the table below. This scale is designed to minimize the difference of scores given the uncertainty surrounding broadband supply chain and workforce development along with the deadlines needed for compliance with federal regulatory requirements under the BEAD Program. Applications must include justification for the proposed timeline, including efforts to mitigate delays, shortages, and constraints in supply chains, rights of way established, tribal consent received, make ready work completion, workforce development, federal requirements imposed by the BEAD program, and permitting associated with broadband network construction.

Table 7

Deployment Schedule Commitment Priority Broadband Projects

Deployment Schedule Commitment	Points
< 24 months	5
24 - 35 months	4
36 - 41 months	3
42 - 47 months	2
= 48 months	0

- **Speed of Network and Other Technical Capabilities – Maximum 5 Points; Weight 5%**

Description: Applications proposing to use technologies that exhibit greater ease of scalability with lower future investment for priority projects will receive more points.

Scoring: Applications will receive up to five (5) points based the maximum speed of the priority broadband project.

Table 8

Speed of Network Points Priority Broadband Projects

Speeds	Points
Up to 10 Gbps upload and 10 Gbps download or greater	5
Up to 2.5 Gbps upload and 10 Gbps download	4
Up to 1 Gbps upload and 2.5 Gbps download	2
Up to 1 Gbps upload and download	1

- **Open Access Network – Maximum 7.5 Points; Weight 7.5%**

Description: The BEAD Program encourages selection criteria promoting subgrantees’ provision of open access to last-mile broadband service providers for the life of the subsidized networks on fair, equal, and neutral terms to all potential retail providers.

Open access network refers to an arrangement in which the subgrantee offers nondiscriminatory access to and use of its network on a wholesale basis to other providers seeking to provide broadband service to end-user locations at just and reasonable wholesale rates for the useful life of the subsidized network assets. For this purpose, “just and reasonable wholesale rates” means rates that include a discount from the provider’s retail rates reflecting the costs that the subgrantee avoids by virtue of not providing retail service to the end user location (including, for example, marketing, billing, and collection-related costs).

Scoring: Recipients that commit to offering wholesale broadband services at reasonable and

nondiscriminatory rates and terms for the useful life of the network assets will receive points as defined below.

Table 9
Open Access Priority Broadband Projects

Open Access Network Details	Points
Details Regarding Open Access Network Policy	3
Clear Description of Wholesale Services and Rates	3
Identification Of Retail ISP Partners And Status of Contract Negotiations (E.G., MOU, Signed Commitment, etc.)	1.5

- **Local and Tribal Coordination – Maximum 5 Points; Weight 5%**

The BEAD program encourages selection criteria reflecting the support from local and tribal governments with APA locations within their authority.

Description: This local and tribal coordination enables tribes, counties, towns, and cities to support a preferred service provider for their area.

Scoring: Applications will receive five points based on the information submitted (agenda, acknowledgment letter, etc.) for a consultation meeting that was held with local and/or tribal governments. The IOB will attempt to reach out to the local or tribal entity to verify the submission. If, after at least three attempts have been made to contact the local or tribal government, no points will be awarded.

- **Equitable Workforce Development and Job Quality – Maximum 2.5 Points; Weight 2.5%**

Description: Applications must demonstrate a commitment to making appropriate investments to develop a skilled, diverse workforce to fill the necessary jobs to meet the infrastructure buildout timelines submitted in the application.

Scoring:

The IOB will assess and score narrative responses under this category. Applications will receive points based on the information submitted for each element of Section 2.7.2.

Table 10

Equitable Workforce Development and Job Quality Priority Broadband Projects

Element Description	Points
Using a directly employed workforce, as opposed to a subcontracted workforce. Or Paying wages defined by federal prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements.	.5
Use of Idaho workforce including residents that are a direct hire or workers of a contractor or subcontractors	1
Use of an appropriately skilled workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure).	1

Selection Criteria for Other Last-Mile Broadband Deployment Projects

Applications that do not use end-to-end fiber-optic facilities to provide services to all an APA's end-user premises are defined as an Other Last-Mile Broadband Deployment Project.¹³ The sections below will detail the scoring criteria for applications received that meet this criterion.

The IOB will use the following scoring criteria and weights to evaluate non-priority, other last-mile broadband project applications received from eligible applicants. The maximum points an application can receive is 100 points. The evaluation criteria are broken down into primary and secondary categories, with a maximum of 75 points for primary and 25 points for secondary criteria for 100 points. Each category consists of multiple items to be evaluated and scored based on the consideration factors under each area.

Primary Criteria – Maximum 75 Points; Weight 75%

- ***Minimal BEAD Program Outlay – Maximum 50 Points; Weight 50%***

The scoring for this section has two components:

1. Matching funds percentage (15%)
2. Average cost per location (CPL) in the proposed project area (35%)

Matching Funds Maximum 15 Points; Weight 15%

Description: The total BEAD funding that will be required to complete the project, accounting for both total projected cost and the prospective subgrantee's proposed match (which must, absent a waiver, cover no less than 25% of the project cost), with the specific benefits awarded increasing as the BEAD outlay decreases.

¹³ The BEAD NOFO describes "Other Last-mile Broadband Projects" as "locations or sets of locations for which the Eligible Entity did not receive a proposal to deploy a Priority Broadband Project..." See page 44.

Scoring: IOB will score applications based on meeting the minimum match threshold of 25% and then the incremental match beyond 25%. Each additional match percentage equates to .2 match points. For example, if an applicant proposes 75% match for the proposed project service areas, the application will receive 10 points, determined using the formula below:

$$(\text{Application Match Percentage} - 25) * .2 = \text{Match Points}$$

$$(75-25) * .2 = 10 \text{ Points}$$

Average Cost Per Location Maximum 35 Points; Weight 35%

Description: If more than one application is received for an APA, points will be allocated based on a comparison to the lowest average CPL (after match) received. If only one application is received for an APA, the maximum points will be allocated.

Maximum points available in this section * (Lowest Avg CPL in Project Area / Application CPL in Project Area) = Application Points

For example, if three applications are received for the same APA and the CPL after match are \$2,500, \$4,000, and \$4,500, the lowest CPL (\$2,500) will receive maximum points of 35 in this section. The \$4,000 CPL application will receive 22 points and the \$4,500 CPL application will receive 19 points. If this process results in a negative score in this category, the application will receive a score of zero. The points calculated will be rounded to the nearest whole number.

Max points available in this section * (Lowest Avg CPL in Project Area / Application CPL in Project Area) = Application Points

$$35 * (2500/2500) = 35 \text{ Points}$$

$$35 * (2500/4000) = 22 \text{ Points}$$

$$35 * (2500/4500) = 19 \text{ Points}$$

- **Affordability – Maximum 15 Points; Weight 15%**

The prospective subgrantee’s commitment is to provide the customer the most affordable total price for 100/20 Mbps in the APA. Applications will earn points in this section by demonstrating a commitment in their pricing practices to serve all Idahoans, regardless of income level.

Description: The application's commitment to provide 100/20 Mbps within the APA at an affordable price for subscribers.

Scoring: The application will receive the maximum points if the proposed 100/20 Mbps service package costs less than \$50 per month, including all taxes, fees, and charges charged to the subscriber. The following table lists points for 100/20 Mbps service at \$50 or more per month or greater, including all taxes, fees, and charges to the subscriber.

Table 11

Monthly Service Cost 100/20 Mbps Other Last-Mile Broadband Deployment Projects

Monthly Service Cost 100/20 Mbps	Points
<\$50.00	15
\$50.00 - \$59.99	10
\$60.00 - \$69.99	5
\$70.00 - \$74.99	2.5
>\$74.99	0

The IOB will require applicants of both Priority Broadband Projects and Other Last-Mile Broadband Projects to adhere to the following requirements:

1. Commit to a pricing schedule for eight years, subject to inflation adjustments;
2. This price may be indexed to the CPI, as outlined by the U.S. Bureau of Labor Statistics, but shall not exceed an increase of four percent annually;
3. The service costs must be inclusive of all taxes, fees, and charges, with no additional non-recurring costs or fees to the consumer (i.e., no installation or equipment costs);
4. Provide typical latency measurements of no more than 100 milliseconds;
5. Is not subject to data caps, surcharges, or usage-based throttling and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere; and
6. If the applicant later offers a lower cost plan and/or a plan with higher speeds at the same price, it will permit subscribers who are subscribed to the service option to upgrade to the new offering at no additional cost.

- **Fair Labor Practices – Maximum 10 Points; Weight 10%**

Description: Applications must include a narrative demonstrating a record of and plans to follow federal labor and employment laws. Applicants who do not have a record of compliance with labor and employment laws can make forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects. For additional information on this scoring section, please see Section 2.7.1.

Scoring: The IOB will assess and score narrative responses under this category. Applications that provide the required information and certify compliance with existing labor requirements outlined in the BEAD Notice of Funding Opportunity (NOFO) will receive ten points in this category. Applications will receive points based on the information submitted for each element of the fair labor category. Applications that provide no response will receive zero points in this category.

Table 12

Fair Labor Requirements Priority Broadband Projects

Fair Labor Requirement	Maximum Points
Applicant submits Certification of Compliance attesting to past compliance with relevant labor laws. New entrants without a record of labor and employment law compliance will be allowed to mitigate this certification by providing forward-looking commitments to strong labor and employment standards and protections.	5
Application demonstrates record of and will be compliant with federal labor and employment laws	1
Application includes disclosure of any violations of labor and employment laws. If the applicant does not have any violations, the application will need to state as such to receive this point	1
Application includes disclosure of contractor and/or subcontractor of any violations of labor and employment laws. If the applicant does not have any violations, the applicant will need to state this to receive point	1
Application includes information about wage scales and overtime payment practices for each classification of employees involved in the broadband deployment project	1
Applicant defines how they will currently implement or will implement a workplace safety committee	1

- ***Speed to Deployment – Maximum 5 Points; Weight 5%***

Description: All applicants that receive BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each subscriber that desires broadband services within the APA not later than four years after the date on which the subgrantee receives the award from the IOB.

Scoring: The IOB will score committed speed to deployment according to the table below. This scale is designed to minimize the difference of scores given the uncertainty surrounding broadband supply chain and workforce development along with the deadlines needed for compliance with federal regulatory requirements under the BEAD Program. Applications must include justification for the proposed timeline, including efforts to mitigate delays, shortages, and constraints in supply chains, rights of way established, tribal consent received, make ready work completion, workforce development, federal requirements imposed by the BEAD program, and permitting associated with broadband network construction.

Table 13

Deployment Schedule Commitment Priority Broadband Projects

Deployment Schedule Commitment	Points
< 24 months	5
24 - 35 months	4
36 - 41 months	3
42 - 47 months	2
= 48 months	0

- **Speed of Network and Other Technical Capabilities – Maximum 5 Points; Weight 5%**

Description: Applications proposing to use technologies that exhibit greater ease of scalability with lower future investment for non-priority projects.

Scoring: Applications will receive up to five points based the technology proposed for the project according to the table below.

Table 14

Technology Investment Other Last-Mile Broadband Deployment Projects

Technology Investment	Points
Hybrid fiber coaxial (HFC) DOCSIS 4.0	5
Hybrid fiber coaxial (HFC) DOCSIS 3.1	4
Wireless using licensed spectrum	3
Other technologies approved by IBAB	1-2

- **Open Access Network – Maximum 7.5 Points; Weight 7.5%**

Description: The BEAD Program encourages selection criteria promoting subgrantees’ provision of open access to last-mile broadband service providers for the life of the subsidized networks, on fair, equal, and neutral terms to all potential retail providers.

Open access network refers to an arrangement in which the subgrantee offers nondiscriminatory access to and use of its network on a wholesale basis to other providers seeking to provide broadband service to end-user locations, at just and reasonable wholesale rates for the useful life of the subsidized network assets. For this purpose, “just and reasonable wholesale rates” means rates that include a discount from the provider’s retail rates reflecting the costs that the subgrantee avoids by virtue of not providing retail service to the end user location (including, for example, marketing, billing, and collection-related costs).

Scoring: Recipients that commit to offering wholesale broadband services at reasonable and nondiscriminatory rates and terms for the useful life of the network assets will receive points as defined below.

Table 15
Open Access Priority Broadband Projects

Open Access Network Details	Points
Details Regarding Open Access Network Policy	3
Clear Description of Wholesale Services and Rates	3
Identification Of Retail ISP Partners And Status of Contract Negotiations (E.G., MOU, Signed Commitment, etc.)	1.5

- **Local and Tribal Coordination – Maximum 5 Points; Weight 5%**

The BEAD program encourages selection criteria reflecting the support from local and tribal governments with APA locations within their authority.

Description: This local and tribal coordination enables tribes, counties, towns, and cities to support a preferred service provider for their area.

Scoring: Applications will receive five points based on the information submitted (agenda, acknowledgment letter, etc.) for a consultation meeting that was held with local and/or tribal governments. The IOB will attempt to reach out to the local or tribal entity to verify the submission. If, after at least three attempts have been made to contact the local or tribal government, no points will be awarded.

- **Equitable Workforce Development and Job Quality – Maximum 2.5 Points; Weight 2.5%**

Description: Applications must demonstrate a commitment to making appropriate investments to develop a skilled, diverse workforce to fill the necessary jobs to meet the infrastructure buildout timelines submitted in the application.

Scoring:

The IOB will assess and score narrative responses under this category. Applications will receive points based on the information submitted for each element of Section 2.7.2.

Table 16

Equitable Workforce Development and Job Quality Priority Broadband Projects

Element Description	Points
Using a directly employed workforce, as opposed to a subcontracted workforce. <p style="text-align: center;">Or</p> Paying wages defined by federal prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements.	.5
Use of Idaho workforce including residents that are a direct hire or workers of a contractor or subcontractors	1
Use of an appropriately skilled workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure).	1

2.4.2.1 Attachment: As a required attachment, submit the scoring rubric to be used in the subgrantee selection process for deployment projects. Eligible Entities may use the template provided by NTIA or use their own format for the scoring rubric.

The scoring rubric to be used in the subgrantee selection process for deployment projects will be included with this document as a required attachment.

2.4.3 Text Box: Describe how the proposed subgrantee selection process will prioritize Unserved Service Projects in a manner that ensures complete coverage of all unserved locations prior to prioritizing Underserved Service Projects followed by prioritization of eligible CAIs.

Based on the preliminary analysis of total BEAD funding allocation for the State of Idaho and the cost estimate to provide fiber to the home to all eligible BSL locations, the IOB expects there will be insufficient funding to serve all unserved and underserved locations as well as BEAD eligible CAIs, currently without access to a gigabit symmetrical service.

To ensure proper assessment and allocation of funding, all proposed projects will be scored for cost reasonableness, which is an assessment against a cost benchmark for the project area.

Those projects that are well above the benchmark value will be assessed as part of a second round of applications (deferred applications) to ensure adequate funding is available to serve all unserved and underserved locations, followed by eligible CAIs. The IOB will ensure that the BEAD Program's goal of connecting all unserved and underserved Idahoans will be achieved.

After applications are received, the IOB will assess whether any unserved locations exist in Project Areas that did not receive qualifying applications. If any such unserved project areas remain, the IOB will pause funding awards for underserved project areas or BEAD-eligible CAIs defined by the IOB.

Before funding project areas, the IOB will identify all unserved service project areas and:

- Utilize the Extremely High Cost Per Location Threshold (EHCPLT) as a tool to explore alternative technologies to reach universal coverage.
- Adjust the matching requirements to incentivize applications with a higher subsidy.
- Engage with applicants to adjust their existing applications to include unserved service project areas.

The IOB may request applicants provide rescoped project areas/locations to reach only those locations that are unserved, underserved, or CAIs as defined by the IOB as funding availability allows.

If funding is only available for one of the investment priority areas, the IOB will prioritize projects by investment area. Priority will be to unserved areas, followed by underserved regions and then BEAD-eligible CAIs that do not have high-speed broadband access.

The IOB recognizes that, given current inflationary pressures and projected demand for broadband construction labor and materials during the BEAD deployment process, the first round of applications may result in total costs for all unserved and underserved locations that exceed the available BEAD funds. In that case, the IOB reserves the opportunity to limit second-round applications to unserved locations only as a means of ensuring that 100% of unserved locations receive service through BEAD.

If all unserved and underserved locations can be served based on the results of the BEAD application process described above, the IOB may then undertake an additional application round with remaining BEAD funds for service to BEAD-eligible CAIs.

2.4.4 Text Box: If proposing to use BEAD funds to prioritize non-deployment projects prior to, or in lieu of the deployment of services to eligible CAIs, provide a strong rationale for doing so.

Not applicable.

2.4.5 Text Box: The proposed subgrantee selection process is expected to demonstrate to subgrantees how to comply with all applicable Environmental and Historic Preservation (EHP) and Build America, Buy America Act (BABA) requirements for their respective project or projects. Describe how the Eligible Entity will communicate EHP and BABA requirements to prospective subgrantees, and how EHP and BABA requirements will be incorporated into the subgrantee selection process.

The IOB is committed to ensuring that all potential applicants understand that all projects to deploy network facilities must be compliant with EHP and BABA Requirements outlined in the BEAD NOFO. The IOB and its consultants will undertake efforts to ensure subgrantees adhere to the requirements of BABA and any results of NTIA proposed waiver, the [National Environmental Policy Act \(NEPA\)](#)¹⁴ (42 U.S.C. § 4321 et seq.) and National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.).

The IOB will ensure that each applicant understands the requirements of the NEPA, NHPA, and

¹⁴ <https://ceq.doe.gov/>

BABA and demonstrate in the application how they intend to comply.

Specific to NEPA and NHPA compliance efforts, the IOB will ensure the applicants are aware of the following important points before application submission:

- All required applicant environmental documentation received, the IOB will submit to NTIA in the Final Proposal of projects or other eligible activities containing construction and ground disturbance activities and shall also describe how the applicant complies with the applicable environmental and national historical preservation requirements.
- The applicant will be responsible for obtaining permits, within a reasonable period, any such Federal, Idaho or Local Government authorizations as required to conduct the planned work.
- The applicant needs to submit projects designed to minimize potential environmental impact.

The IOB will require the applicant to provide a narrative outlining their approach to EHP activities. The IOB will monitor the applicants for compliance with the NEPA and the [NHPA](#).¹⁵ The IOB plans to communicate with applicants prior to and throughout the selection process to ensure they comply with the NEPA and NHPA requirements.

The IOB will also develop an approach to managing the review process, as well as sharing best practices for developing a project description to ensure it provides sufficient detail about the potential impacts to the environment to make a preliminary determination about the level of NEPA review required.

To ensure that the requirements of the NEPA and NHPA are included in the selection process for subgrantees, the IOB will conduct information webinars, publish a list of regulations on the Link Up Idaho website, and include the requirements of grant applications and grant guidelines, as well as the terms and conditions of the grant agreements, and the requirements of the subgrantee grant monitoring program.

To be eligible for funding from the BEAD program, any application which does not demonstrate an intention to comply with the NEPA and NHPA requirements or explicitly violates compliance shall not be eligible for BEAD funding.

To strengthen and increase domestic United States manufacturing capacity, the IOB will focus on ensuring public funds used to purchase necessary products and supplies from American workers and businesses. The IOB shall inform all applicants before submission of applications of the requirements in [BABA](#).¹⁶

The IOB will include the requirements for this section in its grant application. With specific reference to BABA compliance efforts, the IOB and/or its consultants will ensure the applicants are aware of the following key points.

- Requirement that all iron, steel, manufactured products, and construction materials used in the project or other eligible activities taken place in the United States unless a waiver granted. Primarily radio towers used in terrestrial fixed wireless deployments.

¹⁵ <https://broadbandusa.ntia.doc.gov/events/latest-events/nepa-historical-preservation-and-climate-resiliency>

¹⁶ <https://www.whitehouse.gov/omb/management/made-in-america/build-america-buy-america-act-federal-financial-assistance/>

- In determining whether a product is made in America, applicant subgrantee must comply with definitions included in Section 70912 of the BABA. Which provides that a manufactured product is considered produced in the United States if the manufactured product was manufactured in the United States and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55% of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.
- In addition to the provisions above, subgrantees may not use BEAD funding to purchase or support any covered communications equipment or service, as defined in Section 9 of the [Secure and Trusted Communications Networks Act of 2019](#) (47 U.S.C (United States Code). § 1608).¹⁷
- The Infrastructure Act expressly prohibits subgrantees from using BEAD funding to purchase or support fiber optic cable and optical transmission equipment manufactured in the People's Republic of China unless a waiver of this requirement is received from the Assistant Secretary of NTIA.
- The Department of Commerce (DOC) has requested a nonavailability waiver of the Buy America Domestic Content Procurement Preference as applied to recipients of Broadband Equity, Access, and Deployment Program. Please check out [Department of Commerce Build America Buy America](#)¹⁸ web page for updated information concerning these waiver requests.

The IOB recognizes the importance of compliance with BABA, and the need for ongoing monitoring of subgrantees to ensure compliance. The IOB will ensure applicants are prepared to comply with BABA requirements and provide additional updates as NTIA finalize these requirements. The IOB will collect documentation related to the requirements for this section and documents submitted will be reviewed by qualified the IOB staff.

To ensure that the requirements of the BABA are included in the application process for applicants, the IOB will conduct information webinars, publish a list of regulations on the Link Up Idaho website, and include the requirements of grant applications and grant guidelines, as well as the terms and conditions of the grant agreements, and the requirements of the subgrantee grant monitoring program.

The IOB will require subgrantees to submit documentation that shows the equipment and materials purchased is compliant with BABA. IOB intends that it will actively use its subgrantee monitoring program post-award to verify that applicants are indeed compliant with these requirements.

To be eligible for funding from the BEAD program, any application which does not demonstrate an intention to comply with the BABA requirements or explicitly violates the requirement will not receive BEAD funding.

