Link Up Idaho

PUBLIC COMMENT PERIOD
GUIDE SHEET

WE WANT TO HEAR FROM YOU!
Link Up Idaho invites all Idahoans to comment on its BEAD Initial Proposal Volumes I and II.

The State of Idaho has drafted its Initial Proposal Volume I and Volume II required under the historic Broadband Equity, Access, and Deployment (BEAD) funding. Beginning September 29, 2023, we are seeking public comment.

Upon receipt and consideration of the public's comments on the Initial Proposal, the State of Idaho will submit the document to the National Telecommunications and Information Administration (NTIA).

Volume I lays the groundwork for the technical aspects for the State's broadband efforts and goal to bring high-speed internet to all. Volume II details plans for the distribution of deployment funds, workforce and economic development initiatives, tribal coordination, and more.

To access and review either volume of the Initial Proposal, as well as other documents and information about the State of Idaho's broadband expansion efforts under BEAD, we recommend visiting LinkUp.Idaho.gov.

WHO CAN MAKE PUBLIC COMMENT?
Any Idaho resident, group, organization, non-profit, lobbying group, or government agency with an interest in the BEAD Initial Proposal can submit a public comment. Comments may be submitted anonymously or by a third party such as a friend or a representative.

▶ **The Idaho Office of Broadband would like to kindly request you consider leaving comment on the following sections:**

IP VOL I.
1.3 Community Anchor Institutions (CAIs) (Requirement 6)
1.4 Challenge Process (Requirement 7)

IP VOL II.
2.4. Deployment Subgrantee Selection (Requirement 8)
2.7. Labor Standards and Protection (Requirement 11)
2.8. Workforce Readiness (Requirement 12)
2.12. Low-Cost Broadband Service Option (Requirement 16)
2.13. Middle-Class Affordability Plans (Requirement 20)
2.16. Certification of Compliance with BEAD Requirements (Requirement 19)

PROCESS
Submit comments by following the steps below.

1. If assistance is needed while submitting comment, please feel free to contact the Idaho Office of Broadband:

> **208-334-2470**
> **broadband@commerce.idaho.gov**
> **700 W. State St., Boise, Idaho 83720**

2. Visit **Linkup.Idaho.gov.**

3. Navigate to the 30-Day Public Comment Section (near the top of the home page) and click "Comment."

4. An email box will open, ready for participant to begin commenting to the State.

5. The subject line of your message should include which volume you are commenting on: Vol. I or Vol. II.

6. Send comments to broadbandcomments@commerce.Idaho.gov.

Comment directly: broadbandcomments@commerce.Idaho.gov

HAVE YOUR VOICE HEARD. LEAVE COMMENT. ▶

TIPS FOR SUBMITTING PUBLIC COMMENT

☑ Remember to refer to the BEAD Initial Proposal Vol. I or Vol. II and page number or section to which you are commenting.

☑ Be as clear as possible in your comment, and use clear organization and formatting.

☑ Consider presenting your comment in the form of an argument, supported with data, if needed.

☑ Provide links to materials you are referencing in your comments.

☑ Establish your relevant expertise in the area you are commenting on, if any, but be sure not to include any identifying information.

> **To learn more about broadband expansion in Idaho, or to participate in the 30-Day Public Comment Period, visit linkup.idaho.gov/.**

ADDITIONAL OPPORTUNITIES

The Idaho Office of Broadband and the Idaho Broadband Advisory Board will be hosting a Virtual Public Comment Period on October 11, 2023 from 10 a.m. to 12 p.m. MT. Up-to-date meeting information and registration will be available on LinkUp.Idaho.gov.

ABOUT LINK UP IDAHO

The Link Up Idaho initiative is led by the Idaho Broadband Advisory Board (IBAB) and the Idaho Department of Commerce, in coordination with the Idaho Office of Information Technology Services. This multifaceted initiative aims to gather information about internet connectivity challenges in Idaho communities to provide insight into internet availability across the state, provide outreach across Idaho to inform communities of the availability of broadband funds, and disperse funds to communities to improve broadband access. Link Up Idaho's mission is to provide all Idahoans with access to affordable and reliable broadband infrastructure.

The Idaho Office of Broadband has launched the Link Up Idaho initiative to better understand who has access to high-speed, affordable internet in the state, what areas are struggling to connect, and to develop a strategic plan to ensure everyone can access reliable, fast, affordable internet. The State's robust internet expansion plans are outlined and detailed in the Broadband, Equity, Access, and Deployment Initial Proposal Volumes I and II. The plans are now available for your review and feedback at LinkUp.Idaho.gov. Comments will be accepted September 29 through October 31, 2023.

2023

BEAD INITIAL PROPOSAL VOLUME II

IDAHO DEPARTMENT OF COMMERCE

OFFICE OF BROADBAND

LinkUp Idaho

IDAHO | COMMERCE

Contents

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, Idaho[1]

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. Upon receipt and consideration of comments to this document, the IOB will submit 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]

Idaho will prioritize its BEAD funding to extend high-speed broadband infrastructure to the 85,902 unserved and 52,094 underserved broadband serviceable locations that have been identified based on the Federal Communication Commission's (FCC) Broadband Serviceable Location (BSL) Fabric[3] along with all identified Community Anchor Institutions (CAIs) lacking access to 1 Gbps symmetrical broadband connectivity.

BSLs (Broadband Serviceable Locations) were considered unserved if they receive service of less than 25 Mbps download and 3 Mbps upload speeds. Broadband serviceable locations were considered underserved if they receive service of less than 100 Mbps download and 20 Mbps upload speeds but greater than 25 Mbps download and 3 Mbps upload speeds. Locations that receive service of greater than 100 Mbps download and 20 Mbps upload speeds were considered served and were not included in the spreadsheets submitted.

Volume II of the Initial Proposal is drafted to meet the following sixteen BEAD Notice of Funding Opportunity (NOFO) requirements:

Item 1:   Long Term Objectives
Item 2:   Local, Tribal, and Regional Broadband Planning Processes
Item 4:   Local Coordination
Item 8:   Deployment Subgrantee Selection
Item 9:   Non-Deployment Subgrantee Selection
Item 10:   Eligible Entity Implementation Activities
Item 11:   Labor Standards and Protection
Item 12:   Workforce Readiness

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

Item 13: Minority Business Enterprises (MBEs)/ Women's Business Enterprises (WBEs)/ Labor Surplus Firms Inclusion
Item 14: Cost and Barrier Reduction
Item 15: Climate Assessment
Item 16: Low-Cost Broadband Service Option
Item 17: Use of 20 Percent of Funding
Item 18: Eligible Entity Regulatory Approach
Item 19: Certification of Compliance with BEAD Requirements
Item 20: Middle-Class Affordability Plans

The public comment period will last 30 days after the publication of this document. We expect to update our Initial Proposal based on new data and the public's suggestions.

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

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 subsequent objectives to address the requirements outlined above. 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.	• Implement grant programs that focus on unserved and underserved communities. • Approve grant programs focused on delivery to locations or on last-mile, middle-mile, CAIs, public safety, telehealth, or other priorities deemed by the Idaho Broadband Advisory Board (IBAB) as lacking sufficient broadband infrastructure. • Engage in partnerships with internet service providers (ISPs), local governments, state agencies, Tribal Nations, and experts. • Promote Dig Once principles and Right-of-Way (ROW) policies when building out broadband infrastructure.