¹⁷ <https://www.congress.gov/bill/116th-congress/house-bill/4998>

¹⁸ <https://www.commerce.gov/oam/build-america-buy-america>

2.4.6 Text Box: Describe how the Eligible Entity will define project areas from which they will solicit proposals from prospective subgrantees. If prospective subgrantees are given the option to define alternative proposed project areas, describe the mechanism for de-conflicting overlapping proposals to allow for like-to-like comparisons of competing proposals.

The IOB plans to cluster non-tribal census blocks into Application Project Areas using BSL service data designating unserved and underserved locations as a basis. Census blocks will be clustered such that they include as many unserved, then underserved locations as possible as well as considering the potential for ISPs to apply for funding for each. Tribal areas will not be clustered: each tribal area with unserved and/or underserved locations will be considered an APA. The IOB reserves the right to divide or expand APAs in the interest of incentivizing inclusion of more rural unserved or underserved BSLs.

In the application review process, the IOB will only consider applications that propose service to every unserved and underserved location within the proposed APA. The IOB expects to receive multiple applications for the same APA and will award the APA to the highest scoring application.

2.4.7 Text Box: If no proposals to serve a location or group of locations that are unserved, underserved, or a combination of both are received, describe how the Eligible Entity will engage with prospective subgrantees in subsequent funding rounds to find providers willing to expand their existing or proposed service areas or other actions that the Eligible Entity will take to ensure universal coverage.

In the event no application (or no viable proposal) is received for any given APA, the IOB plans to undertake one or both of the following processes, depending on the circumstances.

The IOB will consider priority proposals first and may request a waiver from the 25% matching funds requirement to provide broadband access to an APA. The priority applicant may also request a waiver to the then-set Extremely High-Cost Threshold to extend service to the location. If no priority proposal is identified by the IOB under this methodology, the IOB will consider non-fiber applications received, with the same inducements of waiving the 25% matching fund requirement, and the Extremely High-Cost Threshold.

- First, the IOB anticipates undertaking negotiations with one or more applicants that have applied for adjacent areas to determine whether other applicants would be willing to take on commitments to fund those locations, based on costs that will be negotiated between the applicant and the IOB. The IOB may choose to negotiate with one or more applicants to maximize the chances of determining a solution for those locations.
- Second, the IOB anticipates that, depending on circumstances, it may choose to undertake a second competitive process to formally attract applications for those APAs.

If the IOB uses option two, the IOB will publish the no-bid APAs and solicit applications from broadband providers. After a 30-day application window, under which providers describe their ability to provide broadband access to an APA and requested funding necessary to reach these locations.

The IOB reserves the flexibility to undertake one or both processes following receipt of the

applications. The IOB believes that the flexibility to undertake these processes based on circumstances will increase the competitive demands on applicants and for that reason declines to limit its options in this regard.

If there is no interest in a particular APA after the second round of proposals, the IOB may negotiate directly with selected proposers to build out to the remaining locations. Such negotiations may provide incentives, which may include permission to use non-priority technologies and/or reducing/rebalancing some grant requirements with NTIA's approval.

2.4.8 Text Box: Describe how the Eligible Entity intends to submit proof of Tribal Governments' consent to deployment if planned projects include any locations on Tribal Lands

The IOB will submit to the NTIA a Resolution of Reciprocity or other formal proof that any tribal government's tribal council or another governing body, on whose territory infrastructure planned deployment, has given its consent. The IOB shall require the applicant to submit at the time of application, together with other relevant documents demonstrating that an all-inclusive local coordination has taken place, a resolution of consent or any substitute document used at the request of the tribal government.

Tribal Consent

During the application process, applicants must certify they have communicated with and received consent from the tribal governments in which their proposed project area impacts. Further, the grant agreement process post-award will require subgrantees to submit written documents proving consent to deploy infrastructure on Tribal Lands.

Extremely High Cost Per Location Threshold

2.4.9 Text Box: Identify or outline a detailed process for identifying an Extremely High Cost Per Location Threshold to be utilized during the subgrantee selection process. The explanation must include a description of any cost models used and the parameters of those cost models, including whether they consider only capital expenditures or include the operational costs for the lifespan of the network.

Per the [BEAD NOFO guidance](#),¹⁹ the goal in establishing the EHCPL is to “[maximize] the use of the best available technology” and deployment of end-to-end fiber projects wherever possible.

The IOB will wait until all proposals have been received before establishing an EHCPLT. This will ensure that Idaho's limited BEAD funds are used as efficiently as possible to achieve Idaho's broadband objectives, including that of universal service. The IOB may set an EHCPLT prior to or after awarding grants in the first round. This approach will enable the IOB to maximize the use of priority technologies at as many unserved and underserved as possible, while simultaneously ensuring universal access.

To establish the EHCPLT, the IOB plans to estimate the cost to serve, on an incremental basis, the unserved and underserved locations not awarded after evaluation of proposals submitted in the first round. The IOB will perform a thorough optimization assessment and analysis to set the

¹⁹ <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>

EHCPLT at the maximum possible value to ensure the objectives of (1) universal high-speed broadband service, (2) deploying as much fiber as possible, (3) using the BEAD funding efficiently, and (4) unable to connect 100% of unserved and underserved locations in Idaho, the IOB has the right to raise the EHCPLT amount.

For this analysis, the IOB will use NTIA's Eligible Entity Planning Tool or other route-based cost optimization planning tools to determine the CPL to pass the remaining premises with priority broadband. Depending on the amount of remaining funds and premises left over from the first round of funding, this analysis will help determine how many of the remaining locations can be covered at a reasonable cost by priority broadband technologies. This analysis will also consider the funding needed to serve locations above the EHCPLT with non-priority technologies such as fixed wireless or low Earth Orbit (LEO) satellites.

Please note the IOB does not plan to disclose an EHCPLT or an expected or estimated EHCPLT prior to the conclusion of the first round of proposals received both to ensure a fair & equitable process and to maximize the likelihood that the State will achieve all its objectives.

2.4.10 Text Box: Outline a plan for how the Extremely High Cost Per Location Threshold will be utilized in the subgrantee selection process to maximize the use of the best available technology while ensuring that the program can meet the prioritization and scoring requirements set forth in Section IV.B.6.b of the BEAD NOFO. The response must describe:

- a. **The process for declining a subgrantee proposal that exceeds the threshold where an alternative technology is less expensive.**
- b. **The plan for engaging subgrantees to revise their proposals and ensure locations do not require a subsidy.**
- c. **The process for selecting a proposal that involves less costly technology and may not meet the definition of Reliable Broadband.**

Please review the process outlined in Sections 2.4.3 and 2.4.9 for a detailed review of how the IOB will evaluate and prioritize applications, including how the IOB will engage with applicants in the case that their priority proposal exceeds the EHCPLT.

The IOB is committed to satisfying the BEAD NOFO guidance of providing service with the most robust, affordable, and scalable technologies feasible. The IOB will seek to provide broadband access to as many unserved and underserved locations in Idaho as possible with fiber before examining alternative technologies. The IOB believes that some locations in Idaho will be deemed unable to utilize Reliable Broadband Services below the Extremely High-Cost Threshold (EHCT) due to fiber being cost-prohibitive. This is due to geographical constraints and other factors such as locations to be considered off-grid. In these cases, after ensuring all other service options have been exhausted, the IOB will seek proposals with alternative, non-priority deployment approaches and technologies to serve the remaining unserved BSLs.

As per the BEAD NOFO, a technology that does not meet the Reliable Broadband Service definition must still, at a minimum, be capable of providing service of 100/20 Mbps and latency less than or equal to 100 milliseconds at a lower cost. The IOB will consider technology options proposed by applicants agnostically and identify the most cost-effective technology options for each respective service area. If no other technology meeting the Reliable Broadband Service

requirements can be deployed for less than the EHCT at a given location, the IOB will consider unlicensed fixed wireless and low-orbit satellite technology.

If a priority applicant's proposal to serve an area exceeds the EHCPLT, calculated by the average funding requested per location, the IOB will first consider if anomalies exist in the geography and other conditions of that area that justify a higher deployment cost threshold of priority projects. Following this evaluation, if no waiver to the EHCPLT is granted, and no waiver to the matching requirement of 25% is requested and granted, the IOB then evaluates non-priority applications received for that area. If no non-priority applications were received for that area, the IOB will engage with applicants who submitted proposals and determine if the costs over the EHCPLT are appropriate and warrant an award over this threshold. The IOB will only entertain non-priority broadband projects that may not meet the definition of reliable broadband if all priority broadband projects exceed the EHCPLT and the other conditions outlined above are not met by priority applicants.

Deployment Subgrantee Qualifications

2.4.11 Text Box: Describe how the Eligible Entity will ensure prospective subgrantees deploying network facilities meet the minimum qualifications for financial capability as outlined on pages 72-73 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to certify that they are qualified to meet the obligations associated with a Project, that prospective subgrantees will have available funds for all project costs that exceed the amount of the grant, and that prospective subgrantees will comply with all Program requirements, including service milestones. To the extent the Eligible Entity disburses funding to subgrantees only upon completion of the associated tasks, the Eligible Entity will require each prospective subgrantee to certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the Project until such time as the Eligible Entity authorizes additional disbursements.**
- b. Detail how the Eligible Entity plans to establish a model letter of credit substantially like the model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF).**
- c. Detail how the Eligible Entity will require prospective subgrantees to submit audited financial statements.**

d. Detail how the Eligible Entity will require prospective subgrantees to submit business plans and related analyses that substantiate the sustainability of the proposed project.

The IOB will require applicants to demonstrate financial capability through a series of application questions and document requests. The IOB will collect applicant responses and documentation through an online portal and analyze to support an informed assessment of the applicant's financial capability to meet the obligations of the proposed project, maintain available funds to support the project, and demonstrate financial viability of the project. The IOB application will require applicants to provide narrative responses, certifications, and documentation to demonstrate financial expertise and available resources to meet program requirements and successfully complete a funded project.

Required Qualifications for Financial Obligations

The IOB will require a certification from an officer or director of an applicant that the organization has the necessary financial qualifications, capabilities, and resources to comply with all program requirements including service milestones. The IOB will disburse funds to subgrantees only upon completion of the contractually established milestones, the IOB will require each applicant to certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the project until such time as the IOB authorizes further disbursements.

Additionally, during the LOI phase, the IOB will require certifications from the applicant that it will have sufficient financial resources to provide the pledged matching funding as required by the program requirements. The IOB will require applicants to demonstrate, in their budgets, budget narratives, and pro forma statements that they will comply with the statute and NTIA's rules (Section III.B) requirements for matching funds. Those requirements are for a minimum 25% match for all locations other than those classified by NTIA as "high cost," for which there is no required match. The IOB will also require applicants to certify that they have the financial resources to support all project costs necessary to complete the project, even if those costs exceed the amount of grant award and pledged matching funds.

These certifications, along with the financial documents discussed above, will provide the IOB with necessary assurances of the applicant's financial qualifications and capabilities.

Required Letter of Credit

The BEAD NOFO outlines program rules which require subgrantees to obtain an irrevocable standby letter of credit from a qualified financial institution. On November 1, 2023, NTIA issued a programmatic waiver which modifies the letter of credit requirement for subgrantees. As conveyed in NTIA's conditional letter of credit [waiver](#),²⁰ the IOB will:

- **Allow Credit Unions to Issue Letter of Credit.** The NOFO requires subgrantees to obtain a letter of credit from a U.S. bank with a safety rating issued by Weiss of B- or better. The waiver permits proposers to fulfill the letter of credit requirement (or any alternative permitted under the waiver) utilizing any United States credit union that is insured by the National Credit Union Administration and that has a credit union safety

²⁰ <https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>

rating issued by Weiss of B- or better.

- **Allow Use of Performance Bonds²¹.** The waiver permits a proposer to provide a performance bond equal to 100% of the BEAD subaward amount in lieu of a letter of credit, provided that the bond is issued by a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570.
- **Allow to Reduce the Obligation Upon Completion of Milestones.** The waiver allows the Corporation to reduce the amount of the letter of credit obligation below 25% over time or reduce the amount of the performance bond below 100% over time, upon a proposer fulfilling deployment milestones specified by the Corporation.
- **Allow for an Alternative Initial Letter of Credit or Performance Bond Percentage.** The NOFO requires that the initial amount of the letter of credit be 25% of the subaward (or the initial amount of the performance bond be 100% of the subaward under the option described above). The waiver allows the initial amount of the letter of credit or performance bond to be 10% of the subaward amount during the entire period of performance when the Corporation issues funding on a reimbursable basis consistent with Section IV.C.1.b of the NOFO and reimbursement is for periods of no more than six months each.

Letter of Credit Model:

Like the model letter of credit established with the Rural Digital Opportunity Fund (RDOF), the IOB will require applicants to submit a letter from an eligible bank (see 47 C.F.R. § 54.804(c)(2)) in which the bank commits to issuing an irrevocable standby letter of credit to the applicant. To comply with the BEAD model letter of credit terms and conditions, a dollar amount must be included in this letter accompanied by an agreement from the issuing bank. An irrevocable standby letter of credit which the IOB considers to be acceptable shall be obtained by every applicant prior to any subgrantee agreement and shall comprise no less than 25% of the award amount. An opinion letter from applicant's legal counsel must be included with the letter of credit stating, subject only to customary assumptions, limitations, and qualifications, that in a proceeding under Title 11 of the United States Code, 11 U.S.C. § 101 et seq. (the "Bankruptcy Code"), the bankruptcy court would not treat the letter of credit or proceeds of the letter of credit as property of the winning sub grantee's bankruptcy estate under Section 541 of the Bankruptcy Code.

Applicants must submit a letter of credit as a supplementary document for the application. The BEAD model letter of credit will use the RDOF letter of credit established by the FCC as a guide. All copies referencing the RDOF will be replaced with BEAD, respectively. Similarly, all copies referencing the Universal Service Administrative Company will be replaced with Broadband Equity Access and Deployment Fund or BEAD, respectively. The letter of credit will be accompanied by Annex 1, 2, and 3 as in the RDOF letter of credit outline.

The IOB's letter of credit process will require applicant to satisfy three steps.

1. The IOB will require applicants to verify that they are aware of and comprehend the revised letter of credit or performance bond obligation based on NTIA's programmatic waiver. Applicants must further certify that they have the qualifications and resources to

obtain the required letter of commitment and letter of credit from an eligible financial institution or, if they choose to obtain a performance bond, submit a letter from a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570 which contains the dollar amount of the performance bond.

2. Applicants who choose to obtain a letter of credit, the applicant must submit a letter of commitment from a qualified financial institution to the IOB. The IOB will define a “qualified financial institution” as one that meets the program rules for the FCC’s RDOF program (47 C.F.R. §54.804(c)(2)) and any United States credit union that is insured by the National Credit Union administration and has a credit union safety rating issued by Weiss of B- or better.
3. This letter of commitment must describe the type of financial institution that is making the commitment using the categories in 47 C.F.R. §54.804(c)(2). The letter of commitment must also state that the financial institution stands ready to issue an irrevocable standby letter of credit for the proposed project in the required amount and must specify the expected amount. The financial institution must also state that it has reviewed the model letter of credit and is prepared to comply with all terms and conditions for the letter of credit under this program.

Following the scoring phase, successful applicants with awarded projects must obtain an irrevocable standby letter of credit or performance bond and submit them to the IOB.

Submission of this letter of credit or performance bond will be a condition of a final award agreement. The issuing financial institution or surety company must submit a copy of the letter of credit or performance bond for each funded project directly to the IOB directly within 60 days of the notification of the award and prior to the finalization of the final award agreement. Failure to submit the letter of credit or performance bond directly from the issuing financial institution or surety company within 60 days of receiving the award may result in the termination of the subgrantees award. The IOB will ensure that funding will only be committed or distributed upon submission of a suitable letter of credit or performance bond.

As an additional condition of the final award agreement, subgrantees will be required to submit a bankruptcy opinion letter from legal counsel within 30 days that states the letter of credit is drafted in such a way that under a Title 11 bankruptcy proceeding the bankruptcy court will not treat the letter of credit or proceeds from the letter of credit as “property” of the subgrantee’s bankruptcy estate under Section 541 of the United States Bankruptcy Code. If an applicant decides to exercise the option to obtain a performance bond based on NTIA’s waiver, applicant will not require this requirement.

Required Audited Financial Statements

Additionally, the IOB will require potential subgrantees to submit documentation of their financial capabilities. The IOB shall require applicants to comply with the audit policy of the Idaho Department of Commerce, which is in accordance with state and federal law.

The IOB will require each applicant to include in their proposal audited financial statements from the previous two years by an independent certified public accountant. If the applicant has not been audited during the ordinary course of business, in lieu of submitting audited financial

statements, it must submit unaudited financial statements from the prior fiscal year and certify that it will provide financial statements from the immediately prior fiscal year that are audited by an independent certified public accountant prior to disbursement of the grant amount.

These financial statements should be without findings and the subject of a clean financial audit. If the submitted statements contain findings by the auditor for any of the two years, the potential applicant must describe and explain the finding, the reason for the finding, and measures taken by the company to address the finding if applicable. Findings must be resolved in subsequent years of financial statements and may be justified by providing resolution in other audits.

If an applicant does not have two years of audited financial statements in the ordinary course of business, it must describe the circumstances and reasons for the lack of audited financials and provide two years of financial statements that contain the same level of detail and information. An applicant without audited financial statements must also commit to providing two years of audited financials within 90 days with the ability to request an extension with evidence that the applicant has engaged an accounting firm and are making reasonable progress of submitting the application.

The IOB will not approve or disburse any grant funds for the deployment or upgrading of network facilities unless it is determined that the documents submitted demonstrate the applicant's financial capability with respect to the proposed project.

Required Business Plans and Financial Analysis

The IOB will require that each applicant submit business plans and related analyses that substantiate the financial sustainability of the proposed project. These documents can be in the form of pro forma statements or analyses, including cash flow and balance sheet projections, and should include at least three years of operating cost and cash flow projections post the completion of the project.

During the scoring phase, the IOB will review these financial statements together with the applicant's submission of project-specific financial documentation discussed below, such as budgets, capital expenditures, and pro forma business case analyses as part of the applicant's overall showing of financial qualifications and capability.

During the scoring phase, the IOB will request specific and detailed documentation and narrative descriptions of the applicant's business plans, budgets, and timelines for the proposed project.

To assess the financial sustainability of a proposed project, the IOB will require applicants to complete and submit a budget narrative, proposed budget, and pro forma business case analysis. The applicants must use the IOB provided templates for these submissions.

Applicants can upload additional documents that they believe will complement the template information and will provide a fuller overview of the applicant's financial capabilities and the proposed project's financial sustainability.

The budget narrative template requires applicants to provide a detailed breakdown of the anticipated budget for each standardized category. Additionally, the narrative will require a description of each charge, the individual or team responsible for that budget expense (if applicable and if known), and how each category expenditure is related to the project objectives.

If the applicant will be providing a cash or in-kind match in a specific cost category, this match type must be noted in the template and explained to include a break-down of the grant and match share of each proposed cost.

The IOB will require applicants to demonstrate that the costs proposed for this grant program will be reasonable, permissible, allocable, and necessary for the supported activity. The Scoring Phase Application and Guide, as well as the Program Guide, will reference 2 CFR (Code of Federal Regulations) Part 200 for applicable administrative requirements and cost principles. These program materials will also discuss program objectives and describe the specific cost and activities that are permissible. The IOB will provide additional technical assistance and links to Frequently Asked Questions materials to support this element of an applicant's screening as it relates to federal guidelines.

The applicants will also submit templates to present a business case analysis to present their financial projections to demonstrate sustainability. These templates ask for assumptions regarding take rates, churn, revenue-per-user, operating expenses, cash flow, and capital expenditures during the construction and start-up operations for an 8-year period. The template requests a proposed project budget with standard categories that correspond to the cost categories in the template budget narrative.

By utilizing templates, the IOB can assess the financial sustainability of each project in a more consistent, fair, and transparent manner.

The IOB will further examine these materials, in conjunction with the audited financial statements submitted, to evaluate the effectiveness of financial sustainability. The IOB will also consider the anticipated growth of the project and ongoing benefits to the community beyond the completion of the building and disbursement of grant funding.

However, recognizing that applicants may have different internal record keeping and business planning processes, in addition to the required template information, the IOB will also accept additional documentation that gives applicants additional opportunity to present supplementary demonstration of financial sustainability tailored to the proposed project.

The IOB will ensure that requests for the pro forma and business plan information in this section of the application will be complementary to, not duplicative of, documentation provided by the applicant in response to other sections of the application or the applicant's qualification submissions. To avoid inefficient and uncomplicated submissions, applicants can refer to submissions from other parts of its application to satisfy these requirements.

2.4.11.1 Text Box: Optional Attachment: As an optional attachment, submit application materials related to the BEAD subgrantee selection process, such as drafts of the Requests for Proposals for deployment projects, and narrative to crosswalk against requirements in the Deployment Subgrantee Qualifications section.

Not applicable.

2.4.12 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for managerial capability as outlined on pages 73 – 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The

response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to submit resumes for key management personnel.**
- b. Detail how it will require prospective subgrantees to provide a narrative describing their readiness to manage their proposed project and ongoing services provided.**

The IOB will require applicants to demonstrate managerial skills to successfully complete and support a BEAD-funded broadband network. The IOB will request documentation during the application process for the applicant to show its managerial capability to demonstrate a commitment to long-term success of the project well beyond the period of construction. The IOB anticipates implementing a detailed reporting framework that will require successful applicants to demonstrate ongoing commitment of resources, stable leadership, and continued improvement of processes and services to the funded area.

The IOB will collect materials related to the requirements in this section and the information reviewed by qualified reviewers. The IOB will communicate the requirements for this section to all potential applicants during the application process. The IOB will include all requirements in the application guidelines, including the grant agreement terms and conditions, and monitoring requirements. The IOB will require applicants to submit their qualifications as part of their application submission.