Economic Development

Goal	Objectives
Prioritize broadband investments that support the economic ecosystem for businesses in Idaho and ensure access to broadband infrastructure that is reliable and affordable.	- Provide broadband infrastructure opportunities to previously unserved areas. - Increase the potential economic diversification through enhanced connectivity. - Identify Idaho's remote work and learning, telehealth, and public safety opportunities. - Expand broadband utilization to low-income users through the Affordable Connectivity Program (ACP)/Lifeline subsidy. - Partner with state agencies to avoid duplication of service and support the varying needs of rural community infrastructure.

Educational Access

Goal	Objectives
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	- Engage with the Idaho State Board of Education (ISBE), independent school districts, libraries, and institutions of higher learning to identify broadband infrastructure gaps. - Prioritize broadband infrastructure investments to project areas where students, their families, and teachers reside in unserved and underserved locations; this is in partnership with state agencies, business and industry, and non-profit education organizations to improve digital access, literacy, and usage.

Operational & Data

Goal	Objectives
Manage the deployment of funding for capital projects, grant programs, and other established projects to support data-driven broadband infrastructure investments in Idaho.	- Collaborate with other state agencies on broadband infrastructure projects. - Propose and implement standard operating procedures for grant programs, capital projects, and community engagement. - Facilitate collaboration between state agencies, stakeholder groups, and overlapping service providers. - The Idaho Department of Commerce will provide the IBAB with relevant data and information, as necessary

Public Safety & Communications

Goal	Objectives

Prioritize broadband investments to strengthen access to reliable, resilient, scalable, and redundant broadband services to Idaho's Emergency Communications Centers (ECC) locations.	- Encourage the identification of ECC locations in Idaho that are unserved and underserved by the current standard of 100/20 Mbps broadband service and prioritize connecting those facilities in grant applications. - Encourage the identification of broadband service single points of failure in ECC locations. - Encourage the development of map layers that identify ECC locations that are unserved and underserved and share them with other state agencies so the State can incorporate those into grant applications. - Identify and include primary and redundant connectivity to ECCs (Emergency Communications Centers) via middle- and last-mile projects.

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 is crucial and includes involving community organizations, government entities, service providers, and residents.

Public engagement is vital for responsive broadband infrastructure deployment in both 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 components:

1. **Assessment:** Evaluating the current broadband landscape in Idaho.

2. **Meaningful Engagement:** Engaging with stakeholders to address their needs effectively.

3. **Information Dissemination:** Keeping stakeholders and the public informed about program efforts.

4. **Documentation:** 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			
1.	IBAB Meetings	Inform & Engage	Broadband updates and information are shared publicly.
2.	Commerce 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 being 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, Affordable Connectivity Program (ACP) information, tribal resources, FAQs, calendar of events and more. It is available in Spanish and English.
3.	Establish Email for ease of contact	Inform	Residents can call or send an email with program questions at any time. Responsiveness is between 24 and 72 hours (about three working days).
4.	Statewide Public Broadband Survey	Engage	More than 900,000-speed tests were submitted from residents across the state. In addition, the DAAI (Digital Access for All Idahoans) Team with the ICfL (Idaho Commission for Libraries) conducted a public survey in coordination with BSU (Boise State University). Findings will be published by ICfL. Moving forward, a public survey, the Idaho Internet Access Survey, will be made available continuously.
5.	DAAI Steering Committee	Inform & Engage	In Jan. 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 ICfL about the plan, and facilitates connection with the covered populations.

No.	Tactic	Element	Description
Ongoing			
6.	DAAI Community Coalition Calls	Inform & Engage	In Feb. 2023, a quarterly coalition call was established to enable all interested individuals to participate in the planning process.
7.	DAAI Coordination BAT	Inform & Engage	DAAI is working with city and county BATs (Broadband Action Team) to advance access, adoption, and digital skill building. The IOB will provide updates as the BATs are established.
Completed			
8.	Engagement Plan	Assess	This section, 5.1 Stakeholder Engagement Process, serves as this plan.
9.	Stakeholder Analysis	Assess	A stakeholder analysis was completed, and a detailed master stakeholder database was established; key partners are outlined in Section 3.2, Partnerships.
10.	Document Past Stakeholder Meetings & Public Comments in Plan	Assess	All past public meetings and comments are included in the action plan and reflected in the NTIA Engagement Tracker included in Appendix D.
11.	DAAI Website (https://idahodigitalskills.org/)	Inform	This DAAI website aggregates numerous online digital literacy and digital skills training modules that will provide resources to the covered populations and the public.
12.	Media and Communications Resources/Toolkit	Inform	This includes all promotions in support of the website launch, calls for feedback, education, and awareness through press releases, social media, newsletter articles, e-news blasts, images, and printed mailers.
13.	Stakeholder Asset Inventory Survey	Engage	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 conducted at all engagement events and interviews.
14.	Formal Consultation Request Sent to Tribal Leaders (Dear Tribal Leader Letter)	Inform	In April 2023, the Governor signed and submitted the letter to the five Tribal Leaders with a consultation request.

No.	Tactic	Element	Description
Ongoing			
15.	Internet for All Idahoans Local Coordination Stakeholder Workshop	Engage	Partnered with NTIA for a statewide workshop in Nov. 2022 to collect feedback on the needs and barriers for broadband statewide.
16.	Idaho Broadband CPF Public Comments	Engage	A proposal request was issued, with 61 projects submitted across the state. Once the period was closed, public comments were accepted through mid-Jan. 2023. This was followed by a comment period from mid-Feb. to early March 2023 on the Idaho CPF grant guidelines. This feedback was vital in informing the IOB and IBAB of the areas needing Broadband.
17.	Idaho Broadband Fund Grant Applications	Engage	Applications were accepted in January 2023, and comments were received for proposals and awarded middle-mile projects.
18.	DAAI Focus Groups	Engage	From March through May 2023, the DAAI Team fielded 14 regional focus groups in public libraries, starting to engage directly with the covered populations and other citizens in discussions of digital equity barriers, obstacles, and needs. A summary of the feedback is included in Appendix E.
19.	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 is on June 28, 2023, in Moscow (north Idaho).
20.	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, the USDA (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.
21.	County Updates	Engage	The State Broadband Program Manager has been coordinating with various counties, including: • April 28: Magic Valley Tour/Commissioner meetings (Jerome, Lincoln Gooding, and Camas Counties) • May 3: Boise to Grangeville + meeting in New Meadows

No.	Tactic	Element	Description
Ongoing			
			• May 4: Meetings/tours in Grangeville, Cottonwood, Kooskia, and Lewis & Idaho Counties
22.	Interviews with Key Stakeholders	Engage	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) (Idaho Association of Counties), ICfL, the University of Idaho Extension Office, College of Western Idaho, Workforce Development Council, and Imagine Idaho.
23.	Statewide Digital Access Survey	Engage	A statewide digital access survey was conducted 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.
24.	DAAI Coalition Call 2.16.23	Engage	It 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 Digital Inclusion 101, an Introduction to the DAAI planning process with the ICfL, a deeper dive into plan development with BSU's Idaho Policy Institute, a question-and-answer section, and an ongoing chat.
25.	DAAI Coalition Call 5.18.23	Engage	It 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.
26.	ISP (Internet Service Providers) Roundtables	Engage	In late May 2023, 43 ISPs and industry executives shared 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. In late August, IOB hosted an ISP roundtable discussion to inform ISPs on the progress of the 5YAP, IP Vol1, Vol2, and overall project progress. More than 40 ISPs attended. Two separate breakout sessions focused on Workforce Development and Digital Equity and Access.

No.	Tactic	Element	Description
Ongoing			
			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. The IOB is committing to quarterly ISP roundtable discussions.
27.	Workforce Development Focus Groups	Engage	A focus group was conducted with key workforce development groups such as the CWI (College of Western Idaho), ICWD (Idaho Council on Workforce Development), and ISBDC (Idaho Small Business Development Center).
28.	Economic Development Focus Groups	Engage	A focus group was conducted with key economic development groups such as the Idaho Economic Development Association, the Idaho Association of Commerce and Industry, and Commerce Economic Development Districts.
29.	2023 AIC Annual Conference	Engage	The annual AIC Conference is held in Boise June 21-23, 2023. The IOB attended a seminar as a subject matter expert promoting broadband adoption training, established partnerships, collected information, and promoted the stakeholder survey and new Link Up Idaho website. AIC will be a great partner as we move into the Initial Proposal. Broadband ranked #2 in investment from cities that responded to a recent Association of Idaho Cities Infrastructure survey.
30.	Direct Mail	Inform	In the late summer of 2023, the IOB compiled a list of the state's most rural ZIP codes and will distribute direct mail to rural postal routes in each through Every Door Direct Mailing with the United States Postal Service. The direct mail piece encourages rural residents to participate in the statewide public survey, the Idaho Digital Access Survey, on www.LinkUp.Idaho.com.
31.	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 will conduct statewide training events in communities with the most unserved and underserved populations. In-person events happen simultaneously, with a virtual option. This training addresses the practical aspects of broadband deployment, aid in forming Broadband Action Teams locally, and the second half of each event serves as a listening session for the IOB.
32.	ISP Roundtables	Engage	ISPs and industry executives will continue to meet regularly, on a quarterly basis.

No.	Tactic	Element	Description
Ongoing			
33.	Listening Sessions	Engage	Based on the feedback collected during the statewide and regional broadband 101 workshop, the team will be available to meet in each region upon request, focusing on those in the top underserved and underserved communities.
34.	Stakeholder Database	Document	Maintain and continue to expand an extensive database of stakeholders for direct and network outreach.
35.	NTIA Engagement Tracker	Document	All outreach efforts will be documented in a modified version of the NTIA Engagement Tracker.

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 Idaho Office of Broadband (IOB) engagement strategy is aimed at connecting with a diverse range of stakeholders throughout the state, considering their unique geographical, cultural, demographic, and economic characteristics. These stakeholders play a crucial role in ensuring statewide broadband expansion, especially in underserved areas. The engagement efforts align with the State's strategic plan values, emphasizing 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.

Data analysis has identified priorities for action based on the most unserved and underserved areas within the state, as detailed in Section 5.2, along with an estimated timeline for achieving universal service outlined in Section 5.5. The State's Initial Proposal for broadband expansion will evolve as engagement and outreach efforts continue.

Key engagement initiatives include:

1. **Statewide Stakeholder Asset Inventory Survey:** Collaboration between the Idaho Department of Commerce and the IOB aims to create an inventory of ongoing broadband improvement programs and identify areas with the greatest needs. The survey, launched in

April 2023, is being promoted through various channels and initial results indicate the presence of broadband pilot programs. Survey promotion efforts are ongoing.

2. **Regional Workshops:** IOB will partner with ICfL and the University of Idaho Extension Office to conduct statewide broadband events. These sessions will provide stakeholders and the public with opportunities to provide feedback on various broadband aspects, including access, readiness, affordability, and digital equity. Practical training on broadband deployment will empower participants to advocate for their communities.

3. **Workforce Development Focus Group:** Virtual engagements will gather feedback from specific backgrounds to address NTIA requirements. The IOB plans to partner with the Idaho Workforce Development Council (IWDC) and community colleges to ensure comprehensive input.

4. **Public Survey:** A continuous public survey and speed test are available on www.LinkUp.Idaho.gov, collecting feedback from residents, businesses, and Community Anchor Institutions (CAIs). Geocoded results help assess broadband speeds and user sentiment, contributing to understanding internet affordability, availability, and reliability statewide.

5. **Tribal Engagement:** The BEAD program requires formal Tribal Consultation(s) involving five tribal nations in Idaho. Formal consultation options include on-site and virtual meetings, recognizing the demands of Tribal Leadership's time. Informal engagement efforts aim to gather data on broadband availability, tribal priorities, existing broadband development, partnerships, and interest in grant funding.

6. **ISP Roundtables:** Discussions with industry professionals focus on topics such as permitting, Right-of-Way access, affordability, and workforce availability, further informing the State's broadband deployment strategy.

7. **Listening Sessions:** The State's Action Plan will be presented during the Initial Proposal public comment period to collect feedback and integrate it into the initial planning phase.

8. **Ongoing Engagement:** Both the Initial and Final proposals will be made available for public review for 30 days, ensuring continuous opportunities for input.

The IOB is committed to documenting all processes and data collected using the NTIA Engagement Tracker. Each stakeholder engagement will be documented and shared with the project team. Results will inform specific strategies and tactics in the drafted plan, with participant contact information collected for further engagement.

In summary, the IOB's engagement approach is comprehensive and tailored to the diverse needs of stakeholders across the state, with the goal of achieving broadband expansion that is accessible, affordable, and equitable for all Idahoans.

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.

This section to be completed before submitting final document to NTIA

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 involves 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 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 the mapping of broadband coverage, which 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 as 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.

Comprehensive Engagement: The IOB has taken a proactive stance since submitting the Five-Year Action Plan, asserting that the most effective consultation involves visiting each tribal nation. This approach not only underscores the IOB's dedication to genuine engagement but also offers an opportunity to firsthand witness the challenges within the reservations. At the time of this writing, four out of the five Idaho tribes have confirmed dates for meetings within their respective communities. We maintain ongoing communication with each nation and are putting forth an agenda for these meetings, which will be tailored to the unique needs and preferences of each tribal nation.

Idaho Tribal Consultation Meeting Agenda

(The agenda will be customized to the needs and input of each Tribal Nation)

1. Prayer/Invocation.

2. Opening Remarks & Introductions.

3. Issues of importance to Tribal Leadership.

4. _____Tribe's experience with Broadband.

5. Desire for telecommunications tribal sovereignty.

6. Served by their own ISP or an outside ISP?

7. Infrastructure gaps?

8. Challenges and barriers to improving broadband.

9. BEAD, Digital Access & TBCP Overview.

10. Define each program.

11. Discuss timing and processes.

12. Tribal leadership's potential interest in the State plan, including as a sub-grantee?

13. How can Idaho assist the _____ Tribe?

14. Summarize key takeaways from the meeting.

15. Next steps and further engagement.

As previously mentioned, IOB participated in the ATNI meeting in May 2023 and will also attend the September 2023 ATNI meeting. While no formal consultation is scheduled for these events, the IOB's presence at ATNI offers an ongoing avenue for engagement and an additional opportunity to

collect informal tribal input.

Table 3

Ongoing and Completed Tribal Activities

Ongoing and Completed Tribal Activities			
Completed			
1.	ATNI Midyear Convention 2023	Engage	In early May 2023, the IOB attended the ATNI Midyear Convention hosted by the Coeur d'Alene Tribe in Worley, Idaho. IOB held an afternoon listening session for the Idaho Tribal Nations, organized by NTIA. IOB also participated in the two Telecommunications and Technology Committee meetings held later that week. The stakeholder survey was promoted through discussion with participants, and flyers were distributed. Most importantly, IOB heard firsthand some of the broadband challenges facing Idaho tribal nations today.
2.	Outreach to Tribal Nations	Engage	Since September 2022, IOB's Broadband Program Manager has been actively contacting Idaho's Tribal Nations to begin informal engagement with Tribal broadband champions. 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.
Current			
3.	Tribal Consultation and Engagement Meetings	Engage	Schedule formal consultation with the Kootenai of 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.
4.	Other Tribal Outreach	Engage	1. Attending ATNI Telecommunications Committee meetings at regular ATNI conferences. 2. Create unique, tribal-specific agendas and questions focused on broadband infrastructure needs, collaboration with ISPs, digital equity, and workforce and digital skills training. 3. Extended time blocked for the tribes to share and discuss topics identified as important to each. 4. Moderate quarterly information-sharing sessions for tribal broadband champions and document meetings.