Resumes for Key Personnel Requirement

Applicants will need to provide current resumes of all key management staff, as well as a narrative of their expected role in the proposed BEAD-funded project. Each of the identified individuals shall be an employee of the organization, have at least five years of experience in the same or similar role within the communications industry, and have the demonstrated experience, skills, and authority to successfully fulfill the obligations of the role.

The IOB will require applicants to identify personnel in current roles such as officers and directors of the organization, executive level management, financial planning and strategy, technical design, risk management, human resources, equipment procurement, operations, and planning.

Additionally, applicants will need to submit detailed organizational charts of the organization's structure, key management personnel, and relevant operational teams. These charts will provide information regarding the organization's parent company and affiliates, if any. The organizational chart should correspond to the other elements of the entity's showing of managerial capability, including mapping back to each identified key management personnel and functional teams. Applicants will be required to describe any recent or anticipated changes to the organization's structure, processes, and planning that may impact its BEAD project efforts.

The key personnel provided by the applicant in the application should cover areas such as design and construction management, financing, marketing, operations, maintenance, and general management. The IOB will evaluate the key personnel experience based on the relevance to their proposed roles in proposed project. The below criteria for evaluating the personnel include:

- Total years of relevant experience and history
- Number of years of experience with the applicant
- Experience with projects similar in scope to that of the proposed project and details of such projects
- Existing capacity to undertake the proposed project
- Staffing plans and organizational charts to evaluate proposed capability

Readiness to Manage Proposed Project Requirement

The IOB will require all applicants to provide a narrative describing their readiness to manage their proposed project and ongoing services. This narrative should include at a minimum:

Proof of experience and history. Applicants provide a key personnel narrative that describes relevant qualifications of key management personnel proposed to support this project. The applicant will need to submit detailed resumes along with a narrative explanation of the given role and responsibilities. The IOB will be looking for:

- Proof of experience undertaking projects of similar size and scope in general, and also specifically in Idaho and /or the selected project areas being bid for;
- Qualifications of key personnel in successfully managing engineering, design, construction, operations and maintenance of similar projects with proof of quality of services delivered to end users using reference checks;
- Experience and capacity in recruiting and training engineering, design, and construction labor; and
- Experience including the presence of personnel, processes, and systems to respond to network performance impairments or outages.

Proof of existing capacity. Applicants should describe their ability and experience to manage a broadband services network; and proof that they have the capacity to complete the project given its other projects and existing workload. Proposers will be asked to include recent and upcoming organizational changes and relevant organizational policies. The IOB will evaluate the capacity of the applicant to manage the project in addition to their already existing project obligations.

Proof of current managerial capability. Additionally, the IOB will require a project organizational chart(s) and corporate relationships chart that includes all parents, subsidiaries, and affiliates. The IOB will also require a role/responsibility matrix illustrating how the skills of key staff aligned with project deliverables; including upcoming organizational changes; and any relevant organizational strategies. The IOB will require a staffing plan for key personnel and will evaluate the number of persons available on the full-time and part-time basis to manage the project, their proposed commitment, and their number relative to the overall staff size of the proposed subgrantee.

An applicant that is a new entrant, or a newly formed consortium will need to demonstrate how it will develop its organization's managerial expertise and resources through the recruitment of directly employed key management personnel with the requisite leadership experience of at

least five years in prior roles and positions in the communication industry.

The IOB will ensure that applicants are aware of these requirements prior to and throughout the selection process, through the delivery of information on the Link Up Idaho website, application seminars and workshops, as well as the conditions of the grant agreements and subrecipient grant monitoring programs.

2.4.13 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for technical capability as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to certify that they are technically qualified to complete and operate the Project and that they can carry out the funded activities in a competent manner, including that they will use an appropriately skilled and credentialed workforce.**

Applicants must demonstrate their technical capability to participate in the BEAD program and successfully complete a funded project. This information will complement the applicant's management capabilities and will provide the IOB additional detail to substantiate overall technical expertise, knowledge, and capabilities as well as information about the applicant's federal and state technical certifications, licenses, and standards.

The IOB will review the qualifications of applicants during the LOI period and will ensure that all applicants seeking to deploy network facilities meet the minimum qualifications for technical capability outlined in the BEAD NOFO. The IOB will formulate specific intake questions and requirements during all steps of the Deployment Subgrantee Selection process to allow the IOB to evaluate the viability and compliance of an applicant.

Documentation related to the requirements in this section will be collected and reviewed by qualified personnel. The IOB plans to hire consultants to ensure there is appropriate capacity and expertise to adequately review the documentation and provide a third-party perspective of the technical capability of the proposer.

As needed, the IOB will develop predetermined standards of technical capabilities that correspond to industry standards, the BEAD NOFO and best practices. The IOB may source the assistance of outside consultants to ensure outreach methods and overview of requirements provided to all applicants.

Technical Qualification for Implementation and Credentialed Workforce

Applicants must provide certification from an officer or director of the company that applicant licensed in Idaho to conduct funded activities and comply with all post award obligations.

Applicants will further certify that they have the processes and resources in place to employ an appropriately skilled and credentialed workforce and that key technical personnel and technical team members are current on all required training, licensing, and license renewals.

The IOB will provide a list of required licenses and certifications as part of its Application Guidelines posted on its website and discussed during the workshop.

In addition to the certifications from an officer or director, applicants will need to provide a list of the business and technical certifications and licenses that will be relevant to their participation in the BEAD program that it holds nationally and in Idaho. This list will include certifications and licenses held by key technical personnel as well as those held by the organization. The list must include unique identifiers and license numbers to allow the IOB to validate the reported data.

Applicants will also submit descriptions of workforce training and certification programs that they rely on, or anticipate relying on, to support a continued commitment to a highly skilled and skilled workforce. These programs should include certified apprenticeship programs, community college curricula, and for-profit certification programs, programs offered by trade and labor unions, as well as industry sponsored programs.

Information regarding certifications, training, and licensing of key technical personnel submitted will be considered by the IOB as complementary to and not duplicative of the information and data submitted in other elements of the application. Applicants are encouraged to cross-reference materials to avoid duplicative submissions.

Applicants will also be expected to provide a narrative description of the applicant's experience designing and constructing broadband infrastructure projects of comparable size and scope and experience operating the network to offer last mile services. This description should reference the key management personnel referenced in the prior application section as well as the experience and expertise of the technical teams the organizations will use to design, construct, and operate the proposed project.

The IOB will require applicants to list the employment categories, job titles, and job descriptions that will be necessary to complete the proposed project. The applicants will also need to provide any additional certifications, licenses, or other qualifications that are unique and specific to the proposed project.

Applicants must provide supporting documentation to demonstrate that they have completed, or are in the process of completing, these additional requirements to become fully and properly qualified to complete the proposed project. Each applicant will also be required to describe the processes it will have in place to track and maintain required certifications, licenses, and training programs for construction and post-construction activities to ensure that the organization will maintain a highly skilled workforce throughout the federal interest period of the project.

Proposed Project Workplan Requirement

Per the NTIA NOFO guidelines page 74 (see Footnote 19), the IOB will require all applicants to submit a network design, diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the applicant is under contract, all certified by a Professional Engineer (PE), stating that the proposed network can deliver broadband service that meets the obligatory performance requirements to all locations served by the project.

The submission will consist of the following required elements:

- Network design and diagrams using shapefiles that display fiber routes, interconnect points, and required right of way usage.

- Narrative descriptions of the geographic location, characteristics of the local community, anticipated labor requirements, and other related information that will provide the IOB with a complete picture of the community to be served.
- Descriptions of the proposed project's technical specifications and design, including project elements such as the proposed miles of fiber, number of interconnection points, technology types to be deployed, number of passings, and anticipated speeds and latency of the services to be offered over the completed network.
- Deployment timelines and milestones that reflect a construction and installation process of no longer than four years, including planning, design, procurement, construction, installation, network turn-up and testing, and service initiation.
- In addition to the budget narrative and pro forma analysis provided as part of the showing of financial sustainability (including anticipated take rates over time, average revenue per user, churn, and other related elements), this section of the application will require applicants to provide documentation of project costs, operational costs, and budgets and to connect these showings to other sections of the application to create a comprehensive description of the proposed project and showing of technical and financial feasibility.

The IOB will review the timelines and milestones for the proposed project to ensure that they correspond and map directly with the capital expenditures and schedules provided as part of the applicant's assessment of financial sustainability.

The IOB will also preview the description of the proposed project's technical specifications, network design, and diagrams to ensure that the related project budgets, financial analysis, and business case pro forma analysis support the applicants' project-specific financial sustainability screening.

As each of these application elements must correspond and connect with each other to present a comprehensive picture of the proposal project, the IOB intends these performances to be complementary and not duplicative. Applicants can reference attachments and information provided in other parts of the application.

To support the IOB's own analysis of an applicant's technical capabilities, as well as the reasonableness and benefits of the proposed project, the applicant will be required to produce a certification by an independent PE. The IOB will require that the certifying engineer holds all required professional licenses from the State of Idaho.

The IOB will provide a sample certification as part of the application materials. This certification must state that the engineer has reviewed all necessary elements of the proposed project, including descriptions and documentation of the network design, build-out timelines, business case, and budgets. The engineer must certify that the proposed project meets all applicable program requirements and is designed to be successfully completed and capable of meeting all performance commitments and requirements within the program timelines.

The applicant will be required to upload documentation of the professional engineer's licenses as well as any written reports, letters, or analysis provided by the engineer regarding the proposed project.

The IOB will ensure that applicants are aware of these requirements prior to and throughout the selection process by posting on the Link Up Idaho website hosting seminars, and workshops.

2.4.14 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for compliance with applicable laws as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. **Detail how the Eligible Entity will require prospective subgrantees to demonstrate that they can carry out funded activities in a competent manner in compliance with all applicable federal, state, territorial, and local laws.**
- b. **Detail how the Eligible Entity will require prospective subgrantees to permit workers to create worker-led health and safety committees that management will meet with upon reasonable request.**

The IOB will review the qualifications of applicants through the application process and will ensure that all applicants pursuing to deploy network facilities meet the minimum requirements for compliance with applicable regulations outlined in the BEAD NOFO. The IOB will provide specific intake questions and requirements during the selection process to permit the IOB to evaluate the capability and compliance of an applicant's application. Documentation related to the requirements in this section will be collected and reviewed by qualified personnel.

Compliance with Federal, State, and Local Laws

The IOB will require applicants to demonstrate that the applicant can conduct funded activities in a competent manner in compliance with all applicable Federal, Idaho, Territorial, and local laws. To do this, the IOB will require proposers to provide a detailed history of compliance with all applicable Federal, Idaho, Territorial, and local laws for previous broadband projects funded by federal and state programs, including disclosure of any default on any Federal or state obligation associated with grants for broadband deployment. The IOB will also require the applicant to provide evidence of current compliance policies and procedures for applicable Federal, Idaho, Territorial and local laws.

Worker-led Health and Safety Committees

The IOB will request applicants to allow workers to set up their own health and safety committees, subject to reasonable requests made by management, to ensure the applicant's compliance with occupational security and health requirements. To meet this requirement, the IOB will require applicants to provide evidence of policies and procedures that allow for the formation of worker-led health and safety committees that management will meet upon reasonable request.

[The State of Idaho Occupational Safety & Health Administration \(IOSHA\)](https://business.idaho.gov/employer-issues/occupational-safety/)²¹ office provides confidential, no cost consulting to help Idaho employers comply with OSHA requirements. IOSHA should provide guidelines to create and administer health and safety committees for

²¹ <https://business.idaho.gov/employer-issues/occupational-safety/>

their employees.

The IOB will require certification including notarized by applicant and/or participant ISP attesting to the organization's awareness of federal and State laws applicable to BEAD projects, current compliance with all relevant laws, and description of any violations, current or pending investigations, and current or pending legal actions.

The IOB will ensure that applicants are aware of these requirements prior to and throughout the selection process by posting on the Link Up Idaho website hosting seminars, and workshops.

2.4.15 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for operational capability as outlined on pages 74 – 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. **Detail how the Eligible Entity will require prospective subgrantees to certify that they possess the operational capability to qualify to complete and operate the Project.**
- b. **Detail how the Eligible Entity will require prospective subgrantees to submit a certification that have provided a voice, broadband, and/or electric transmission or distribution service for at least two (2) consecutive years prior to the date of its application submission or that it is a wholly owned subsidiary of such an entity, attests to and specify the number of years the prospective subgrantee or its parent company has been operating.**
- c. **Detail how the Eligible Entity will require prospective subgrantees that have provided a voice and/or broadband service, to certify that it has timely filed Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this period, and otherwise has complied with the Commission's rules and regulations.**
- d. **Detail how the Eligible Entity will require prospective subgrantees that have operated only an electric transmission or distribution service, to submit qualified operating or financial reports, that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.**
- e. **In reference to new entrants to the broadband market, detail how the Eligible Entity will require prospective subgrantees to provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities.**

The IOB will review the qualifications of applicants through the application responses and will ensure that all applicants seeking to deploy network facilities meet the minimum qualifications for operational capability outlined in the BEAD NOFO. The IOB will formulate specific intake questions and requirements during the selection process to allow the IOB to evaluate the capability and compliance of an applicant's proposal.

Documentation related to the requirements for this section will be collected and reviewed by qualified personnel. The IOB plans to hire consultants to ensure there is appropriate capacity and expertise to adequately review the documentation and provide a third-party perspective of the operational capability of the proposer.

The IOB will require applicants to certify that they have the operational capability to qualify to complete and operate the proposed project.

Required Operational Qualifications

As required by the NTIA BEAD NOFO, the IOB will require applicants to certify that they have the operational capability to qualify to complete and operate the project. To meet this requirement, the IOB will require applicants to provide operational details including, but not limited to:

- Years providing internet service.
- Types of internet service provided.
- Current subscribers, including households, businesses, and CAls.
- Description of previous experience in operating and managing a utility-based infrastructure network including details of households and population served.
- Description of industry experience with broadband and telecommunications infrastructure operation and management.
- Experience of working with municipal agencies to develop affordable pricing or packages for key community stakeholders and populations.
- Details of key business entities/partners/subcontractors used in operating and management of the network.
- Completed federally funded deployment projects, including their sources of funding and timeframes for completion (or non-completion).
- Penalties paid by the proposer, any subsidiary or affiliate of the proposer or the holding company of the applicant relative to deployment projects.
- The number of times proposer has ever been a defendant in the State of Idaho for a criminal proceeding or civil litigation related to the deployment or operation of a broadband infrastructure.
- Whether applicant has ever defaulted on a federal or state obligation to deploy broadband infrastructure and if so, to provide details.

Required Number of Years in Operation

The IOB will require the proposer to submit a certification that they have provided a voice, broadband and/or electric transmission or distribution service for at least two (2) consecutive years prior to the date of their proposal submission, or that it is a wholly owned subsidiary of such an entity. The certification provided by the proposer must attest to and specify the number of years that proposer or its parent company has been operating. The IOB will also seek documentation that evidences the total years of operational experience. In the case of public-

private partnerships, only one entity needs to provide this certification.

Entities with less than two years of operation can demonstrate operational capability based on the guidelines specified below in “Required Operational Capabilities of New Entrants.”

Required Compliance with FCC Form 477, Rules, and Regulation

If the applicant has provided a voice and broadband service, it must certify that it has timely filed the FCC Form 477s and the Broadband DATA Act submission, if applicable, as required during this time, and otherwise has complied with the FCC’s rules and regulations. Alternatively, an applicant should explain any pending or completed enforcement action, civil litigation, or other matter in which it failed to comply or alleged to have failed to comply with the FCC rules or regulations.

Required Operating and Financial Reports for Electric Transmission or Distribution Services

If the applicant has only operated an electric transmission or distribution service, it must submit qualified operating or financial reports that it has filed with the relevant financial institution for the relevant time. The applicant shall certify that it is a true and accurate copy of the report which submitted to the relevant financial institution.

Required Operational Capabilities for New Entrants

For new entrants to the broadband market, the IOB will require applicants to provide sufficient evidence to demonstrate that the newly formed entity has sufficient operational capabilities that it has developed or obtained through internal or external resources. This evidence may include, but not limited to:

- Resumes from key personnel who will be part of the new entity;
- Project descriptions and narratives from contractors, subcontractors or other partners with relevant operational experience who will be part of the new entity;
- Experience of operating non-broadband networks and infrastructure;
- Availability of physical assets including office space, vehicles, equipment, etc. that will assist the proposer to provide services;
- Capabilities transferable from non-broadband networks to broadband networks; and
- Any other comparable data or evidence.

The IOB will ensure that applicants are aware of these requirements prior to and throughout the selection process by posting on the Link Up Idaho website hosting seminars, and workshops.

2.4.16 Text Box: Describe how the Eligible Entity will ensure that any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on ownership as outlined on page 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process; the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. **Detail how the Eligible Entity will require prospective subgrantees to provide ownership information consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7).**

The IOB shall make sure that applicants desiring to deploy network facilities meet the minimum requirements for providing ownership information as defined on page 75 in the BEAD NOFO.

Required Supporting Ownership Information

The IOB will require each applicant to provide ownership information that is consistent with the requirements set forth in 47 C.F.R. (Code of Federal Regulations) § 1.2112(a)(1)-(7).

The Code on Federal Regulations relating to ownership information sets out the following requirements:

- (a) Each application to participate in competitive bidding (*i.e.*, short-form application (see 47 CFR) 1.2105)), or for a license, authorization, assignment, or transfer of control shall fully disclose the following:
- (1) List the real party or parties in interest in the applicant or application, including a complete disclosure of the identity and relationship of those persons or entities directly or indirectly owning or controlling (or both) the applicant;
 - (2) List the name, address, and citizenship of any party holding 10% or more of stock in the applicant, whether voting or nonvoting, common, or preferred, including the specific amount of the interest or percentage held;
 - (3) List, in the case of a limited partnership, the name, address and citizenship of each limited partner whose interest in the applicant is 10% or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses);
 - (4) List, in the case of a general partnership, the name, address and citizenship of each partner, and the share or interest participation in the partnership;
 - (5) List, in the case of a limited liability company, the name, address, and citizenship of each of its members whose interest in the applicant is 10% or greater;
 - (6) List all parties holding indirect ownership interests in the applicant as determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain, that equals 10% or more of the applicant, except that if the ownership percentage for an interest in any link in the chain exceeds 50% or represents actual control, it shall be treated and reported as if it were a 100% interest; and
 - (7) List any FCC-regulated entity or applicant for an FCC license, in which the applicant or any of the parties identified in paragraphs (a)(1) through (a)(5) of this section, owns 10% or more of stock, whether voting or nonvoting, common, or preferred. This list must include a description of each such entity's principal business and a description of each such entity's relationship to the applicant (e.g., Company A owns 10% of Company B (the applicant) and 10% of Company C, then Companies A and C must be listed on Company B's application, where C is an FCC licensee and/or license applicant).
- (b) Designated entity status. In addition to the information required under paragraph (a) of this section, each applicant claiming eligibility for small business provisions, or a rural

service provider bidding credit shall disclose the following:

(1) On its application to participate in competitive bidding (*i.e.*, short-form application (see 47 CFR 1.2105)):

(i) List the names, addresses, and citizenship of all officers, directors, affiliates, and other controlling interests of the applicant, as described in § 1.2110, and, if a consortium of small businesses or consortium of very small businesses, the members of the conglomerate organization;

(ii) List any FCC-regulated entity or applicant for an FCC license, in which any controlling interest of the applicant owns a 10% or greater interest or a total of 10% or more of any class of stock, warrants, options or debt securities. This list must include a description of each such entity's principal business and a description of each such entity's relationship to the applicant;

(iii) List all parties with which the applicant has entered into agreements or arrangements for the use of any of the spectrum capacity of any of the applicant's spectrum;

(iv) List separately and in the aggregate the gross revenues, computed in accordance with § 1.2110, for each of the following: The applicant, its affiliates, its controlling interests, and the affiliates of its controlling interests; and if a consortium of small businesses, the members comprising the consortium;

(v) If claiming eligibility for a rural service provider bidding credit, provide all information to demonstrate that the applicant meets the criteria for such credit as set forth in § 1.2110(f)(4); and

(vi) If applying as a consortium of designated entities, provide the information in paragraphs (b)(1)(i) through (v) of this section separately for each member of the consortium.

(2) As an exhibit to its application for a license, authorization, assignment, or transfer of control:

(i) List the names, addresses, and citizenship of all officers, directors, and other controlling interests of the applicant, as described in § 1.2110;

(ii) List any FCC-regulated entity or applicant for an FCC license, in which any controlling interest of the applicant owns a 10% or greater interest or a total of 10% or more of any class of stock, warrants, options or debt securities. This list must include a description of each such entity's principal business and a description of each such entity's relationship to the applicant;

(iii) List and summarize all agreements or instruments (with appropriate references to specific provisions in the text of such agreements and instruments) that support the applicant's eligibility as a small business under the applicable designated entity provisions, including the establishment of de facto or de jure control. Such agreements and instruments include articles of incorporation and by-laws, partnership agreements, shareholder agreements, voting or other trust agreements, management agreements, franchise agreements, spectrum leasing

arrangements, spectrum resale (including wholesale) arrangements, and any other relevant agreements (including letters of intent), oral or written;

(iv) List and summarize any investor protection agreements, including rights of first refusal, supermajority clauses, options, veto rights, and rights to hire and fire employees and to appoint members to boards of directors or management committees;

(v) List separately and in the aggregate the gross revenues, computed in accordance with § 1.2110, for each of the following: the applicant, its affiliates, its controlling interests, and affiliates of its controlling interests; and if a consortium of small businesses, the members comprising the consortium;

(vi) List and summarize, if seeking the exemption for rural telephone cooperatives pursuant to § 1.2110, all documentation to establish eligibility pursuant to the factors listed under § 1.2110(b)(4)(iii)(A).