5.	Tribal Grant Support	Funding Strategies	1. Assist tribes in FCC mapping challenges and identifying/verifying underserved and unserved locations/broadband speeds. 2. Develop a resource list for tribal broadband grants specific to Idaho (engineering, financial mapping, etc.); update regularly. 3. Host grant writing workshops for Tribal Nations. 4. Send regular email updates of funding opportunities to Idaho Tribes, including BEAD, TBCP, and others.
6.	Tribal Collaboration	Resource Sharing	1. Identify opportunities for shared resources, e.g., shared Network Operations Centers (NOCs), Operation Support Systems (OSS), Billing Support Systems (BSS), etc. 2. Coordinate rights-of-way over tribal lands (Tribal and 3rd party). 3. Work with Tribes on Memorandums of Understanding (MOU) and collaborate with other carriers as requested. 4. Work with tribes to lower wholesale, fair-market internet costs, including aggregation and leased fiber- outreach to long-haul providers.
7.	Tribal Implementation	Support	1. Provide and update a list of implementation resources for the Link Up Idaho website, including environmental consultants, contractors, designers, equipment suppliers, back-off/billing systems, telecommunications consultants, installers, grant management consultants, etc. Update the resource list regularly. 2. Identify workforce training opportunities for Tribal Nations. 3. Assist tribes with pole attachment agreements, make-ready issues, permitting, etc. 4. Provide grant administration and reporting assistance. 5. Work with tribes to maximize the use of ACP.

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.

This section to be completed before posting for final submission to NTIA

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.

Application Intake Process

Once the IOB has completed the BEAD challenge process and NTIA has approved the Initial Proposal Volume II, the IOB will publish a list of eligible locations for applicants to choose when applying for BEAD funding. An eligible location is defined as an unserved or underserved location in Idaho including underserved CAIs. After publication of eligible locations on the Link Up Idaho website, the applicant will have forty-five (45) calendar days to apply for BEAD funding.

The IOB encourages comments concerning defining application service areas boundaries. The IOB is considering the following options for defining application service areas.

1. Census Block Groups Boundaries - Census Blocks Groups are statistical areas bounded on all sides by visible features, such as streets, roads, streams, and railroad tracks, and/or by nonvisible boundaries such as city, town, township, and county limits, and short line-of-sight extensions of streets and roads. Census blocks are small in area.

2. County and City Boundaries – These boundaries are based on current county and city boundaries.

3. Census Designed Place – These boundaries are based on current US Census definitions.

4. Zip Code Tabulation Areas – These boundaries were developed by the United States Census Bureau for tabulating summary statistics.

5. Other-Strategies for establishing boundaries to serve all unserved and underserved locations in Idaho.

Once the application service areas have been determined, the application service borders and associated locations will be published along with a list of unserved and underserved locations, and community anchor institutions prior to start of the application intake process.

Before the application intake period, the IOB will host a How-to-Apply Webinar to guide potential applicants based on application guidelines to streamline project development and explain requirements for applicants. Throughout the application period, the IOB will provide guidance to applicants to clarify requirements for applicants.

The IOB will use the Request for Application procurement method wherein applicants will submit a formal application (and required supplemental documents) via the Salesforce portal created by the Idaho Department of Commerce. Eligible applicants include eligible broadband providers as defined by [Idaho Code § 40-517 (2022)](#), 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, and local government entities).

In awarding BEAD grants, the IOB plans to award grants in a single round to encourage applicants to put their final, best offer forward for the project areas as defined by the service areas boundaries mentioned above. Each service area will be evaluated using the scoring criteria outlined in section 2.4.2.1 of this document.

The IOB intends to simplify the application process for applicants in the BEAD Program, while ensuring compliance with the requirements outlined in this document and in the BEAD NOFO. For example, applicants may include multiple service areas in their application and only write one narrative response. This will minimize the requirement for applicants to write an application narrative covering all geographic units in their proposal. The IOB will provide a template that includes the amount of funds requested along with the matching funds available to construct each service area. Applicants must submit items specific to each application service area, including cost estimates, network designs and diagrams, build-out timelines, and local coordination outcomes. Applicant must submit all locations for all service areas in application in one .csv file using the template provided by the IOB. Service areas in the application may be as small as an individual location. Applicants must submit proposals to provide service to all individual locations within the application service area.

The IOB will publicly post all application summaries including proposed service area(s) within twenty-one (21) calendar days after the application deadline on the Link Up Idaho website. These application areas will be bounded by county and city boundaries. To prevent conflict between projects, the IOB will identify overlaps between applications that serve the identical locations. For the applications that have overlap service areas, a member(s) of the grant review committee will contact applicants directly via the information provided on the grant application and work with specific applicants to broaden or amend their proposed project area into uncovered areas to allow for comparison of competing applications.

If no adjacent applications are received to serve a location or group of locations that are unserved, underserved, or a combination of both, the IOB will seek estimates from ISPs located near the location to extend internet access as well as relevant information needed by applicants to receive funding under the BEAD Program. To enable the ISP to submit a full application for service in respect of those locations, the IOB will contact ISPs during the first few days and weeks of the whole 90-120 calendar day review period. The IOB will determine ISPs within 1-5 miles by either (1) have coverage reported in the area on the FCC's National Broadband Map or (2) have a state or federally funded project to expand broadband access in the area or (3) have applied to serve locations under the BEAD Program.

Review Process

The application process begins once the IOB receives the application from the applicant. IOB will notify the applicants of the anticipated time for evaluation and award announcement. After Idaho Broadband Advisory Board (IBAB) and NTIA approve the application, the application will receive BEAD funding.

The first step in the review process is the compliance and completeness review, where IOB

staff reviews for compliance and completeness. If an application does not satisfy all BEAD mandatory requirements for subgrantees, the application will not be considered for further evaluation and scoring.

The next step is state administrative review that evaluates the proposed service overlaps and request additional information from the applicant to resolve open issues or clarify information submitted. Applications found to be eligible will then move on to the committee scoring review. This committee consisting of staff in the Idaho Department of Commerce, 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 process consists of a standardized selection scoring rubric. The applications will be prioritized according to the final score.

After the committee scoring review recommends an application to IBAB Review and Award, the IBAB will act on the committee's recommendation to review and award the application for funding. Applications that score the highest will receive BEAD funding from IOB. Note that the lowest price is not the sole or primary factor in selecting an application. The final selection of proposals/projects is at the discretion of IBAB and NTIA. The selection scoring rubric will be available to all applicants before the application process begins.

Because this application process favors applicants with the experience and capacity to write strong applications, the IOB will especially solicit small businesses, minority-owned businesses, women-owned business enterprises, and labor surplus area firms to encourage their participation in the BEAD Program.

The IOB will make public on the Link Up Idaho website and via existing communication channels a timeline of the application process and communicate it to applicants and others interested in this process.

Table 4

Application Intake and Review Process Timeline

Application Intake and Review Process Timeline (Starts after Challenge Process completed and Initial Proposal Vol II approved by NTIA)	
Setup Application Portal	5 Days
How-to-Apply Webinar	1 Day
Application Window	45 days
Applications Summary Posted to Link Up Idaho Website	21 days after application window closes
Applications Service Areas Posted to Link Up Idaho Website	21 days after application window closes
Application Review Process:	90-120 days after application window closes

Application Intake and Review Process Timeline	
(Starts after Challenge Process completed and Initial Proposal Vol II approved by NTIA)	
• Compliance and Completeness Review • State Administrative Review • Committee Scoring Review • IBAB Review and Award	
Subgrantee Award Announcements	120-150 days after application window closes on rolling basis
Notify Unsuccessful Applicants	After all funding awards

The IOB will establish a competitive subgrantee selection process for last-mile broadband deployment projects that is fair, open, and equitable. 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.

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 application service area is defined as a Priority Broadband Project.[4] If the application does not provision services to all locations with end-to-end fiber-optic facilities, please go to "Other Last-Mile Broadband Projects" for scoring criteria.

Scoring Process

The IOB will use the following scoring criteria and weight 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 category and 25 points for secondary category. Each category consists of multiple items to be evaluated and scored based on the consideration factors under each area. The information received in application and supporting documentation will be reviewed and points awarded for each category based upon the scoring and evaluation criteria. To ensure that an application receives the highest possible scoring, please provide complete, comprehensive, and clear responses for all information requested.

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[4] 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.

Table 5

Primary Scoring Criteria Priority Broadband Projects

Primary Criteria (75%) – 75 Points				
Criteria	**Weight**	**Description**	**Maximum Points**	**Scoring**
Minimal BEAD Outlay	**50%**	The total amount of funding required to complete the project area in the application, accounting for both the total projected cost and the applicant's proposed match, which must, without a waiver, cover at least 25% of the project cost, with the specific points awarded increasing as the BEAD expenditure decreases for each location serviced in project area in application.	50	The most cost-efficient application project areas, evaluating the total funding requested to provide broadband access to a defined application area, will receive most points under this section. A percentage of the points available will be allocated to applications with an average higher cost per location considering their relative distance from the most cost-effective cost per location projects areas received.
Affordability	**15%**	The applicant's commitment to provide 1Gbps/1Gbps symmetrical services within the project areas in application at an affordable price for subscribers.	15	The applicant will receive 15 points under this section if the cost of the gigabit symmetrical service package is less than $70 per month, including all taxes, fees and charges charged to the subscriber. A sliding scale system will be used to score applications that provide 1Gbps/1Gbps symmetrical services from $70 or more per month including all taxes, fees, and charges to the subscriber.
Fair Labor Practices	**10%**	Applicants must narratively demonstrate a record of and plans to follow federal labor and employment laws. Applicants who do not have a record of compliance with labor	10	The IOB will assess and score narrative responses under this category. Applications that provide all the required information and certify they will comply with existing labor

Primary Criteria (75%) – 75 Points				
Criteria	Weight	Description	Maximum Points	Scoring
		and employment laws can make forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.		requirements outlined in the BEAD Notice of Funding Opportunity (NOFO) will receive 10 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 0 points in this category.

Primary Criteria – Maximum 75 Points

For assessing an application for priority broadband projects under the BEAD Program, the IOB will consider the primary criteria and weightings set out below. This criterion is in line with the criteria set out in the BEAD NOFO for application evaluation.

Minimal BEAD Program Outlay – Maximum 50 Points

Description: The total amount of funding required to complete the project area in the application, accounting for both the total projected cost and the applicant's proposed match, which must, without a waiver, cover at least 25% of the project cost, with the specific points awarded increasing as the BEAD expenditure decreases for each location serviced in project area in application.

Scoring: The most cost-efficient application project areas, evaluating the total funding requested to provide broadband access to a defined application area, will receive most points under this section. A percentage of the points available will be allocated to applications with an average higher cost per location considering their relative distance from the most cost-effective cost per location projects areas received.

Affordability – Maximum 15 Points

Description: The applicant's commitment to provide 1Gbps/1Gbps symmetrical services within the project areas in application at an affordable price for subscribers.

Scoring: The applicant will receive 15 points under this section if the cost of the gigabit symmetrical service package is less than $70.00 per month, including all taxes, fees and charges charged to the subscriber. A sliding scale system will be used to score applications that provide 1Gbps/1Gbps symmetrical services from $70.00 or more per month including all taxes, fees, and charges to the subscriber.

Table 6

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
>$110.00	0

Fair Labor Practices – Maximum 10 Points

Description: Applicants must narratively demonstrate 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.

Scoring: The IOB will assess and score narrative responses under this category. Applications that provide all the required information and certify they will comply with existing labor requirements outlined in the BEAD Notice of Funding Opportunity (NOFO) will receive 10 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 0 points in this category.

Table 7

Fair Labor Requirements Priority Broadband Projects

Fair Labor Requirements	Points
Certification of compliance	5
Compliance with federal labor and employment laws	1
Disclosure of applicant violations	1
Disclosure of contractor and/or subcontractor violations	1
Wage information	1
Workplace safety committees	1

Table 8

Secondary Scoring Criteria Priority Broadband Projects

Secondary Criteria (25%) – 25 Points				
Criteria	Weight	Description	Maximum Points	Scoring

Secondary Criteria (25%) – 25 Points				
Criteria	**Weight**	**Description**	**Maximum Points**	**Scoring**
Speed to Deployment	5%	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 application project area(s) not later than four years after the date on which the subgrantee receives the award from the IOB.	5	The IOB will score committed speed to deployment applications on a sliding scale system. This scale will be set in such a way to minimize the difference of score based on committed project timetables, 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
Speed of Network and Other Technical Capabilities	5%	Applications propose to use technologies that exhibit greater ease of scalability with lower future investment for priority projects.	5	The IOB will score capital assets that have longer useful life on a graded scale system. This graded scale will be set with higher weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles for priority projects.
Open Access	7.5%	The BEAD Program encourages Idaho to adopt selection criteria promoting subgrantees' provision of open access wholesale 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.	7.5	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 based on the open access details in the application. Applications will receive points based on the information submitted for each element of the open access category.
Local and Tribal Coordination	5%	To address the remaining connectivity gaps with no	5	Applicants shall consult local and tribal authorities about their qualifications

Secondary Criteria (25%) – 25 Points				
Criteria	**Weight**	**Description**	**Maximum Points**	**Scoring**
		broadband coverage, this regional and tribal coordination will give tribes, counties, towns, and cities an opportunity to be involved in choosing a preferred partner in their area.		and plans under the BEAD program to qualify for points within this category. Applicants requesting a meeting with local and Tribal governments should not unreasonably refuse the meeting request by the applicant. If the application proves that no such meetings took place after at least three attempts have been made to contact local and/or Tribal government by means of email or other written communications to contact a local authority to discuss qualifications and plans under the BEAD program. The applicants that obtain a letter of support from proposed service area local and tribal governments will receive full credit. No credit is granted to applicants who do not receive such support letter, but they may submit proposals within their authority. The IOB encourages local authorities to meet the applicants before granting such support letters to discuss their development plans within the framework of the BEAD Program. Local governments and tribes may support one or more applicants. Applications will receive points based on the information submitted for each element of the local and tribal category.
Equitable Workforce Development and	2.5%	Applicants must narratively demonstrate their	2.5	The IOB will assess and score narrative responses under this category.

Secondary Criteria (25%) – 25 Points				
Criteria	**Weight**	**Description**	**Maximum Points**	**Scoring**
Job Quality		commitment to make appropriate investments to develop a skilled, diverse workforce to fill the necessary jobs to meet the infrastructure buildout timelines submitted in application.		Applications that provide all the required workforce development information and commit to investing in developing a skilled work force with a priority for local hires will receive 2.5 points in this category. Applications will receive 0 points in this category if they fail to submit all the required workforce development information in their application.