(vii) List and summarize any agreements in which the applicant has entered arrangements for the use of any of the spectrum capacity of the license that is the subject of the application; and

(viii) If claiming eligibility for a rural service provider bidding credit, provide all information to demonstrate that the applicant meets the criteria for such credit as set forth in § 1.2110(f)(4).

The IOB will ensure that applicants are aware of those requirements before and throughout the application process by means of an information online webinar posted on Link Up Idaho website, a list of requirements contained in grant applications and guidelines, as well as grant agreement terms and conditions and subrecipient grants monitoring program requirements.

Applications received by the IOB that do not meet the minimum requirements of compliance on page 75 of the BEAD NOFO will not receive funding.

2.4.17 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on other public funding as outlined on pages 75 – 76 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. **Detail how it will require prospective subgrantees to disclose for itself and for its affiliates, any application the subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds.**
- b. **At a minimum, the Eligible Entity shall require the disclosure, for each broadband deployment project, of: (a) the speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules), (b) the geographic area to be covered, (c) the number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of**

locations within the specified geographic area, the relevant percentage), (d) the amount of public funding to be used, (e) the cost of service to the consumer, and (f) the matching commitment, if any, provided by the subgrantee or its affiliates.

The IOB shall ensure that applicants for deployment of network infrastructure meet the minimum qualifications to provide information on additional public funds as defined on pages 75 – 76 in the BEAD NOFO.

Disclosure of Existing or Future Publicly Funded Projects

The IOB will require each applicant to disclose, for itself and for its subsidiaries, any application submitted or planned to submit, and any broadband deployment project undertaken or committed to undertaken by the applicant or its subsidiaries using public funds at the time of submission of the application. Public funds including but not limited to funds provided under: the [Families First Coronavirus Response Act](#)²² (Public Law 116- 127; 134 Stat. 178); the [CARES Act](#)²³ (Public Law 116-136; 134 Stat. 281), the [Consolidated Appropriations Act](#),²⁴ 2021 (Public Law 116-260; 134 Stat. 1182); or the [American Rescue Plan Act \(ARPA\)](#)²⁵ of 2021(Public Law 117-2; 135 Stat. 4), any federal Universal Service Fund high-cost program (e.g., RDOF, Connect America Fund), or any State or local universal service or broadband deployment funding program.

Detailed Information for Existing or Future Publicly Funded Projects

The IOB will require the applicant to submit a list of other publicly funded projects in which broadband networks are deployed. The information submitted will be in the Supplemental Documents Excel Workbook. The spreadsheet requires the disclosure, for each broadband deployment project, of:

- The speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules);
- The geographic area to be covered;
- The number of unserved and underserved locations committed to serving (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage);
- The amount of public funding to be used;
- The cost of service to the consumer; and
- The matching commitment, if any, provided by the subgrantee or its affiliates.

The IOB will provide applicants with information on those requirements prior to and during the selection process, through educational webinars, including a list of conditions set out in grant applications and guidance notes as well as contract grant agreement conditions and subrecipient grant monitoring program responsibilities.

²² <https://www.congress.gov/116/plaws/publ127/PLAW-116publ127.pdf>

²³ <https://www.congress.gov/116/plaws/publ136/PLAW-116publ136.pdf>

²⁴ <https://www.congress.gov/116/plaws/publ260/PLAW-116publ260.pdf>

²⁵ <https://www.congress.gov/117/plaws/publ2/PLAW-117publ2.pdf>

Applications received by the IOB that do not meet the minimum requirements of compliance on pages 75-76 of the BEAD NOFO will not receive funding.

2.5 Non-Deployment Subgrantee Selection (Requirement 9)

Concerning non-deployment eligible activities, explain any preferences the Eligible Entity will employ in selecting the type of initiatives it intends to support using BEAD Program funds, how subgrantees for these eligible activities will be selected, how the Eligible Entity expects the initiatives it pursues to address the needs of the Eligible Entity's residents, how engagement with localities and stakeholders will inform the selection of eligible activities, and any efforts the Eligible Entity will undertake to determine whether other uses of the funds might be more effective in achieving the BEAD Program's equity, access, and deployment goals.

2.5.1 Describe a fair, open, and competitive subgrantee selection process for eligible non-deployment activities. Responses must include the objective means, or process by which objective means will be developed, for selecting subgrantees for eligible non-deployment activities. If the Eligible Entity does not intend to subgrant for non-deployment activities, indicate such.

After Idaho analyzed the anticipated costs to deploy broadband service to all the unserved and underserved locations, including eligible CAIs, the IOB has made the decision not to subgrant for non-deployment activities.

2.5.2 Describe the Eligible Entity's plan for the following:

- a. How the Eligible Entity will employ preferences in selecting the type of non-deployment initiatives it intends to support using BEAD Program funds;**

While the IOB expects to exhaust all funding on deployment activities, the State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility.

- b. How the non-deployment initiatives will address the needs of residents within the jurisdiction;**

While the IOB expects to exhaust all funding on deployment activities, the State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility.

- c. The ways in which engagement with localities and stakeholders will inform the selection of eligible non-deployment activities;**

While the IOB expects to exhaust all funding on deployment activities, the State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility.

- d. How the Eligible Entity will determine whether other uses of the funds might be more effective in achieving the BEAD Program's equity, access, and deployment goals.**

While the IOB expects to exhaust all funding on deployment activities, the State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved,

and CAIs to allow flexibility.

2.5.3 Text Box: Describe the Eligible Entity’s plan to ensure coverage to all unserved and underserved locations prior to allocating funding to non-deployment activities.

While the IOB expects to exhaust all funding on deployment activities, the State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility.

2.5.4 Text Box: Describe how the Eligible Entity will ensure prospective subgrantees meet the general qualifications outlined on pages 71 – 72 of the NOFO.

While the IOB expects to exhaust all funding on deployment activities, the State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility.

2.6 Eligible Entity Implementation Activities (Requirement 10)

Describe any initiatives Idaho proposes to implement as the recipient without making a subgrant, and why it proposes that approach.

The IOB plans to perform the following initiatives, presented in Table 17 without making a subgrant.

Table 17

Implementation Activities

Initiative	Justification for Use of Funds
Implementation of the BEAD challenge process	Funds will be used to develop the challenge process portal and conducting various tasks such as mapping activities, software development, and engaging with ISPs, local governments, and non-profit organizations. This process will be administered by the IOB with the IBAB and stakeholders. As this is an administrative process with public engagement and work with the IBAB, it will be managed by the IOB staff and resources within the Idaho Department of Commerce. Stakeholder engagement is key, and the IOB has shown success in this area based on the CARES Act Rounds 1 and 2 and the current CPF program.

Initiative	Justification for Use of Funds
<p>Implementation of the subgrantee selection process</p>	<p>The IOB manages and administers all types of grants with highly skilled subject matter experts. The IOB will utilize external consultants and internal personnel from the CPF and BEAD to ensure these programs are effectively managed and staffed to administer support to subgrantees. This also includes technical assistance provided to applicants. The tasks includes but not limited to developing, managing, and implementing the grant administration process, which includes, selection, challenge, rebuttal, and adjudicative processes. This process will be administered by the IOB with the IBAB and stakeholders and any additional contract support as needed. As this is an administrative process involving public engagement and work with the IBAB, it will be handled by the IOB staff and resources within the Idaho Department of Commerce.</p>
<p>Workforce development related to the deployment of broadband</p>	<p>The IOB will collaborates with the Idaho Department of Labor (IDOL), as well as several labor unions, higher education institutions, and trade associations to advance workforce development initiatives. The IOB intends to leverage BEAD funding to execute the strategies outlined in the Workforce Development Plan, particularly emphasizing technical training, certifications, apprenticeships, and other skills relevant to broadband deployment. This is a key area of emphasis for the IOB. Housed under the Idaho Department of Commerce, the IOB is well-positioned to leverage the specialty skills, expertise, and colleagues that dedicate themselves to economic development, innovation, and workforce management. This insight has provided the IOB with a solid foundation for engaging in the Workforce Development space. Also, IOB stakeholders include multiple labor unions and the state’s community colleges focusing on technical training and development.</p>
<p>Mapping and data collection</p>	<p>The IOB is committed to managing the state’s broadband map by utilizing operating costs within the CPF and BEAD Programs. The IOB works with three GIS professionals in the Idaho Office of Information Technology, a sister agency.</p>

2.7 Labor Standards and Protection (Requirement 11)

Detail how the Eligible Entity will ensure that subgrantees, contractors, and subcontractors use strong labor standards and protections, such as those listed in Section IV.C.1.e, and how the Eligible Entity will implement and apply the labor-related subgrantee selection criteria described below in Section IV.C.1.e of the NOFO.

2.7.1 Text Box: Describe the specific information that prospective subgrantees will be required to provide in their applications and how the Eligible Entity will weigh that information in its competitive subgrantee selection processes. Information from prospective subgrantees must demonstrate the following and must include information about contractors and subcontractors:

- a. **Prospective subgrantees' record of past compliance with federal labor and employment laws, which:**
 - i. **Must address information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years;**
 - ii. **Should include a certification from an Officer/Director-level employee (or equivalent) of the prospective subgrantee evidencing consistent past compliance with federal labor and employment laws by the subgrantee, as well as all contractors and subcontractors; and**
 - iii. **Should include written confirmation that the prospective subgrantee discloses any instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act (OHSA), the Fair Labor Standards Act (FLSA), or any other applicable labor and employment laws for the preceding three years.**
- b. **Prospective subgrantees' plans for ensuring compliance with federal labor and employment laws, which must address the following:**
 - i. **How the prospective subgrantee will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including:**
 1. **Information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network; and**
 2. **How the subgrantee will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects.**

This section explains how the IOB will account for and oversee subgrantee adherence to federal labor and employment laws that mandate minimum safety, wage, anti-discrimination, and other workplace standards for all businesses in the United States.

The IOB will require information on applicants for subgrants regarding their record of

compliance with federal labor laws and employment rules, as well as records of all third parties involved in the project, including contractors and subcontractors. The information shall contain, at minimum, information on compliance with federal labor and employment laws by those entities regarding broadband deployment projects within the last three years.

New entrants without a record of labor and employment law compliance will be allowed to mitigate this fact by making specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.

To ensure that prospective subgrantees uphold labor standards and prioritize workplace safety, the applicant will need to include narrative responses for the following information in their application:

- a. Applicant's record on previous compliance with federal labor and employment laws
 - **Disclosure of violations:** Applicants must provide written disclosure of any violations of labor and employment laws, particularly violations of the OSHA, the FLSA, or any other applicable laws within the last three years. This disclosure offers transparency about their past compliance history.
 - **Compliance with federal labor and employment laws:** Applicants are required to demonstrate their compliance with federal labor and employment laws related to broadband deployment projects over the last three years. This includes adherence to regulations and laws established by OSHA and the FLSA, among others.
 - **Disclosure of contractor or subcontractor violations:** Applicants must provide written disclosure of any contractor or subcontractor violations of labor and employment laws, particularly violations of and the FLSA, or any other applicable laws within the last three years. This disclosure offers transparency about their past compliance history.
- b. Applicant's plan to comply with federal labor and employment laws
 - **Certification of compliance:** Applicants must provide a certification to the IOB from an executive-level employee (like an Officer/Director-level individual) attesting to past compliance with relevant labor laws. This certification also extends to all contractors and subcontractors involved in the project.
 - **Wage information:** Applicants must furnish information about wage scales and overtime payment practices for each classification of employees involved in the broadband deployment project. This disclosure will ensure that proper wage standards for employees are followed and maintained.
 - **Workplace safety committees:** How the applicant will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects. These committees will act as a platform for employees to voice their concerns and contribute to a safer work environment.
- c. Applicant's scoring compliance with federal labor and employment laws
 - Applicants who prove that they are fully compliant with all applicable employment

regulations and laws and have submitted a record and plans for outstanding work practices as defined under BEAD NOFO (see Footnote 19) Section IV.C.1.e, including no infringements during the last three years.

- Applicants unable to provide such certification shall submit to the IOB specific, forward-looking commitments to strong labor and employment standards and protection. The IOB will assess these plans and give a score according to the strength of commitments, considering factors outlined in BEAD NOFO IV.C.1.e. Section 69.
- On the basis of specific practices and commitments in Idaho, each applicant's workforce plan shall also receive an additional score for its overall strength in addressing the factors identified in the BEAD NOFO Section IV.C.1.e.
- Applicants will be permitted to draw up a single statewide employment plan, which will apply to all applications, or propose separate workforce plans for each application.
- Maximum award: 10 Points

2.7.2 Text Box: Describe in detail whether the Eligible Entity will make mandatory for all subgrantees (including contractors and subcontractors) any of the following and, if required, how it will incorporate them into binding legal commitments in the subgrants it makes:

As the State of Idaho is a right-to-work state, the IOB does not plan to incorporate the full list of requirements contained in the 2.7.2 Text Box question. Instead, it plans to include a modified subset in their evaluation of the application to score "Equitable Workforce Development and Job Quality" in Section 2.4.2. As part of the application, applicants will be required to respond to these items in their plan to be factored into the scoring of "Equitable Workforce Development and Job Quality." The IOB will request that applicants elaborate on their plans for each of the items listed below:

- Using a directly employed workforce, as opposed to a subcontracted workforce.
- Paying wages defined by federal prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements.
- Use of Idaho workforce.
- Use of an appropriately skilled workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure).

The IOB does not intend to incorporate any of the items mentioned in this section into legally binding agreements for subgrantees (including contractors and subcontractors) outside of what the BEAD NOFO requires.

2.8 Workforce Readiness (Requirement 12)

Detail how the Eligible Entity will ensure an available, diverse, and highly skilled workforce consistent with Section IV.C.1.e of the NOFO.

2.8.1 Text Box: Describe how the Eligible Entity and their subgrantees will advance equitable workforce development and job quality objectives to develop a skilled, diverse workforce. At a minimum, this response should clearly provide each of the following, as outlined on page 59 of the BEAD NOFO:

- a. **A description of how the Eligible Entity will ensure that subgrantees support the development and use of a highly skilled workforce capable of carrying out work in a manner that is safe and effective;**
- b. **A description of how the Eligible Entity will develop and promote sector-based partnerships among employers, education and training providers, the public workforce system, unions and worker organizations, and community-based organizations that provide relevant training and wrap-around services to support workers to access and complete training (e.g., child care, transportation, mentorship), to attract, train, retain, or transition to meet local workforce needs and increase high-quality job opportunities;**
- c. **A description of how the Eligible Entity will plan to create equitable on-ramps into broadband-related jobs, maintain job quality for new and incumbent workers engaged in the sector; and continually engage with labor organizations and community-based organizations to maintain worker voice throughout the planning and implementation process; and**
- d. **A description of how the Eligible Entity will ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of worker.**

A skilled workforce is essential in ensuring job seekers have the skills and training they need to be competitive in the telecommunications labor market, while creating a strong talent pool for applicants. The IOB will collaborate with community, labor, and educational institutions to establish a skilled and diverse workforce.

To meet the construction timetable of the IJA and ensure that households throughout Idaho can access reliable, affordable high-speed broadband, the IOB must address the critical shortage of a skilled and diverse workforce. The IOB and its subgrantees shall make appropriate investments in developing a suitable, diversified workforce for the tasks required to be performed to meet the labor demand of this BEAD Program.

- a. **A description of how the Eligible Entity will ensure that subgrantees support the development and use of a highly skilled workforce capable of carrying out work in a manner that is safe and effective;**

Ensuring a Highly Skilled Workforce

The IOB's approach to ensuring the use of a highly skilled workforce will include the following activities.

- Leverage the IWDC for their expertise in funding, and collaborative leadership to reduce employment barriers and better connect Idahoans to in-demand jobs. In 2017, the IWDC was established by the Office of the Governor to make sure Idaho works. IWDC together with Idaho's government agencies, nonprofits, and private businesses, are building a future where every Idahoan is prepared for the best career possible.
- Leverage federally funded career services. The IOB, in collaboration with IDOL, will leverage federal job readiness programs, such as Workforce Innovation and Opportunity Act Programs to incentivize workforce development. For instance, the On-the-Job Training (OJT) program administered by IDOL allows employees to hire and train skilled workers and receive compensation for those costs.
- Promote the use of workforce with appropriate training, certifications, and credentials. [The Office of Apprenticeship \(Idaho Department of Labor and Training\)](#),²⁶ through a partnership, a local non-profit organization, helps employers build new apprenticeship programs in a variety of industries including healthcare, information technology, marine trades, and manufacturing. There are more than 208 active registered apprenticeship programs in Idaho, including maintenance technicians, and electrician. These accreditations represent a solid foundation for the IOB and subgrantees to build on and develop apprenticeships for broadband deployment.

The IOB, its partners, and its subgrantees are committed to advancing equitable workforce development and job quality objectives through the BEAD Program. The IOB will require applicants to develop a plan for highly qualified staff, which includes the following elements to ensure that workforce needs are met:

- Documentation of required skills, level of experience, and certifications for full-time staff including job titles and size of the workforce (full-time employment positions, including for contractors and subcontractors) required to carry out each portion of the workforce.
- For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
 - Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work), including whether there is a robust in-house training program with established requirements tied to certifications and titles.
 - Information on the professional certifications and/or in-house training in place to ensure that deployment is done to a high standard.
- Description of the way in which the applicant will ensure the use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor management training programs that serve all workers).
- The steps the applicant will take to ensure that all members of the project workforce will have appropriate credentials (e.g., appropriate, and relevant occupational training, certification, and licensure) and if it will require such credential for hiring or if it will

²⁶ <https://idahoapprenticeships.org/apprenticeship-opportunities/>

support employees to attain such credentials.

- A written plan for workforce readiness, retention, and ensuring a quality work environment.
 - Whether the applicant workforce is unionized.
 - Whether the applicant workforce will be directly employed or whether a subcontracted workforce will perform work.
 - The entities the applicant plans to contract and subcontract with in carrying out the proposed work and their capabilities.
 - Require applicants to participate in local job fairs to recruit local hires.
 - How the applicant will communicate with and reach out to covered populations to increase participation in job recruitment.
 - A description of their customer service training program and accountability measures to ensure quality customer service.
- b. A description of how the Eligible Entity will develop and promote sector-based partnerships among employers, education and training providers, the public workforce system, unions and worker organizations, and community-based organizations that provide relevant training and wrap-around services to support workers to access and complete training (e.g., child care, transportation, mentorship), to attract, train, retain, or transition to meet local workforce needs and increase high-quality job opportunities;**

The IOB recognizes the importance of a highly skilled workforce capable of performing work safely and effectively. To ensure this, subgrantees must adhere to stringent training and certification standards. Subgrantees will be expected to collaborate with industry experts, educational institutions, community organizations, unions and worker organizations and professional organizations to develop comprehensive training curricula that equip workers with the necessary skills to excel in the broadband sector.

The IOB will foster sector-based partnerships that bring together employers, IWDC, IDOL, community colleges, training providers, the public workforce system, unions, worker organizations, and community-based organizations. These partnerships will work collaboratively to design training programs that address technical skills and provide wrap-around services to address barriers that workers may face, such as childcare and transportation. By engaging multiple stakeholders, the partnerships will ensure that training is relevant, accessible, and responsive to local workforce needs, thereby increasing high-quality job opportunities.

- c. A description of how the Eligible Entity will plan to create equitable on-ramps into broadband-related jobs, maintain job quality for new and incumbent workers engaged in the sector; and continually engage with labor organizations and community-based organizations to maintain worker voice throughout the planning and implementation process;**

The IOB's approach to developing equitable on-ramps opportunities, maintain job quality, and engage with labor and community-based organizations to maintain worker voice throughout the

planning and implementation process will include the establishment of a workforce advisory group. The IOB is developing a workforce advisory group, including IWDC, IDOL and labor unions such as the International Brotherhood of Electrical Workers to discuss labor needs, gaps, training, and programs that can improve them. With this advisory group, the IOB establishes a strong commitment to transparency, creating a feedback loop with partners and industry players and opportunities to improve local/regional coordination to progress workforce development further.

d. A description of how the Eligible Entity will ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of worker.

Promote pre-apprenticeship and registered apprenticeship programs for underrepresented groups. The IOB, in coordination/partnership with Idaho Department of Labor and community organizations, will identify pre-apprenticeship as well as registered apprenticeship programs that offer industry-recognized credentials and can create a more accessible pathway into the telecommunications industry for underrepresented or historically excluded workers.

Support diversity in hiring practices. The IOB will expect subgrantees (including its contractors and subcontractors) to document and track efforts to hire and retain workers from historically underserved groups, which could include women, people of color, veterans, and people with disabilities. The IOB will expect subgrantees to utilize State resources to access diverse talent and suppliers.

Promote accountability and transparency. The IOB will collect demographic data of the subgrantee workforce involved in the BEAD Program. The IOB will publish annually aggregate workforce data, including information on underrepresented or historically excluded workers, which could include women, people of color, veterans, people with disabilities, formerly incarcerated persons, and other underserved groups.

2.8.2 Text Box: Describe the information that will be required of prospective subgrantees to demonstrate a plan for ensuring that the project workforce will be an appropriately skilled and credentialed workforce. These plans should include the following:

A skilled and qualified workforce is critical to the delivery of broadband infrastructure in Idaho that will achieve the BEAD Program's deployment goals.

To ensure that applicants and each of its contractors and subcontractors have the technical and operational capacity to carry out the subgrant, the IOB will require applicants to have a plan for ensuring that the project workforce will be appropriately skilled and credentialed (including by the subgrantee and each of its contractors and subcontractors). As outlined in the BEAD NOFO, the following information will be required of applicants to encourage an appropriately skilled and credentialed project workforce:

- The ways in which the applicant will ensure the use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs) that serve all workers;
- The steps that will be taken to ensure that all members of the project workforce will have appropriate credentials (e.g., appropriate and relevant pre-existing occupational training, certification, and licensure);

- Whether the workforce is unionized;
- Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and
- The entities that the proposer plans to contract and subcontract with in carrying out the proposed work.