Secondary Criteria – Maximum 25 Points

Speed to Deployment – Maximum 5 Points

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 application project area(s) 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 applications on a sliding scale system. This scale will be set in such a way to minimize the difference of score based on committed project timetables, 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.

Table 9

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

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

Scoring: The IOB will score capital assets that have longer usable lives on a sliding scale system. This graded scale will be set with higher weight over those proposing technologies

with higher costs to upgrade and shorter capital asset cycles for priority projects.

Table 10

Technology Investment Priority Broadband Projects

Technology	Speeds	Points
XGS-PON	Up to 10 Gbps upload and 10 Gbps download or greater	5
XG-PON	Up to 2.5 Gbps upload and 10 Gbps download	4
G-PON	Up to 1 Gbps upload and 2.5 Gbps download	2
E-PON	Up to 1 Gbps upload and download	1

Open Access Network – Maximum 7.5 Points

Description: The BEAD Program encourages Idaho to adopt selection criteria promoting subgrantees' provision of open access wholesale 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.

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 based on the open access details in the application. Applications will receive points based on the information submitted for each element of the open access category.

Table 11

Open Access Priority Broadband Projects

Open Access Details	Points
Details regarding open access 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

The BEAD program encourages Idaho to adopt selection criteria reflecting the support of the applicant from the local and tribal governments with responsibility for the location or locations within their authority.

Description: To address the remaining connectivity gaps with no broadband coverage, this regional and tribal coordination will give tribes, counties, towns, and cities an opportunity to be involved in choosing a preferred partner in their area.

Scoring: Applicants shall consult local and tribal authorities about their qualifications and plans under the BEAD program to qualify for points within this category. Applicants requesting a meeting with local and Tribal governments should not unreasonably refuse the meeting request by the applicant. If the application proves that no such meetings took place after at least three attempts have been made to contact local and/or Tribal government by means of email or other written communications to contact a local authority to discuss qualifications and plans under the BEAD program.

The applicants that obtain a letter of support from proposed service area local and tribal governments will receive full credit. No credit is granted to applicants who do not receive such support letter, but they may submit proposals within their authority. The IOB encourages local authorities to meet the applicants before granting such support letters to discuss their development plans within the framework of the BEAD Program. Local governments and tribes may support one or more applicants.

Applications will receive points based on the information submitted for each element of the local and tribal category.

Table 12

Local and Tribal Coordination Priority Broadband Projects

Local and Tribal Coordination	Points
Local and Tribal Coordination Information and Consultation Meeting	2.
Local and Tribal Coordination – Letter of Support	2.5

Equitable Workforce Development and Job Quality – Maximum 2.5 Points

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

Scoring: The IOB will assess and score narrative responses under this category. Applications that provide all the required workforce development information and commit to investing in developing a skilled work force with a priority for local hires will receive 2.5 points in this category. Applications will receive 0 points in this category if they fail to submit all the required workforce development information in their application.

Selection Criteria for Other Last-Mile Broadband Deployment Projects

Applications that do not use end-to-end fiber-optic facilities to provision services to all end-user premises in an application service area are defined as an Other Last-Mile Broadband Deployment Project.[5] The sections below will detail the scoring criteria for applications received that meet this criterion.

Scoring Process

The IOB will use the following scoring criteria and weight to evaluate non-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

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[5] 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.

categories with a maximum of 75 points for primary category and 25 points for secondary category. Each category consists of multiple items to be evaluated and scored based on the consideration factors under each area. The information received in application and supporting documentation will be reviewed and points awarded for each category based upon the scoring and evaluation criteria. To ensure that an application receives the highest possible scoring, please provide complete, comprehensive, and clear responses for all information requested.

Table 13

Primary Scoring Criteria Other Last-Mile Broadband Deployment Projects

Primary Criteria (75%) – 75 Points				
Criteria	**Weight**	**Description**	**Maximum Points**	**Scoring**
Minimal BEAD Outlay	**50%**	The total amount of funding required to complete the project area in the application, accounting for both the total projected cost and the applicant's proposed match, which must, without a waiver, cover at least 25% of the project cost, with the specific points awarded increasing as the BEAD expenditure decreases for each location serviced in project area in application.	50	The most cost-efficient application project areas, evaluating the total funding requested to provide broadband access to a defined application area, will receive most points under this section. A percentage of the points available will be allocated to applications with an average higher cost per location considering their relative distance from the most cost-effective cost per location projects areas received.
Affordability	**15%**	The applicant's commitment to provide 100/20 Mbps service within the project areas in application at an affordable price for subscribers.	15	The applicant will receive 15 points under this section if the cost of 100/20 Mbps service package is less than $50 per month, including all taxes, fees and charges charged to the subscriber. A sliding scale system will be used to score applications that provide 100/20 Mbps services from $50 or more per month including all taxes, fees, and charges to the subscriber.
Fair Labor Practices	**10%**	Applicants must narratively demonstrate a record of and plans to	10	The IOB will assess and score narrative responses under this

Primary Criteria (75%) – 75 Points				
Criteria	**Weight**	**Description**	**Maximum Points**	**Scoring**
		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.		category. Applications that provide all the required information and certify they will comply with existing labor requirements outlined in the BEAD Notice of Funding Opportunity (NOFO) will receive 10 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 0 points in this category.

Primary Criteria – Maximum 75 Points

For assessing an application for non-priority broadband projects under the BEAD Program, the IOB will consider the primary criteria and weightings set out below. This criterion is in line with the criteria set out in the BEAD NOFO for application evaluation.

Minimal BEAD Program Outlay – Maximum 50 Points

Description: The total amount of funding required to complete the project area in the application, accounting for both the total projected cost and the applicant's proposed match, which must, without a waiver, cover at least 25% of the project cost, with the specific points awarded increasing as the BEAD expenditure decreases for each location serviced in project area in application.

Scoring: The most cost-efficient application project areas, evaluating the total funding requested to provide broadband access to a defined application area, will receive most points under this section. A percentage of the points available will be allocated to applications with an average higher cost per location considering their relative distance from the most cost-effective cost per location projects areas received.

Affordability – Maximum 15 Points

Description: The applicant's commitment to provide 100/20 Mbps service within the project areas in application at an affordable price for subscribers.

Scoring: The applicant will receive 15 points under this section if the cost of 100/20 Mbps service package is less than $50 per month, including all taxes, fees and charges charged to the subscriber. A sliding scale system will be used to score applications that provide 100/20 Mbps services from $50 or more per month including all taxes, fees, and charges to the

subscriber.

Table 14

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
>$75.00	0

Fair Labor Practices – Maximum 10 Points

Description: Applicants must narratively demonstrate 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.

Scoring: The IOB will assess and score narrative responses under this category. Applications that provide all the required information and certify they will comply with existing labor requirements outlined in the BEAD Notice of Funding Opportunity (NOFO) will receive 10 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 0 points in this category.