If the project workforce or any subgrantee's, contractor's, or subcontractor's workforce is not unionized, the subgrantee will also need to provide with respect to the non-union workforce:

1. The job titles and size of the workforce (full-time equivalent positions, including for contractors and subcontractors) required to carry out the proposed work over the course of the project and the entity that will employ each portion of the workforce;
2. For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
 - a. Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work), including whether there is a robust in-house training program with established requirements tied to certifications, titles; and
 - b. Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a standard consistent with the BEAD Program's goals and in compliance with federal and state laws.

The IOB will require the above information from applicants in the application process, which will be evaluated for completeness.

The IOB shall ensure that applicants are aware of these rules before and throughout the selection process by conducting regulation webinars, posting to its Link Up Idaho website a set of regulations relating to grant applications and guidelines as well as grant agreement and conditions and subrecipient grant monitoring program.

BEAD funding may not be granted for applications that do not fulfil the minimum qualifications required to ensure a skilled, diverse, and accredited workforce.

2.9 Minority Business Enterprises (MBEs)/ Women's Business Enterprises (WBEs)/Labor Surplus Firms Inclusion (Requirement 13)

Describe the process, strategy, and data tracking method(s) that the Eligible Entity will implement to ensure that minority businesses, women-owned business enterprises, and labor surplus area firms are recruited, used, and retained when possible.

2.9.1 Text Box: Describe the process, strategy, and the data tracking method(s) the Eligible Entity will implement to ensure that minority businesses, women-owned business enterprises (WBEs), and labor surplus area firms are recruited, used, and retained when possible.

The IOB recognizes the importance of diverse experiences, perspectives, and ownership of businesses in Idaho, and will take steps to proactively engage these businesses when possible.

The historic investment in high-speed internet infrastructure and adoption through the BEAD Program provides a welcome opportunity to attract, recruit, and retain historically underrepresented groups into the telecommunications workforce.

The IOB is committed to recruiting, using, and retaining MBEs, WBEs, and other Small Businesses Enterprises during the BEAD planning and implementation processes. As Idaho does not have any labor surplus areas, the State will not prioritize policies designed to identify and encourage applications from LSA firms at this time.

The IOB will create an environment within their broadband deployment initiative that allows MBE, WBE, and LSA firms to have equality in seeking contracted work while also acting in accordance with federal guidelines such as [2 C.F.R. § 200.321](#)²⁷ and [State of Idaho labor regulations](#).²⁸

The IOB will work to ensure that, where possible, MBEs, WBEs, and LSA firms are recruited, used, and retained.

The IOB shall take the following positive steps to ensure that MBE, WBE and other LSA firms are able to enter contracts under [2 C.F.R. 200.321](#).²⁹

1. Require that subgrantees place qualified small businesses, MBEs, and WBEs on solicitation lists through contract language.
 - Develop a list of applicable WBEs, MBEs, and LSAs (if applicable) that operate in Idaho.
 - Encourage eligible businesses to register as Small Disadvantaged Businesses, WBE, and MBE.
 - Advertise registration at existing women's business groups and minority-owned business groups.
 - Develop and distribute informational materials that detail registration procedures and FAQs.
2. Assure those small businesses, MBEs, and WBEs are solicited whenever they are potential sources.
 - Develop informational materials to distribute regarding opportunities.
 - Make timely and frequent advertisements about opportunities online and in materials that market to MBEs, WBEs and LSAs.
 - Work with community organizations that provide support in recruitment to distribute information about available opportunities within business opportunity-related meetings, conferences, seminars, etc.
 - Send electronic notifications about available opportunities to MBEs, WBEs and

²⁷ <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.321>

²⁸ <https://www.labor.idaho.gov/businesses/idaho-labor-laws/>

²⁹ <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.321>

- LSAs.
- Develop a target for utilization of MBEs, WBEs and LSAs.
3. Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small businesses, MBEs, and WBEs.
 - Breakdown projects into phases.
 - Create individual workstreams.
 - Develop time schedules to promote MBEs, WBE and LSA participation.
 4. Establish delivery schedules, where the requirement permits, which encourage participation by small businesses, MBEs, and WBEs.
 - Collaborate with MBEs, WBEs and LSAs to co-develop delivery schedules that adhere to the requirements of the BEAD Program and program goals while simultaneously encouraging participation.
 - Work with M/WBEs and LSAs to understand timeline constraints and provide the necessary support to encourage adherence to delivery schedules.
 5. Use the services and assistance, as appropriate, of such organizations as the Small Business Administration (SBA) and the Minority Business Development Agency (MBDA) of the U.S. Department of Commerce.
 - Utilize SBA's and MBDA's experts for more guidance on how to shape contracting requirements to attract and recruit a diverse workforce.
 - Develop a consolidated list of SBA and MBDA resources and contacts and share with MBEs, WBEs and LSAs.
 - Take advantage of existing business guides from the SBA.
 6. Require subgrantees to take the affirmative steps listed above as it relates to its subcontractors.
 - Require subgrantees to include an MBE, WBE and LSA recruitment plan.
 - Require subgrantees to submit a formal letter from leadership confirming their commitment to MBE, WBE and LSA utilization.

The IOB will also develop a system to track important metrics on the participation of underrepresented companies during the procurement process (e.g., job creation, utilization, and retention), alongside measures ensuring equal treatment for MBEs, WBEs, and LSA firms, when they apply for contracts.

The process, strategy, and data tracking methods that the IOB will implement to ensure the recruitment, utilization, and retention of MBEs, WBEs, and LSA firms are crucial for promoting diversity and inclusion in contracting. The process will be structured using the following framework:

Outreach and Recruitment

This database is used to identify potential diversity partners for subcontracting opportunities.

- **Outreach activities:** Idaho will engage in targeted outreach to these businesses, informing them about available opportunities and the benefits of partnering on the project. Idaho intends to partner with agencies such as:
 - a. Small Business Administration Boise Office serving Clark, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, Valley, and Washington counties in Idaho
 - b. SBA Seattle Office serving Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone counties in Idaho
 - c. The [Idaho Small Business Development Center](#)³⁰ six locations throughout the State
 - d. The [Idaho Black Community Alliance](#)³¹
 - e. The Idaho Women’s Business Center
 - f. The Idaho Native American Women Business Alliance
 - g. Minority Business Development Agencies
 - h. Tribal Employment Rights Office
- **Networking:** Participation in events, workshops, and business forums focused on diversity, and inclusion helps to connect with potential partners.

Prequalification and Selection:

- **Supplier Evaluation:** Interested businesses are evaluated based on their capabilities, experience, and alignment with project requirements.
- **Bid Process:** These businesses are invited to participate in the competitive bid process for subcontracting opportunities.
- **Fair Evaluation:** Bids are evaluated fairly, considering cost, quality, and the potential contribution to diversity and inclusion goals.

Contracting and Utilization:

- **Diverse Subcontractors:** Selected MBE, WBE, and LSA firms are awarded contracts for specific project components. Clear goals and targets are established for the participation of these businesses. Goals might be set as a percentage of total contract value or based on specific categories of work.
- **Contractual Obligations:** Contract terms outline the roles, responsibilities, and expectations of subcontractors regarding project delivery, quality, and timelines.

Monitoring and Tracking:

- **Data Collection:** The IOB will establish a robust system to collect and track data related to the participation of MBE, WBE, and LSA firms. This includes information on awarded

³⁰ <https://idahosbdc.org/>

³¹ <https://www.idahobca.com/>

contracts, subcontracting values, and work performed.

- **Regular Reporting:** Regular reports are generated to update stakeholders on the progress toward diversity and inclusion goals. These reports help to keep the project team informed and accountable.

Support and Development:

- **Capacity Building:** The IOB will support these businesses through capacity-building programs, technical assistance, and mentorship to help them succeed on the project. Allow MBEs and WBEs to have their own asynchronous Q&A period. Allow MBEs and WBEs to see the application sooner than the public (non-WBE/MBE/LSA).
- **Feedback:** Regular feedback is collected from subcontractors to identify areas of improvement and make necessary adjustments to the strategy.

By implementing these process, strategy, and data tracking methods, the IOB can ensure that MBE, WBE, and LSA firms are effectively recruited, utilized, and retained, contributing to a more diverse and inclusive contracting ecosystem.

To ensure that applicants are aware of these expectations prior to and throughout the selection process, the IOB shall provide information webinars, publish a list of regulations and expectations on the Link Up Idaho website, including the requirements of grant applications and guidelines, as well as the terms and conditions of the grant agreements and the requirements of the subrecipient grant monitoring program.

2.9.2 Certify that the Eligible Entity will take all necessary affirmative steps to ensure minority businesses, women’s business enterprises, and labor surplus area firms are used when possible, including the following outlined on pages 88 – 89 of the BEAD NOFO:

1. **Placing qualified small and minority businesses and women’s business enterprises on solicitation lists;**
2. **Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources;**
3. **Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises;**
4. **Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises;**
5. **Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and**
6. **Requiring subgrantees to take the affirmative steps listed above as it relates to subcontractors.**

YES, the IOB will take all necessary affirmative steps to ensure minority businesses, women’s business enterprises, and labor surplus area firms are used when possible, including the items outlined on pages 88 – 89 of the BEAD NOFO.

2.10 Cost and Barrier Reduction (Requirement 14)

Identify steps that the Eligible Entity will take to reduce costs and barriers to deployment, promote the use of existing infrastructure; promote and adopt dig-once policies; streamlined permitting processes and cost-effective access to poles, conduits, easements, and rights of way, including the imposition of reasonable access requirements.

2.10.1 Text Box: Identify steps that the Eligible Entity will take to reduce costs and barriers to deployment. Responses may include but not be limited to the following: a. Promoting the use of existing infrastructure; b. Promoting and adopting dig-once policies; c. Streamlining permitting processes; d. Streamlining cost-effective access to poles, conduits, easements; and e. Streamlining rights of way, including the imposition of reasonable access requirements.

The IOB is steadfast in its commitment to reducing the costs and barriers that often impede broadband deployment efforts. Our extensive engagements with ISPs during the past year have provided the IOB with an opportunity to better understand some of the obstacles facing telecommunications providers in our state. A series of roundtable discussions and interviews that were held with ISPs revealed the following constraints: high construction costs, delays in permitting, and cross-jurisdictional miscommunication. Below are several mitigation strategies that the IOB is pursuing to reduce costs and barriers and expedite broadband deployment projects.

Promoting the use of existing infrastructure. Developing and constructing broadband infrastructure can be an expensive and time-prohibitive process for ISPs. Issues such as topography and population density contribute to inflated development costs, which can directly affect service rates for the consumer. To better offset the cost of infrastructure buildout, Idaho is implementing the following efforts:

- Providing grant scoring bonuses for projects that utilize existing broadband middle-mile infrastructure.
- Prioritizing middle-mile and last-mile infrastructure investments that build off existing infrastructure and provider networks (as laid out in the IBAB Strategic Plan).

Promoting and adopting Dig-Once policies. A Dig-Once policy reduces inconvenience and disruption to citizens, accelerates the projects of service providers, and reduces the administrative burden on cities and local authorities. In its effort to reduce costs and barriers, Idaho will promote its “Dig-Once” approach by:

- Leveraging Idaho Capital Projects ARPA Funds for projects that implement Dig Once principles.
- Informing and educating ISPs on Idaho’s resources regarding utility locating: [Idaho Digline](#)³² and the online [Dig Once Map](#).³³

³² <https://www.digline.com/>

³³ <https://www.arcgis.com/apps/webappviewer/index.html?id=ef3724cdf66c4c98a92574edf36e18ca>

- Prioritizing projects that align with requirements enumerated under the Idaho Broadband [Dig Once and Right-of-Way Act](#)³⁴ (Sections 40-515 thru 40-520, Idaho Code).

Streamlining state and local permitting processes. Permitting processes can drive up the cost of broadband deployment and increase the pre-construction timeline. Streamlining permitting processes can eliminate unnecessary costs and barriers and facilitate the development of innovative options that are affordable to everyone. To achieve this, Idaho will take the following steps:

- Develop a checklist for local governments to facilitate timely determinations on the completeness of applications.
- Conduct an online seminar that introduces the permitting process, parties involved, and requirements and fees.
- Create a development review team that meets to review submitted applications; team will include representatives of all relevant parties and authorities, including but not limited to the applicant, municipal staff, department of transportation, and other local and state departments.
- Encourage local governments to establish procedures that eliminate the number of rounds of review and increase turnaround times (e.g., concurrent review processes and required pre-application meetings). This streamlining effort is in accordance with the [Red Tape Reduction Act](#),³⁵ which requires state agencies to simplify or repeal two existing rules for each new rule proposed.
- The IOB plans to conduct outreach and provide technical assistance as needed to local governments.

Improving cross-jurisdictional communication. Like all states, Idaho is home to local governments with their own departments, processes, and designated offices. Having to navigate entirely different government offices can make large trans-jurisdictional projects overwhelming and confusing for development applicants. To help applicants better understand the review process, timeliness, and the different offices and departments involved, Idaho will:

- Develop an organizational flow-chart/handout for applicants that describes the application and review process (e.g., which authorities and departments are involved, timelines, the way the review process works, who does what task, and with whom to speak).

Streamlining cost-effective access to poles. Service providers generally either bury telecommunications cables in the ground, which can be prohibitively expensive in remote areas of the country, or attach equipment over land on utility poles, which are often owned by electricity companies. While the latter is standard practice, there are sometimes delays due to disagreements on attaching requirements and fees.

Idaho is a preemption State under section 224(c) of the *Pole Attachment Act of 1978*. Idaho

³⁴ <https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2022/legislation/H0640E1.pdf>

³⁵ <https://gov.idaho.gov/wp-content/uploads/2019/01/eo-2019-02.pdf>

has [certified that they regulate](#)³⁶ rates, terms and conditions for pole attachments, preempting the FCC from doing so. The Idaho Public Utility Commission regulates the use regarding pole attachments and has established timelines for hearings and complaints.³⁷

Idaho will work to streamline access by:

- Collaborating with Public Utility Companies to create a one-stop web information clearinghouse information page on the Link Up Idaho Website regarding pole-attachment.

2.11 Climate Assessment (Requirement 15)

Provide an assessment of climate threats within the Eligible Entity and proposed mitigation methods consistent with the requirements of Section IV.C.1.h of the NOFO.

2.11.1 Text Box Describe the Eligible Entity’s assessment of climate threats and proposed mitigation methods. If an Eligible Entity chooses to reference reports conducted within the past five years to meet this requirement, it may attach this report and must provide a crosswalk narrative, with reference to page numbers, to demonstrate that the report meets the five requirements below. If the report does not specifically address broadband infrastructure, provide additional narrative to address how the report relates to broadband infrastructure. At a minimum, this response must clearly do each of the following, as outlined on pages 62 – 63 of the BEAD NOFO:

The frequency and severity of extreme weather events is likely to increase in the future, posing a significant risk for the environment, people’s health, and the economy. “The risk of extreme events is growing, and they are affecting every corner of the world,” says Sarah Kapnick, the chief scientist at the [National Oceanographic and Atmospheric Administration](#).³⁸ The plan for addressing climate threats within Idaho and suitable mitigation methods when carrying out BEAD funded activities is outlined in this plan.

Identify the geographic areas that should be subject to an initial hazard screening for current and projected future weather and climate-related risks and the time scales for performing such screenings.

The IOB has identified three major climate and weather-related risks: [wildfires](#)³⁹, [flooding](#)⁴⁰, and [extreme cold temperatures](#)⁴¹. The tables and maps presented in this section depict the areas of the state that are most vulnerable to each of these three risks.

³⁶ <https://www.fcc.gov/document/states-have-certified-they-regulate-pole-attachments-2>

³⁷ Idaho Admin. Code r. 31.01.01.151 (“1.01.01.151”)

³⁸ “Climate change makes heat waves, storms and droughts worse, climate report confirms” National Public Radio, January 9, 2023, <https://www.npr.org/2023/01/09/1147805696/climate-change-makes-heat-waves-storms-and-droughts-worse-climate-report-confirm>

³⁹ US Department of Agriculture - Forest Service, Wildfire Risk to Communities program, Burn Probability data <https://wildfirerisk.org/download/>

⁴⁰ Federal Emergency Management Agency. Flood Hazard Areas <https://msc.fema.gov/portal/home> and US Geologic Survey. National Hydrography Dataset. <https://apps.nationalmap.gov/downloader/>

⁴¹ US Department of Agriculture – Agricultural Research Service, Plant Hardiness Zones Data compiled by Oregon State University PRISM Climate Mapping Group https://prism.oregonstate.edu/projects/plant_hardiness_zones.php

Due to Idaho’s highly varied geography, most counties are more prone to one type of risk than the others. However, there are certain counties that are highly vulnerable in two risk categories. These counties are:

- Ada (wildfire, flooding)
- Adams (wildfire, extreme cold)
- Bannock (flooding, extreme cold)
- Gem (wildfire, flooding)
- Lemhi (wildfire, extreme cold)
- Valley (flooding, extreme cold)
- Washington (wildfire, flooding)

The seven identified at-risk counties listed above will be prioritized by the IOB for a periodic repeat screening process over the life of the BEAD Program, at a minimum, annually. The most up-to-date tools and information resources will be utilized to ensure that the plan remains effective in addressing climate threats.

Table 18

Counties with the Most Locations in High Wildfire Risk Areas

County	Un/Underserved BSLs High Wildfire Risk	Total BSLs High Wildfire Risk
Boise	2,103	2,239
Idaho	1,248	1,250
Elmore	621	2,726
Adams	319	333
Gem	288	318
Owyhee	246	247
Ada	160	2,188
Washington	136	137
Lemhi	84	84
Cassia	60	127

Table 19

Counties with the Most Flood Hazard Areas

County	Un/Underserved BSLs Countywide	Flood Hazard Area Acres
Bonner	17,337	101,103
Kootenai	15,256	61,670
Valley	6,549	45,080
Canyon	6,295	38,414
Washington	2,226	32,098
Ada	1,833	31,627
Bannock	2,566	22,145
Benewah	4,620	18,963
Jefferson	1,129	18,934
Blaine	1,252	17,557
Gem	701	17,360
Shoshone	4,870	14,930

Table 20

Counties with the Most Locations in Extreme Cold Temperature Risk Areas

County	Un/Underserved BSLs Extreme Cold Risk	Total BSLs Extreme Cold Risk
Fremont	6,566	10,518
Valley	6,400	12,007
Franklin	4,049	5,935
Caribou	3,367	3,977
Lemhi	2,620	5,011
Teton	2,188	6,391
Bingham	2,183	17,906
Adams	2,137	2,661
Bannock	2,117	25,252
Bear Lake	1,953	4,906

a. Characterize which projected weather and climate hazards may be most important to account for and respond to in these areas and over the relevant time horizons;

Utilizing the tools and resources recommended by NTIA, the IOB has identified three main climatic and weather risks: **flooding, wildfires, and extreme cold temperatures**. Idaho has a diverse climate that varies throughout the state. Due to its northern latitude and location in the interior of North America, its climate has large seasonal temperature differences, with extremely cold winters and warm, dry summers. Its wide ranges in elevation impact regional precipitation and flooding patterns. According to the U.S. Forest Service Wildfire Risk to Communities Program, Idaho has a [higher average wildfire risk than any other state in the nation](#).⁴²

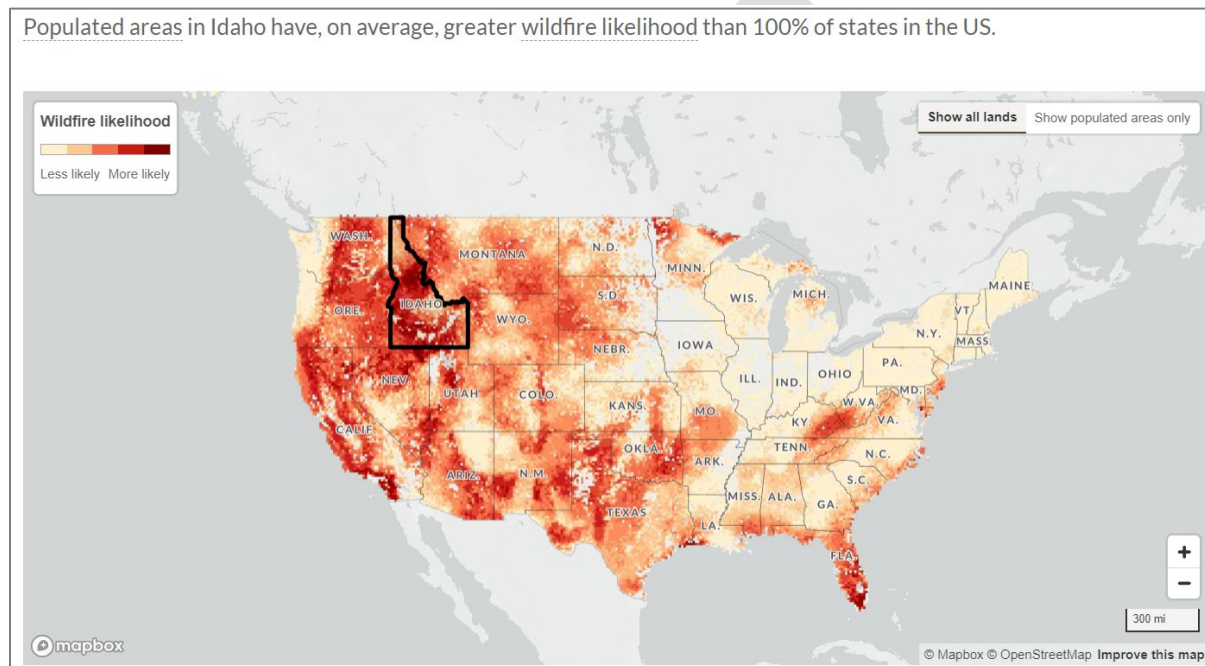


Figure 1: Wildfire likelihood in the continental United States. Data Source: US Forest Service Wildfire Risk to Communities Program

b. Characterize any weather and climate risks to new infrastructure deployed using BEAD Program funds for the 20 years following deployment;

Wildfires: Wildfires are a major climate risk in Idaho. According to data compiled from the Idaho Department of Environmental Quality, wildfires in Idaho burned more than 431,00 acres in 2021 (see Footnote 42). [The 10-year average is around 600,000 acres per year](#).⁴³ Wildfire risk depends on several factors, including temperature, soil moisture, the presence of trees, shrubs, and other potential fuel, and level of human activity (Center for Climate and Energy Solutions). Over the next 20 years [wildfire risk in Idaho will continually be a significant threat](#).⁴⁴

⁴² State of Idaho Department of Environmental Quality, *Idaho Wildfire Emissions Estimates (2021 Wildfire Season)*, January 2022, <https://www2.deq.idaho.gov/admin/LEIA/api/document/download/16543#:~:text=The%202021%20wildfire%20season%20in,average%20of%20around%20600%2C000%20acres>

⁴³ “Wildfire Likelihood, Idaho,” Wildfire Risk to Communities, <https://wildfirerisk.org/explore/wildfire-likelihood/16/>

⁴⁴ “Wildfires and Climate Change,” Center for Climate and Energy Solutions, <https://www.c2es.org/content/wildfires-and-climate->

Wildfires pose significant risk to new broadband infrastructure. Large scale burn destruction of above ground infrastructure and damage from extreme heat to shallow-buried infrastructure are the major mechanisms. The ability of wildfires to affect large swaths of land – thousands to tens of thousands of acres – gives them a particularly high impact and costly risk, resulting in the destruction of infrastructure over a large area in a short amount of time. Furthermore, areas burned by wildfires, and areas downstream from burn areas, are much more prone to extreme flooding in the years following a fire.

The following burn data depicted in Figure 2 illustrates the annual probability of a wildfire across the state in unserved and underserved areas, while Figure 3 provides a closer view of Idaho’s most populated region – the Boise Metropolitan Statistical Area – and the annual burn probability in its unserved and underserved areas.

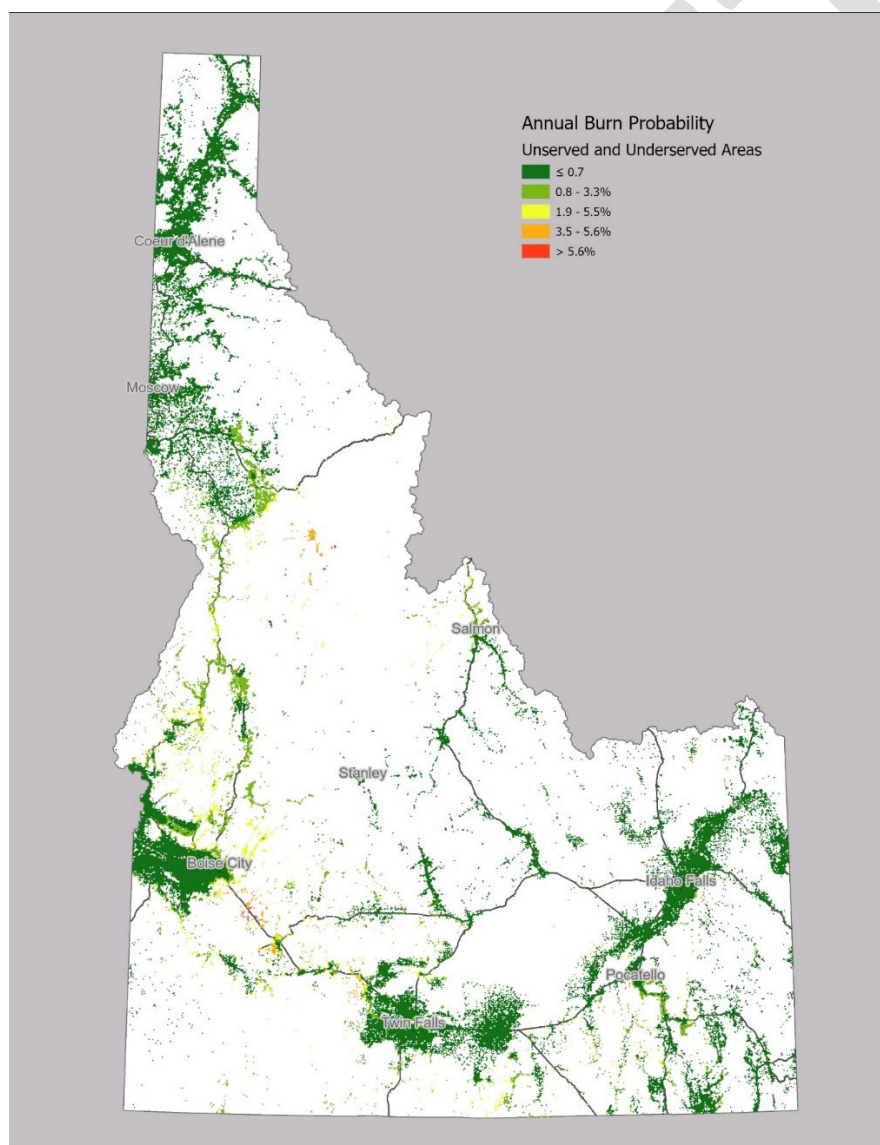


Figure 2: Annual wildfires burn probability in unserved and underserved areas. Data Source: United States Forest Service, Wildfire Risk to Communities Program, Annual Burn Probability raster

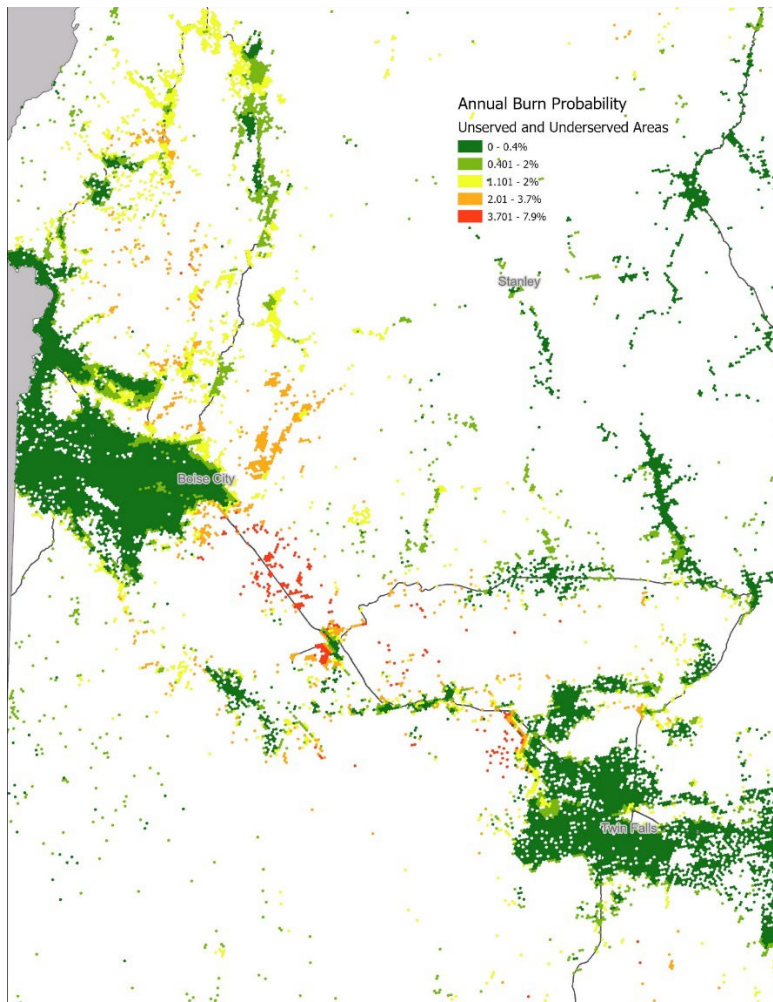


Figure 3: Annual wildfires burn probability in unserved and underserved areas in the Boise Metropolitan Statistical Area. Data Sources: United States Forest Service, Wildfire Risk to Communities Program, Annual Burn Probability raster

Flooding: Idaho's lower elevation areas are shielded by mountains to the east and west, reducing the amount of moisture that penetrates the area and resulting in low amounts of precipitation. This topography affects the lower elevations in the western and northern regions (Boise and Coeur d'Alene, respectively) as they possess higher flood risks due to runoff from the surrounding mountains. Areas in the south and southeast (Twin Falls and Idaho Falls, respectively) are also at higher risk of flooding due to the higher elevations in the central region.

Flooding poses a significant risk to new broadband infrastructure. Water damage to on-the-ground and below ground components, as well as physical destruction to poles and other above ground infrastructure from fast moving water and the debris carried therein are the major mechanisms. Unlike wildfires, flood risks in Idaho are confined to smaller, more contained areas like flood zones along river and valley bottoms.

The following data (Figure 4) shows flood hazard areas (100-year flood zones, 500-year flood zones, and floodways) as mapped by the Federal Emergency Management Agency (FEMA), as well as major rivers as mapped by the U.S. Geologic Survey, in unserved and underserved areas.

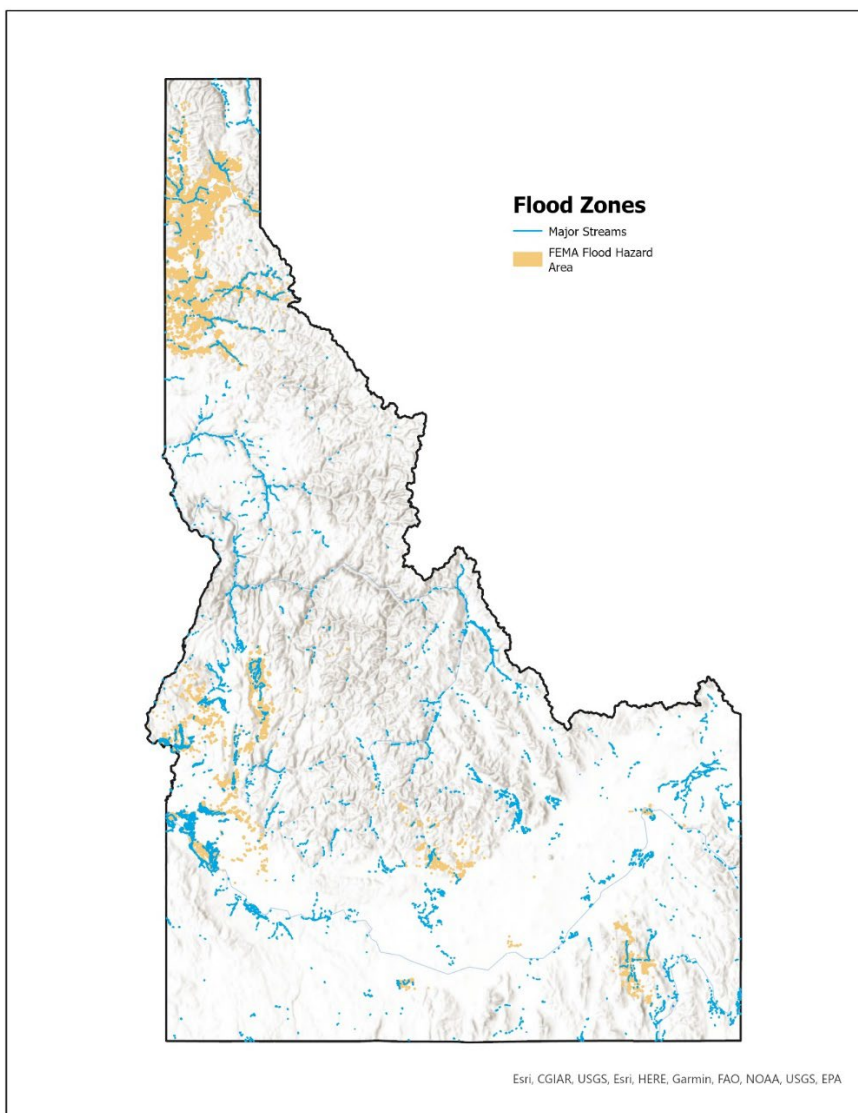


Figure 4: Flood zones and major streams/rivers in unserved and underserved areas Data Sources: Federal Emergency Management Agency Flood Map Service Center and United States Geological Survey National Hydrography Dataset

Extreme Low Temperatures: While the State sees a wide range of annual minimum temperatures, the lowest and most severe occur in the central and eastern region, with temperatures in some areas dropping as low as negative 35 degrees Fahrenheit. The western border of the State has consistently higher minimum temperatures, though the figures are still well below freezing.

Though still a considerable risk, extreme low temperatures are considered by the IOB to present a lower overall risk factor than wildfires or flooding. Failure of electronic components not designed to withstand extreme cold and accumulation of ice and snow on poles and lines are the major mechanisms.

Figure 5 depicts Idaho’s annual minimum temperatures, as mapped by the U.S. Department of Agriculture, in the underserved and unserved areas of the State.

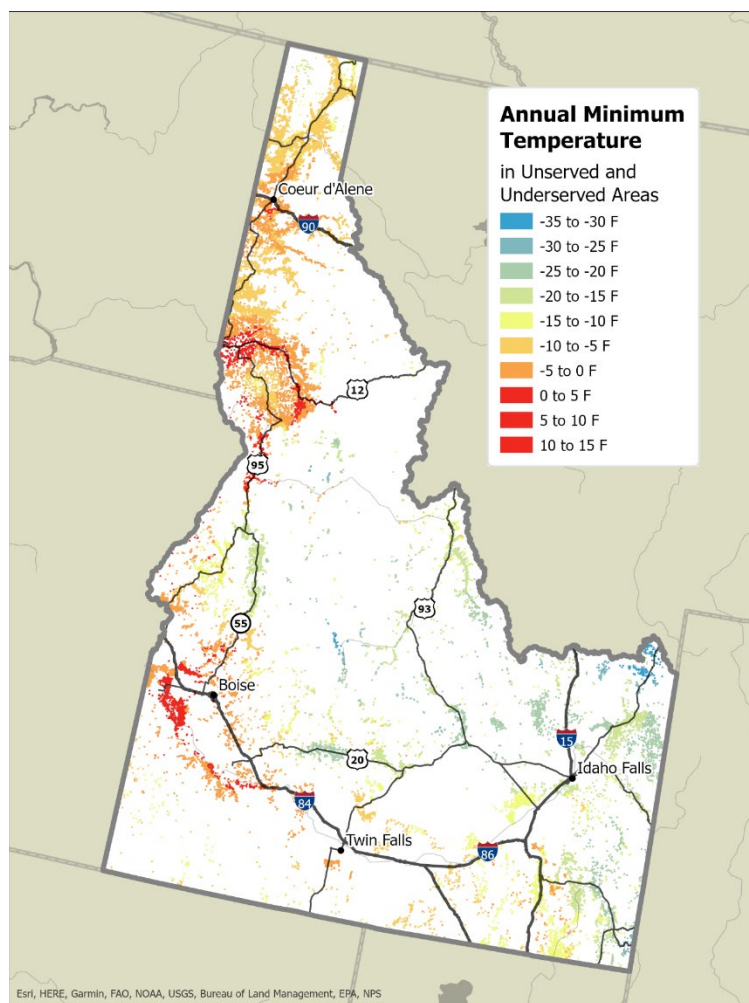


Figure 5: Annual minimum temperature in unserved and underserved areas. Data Sources: US Department of Agriculture, Agricultural Research Service, Plant Hardiness Zones compiled by PRISM mapping group at Oregon State University

c. Identify how the proposed plan will avoid and/or mitigate weather and climate risks identified;

Over the next 20 years and beyond, [it is anticipated that infrastructure will be consistently exposed to the identified climate related risks.](#)⁴⁵ A table depicting mitigation strategies that can be employed to reduce the risk to infrastructure from the identified climate risks is presented below. Risk mitigation will be done on a project-by-project basis. Each infrastructure project is

⁴⁵ IPCC, 2022: Summary for Policymakers [H.-O. Pörtner, D.C. Roberts, E.S. Poloczanska, K. Mintenbeck, M. Tignor, A. Alegría, M. Craig, S. Langsdorf, S. Lösschke, V. Möller, A. Okem (eds.)]. In: *Climate Change 2022: Impacts, Adaptation, and Vulnerability*. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Lösschke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA, pp. 3-33, doi:10.1017/9781009325844.001, retrieved from <https://www.ipcc.ch/report/ar6/wg2/chapter/summary-for-policymakers/>

unique and not all mitigation strategies will be appropriate or feasible for every project. The IOB will encourage the use of the most appropriate mitigation strategies for each project to help ensure that investments in infrastructure have the longest possible lifespan.

It should be noted that while these mitigation strategies decrease the likelihood of potential damage to infrastructure from climatic risks, they also increase the cost of broadband deployment projects.

Table 21

Possible Mitigation Strategies to Reduce Climate Risks

Risk	Risk to Infrastructure	Mitigation Strategies
Wildfires	<ul style="list-style-type: none"> • Burn damage, destruction of poles and above ground infrastructure over large swaths of land. • Heat damages shallow buried infrastructure. 	<ul style="list-style-type: none"> • Burying infrastructure at depths of at least 12-24 inches wherever possible.⁴⁶ • Utilizing steel poles over wooden when burying is not possible. • Keeping utility corridors free from trees, brush, and other fuels.
Flooding	<ul style="list-style-type: none"> • Water damage to subsurface and on-the-ground infrastructure. • Damage, destruction of poles and above ground infrastructure from fast-moving water and debris therein, e.g., uprooted trees, vehicles. 	<ul style="list-style-type: none"> • Utilizing aerial installations in flood zones. • Avoid placement of on-the-ground infrastructure in flood zones.
Extreme Freezing	<ul style="list-style-type: none"> • Severe icing, condensation on lines and poles. • Failure of electronic components not designed to withstand extreme cold. 	<ul style="list-style-type: none"> • Burying infrastructure where possible.

The IOB may also explore other mitigation measures not mentioned above on a case-by-case basis.

⁴⁶ Beadle, N. C. W., "Soil Temperatures During Forest Fires and Their Effect on the Survival of Vegetation," *Journal of Ecology*, vol. 28, no. 1, 1940, pp. 180–92. JSTOR, <https://doi.org/10.2307/2256168>. Accessed 5 Sept. 2023.

d. Describe plans for periodically repeating this process over the life of the Program to ensure that evolving risks are understood, characterized, and addressed, and that the most up-to-date tools and information resources are utilized.

As climate patterns change, so do the risks and hazards. To ensure the continued understanding, and management of these evolving risks, the IOB will regularly evaluate its screening process over the lifetime of the program by utilizing the [Idaho Office of Emergency Management's statewide hazard mitigation plans](#),⁴⁷ which are updated on a 5-year cycle. To ensure that the plan will remain effective in tackling climate challenges, it will use the most recent available tools and information sources. For example, at the end of each wildfire season, new data becomes available about the wildfires that occurred that year. Also, FEMA is engaging in new and updated flood zone mapping projects, and this data will be incorporated as available. The IOB shall update the program materials, including programming guidelines and applications. These changes will be reflected in updated maps and any updates on damage or repairs needed to BEAD-funded infrastructure.

The IOB will mitigate the effect of weather risks on infrastructure, people's health, and economic activity through identifying areas at risk, hazards and risks and implementing mitigation measures. To ensure that the IOB is ready to deal with evolving severe weather events, periodic repetition of the screening process and updating of the plan shall be ensured.

2.11.1.1 Optional Attachment: As an optional attachment, submit any relevant reports conducted within the past five years that may be relevant for this requirement and will be referenced in the text narrative above.

Not applicable.

2.12 Low-Cost Broadband Service Option (Requirement 16)

Describe the low-cost plan(s) that must be offered by subgrantees consistent with the requirements of Section IV.C.2.c.i of the NOFO.

2.12.1 Text Box: Describe the low-cost broadband service option(s) that must be offered by subgrantees as selected by the Eligible Entity, including why the outlined option(s) best services the needs of residents within the Eligible Entity's jurisdiction. At a minimum, this response must include a definition of low-cost broadband service option that clearly addresses the following, as outlined on page 67 of the BEAD NOFO:

- a. All recurring charges to the subscriber, as well as any non-recurring costs or fees to the subscriber (e.g., service initiation costs);**

All subgrantees that receive BEAD funds to deploy broadband infrastructure projects are required to provide a "low-cost broadband service" to ACP eligible households in the BEAD-funded service areas for the life of the network.⁴⁸

Like many other states, Idaho is home to individuals and communities with limited resources

⁴⁷ <https://ioem.idaho.gov/preparedness-and-protection/mitigation/state-hazard-mitigation-plan/>

⁴⁸ The BEAD NOFO describes "Low-cost broadband service options must remain available for the useful life of the network assets." See pages 66-67 Section IV.C.2.ii.c.i:

and lack of upward financial mobility. The [United States Census Bureau 2021](#)⁴⁹ data shows that 11% of the population can be classified as a “person in poverty.” Economic hardship can disrupt every aspect of daily life, including the ability to participate in modern society. “Put simply, high-speed internet is a necessity in today’s society,” said Mitch Landrieu, Senior Advisor to the President and White House Infrastructure Coordinator.⁵⁰

The most widely recognized program to lower the cost of internet service is the FCC’s Affordable Connectivity Program, which subsidizes up to \$30 per month (or \$75 for tribal applicants) for broadband for qualifying households and may include a one-time subsidy toward buying a laptop or tablet. Nevertheless, despite the benefit of the subsidy, the ACP is known to be underutilized nationwide. [In Idaho, only about 17% of eligible households have enrolled in the ACP](#),⁵¹ compared to the national rate of 42%.