Table 15

Fair Labor Requirements Other Last-Mile Broadband Deployment Projects

Fair Labor Requirements	Points
Certification of compliance	5
Compliance with federal labor and employment laws	1
Disclosure of applicant violations	1
Disclosure of contractor and/or subcontractor violations	1
Wage information	1
Workplace safety committees	1

Table 16

Secondary Scoring Criteria Other Last-Mile Broadband Deployment Projects

Secondary Criteria (25%) – 25 Points				
Criteria	Weight	Description	Maximum Points	Scoring

		Secondary Criteria (25%) – 25 Points		
Criteria	**Weight**	**Description**	**Maximum Points**	**Scoring**
Speed to Deployment	5%	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 application project area(s) not later than four years after the date on which the subgrantee receives the award from the IOB.	5	The IOB will score committed speed to deployment applications on a sliding scale system. This scale will be set in such a way to minimize the difference of score based on committed project timetables, 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
Speed of Network and Other Technical Capabilities	5%	Applications propose to use technologies that exhibit greater ease of scalability with lower future investment for non-priority projects.	5	The IOB will score capital assets that have longer useful life on a graded scale system. This graded scale will be set with higher weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles for non-priority projects.
Open Access	7.5%	The BEAD Program encourages Idaho to adopt selection criteria promoting subgrantees' provision of open access wholesale 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.	7.5	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 based on the open access details in the application.

Secondary Criteria (25%) – 25 Points				
Criteria	**Weight**	**Description**	**Maximum Points**	**Scoring**
Local and Tribal Coordination	5%	To address the remaining connectivity gaps with no broadband coverage, this regional and tribal coordination will give tribes, counties, towns, and cities an opportunity to be involved in choosing a preferred partner in their area.	5	Applicants shall consult local and tribal authorities about their qualifications and plans under the BEAD program to qualify for points within this category. Applicants requesting a meeting with local and Tribal governments should not unreasonably refuse the meeting request by the applicant. If the application proves that no such meetings took place after at least three attempts have been made to contact local and/or Tribal government by means of email or other written communications to contact a local authority to discuss qualifications and plans under the BEAD program. The applicants that obtain a letter of support from proposed service area local and tribal governments will receive full credit. No credit is granted to applicants who do not receive such support letter, but they may submit proposals within their authority. The IOB encourages local authorities to meet the applicants before granting such support letters to discuss their development plans within the framework of the BEAD Program. Local governments and tribes may support one or more applicants. Applications will receive points based on the information submitted for each element of the local

Secondary Criteria (25%) – 25 Points				
Criteria	**Weight**	**Description**	**Maximum Points**	**Scoring**
				and tribal category.
Equitable Workforce Development and Job Quality	2.5%	Applicants must narratively demonstrate their commitment to make appropriate investments to develop a skilled, diverse workforce to fill the necessary jobs to meet the infrastructure buildout timelines submitted in application.	2.5	The IOB will assess and score narrative responses under this category. Applications that provide all the required workforce development information and commit to investing in developing a skilled work force with a priority for local hires will receive 2.5 points in this category. Applications will receive 0 points in this category if they fail to submit all the required workforce development information in their application.

Secondary Criteria – Maximum 25 Points

Speed to Deployment – Maximum 5 Points

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 application project area(s) 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 applications on a sliding scale system. This scale will be set in such a way to minimize the difference of score based on committed project timetables, 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.

Table 17

Deployment Commitment Schedule Other Last-Mile Broadband Deployment Projects

Deployment Commitment Schedule	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

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

Scoring: The IOB will score capital assets that have longer useful life on a sliding scale system. This graded scale will be set with higher weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles for non-priority projects.

Table 18

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
Wireless using unlicensed spectrum	2
Low Earth Orbit (LEO) satellite	1

Open Access Network – Maximum 7.5 Points

Description: The BEAD Program encourages Idaho to adopt selection criteria promoting subgrantees' provision of open access wholesale 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.

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 based on the open access details provided in the application.

Table 19

Open Access Details Other Last-Mile Broadband Deployment Projects

Open Access Details	Points
Details regarding open access 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

The BEAD program encourages Idaho to adopt selection criteria reflecting the support of the applicant from the local and tribal governments with responsibility for the location or locations within their authority.

Description: To address the remaining connectivity gaps with no broadband coverage, this regional and tribal coordination will give tribes, counties, towns, and cities an opportunity to be involved in choosing a preferred partner in their area.

Scoring: Applicants shall consult local and tribal authorities about their qualifications and plans under the BEAD program to qualify for points within this category. Applicants requesting a meeting with local and Tribal governments should not unreasonably refuse the meeting request by the applicant. If the application proves that no such meetings took place after at least three attempts have been made to contact local and/or Tribal government by means of email or other written communications to contact a local authority to discuss qualifications and plans under the BEAD program.

The applicants that obtain a letter of support from proposed service area local and tribal governments will receive full credit. No credit is granted to applicants who do not receive such support letter, but they may submit proposals within their authority. The IOB encourages local authorities to meet the applicants before granting such support letters to discuss their development plans within the framework of the BEAD Program. Local governments and tribes may support one or more applicants.

Applications will receive points based on the information submitted for each element of the local and tribal category.

Table 20

Local and Tribal Coordination Other Last-Mile Broadband Deployment Projects

Local and Tribal Coordination	Points
Local and Tribal Coordination Information and Consultation Meeting	2.5
Local and Tribal Coordination – Letter of Support	2.5

Equitable Workforce Development and Job Quality – Maximum 2.5 Points

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

Scoring: The IOB will assess and score narrative responses under this category. Applications that provide all the required workforce development information and commit to investing in developing a skilled work force with a priority for local hires will receive 2.5 points in this category. Applications will receive 0 points in this category if they fail to submit all the required workforce development information in their application.

Waiver of Matching Funds

In certain circumstances, the IOB will consider granting BEAD Program matching funds waivers for certain projects.[6] These waivers will be on a case-by-case basis and will require NTIA approval before the waiver is granted to the applicant.

To be considered for a waiver, an applicant must submit a project area that contains more than 80% of locations located within the defined High-Cost Areas[7], the IOB will consider granting a matching waiver in full or partial for the project area submitted in the application. According to the BEAD NOFO High-Cost Areas in Idaho do not require matching funds. [8]

To encourage small and non-traditional broadband providers [9] to bring high-speed internet service to marginalized or low-income communities [10] and increase their participation in the BEAD program, the IOB will consider waiving the requirement for matching funds in full or partial.

If an applicant submits a project area that may impend affordability (i.e., if an applicant seeks to offset the cost of a substantial match through higher cost to potential subscribers) [11], the IOB will consider waiving the requirement for matching funds in full or partial for the project area submitted in the application. Potential applicants will be able to show the IOB the effect of affordability to potential subscribers by submitting pro forma financials with different capex assumptions based on

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[6] *"A "project" may constitute a single unserved or underserved broadband-serviceable location, or a grouping of broadband-serviceable locations in which not less than 80 percent of broadband-serviceable locations served by the project are unserved locations or underserved locations."*
https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf Page 14

[7] *"The term "high-cost area" means an unserved area in which the cost of building out broadband service is higher, as compared with the average cost of building out broadband service in unserved areas in the United States.*
https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf Page 13

[8] *"Except in certain specific circumstances described herein (including projects in designated "high-cost areas" and other cases in which NTIA has waived the matching requirement) each Eligible Entity shall provide, require its subgrantee to provide, or provide in concert with its subgrantee matching funds of not less than 25 percent of project costs."*

[9] The term "non-traditional broadband provider" means an electric cooperative, nonprofit organization, public-private partnership, public or private utility, public utility district, Tribal entity, or local government (including any unit, subdivision, authority, or consortium of local governments) that provides or will provide broadband services." https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf Page 14

[10] *"In some cases, though, a match requirement could deter participation in the BEAD Program by small and non- traditional providers in marginalized or low-income communities, or could threaten affordability (i.e., if an applicant seeks to offset the cost of a substantial match through higher end user prices)."* https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf Page 20
[11] Ibid.

different matching fund requirements, which shows the impact on subscriber rates to achieve average revenue per customer (ARPC). The appropriate Idaho affordability threshold will be determined by the IOB.