Table 22

Poverty and Internet Access and Adoption Statistics^{52, 53}

Description	Idaho	USA	Difference
Households that have one or more type of computing device	94%	93%	Idaho percentage is about the same as the USA as a whole percentage.
Households with no computer	6%	7%	Idaho percentage is about the same as the USA as a whole percentage.
Households with an Internet subscription	88%	87%	Idaho percentage is about the same as the USA as a whole percentage.
Households with no internet access	9%	10%	Idaho percentage is about the same as the USA as a whole percentage.
People whose Income in the past 12 months is below poverty level	11%	13%	Idaho percentage is about the same as the USA as a whole percentage.
People whose Income in the past 12 months is below 200% of poverty level (Indicator for ACP eligibility)	31%	29%	Idaho percentage is about the same as the USA as a whole percentage.
Percentage of households that are eligible for ACP	42%	42%	Idaho percentage is the same as the USA as a whole percentage.

⁴⁹ United States Census Quick Facts, “QuickFacts: Idaho; United States,” United States Census Bureau, <https://www.census.gov/quickfacts/fact/table/ID,US/IPE120221#IPE120221>

⁵⁰ Biden-Harris Administration Announces State Allocations for \$42.45 Billion High-Speed Internet Grant Program as Part of Investing in America Agenda, June 26, 2023, USDOC, NTIA.

⁵¹ <https://www.educationsuperhighway.org/no-home-left-offline/acp-data/#dashboard>

⁵² Data Source: US Census American Community Survey 2021 5-year estimates - Tables B28001 and B28002

⁵³ Data Source: US Census American Community Survey 2021 5-year estimates - Table B17020

ACP Adoption Rate (percentage of people who are eligible that are using ACP)	17%	42%	Idaho percentage is about the same as the USA as a whole percentage.
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Idaho residents can also apply for [Lifeline](#)⁵⁴ a federal program which subsidizes up to \$9.25 of eligible consumers’ monthly phone or internet service bill (and up to \$34.25 for residents on Tribal Lands). The eligibility requirement for the Lifeline subsidy program is approximately equal to household income at or below 135% of the federal poverty line, suggesting a precedent for that benchmark as well as the potential to utilize the Lifeline National Verifier as a useful, low-cost means of verifying eligibility that does not impose additional burden on either the consumer or the ISP.

The IOB’s intention is to help as many Idahoans as possible while ensuring that the scale of the low-cost requirement will result in impacting the business case for ISP applications to build to unserved and underserved locations in Idaho while reducing the grant applicant’s burden. However, the IOB has chosen to prioritize widespread participation among its residents by setting the eligibility requirement at or below 200% of the federal poverty line.

The IOB is committed to providing residents with the opportunity to receive low-cost broadband service, while simultaneously recognizing that ISPs have a variety of different plans and may be unable to alter their pricing structure.

The state therefore proposes to require all subgrantees to offer a low-cost broadband service option that meets the following criteria:

- A service offering that is affordable to the eligible population, defined as those eligible for the Affordable Connectivity Program or its successor.
- The service rate is not higher than the residential rates provided in the FCC's U.S. reasonable comparability benchmark, calculated annually in the fixed broadband Urban Rate Survey (URS) for the service tier.
- If the service rate is higher than the current FCC U.S. reasonable comparability benchmark in the fixed broadband URS for the service tier, the applicant must submit to the IOB a justification on why the service option is affordable to the eligible population. This includes a market analysis that demonstrates that the service option is affordable to the average ACP-eligible household. Failure to demonstrate that the low-cost service option is affordable may result in the IOB requiring additional information to support the service option meets the requirement.
- The price identified, as well as the provisions identified for this service option will be a contractual obligation of subgrantee for the useful life of the network assets, which useful life is defined as eight years for this section.
- Once a year the service provider may adjust the low-cost service price based on the CPI, as indicated by the U.S. Bureau of Labor Statistics, as well as any increases in

⁵⁴ <https://www.lifelinesupport.org/do-i-qualify/>

government fees that are or may become applicable to broadband service. This price may be indexed to the CPI, as outlined by the U.S. Bureau of Labor Statistics, but shall not exceed an increase four percent annually.

- Service will be available to all households that meet the eligibility criteria of the ACP (available to households with income equal to or below 200% of the federal poverty line).
- Service will allow the end user to apply the ACP subsidy to the service price and encourages ISPs to ensure that prospective customers are aware of their participation in the ACP.
- The service costs must be inclusive of all taxes, fees, and charges, with no additional non-recurring costs or fees to the consumer (i.e., no installation or equipment costs).
- Service meets performance requirements as established by the BEAD Program, with download speeds of at least 100 Mbps and upload speeds of at least 20 Mbps.
- Delivers typical latency of no more than 100 milliseconds.
- Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.
- Allow subscribers to upgrade at no cost in the event the provider later offers a low-cost plan with higher speeds (downstream or upstream).
- Allow eligible ACP consumers to receive a credit of the current ACP or successor program amount towards a different service option plan.

In the event, the ACP funding and the National Verifier is no longer available, the IOB will notify NTIA of how low-cost service option eligibility verification should occur.

All subgrantees will be required to participate in the [Affordable Connectivity Program](#) or any successor program.

b. The plan's basic service characteristics (download and upload speeds, latency, any limits on usage or availability, and any material network management practices);

In accordance with NTIA guidelines, which emphasizes that access to affordable broadband is among the Infrastructure Investment and Job Act's (IIJA) objectives, Idaho proposes the following definition of a low-cost broadband service option, including all criteria and performance standards.

A low-cost broadband service option is a broadband service plan that satisfies all standards necessary for eligible households to access affordable high-speed internet. To be considered a low-cost broadband service option, subgrantees must provide a service plan that meets the following:

- Costs \$30 per month or less, inclusive of all taxes, fees, and charges if the subscriber does not reside on Tribal Lands, or \$75 per month or less, inclusive of all taxes, fees, and charges if the subscriber resides on Tribal Lands, with no additional non-recurring

costs or fees to the consumer.

- Allows the end user to apply the ACP benefit subsidy to the service price.
 - Provides the greater of either (a) typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps, or the fastest speeds the infrastructure is capable of if less than 100 Mbps/20 Mbps, or (b) the performance benchmark for fixed terrestrial broadband service established by the FCC pursuant to Section 706(b) of the Communications Act of 1934.⁵⁵
 - Provides typical latency measurements of no more than 100 milliseconds.
 - Is not subject to data caps, surcharges, or usage-based throttling and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.
 - The low-cost broadband option must remain available for the useful life of the BEAD funded network assets.
 - In the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits eligible subscribers subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost
- c. Whether a subscriber may use any Affordable Connectivity Benefit subsidy toward the plan's rate; and**

The IOB requires applicants to allow eligible ACP consumers to receive a credit of the current ACP or successor program amount towards a different service option plan.

- d. Any provisions regarding the subscriber's ability to upgrade to any new low-cost service plans offering more advantageous technical specifications.**

The IOB requires applicants to allow subscribers to switch to a better low-cost plan of that provider at no cost.

After considering the best approach to achieving the affordability targets in both the BEAD Program and the IJJA, the IOB proposes the above definitions for a desired low-cost service option. To increase awareness of and participation in available broadband subsidy schemes, while maintaining flexibility in view of the diversity of size, territory and services offered by applicants, the IOB will prioritize the development of affordability requirements for the BEAD program.

To ensure greater availability of broadband services and address key affordability obstacles, the "low cost" requirement that subgrantees shall offer a monthly \$30 service plan including all costs and other charges introduced. Applicants wanting to increase the low-cost amount to \$50 per month will need to apply for a waiver to the IOB. The IOB will evaluate each waiver received

⁵⁵ 47 U.S.C. § 1302(b). The current performance benchmark for fixed terrestrial broadband service is 25 Mbps for downloads and 3 Mbps for uploads. See Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, Fourteenth Broadband Deployment Report, GN Docket No. 20-269, 36 FCC Rcd 836, 841 para. 12 (2021).

on a case-by-case basis and reserves the right to decline an applicant's waiver should it not clearly demonstrate the need for an increase in the service cost from \$30 to \$50.

2.12.2 Checkbox: Certify that all subgrantees will be required to participate in the Affordable Connectivity Program or any successor program.

YES, the IOB will require all subgrantees to participate in the ACP or any successor program. The IOB also intends to require BEAD subgrantees to offer the ACP device subsidy program to its customers.

2.13 Middle-Class Plans (Requirement 20)

Describe a middle-class plan to ensure that all consumers have access to affordable high-speed internet. Idaho must submit a plan to ensure that high-quality broadband services are available to all middle-class families in the BEAD-funded network's service area at reasonable prices. Eligible Entities will be required to ensure that services offered over Funded Networks allow subscribers in the service area to utilize the ACP.

The definition of "middle class" can vary widely depending on geographic location, lifestyle, and other cultural or community norms.

Idaho is working to provide affordable broadband service for all consumers through its middle-class plan. The middle-class plan aligns with strategic BEAD Program objectives to ensure every resident has access to a reliable, high-speed broadband connection.

To achieve this effort, Idaho's middle-class plan adopts the following strategies in all BEAD-funded network service areas, focusing on three key areas: **availability, assistance, and ongoing monitoring.**

Availability

- The applicant's commitment to provide the most affordable low-cost plan with a minimum speed of 100/20 to all middle-class households using a BEAD-funded network.
- The applicant's commitment to provide the most affordable total price to the customer for 1 Gbps/1 Gbps (Gigabit symmetrical) service in the project area.

Assistance

- The use of regulatory authority to promote structural competition, such as eliminating barriers to entry, opening access to multi-dwelling units, or promoting alternative technologies; and
- The promotion of consumer pricing benchmarks that provide consumers an objective criterion to use in determining whether the rate offerings of broadband service providers are reasonable and to encourage providers to adopt affordable pricing.

Ongoing Monitoring

- The IOB will continue monitoring and public reporting to ensure that high-speed internet

connections are affordable for middle-class households in their state or territory.

Determining a middle-class plan

The NTIA does not define “middle-class” nor “affordability” in the NOFO guidelines. As per analyses by the Pew Research Center, in 2020, the median income of middle-class households was \$90,131. [“The income it takes to be middle income varies by household size, with smaller households requiring less to support the same lifestyle as larger households.”](#)⁵⁶

According to the Phoenix Center Policy Bulletin, [“Middle-Class Affordability of Broadband: An Empirical Look at the Threshold Question,”](#)⁵⁷ broadband affordability can be defined by rate of adoption. The bulletin provides a state-by-state analysis of broadband adoption rates by income groups, examining whether broadband affordability concerns the middle class. The conclusion of their analysis of broadband adoption rates by income groups, both nationally and for individual states, suggests that broadband is currently affordable for middle-class households.

The IOB will encourage service providers to offer price points that accommodate subscribers’ ability and desire to pay for reliable, high-speed service through a range of solutions, including but not limited to establishing, making publicly available to consumers, and monitoring benchmarks for affordability; providing subsidies for broadband service; encouraging providers to extend low-cost service options to all subscribers; weighting affordability criteria in the scoring of its BEAD grant program; and promoting structural competition through regulations.

The State will ensure that residents have access to Reliable Broadband Services. To that end, the IOB seeks to effectively address affordability for middle-class subscribers without restricting providers’ participation in BEAD Program which could lead to higher-cost awards and fewer residents served with Priority Broadband (i.e., fiber) access.

Therefore, the IOB plans to manage a middle-class plan within the context of the BEAD program by addressing the following undesired areas of risk:

- **Small, local providers propose low requested BEAD support but set high subscription costs:** The IOB will encourage ISPs participating in the Idaho BEAD grant program to offer their best price to areas they build-out and serve with grant funding in alignment with equivalent products they offer in non-grant-funded service areas in Idaho. This offering will meet the gigabit best offered pricing requirement in the BEAD Program rules. ISPs should include current pricing through the application process and a rigorous financial ability test will be built into the letter of credit and other aspects of the application process.
- **Providers tend to shift drop and installation costs to the subscriber to recover capital costs:** Grant application rules will make clear that drops and network equipment are eligible BEAD costs, and the applicant should include these items into grant proposals to avoid inflated subscriber prices. In rural areas, the IOB anticipates this risk

⁵⁶ Kochbar, R, & Sechopoulos, S., “How the American middle class has changed in the past five years,” April 20, 2022, Pew research Center, <https://www.pewresearch.org/short-reads/2022/04/20/how-the-american-middle-class-has-changed-in-the-past-five-decades>

⁵⁷ George S. Ford, “Middle-Class Affordability of Broadband; An Empirical Look at the Threshold Question,” October 2022, Phoenix Center Policy Bulletin No. 61, <https://phoenix-center.org/PolicyBulletin/PCPB61Final.pdf>

to be mitigated by the competition of other service providers providing 5G home internet and LEO satellite services.

- **Providers refuse to provide service to expensive locations:** The IOB will monitor and ensure that awardees make good on their BEAD service commitments, including not assessing additional fees beyond standard installation fees.
- **Differential pricing between urban and new project areas:** The gigabit best pricing policy mandated in the BEAD program scoring matrix sets requirements around geographic non-discrimination.

The IOB is committed to establishing policies that would lead to more availability and affordable broadband access among middle-income individuals. This universal commitment to expanding the adoption of broadband throughout Idaho necessitates the accommodation and partnership of subgrantees. In doing so, the State increases the likelihood of ISP participation and, in effect, will provide middle-income Idaho a resident a real opportunity to be fully engaged in the digital world.

A priority of the IOB is to ensure that affordable broadband services are available for middle class households on BEAD funded networks. The following program elements define the affordability of internet services plans for middle class households:

- The IOB will utilize FCC's annual Urban Rate Survey rate as the benchmark rates for middle class rates due to the subjective nature of defining the middle class and further determining what might be affordable for that population.
- The IOB's primary approach to ensuring affordability for the middle class is the amount of affordability in the scoring criteria established in this proposal. The IOB will utilize 15% of the scoring criteria to evaluate proposals to serve a location under the BEAD program.
- The IOB will adopt the rate for the highest speed threshold plan listed by the FCC in the Commission's Urban Rate Survey as the standard to score applicants' highest speed threshold plan. Packages, including all taxes, fees, and charges billed to the customer, are more expensive than this rate will receive fewer points. Packages that are less expensive than the standard will receive more points. The service option that the applicant submits to the IOB for scoring purposes must remain available for the effective life of the network assets.
- The service costs must be inclusive of all taxes, fees, and charges, with no additional non-recurring costs or fees to the consumer (i.e., no installation or equipment costs).
- The price identified, as well as the speed offerings, for this service option will be a contractual requirement of awardees for the useful life of the network assets, which is defined by the IOB as eight years for the purpose of this section. This price may be indexed to the CPI, as outlined by the U.S. Bureau of Labor Statistics, but shall not exceed an increase four percent annually.

Consideration of Special Construction Costs

For some Idahoans, broadband connections are not feasible because their home exceeds an internet service provider's standard connection drop length from a roadway or easement that contains telecommunications infrastructure. The cost of extending broadband infrastructure to

these locations, referred to as special construction costs, range from a few hundred to a few thousand dollars, depending on the distance and cost to connect the location. Due to this affordability barrier to connect to broadband networks, awardees cannot charge special construction charges for eight years after broadband service is available to a BEAD-funded location. Awardees will not be permitted to charge any fees to subscribers for these line extensions, except for the regular connection fees associated with any connection made on the network.

2.14 Use of 20 Percent of Funding (Requirement 17)

Describe the intended use of the 20 percent of total funding allocation that is made available upon approval of the Initial Proposal consistent with Section IV.B.8 of the NOFO.

2.14.1 Text Box: Describe the Eligible Entity's planned use of any funds being requested, which must address the following:

- a. **If the Eligible Entity does not wish to request funds during the Initial Proposal round, it must indicate no funding requested and provide the rationale for not requesting funds.**
- b. **If the Eligible Entity is requesting less than or equal to 20 percent of funding allocation during the Initial Proposal round, it must detail the amount of funding requested for use upon approval of the Initial Proposal, the intended use of funds, and how the proposed use of funds achieves the statutory objective of serving all unserved and underserved locations.**
- c. **If the Eligible Entity is requesting more than 20 percent (up to 100 percent) of funding allocation during the Initial Proposal round, it must detail the amount of funding requested for use upon approval of the Initial Proposal, the intended use of funds, how the proposed use of funds achieves the statutory objective of serving all unserved and underserved locations, and provide rationale for requesting funds greater than 20 percent of the funding allocation.**

The IOB is submitting this BEAD Program Initial Proposal Funding Request to support our pursuit of increasing equitable and universal broadband access and adoption in our service area. Our efforts will be conducted in collaboration with community stakeholders and are informed by our prior/existing efforts detailed in the BEAD Five-Year Action Plan and State Digital Equity Plan. Our program includes the following eligible activities:

- Funds to be used, directly or indirectly, for the administration of the grant (and thus subject to the statutory two percent cap);
- Funds to be used for administrative purposes, other than the administration of the grant, including but not limited to, additional legal fees, contracted services and auditing;
- Funds to be used to implement the challenge process and create a challenge portal utilizing contracted services;

- Eligible uses of funding in connection with last-mile broadband deployment projects, subject to the limitations related to unserved locations and high poverty areas for deployment prior to approval of the final proposal as outlined in the NOFO, Section IV.B.8;
- Eligible non-deployment uses, subject to the requirement of demonstrating a plan to ensure deployment to all unserved and underserved areas as outlined in the NOFO, Section IV.B.8; and
- Funds to be used upon approval of the Final Proposal.

Please note that these costs exceed the 20% of the total allocation; however, based on the BEAD NOFO, Section IV.B.8, the IOB requests that the Assistant Secretary make approximately 100% of the total allocation available at the initial proposal stage of the BEAD Program. The IOB requests that the Assistant Secretary make the total allocation of funds to be obligated at the initial proposal stage of the BEAD Program due to promotion of a robust and fair challenge process and competitive subgrantee selection process by giving industry confidence in the full allocation and availability of funds.

1. Funds to be used, directly or indirectly, for the administration of the grant. The IOB intends to use funds as part of the Initial Proposal Funding Request for the administration of the grant; specifically, to operationalize and increase efficiency of the State Broadband Office. The below costs do not overlap with those funds requested during the initial planning stage; however, they may represent a continuation of those costs vital to the administration of our State Broadband Office. These funds include:

- **Grant Management:** Funds will be utilized for grant management and personnel costs associated with the period of performance (at least four years). Staff will be housed in the IOB. Staff will be responsible for completing BEAD grant reports; archiving grant-related documents and documentation; preparing for, and supporting, any activities related to grant monitoring, audit or compliance requests; compiling, reconciling, and managing the submission of subgrantee reports and documents.
- **Legal Services:** Costs include drafting, execution, and filing fees of legal agreements and MOUs between organizations involved in the grant, including subgrantees. Legal hours also include time to conduct legal reviews for all contracts and agreements.
- **Travel:** Funds are requested to attend two occurrences of the State Broadband Leaders Network. Attendance at the State Broadband Leaders Network is important for learning about emerging telecommunications policy issues and priorities, as well as for the mutual sharing of best practices related to broadband adoption and deployment. We would like to have at least two people from our office attend in person, but up to four as we have new program managers who would benefit substantially from participating in these conferences.
- **Office Materials:** Funds are requested to operate the IOB and carry out activities necessary for the administration of the BEAD Program. We believe it is

imperative that we have representation in northern Idaho to increase our in-person engagement with these communities when it comes to the implementation of these funds. This includes a second office space in Lewiston, Idaho, that requires a private server, high-speed internet connection, secure internet connection, Wi-Fi access, office supplies/furniture and leasing office space. There may be other expenses as it relates to improving the location's internet service as well which may require a competitive bidding process to improve the State's broadband as a whole.

2. Funds to be used for administrative purposes, other than the administration of the grant.

The IOB intends to use funds as part of the Initial Proposal Funding Request for indirect costs. We intend to apply the 10% de minimis indirect cost rate on personnel (salaries and fringe), travel, materials and supplies, services (including contracts), and up to \$25,000 of each subaward to cover various associated overhead costs. In calculating the indirect costs, we have not included any indirect costs that have already been captured as the indirect costs related to the administration of the grant (see #1 above).

3. Funds to be used to implement the challenge process and subgrantee selection process

The IOB is planning to contract with a consultant to help our GIS Broadband Mapping Team implement the challenge process as outlined in the BEAD Initial Proposal. The intended outcomes of the contract are a successfully run challenge process that improves the accuracy of our last-mile broadband deployment projects, ensures that activities funded by the BEAD Program reach the areas that need funding the most, and improves transparency and trust in our initiatives. The work is expected to begin as soon as Volume I is approved as the results of the challenge process are expected to be provided to the State Broadband Office within three months of award in order for the subgrantee selection process to begin.

In order to support the successful challenge process, the IOB will utilize funds through the Initial Proposal Funding Request to facilitate local community engagement across the State in order to increase awareness of the challenge process – in line with the proposed challenge process in the initial proposal – to increase participation in the challenge process and to ensure public buy-in for the activities funded by the BEAD Program. The IOB will also be able to provide technical assistance to ISPs, tribal governments, and local jurisdictions. Funds are also requested to cover travel costs related to providing outreach and technical assistance.

To support the subgrantee selection process, the IOB will fund the GIS contractors through a statewide procured contract to support the reviews of applications as part of the BEAD subgrantee selection process. The GIS Broadband Team is based in the Idaho Office of Information Technology Services and staff time/resources will be used to provide timely support and high-quality customer service.

4. Eligible uses of funding in connection with last-mile broadband deployment projects, subject to the limitations related to unserved locations and high poverty areas for deployment prior to approval of the final proposal as outlined in the NOFO, Section IV.B.8.

At the time of the Initial Proposal Funding Request, the IOB has also requested funding to carry out eligible last-mile broadband deployment projects identified in the BEAD NOFO, Section IV.B.5.b. The IOB has determined that, based on NTIA tools and studies conducted as part of the preparation of the Five-Year Action Plan, the estimated projects cost to cover all areas that consist of at least 80% unserved locations and are in a location in which the percentage of individuals with a household income at or below 150% of the poverty line, applicable to a family of the size involved, that is higher than the national percentage of such individuals is approximately \$25,000,000. The details of these projects are to be specified following the completion of the challenge process and the subgrantee selection process. These projects will be carried out by subgrantees. The IOB will require a minimum of 25% cost match for each subgrantee project that requires a match. The type of match (cash or in kind) will be determined, by project, during the subgrantee selection process.

2.14.2 Financial Data Entry: Enter the amount of the Initial Proposal Funding Request. If not requesting Initial Proposal funds, enter '\$0.00.'

The IOB requests \$583,256,249.88 in BEAD funds.

2.14.3 Check Box: Certify that the Eligible Entity will adhere to BEAD Program requirements regarding Initial Proposal funds usage. If the Eligible Entity is not requesting funds in the Initial Proposal round and will not submit the Initial Proposal Funding Request, note "Not applicable."

YES, the IOB will comply with the BEAD Program regarding Initial Proposal usage of funds.

2.15 Eligible Entity Regulatory Approach (Requirement 18)

Disclose (1) whether the Eligible Entity will waive all laws of the Eligible Entity concerning broadband, utility services, or similar subjects, whether they predate or postdate enactment of the Infrastructure Act, that either (a) preclude certain public sector providers from participation in the subgrant competition or (b) impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer; and (2) if it will not waive all such laws for BEAD Program project selection purposes, identify those that it will not waive and describe how they will be applied in connection with the competition for subgrants.

2.15.1 Text Box

- a. **Disclose whether the Eligible Entity will waive all laws of the Eligible Entity concerning broadband, utility services, or similar subjects, whether they predate or postdate enactment of the Infrastructure Act that either (a) preclude certain public sector providers from participation in the subgrant competition or (b) impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer.**

There are no laws in Idaho concerning broadband, utility services, or similar projects that hinder public sector entities' participation in the BEAD Program. Idaho will waive all laws that preclude

or limit public sector participation in the BEAD Program.

- b. If the Eligible Entity will not waive all such laws for BEAD Program project selection purposes, identify those that it will not waive (using the Excel attachment) and their date of enactment and describe how they will be applied in connection with the competition for subgrants. If there are no applicable laws, note such.**

Not applicable.

2.15.1.1 Optional Attachment: As a required attachment only if the Eligible Entity will not waive laws for BEAD Program project selection purposes, provide a list of the laws that the Eligible Entity will not waive for BEAD Program project selection purposes, using the Eligible Entity Regulatory Approach template provided.

Not applicable.

2.16 Certification of Compliance with BEAD Requirements (Requirement 19)

Certify the intent of the Eligible Entity to comply with all applicable requirements of the Program, including the reporting requirements, and describe subgrantee accountability procedures.

2.16.1 Check Box: Certify the Eligible Entity's intent to comply with all applicable requirements of the BEAD Program, including the reporting requirements.

YES, the IOB will comply with all relevant requirements including the reporting requirements of the BEAD Program.

2.16.2 Text Box: Describe subgrantee accountability procedures, including how the Eligible Entity will, at a minimum, employ the following practices outlined on page 51 of the BEAD NOFO:

- a. Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize);**

Grant funds will become available to subgrantees after the signed contract's effective date (between the subgrantee and the IOB) and may be requested by means of a remittance request. Remittance requests shall be made for reimbursement of the costs incurred for a specific milestone and not for future expenses. Subgrantees will submit remittance requests including matching invoice documentation. The remaining 10% of the grant shall remain in place until all contract commitments have been fulfilled.

Project Milestone and Payments

Broadband construction projects involve several critical milestones to ensure the successful deployment of high-speed internet infrastructure. These milestones will vary depending on the specific project, but below are various broadband construction and operational milestones that will be used for implementing reimbursement of BEAD funds:

- Site Surveys and Engineering Design
- Permitting and Regulatory Approvals
- Fiber Optic Cable Installation (if applicable)
- Wireless Infrastructure Setup (if applicable)
- Central Office and Data Center Setup
- Network Equipment Installation
- Construction Quality Assurance
- Network Testing and Optimization
- Service Activation (Soft Launch)
- Full Network Deployment
- Final Project Closeout Documentation and Reporting

These milestones guide the entire broadband construction and operational process, ensuring that the infrastructure is built efficiently and that the community gains access to high-speed internet services. The specific details and order of milestones may vary depending on factors like the technology used, geographical challenges, and regulatory requirements. The IOB will determine the project milestone and payment schedule based on the proposed project. This payment schedule will be included in the grant award agreement.

If a subgrantee fails to meet the reporting deadline, it shall be reported as noncompliant, and no remittance request or any other requests will be authorized until the reporting has been corrected.

To be eligible for fund disbursement, subgrantees must submit a Semi-Annual Report to the IOB to track the use of funds provided. At a minimum, the report must:

- Include a list of addresses or location identifications (including the Broadband Serviceable Location Fabric established under 47 U.S.C (United States Code) 642(b)(1)(B) that constitute the service locations that will be served by the broadband infrastructure to be constructed and the status of each project.
- Identify new locations served within each project area at the relevant reporting intervals, and service taken (if applicable).
- Identify whether each address or location is residential, commercial, or a community anchor institution.
- Describe the types of facilities that have been constructed and installed.
- Describe the peak and off-peak actual speeds of the broadband service being offered.
- Describe the maximum advertised speed of the broadband service being offered.
- Describe the non-promotional prices, including any associated fees, charged for different tiers of broadband service being offered.
- List all interconnection agreements that were requested, and their status.

- Report the number of contracts and subcontracts awarded by the grantee disaggregated by recipients of each such contract or subcontracts that are minority business enterprises, women business enterprises, and labor surplus firms.
 - Include any other data that would be required to comply with the data and mapping collection standards of the FCC under [Section 1.7004 of title 47](#),⁵⁸ Code of Federal Regulations, or any successor regulation, for broadband infrastructure projects.
 - Include an SF-425, Federal Financial Report and meet the requirements described in the Department of Commerce Financial Assistance Standard Terms and Conditions (dated November 12, 2020), Section A.01 for Financial Reports.
 - Include workforce compliance details.
- b. The inclusion of claw back provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee;**

The Subgrantee will reimburse the IOB for any disbursed grant award funds that are determined by the IOB to have been ineligible, misused, or misappropriated, or not incurred during the performance period. If the IOB determines that grant recipient has breached any provision of the grant award, including the grant agreement, the IOB may require and be entitled to reimbursement of any or all grant award funds. Any reimbursement of funds that is required by the IOB, with or without termination of this award agreement, will be due within forty-five (45) days after IOB provides written notice to grant recipient. The IOB also reserves the right to recover such funds by any other legal means, including litigation. Subgrantee must indemnify and hold harmless the IOB for all suits, actions, claims and the reasonable attorneys' fees and legal expenses incurred in recovering such funds, irrespective of whether the funds are recovered.

Grant recipient must promptly refer to the IOB any credible evidence that a grant recipient contractor or grant recipient personnel or other person has either:

- Submitted a false claim for grant funds as that term is used under any false claims act or other similar law, whether state or federal; or
- Committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds.

c. Timely subgrantee reporting mandates; and

A variety of reports, both routine and on request, will be required from the subgrantee. Through these reports, the IOB will be able to monitor project progress and determine whether technical assistance may be required.

At designated times, progress reports shall be requested to provide the necessary information on developments, commitments and costs that have taken place so far. These are intended to make sure both the sub granting entity and the IOB have been informed about the program and financial position of the project so that they can complete their activities.

⁵⁸ <https://www.ecfr.gov/current/title-47/chapter-I/subchapter-A/part-1/subpart-V>

In addition to the reports designed to monitor the progress and efficacy of the project, subgrantees will be required to provide a final report three months after project completion, which will outline the activities that took place during the project, what facilities were installed and their service capabilities, total costs for the project, and a map detailing the location of areas served by the project. The report will also include a summary of affordability options and proof of ACP participation.

Progress Report Schedule:

- Quarterly Report: Every quarter, a quarterly report shall be submitted on the status of the project.
- Semi-Annual Report: Every six (6) months, subgrantees must submit a regular report to the IOB, to track the use of funds provided. Please note any request for milestone payments will require reporting to be completed in a timely manner. Reporting will have to be completed and approved in order to receive reimbursement.
- Closeout Report: The subgrantee must submit a closing report confirming that all contractual obligations have been fulfilled once construction is completed.
- Post Conditional Closeout Reports: Six (6) months and 12 months from closure, such reports will have to be submitted. The number of subscribers and the speed test will be required for these reports.

d. Robust subgrantee monitoring practices.

The IOB is responsible for monitoring its subgrantee's programming to ensure that BEAD funds used by subgrantee's are funding appropriate activities by subgrantees. Federal and the IOB specific rules established in the program shall apply to subgrants financed by BEAD funds. The IOB will use a team to conduct risk assessments, develop and implement supervisory plans and perform regular monitoring procedures. Before disbursement of funds, the monitoring plans will need to be complete and reviewed and approved by the State. Before funds are disbursed, the State must approve the request for reimbursable payments.

To ensure compliance of the subgrantee with all relevant requirements under the BEAD Program, the IOB will follow the following procedure to track the monitoring efforts.

Risk Assessment: The IOB shall perform an assessment of the potential risk level for a subgrantee before awarding any funds. During the application process, a subgrantee shall complete a profile questionnaire about the organization's finances and management capacity. This shall include, where relevant, a review of the subgrantee's [System for Award Management Record](#)⁵⁹ and Federal Awardee Performance and Integrity Information System records as well as a response to requests for policy, procedure, and financing information. The subgrantee will also be reviewed internally based on previously awarded funds as it relates to broadband infrastructure. The results of the risk assessment shall be used to determine the frequency and scope of subgrantee observation. Each subgrantee will be given a rating of "Low," "Medium," or "High-Risk" and will be assigned the appropriate monitoring plan for their category.

⁵⁹ <https://sam.gov/content/home>

Additional Provisions: The required information referred to within [2 CFR 200 regulations](#)⁶⁰ shall be provided under the subgrant for monitoring:

- All requirements imposed by the federal government on the recipient are imposed on the subgrantee.
- The subgrantee will permit the awarding agency/recipient and auditors to have access to the subgrantee's records and financial statements.
- Appropriate terms and conditions concerning closeout of the subgrant, including when final invoices must receive by for payment by the IOB.
- The frequency with which invoices and monitoring reports submitted by subgrantee to the IOB. The frequency will be determined based on the subgrantee risk assessment carried out by the IOB.
- The monitoring of subgrantee activities conducted by the IOB (e.g., subgrantees' administration, billing, and action) are as follows: continuing risk assessment; review of audit findings.
- Applications that are awarded service areas with BEAD funding will have an obligation to connect all locations awarded in service areas up to the useful life of the technology used in the award from the IOB. The IOB defines the useful life of the BEAD funded network as the following 1). Fiber Network 20 years; and 2). Wireless Network five years.

Subgrantee Contact Information: Subgrantees must establish and widely publicize telephone numbers and email addresses for their internal ethics office (or comparable entity) to allow for the reporting of waste, fraud, or abuse in the BEAD Program. Subgrantees shall produce copies of materials used for such purposes upon request of the Federal Program Office.

Monitoring Plan: The IOB will develop a subgrantee monitoring plan based on level of risk. During the subgrantee monitoring startup meeting, the IOB will provide the monitoring plans to the subgrantees. The following elements are in the subgrantee monitoring plan provided by the IOB:

- **Communication with Subgrantee:** To ensure compliance and successful collaboration, it is necessary to communicate regularly between the reviewer and the subgrantee including documentation of communication in the IOB files.
- **Invoice Review:** Requests for reimbursement invoices shall be subject to a review for completeness, allowability, appropriateness, and accuracy specified in the subgrant agreement to ensure that BEAD funds are used properly by subgrantee. The IOB will capture documentation on the invoice review.
- **Progress/Monitoring Report:** The subgrantee must submit a progress report to the IOB to document completed work versus the funds spent. The frequency of reporting will be determined by risk assessment but at least semi-annually. The subject matter expert, such as the technical provider in question, will review monitoring reports at their

⁶⁰ <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1>

discretion to assess progress. Each report shall describe the type of project and the other eligible activities carried out using the subgrant and the duration of the subgrant and shall comply, at minimum, with the requirements set out in the BEAD NOFO, Section VII.E.2. Once documentation is collected by IOB, a team member will review the report submitted to determine actual progress of project.

- **Risk Assessments:** To help subgrantees comply with the federal and programmatic guidelines, special high-risk items the IOB will include them in the monitoring plan for information purposes on risk assessment.
- **Closeout Process:** The award closing includes activities related to making certain all the work completed by subgrantee and duly paid for. It is the subgrantee's responsibility to ensure that all documents relating to project performance and financial commitments are received by the IOB after an award made to the subgrantee. The IOB will monitor for proper closeout procedures. The subgrantee is responsible for ensuring that all documentation related to project performance and financial obligations are received by the IOB. To ensure that the subgrantee provides all project deliverables and meets project obligations, the closing activities of the subgrantee include verifying that the final invoice is marked for final payment and reviewing all technical and financial reports.

All necessary documentation shall be kept in accordance with the record retention requirements.

The IOB will also monitor projects using various compliance checks, in addition to the progress reports. These inspections will verify that the project is complying with applicable federal and state guidance and regulations.

Compliance Review Type and Schedule:

- To verify and document project development and progression, the IOB will conduct regular site visits quarterly.
- The IOB will conduct a desk review of the project at the site visits on alternating quarters.
- The IOB reserves the right to increase or decrease site visits as projects progress and issues are identified.
- If site visits and/or desktop reviews are delayed or have issues, further reviews may be needed and may affect the subgrantees ability to receive reimbursements.
- The IOB will conduct internal compliance reviews to ensure the compliance of the subgrantee with 2 CFR 200 regulations as well as its internal controls, implementation of appropriate fiscal management procedures and current project management plan.
- The IOB will conduct a final financial review after the closure of the project to ensure that the project's finances are in order.

YES, the IOB will comply with all relevant requirements including the reporting requirements of the BEAD Program.

2.16.3 Check Box: Certify that the Eligible Entity will account for and satisfy authorities relating to civil rights and nondiscrimination in the selection of subgrantees.

YES, the IOB certifies that it will account for and satisfy authorities relating to civil rights and nondiscrimination in the selection of subgrantees.

2.16.4 Check Box: Certify that the Eligible Entity will ensure subgrantee compliance with the cybersecurity and supply chain risk management requirements on pages 70 - 71 of the BEAD NOFO to require prospective subgrantees to attest that:

Cybersecurity

1. The prospective subgrantee has a cybersecurity risk management plan (the plan) in place that is either: (a) operational, if the prospective subgrantee is providing service prior to the award of the grant; or (b) ready to be operationalized upon providing service, if the prospective subgrantee is not yet providing service prior to the grant award;
2. The plan reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented;
3. The plan will be reevaluated and updated on a periodic basis and as events warrant; and
4. The plan will be submitted to the Eligible Entity before the allocation of funds. If the subgrantee makes any substantive changes to the plan, an updated version will be submitted to the Eligible Entity within 30 days.

Supply Chain Risk Management (SCRM)

1. The prospective subgrantee has a SCRM plan in place that is either: (a) operational, if the prospective subgrantee is already providing service at the time of the grant; or (b) ready to be operationalized, if the prospective subgrantee is not yet providing service at the time of grant award;
2. The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented;
3. The plan will be reevaluated and updated on a periodic basis and as events warrant; and
4. The plan will be submitted to the Eligible Entity before the allocation of funds. If the subgrantee makes any substantive changes to the plan, an updated version

will be submitted to the Eligible Entity within 30 days. The Eligible Entity must provide a subgrantee's plan to NTIA upon NTIA's request.

YES, the IOB certifies that it will take all necessary affirmative steps to ensure applicants comply and attest to the cybersecurity and SCRM requirements on pages 70 - 71 of the BEAD NOFO, including:

Cybersecurity

- The applicant has a cybersecurity risk management plan (the plan) in place that is either:
 - Operational, if the applicant is providing service prior to the award of the grant; or
 - Ready to be operationalized upon providing service if the applicant is not yet providing service prior to the grant award.
- The plan reflects the latest version of the NIST Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented.
- The plan will be reevaluated and updated on a periodic basis and as events warrant; and
- The plan will be submitted to the IOB prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the IOB within 30 days.

Supply Chain Risk Management (SCRM)

- The applicant has a SCRM plan in place that is either: (a) operational, if the applicant is already providing service at the time of the grant; or (b) ready to be operationalized, if the applicant is not yet providing service at the time of grant award.
- The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented.
- The plan will be reevaluated and updated periodically and as events warrant.
- Before the allocation of funds, the subgrantee shall submit a draft SCRM plan to the IOB. If subgrantee makes any substantive changes to the plan, an updated version is required to be submitted to the IOB within 30 days after the changes.

The IOB will also ensure, to the extent a BEAD subgrantee relies in whole or in part of network facilities owned or operated by a third party (e.g., purchases wholesale carriage on such facilities) that it obtains the above confirmations from the subgrantee's network provider with respect to cybersecurity and supply chain risk management practices.

At NTIA's request, the IOB shall submit a subgrantee's plan of implementation.

2.17 Volume II Public Comment

2.17.1 Describe the public comment period and provide a high-level summary of the comments received during the Volume II public comment period and how they were addressed by the Eligible Entity. The response must demonstrate:

a. The public comment period was no less than 30 days

The IOB posted both Volume I and Volume II of the Initial Proposal for public comment beginning September 29, 2023, and ending November 10, 2023. The documents were made available on the Link Up Idaho Website in both English and Spanish. Print copies were also made available at statewide local libraries.

Public comments were able to be made in the following ways:

Email: broadbandcomments@commerce.idaho.gov

Telephone: 208.334.2470

Via USPS:

Idaho Office of Broadband

Attn: BEAD Program Comments

700 West State St.

Boise, ID 83702

The IOB received a total of 53 comments in direct response to the posting. All comments were received via email. The IOB publicly posted a phone number and mailing address where comments could be sent, but no comments were received via either of those methods.

Of the 53 comments received, 27 were directly related to Volume II of the Initial Proposal and 19 were general comments that related to the Initial Proposal (Volumes I & II) as a whole.

The following Volume II sections received the most comments:

- Section 2.4 (requirement 8) Deployment Subgrantee Selection – 16 comments
- Section 2.16 (requirement 19) Certification of Compliance with BEAD Requirements – six comments
- Section 2.8 (requirement 12) Workforce Readiness – six comments
- Section 2.10 (requirement 14) Cost and Barrier Reduction – five comments
- Section 2.12 (requirement 16) Low-Cost Broadband Service Option – five comments

The top themes among Volume II comments were:

Deployment subgrantee scoring methods (17 commentors) including:

- **Low-cost option and price regulation** (14 comments). Many commentors from ISPs were concerned with the rate structures proposed in the subgrantee scoring rubric. Meanwhile, several commentors applauded efforts to keep internet access affordable for lower income households.

- **Selection of project areas** (9 comments). Many ISP commenters suggested allowing subgrantees to define their own proposed APAs. Meanwhile, several commenters from local governments suggested using city boundaries, county boundaries or census blocks as project area definitions.
- **Small and non-traditional ISPs** (8 comments). Several commenters were concerned that specific provisions in the scoring rubric would be disadvantageous to small and non-traditional ISPs. Requiring a letter of credit was cited as being possibly disadvantageous to smaller ISPs.

Workforce (7 comments)

- Many commenters stressed the importance of expanding or creating broadband career training programs, specifically a statewide program.

Streamlining Permitting (6 comments).

- Many commenters agreed that reducing costs and barriers is of paramount importance and that streamlined permitting processes are key. Many commenters suggested limiting permitting fees as much as possible.

The IOB thoughtfully reviewed and considered all public comments received. While an exhaustive list of updates made to the Initial Proposal Volume II is too lengthy to incorporate into this document, some significant examples of how the IOB addressed public comments are:

- The IOB revised section 2.4.11 to incorporate the stipulations of the programmatic waiver modifying the letter of credit requirement for subgrantees which the NTIA issued on November 1, 2023.
- The IOB modified section 2.8 to clarify that it will leverage the IWDC, federally funded career services and The Office of Apprenticeship (Idaho Department of Labor and Training) to ensure the use of a highly skilled workforce.
- The IOB revised section 2.10 to emphasize that it will encourage local governments to establish procedures that eliminate the number of rounds of review and increase turnaround times in accordance with the Idaho Red Tape Reduction Act of 2019.

b. Outreach and engagement activities were conducted to encourage feedback during the public comment period.

The IOB is conducted multiple in-person and virtual outreach and engagement activities to encourage broad awareness, participation, and feedback during the public comment period, particularly among tribal governments, local community organizations, and other underrepresented groups. Examples of outreach mechanisms include public meetings, informational brochures, local media, relevant social media channels, and direct mail. Additional details about specific outreach and engagement activities conducted can be found in section 2.2 of this Initial Proposal Volume II.

2.17.2 Optional Attachment: As an optional attachment, submit supplemental materials to the Volume II submission and provide references to the relevant requirements. Note that only content submitted via text boxes, certifications, and file uploads in sections aligned to Initial Proposal requirements in the NTIA Grants Portal will be reviewed, and supplemental materials submitted here are for reference only.