If an applicant submits a project area that is a Priority Broadband Project where the average cost per location is above the Extremely High Cost Per Location Threshold established by the IOB[12], the IOB will consider waiving the requirement for matching funds in full or partial for the project area submitted in the application.

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.

In view of the cost projection outlined in Idaho's Five-Year Action Plan, the IOB firmly expects that there will be insufficient financial resources available to connect all unserved and underserved locations as set out in the BEAD program. Once IOB receives applications for the BEAD Program from applicants following the challenge and the application review process, the total required amount to achieve universal broadband access in Idaho will be determined.

The IOB will request applicants to provide a rescoped project area to serve only those locations that are unserved, underserved and CAIs as defined in the BEAD program regarding funding availability. If this is necessary to address remaining broadband gaps, applicants will receive thirty (30) calendar days to provide the IOB with updated project details if such a request to the applicant. 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 CAI's that do not have high speed broadband access.

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

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[12] *"The term "Priority Broadband Project" means a project that will provision service via end-to-end fiber-optic facilities to each end-user premises. 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 below), or for other valid reasons subject to approval by the Assistant Secretary."*
https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf Page 14

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 will make clear as part of its application intake process that each applicant must familiarize itself with the requirements of the National Environmental Policy Act (NEPA), NHPA and BABA and demonstrate in the application how they intend to comply.

IOB will monitor the applicants for compliance with National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA). 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.

The IOB will highlight the following important points:

- All required applicant environmental documentation received, 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.

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 Build America, Buy American Act (BABA).

The IOB will highlight the following important 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.

- In determining whether a product 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 percent 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).
- 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 DOC Build America Buy America web page for updated information concerning these waiver requests.

To ensure that the requirements of the Build America, Buy America Act are included in the selection process for subgrantees, the IOB shall 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 BABA requirements or explicitly violates the requirement will not receive BEAD funding.

Last-Mile Broadband Deployment Project Areas

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.

Through the application process, the IOB will be able to eliminate areas of conflict between projects. Applicants must attach a .csv file of unserved and underserved locations and community anchor institutions which lack gigabit symmetrical connectivity that the applicant intends to serve through the BEAD program. The applicant shall submit a proposal to serve all eligible premises within the area specified by the IOB where the applicant is applying for service.

The IOB will publicly post all applications summaries including proposed service area(s) within Twenty-one (21) calendar days after the application deadline on the Link Up Idaho website. These application areas will be bounded by county and city boundaries. To prevent conflict between projects, the IOB will identify overlaps between applications that serve the identical locations. The applications that have overlap service areas, a member(s) of the grant review

committee will contact applicants directly via the information provided on the grant application and work with specific applicants to broaden or amend their proposed project area into uncovered areas to allow for comparison of competing applications.

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.

If no application is received by IOB to serve an unserved, underserved, or a combination of both locations at the end of the period for submitting applications, the IOB will know the excluded locations. The IOB will include the location of unallocated areas into a defined application area and will require applicants to indicate these locations on their applications if they are adjacent to proposals submitted by an applicant.

If no adjacent applications received to serve a location or group of locations that are unserved, underserved, or a combination of both, the IOB will seek estimates from ISPs located near the location to extend internet access as well as relevant information needed by applicants to receive funding under the BEAD Program. To enable the ISP to submit a full application for service in respect of those locations, the IOB will contact ISPs during the first few days and weeks of the whole 90-120 calendar day review period.

The IOB will determine ISPs within 1-5 miles by either (1) have coverage reported in the area on the FCC's National Broadband Map or (2) have a state or federally funded project to expand broadband access in the area or (3) have applied to serve locations under the BEAD Program.

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.

The Extremely High Cost Per Location Threshold (EHCAT) will be determined through evaluating applications submitted in previous Idaho broadband funding opportunities, that primary extended broadband access to unserved areas, and applications received under the BEAD program. IOB will also use the Extremely High Cost Per Location Threshold tool from NTIA to help determine the threshold. This threshold will be set according to a way that ensures the maximum deployment of end-to-end fiber projects as feasible, thereby fulfilling the BEAD program's objective. If IOB is unable to connect 100% of unserved and unserved locations in Idaho, the IOB has the right to raise the EHCAT amount.

When defining Idaho EHCAT amount, capital and operating costs associated with the lifetime of the network to connect these extreme high-cost locations will also be considered the threshold amount.

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.**

A. Process for Declining Proposals above the High Cost Per Location Threshold

If IOB receives an application proposal to serve an area that exceeds the EHCAT, calculated by average funding requested per location in application, the IOB will then evaluate non-priority applications received for that same service area. The IOB will engage with the applicants that have made proposals for Priority Projects as soon as there has not been a nonpriority application in this area, assessing whether the costs identified under the EHCAT program are appropriate and justify an award exceeding these thresholds.

B. Process for Ensuring Locations not Requiring Subsidy

The IOB does anticipate unserved and underserved locations remaining that will not require a subsidy to provide the location with access to broadband. Where broadband providers can formally state that additional areas are served beyond those identified in the most recent version of the [FCC National Broadband Map](), these areas should be addressed in the challenge process. The IOB will contact incumbent providers to determine whether broadband infrastructure is present at these locations where relatively dense areas are becoming eligible for BEAD due to the late reporting of coverage data.

C. Process for Selecting Applications with Less Costly Technology

The IOB will consider technology options proposed by Applicants agnostically and identify the most cost-effective technology options for each area through research with the respective areas and experts. Specifically, Idaho will consider licensed fixed wireless and low-orbit-satellite technology if no other technology meeting the Reliable Broadband Service

requirements can deployed for less than the Extremely High Cost Per Location Threshold at a given location. These technologies may not meet the BEAD NOFO's definition of reliable broadband but will nonetheless provide service at a minimum of 100/20 and latency less than or equal to one hundred milliseconds at a lower cost. Utilizing multiple forms of broadband technology will help ensure universal service across the state and that no location, no matter how remote or prohibitive the cost, will remain unserved.

If a priority broadband project area exceeds the EHCAT, the IOB will only consider projects that are not priority broadband projects that may not meet the definition of reliable broadband.

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.**

To ensure that applicants applying for deployment of network facilities can meet the financial capacity requirements specified in the BEAD NOFO on pages 72-73, the IOB will make a commitment to complete screening throughout the selection process.

A. **Required Qualifications for Financial Obligations**

The IOB will require applicants to confirm that they are able to fulfil their obligations under the Project, have available funds for all costs of projects which exceed the amount of the grant and meet any requirements n in the Program including service milestones. Where

the IOB disburses funding to subgrantees only after completion of the related tasks, each applicant shall certify that it has and will continue to have sufficient financial resources to cover the eligible costs of the project until such time as the IOB authorizes further disbursements.

B. Required Model Letter of Credit

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.

Letter of Credit: Applicants must submit a letter of credit as a supplementary document for the application to deemed complete and move onto the review stage The BEAD model letter of credit will use the RDOF letter of credit established by the FCC as a guide. All copies referencing the Rural Digital Opportunity Fund or RDOF will be replaced with Broadband Equity Access and Deployment Fund or BEAD, respectively. Similarly, all copies referencing the Universal Service Administrative Company or USAC (UNIVERSAL SERVICE ADMINISTRATIVE COMPANY) will replace with X or X, respectively. The letter of credit will be accompanied by Annex 1, 2, and 3 as in the RDOF letter of credit outline.

C. Required Audited Financial Statements

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.

Audited Financial Statements: Applicants must submit two years of audited financial statements as a supplementary document for the application to be deemed complete and move onto the review stage. The audited financial statements included in the grant guidelines, supplementary documents checklist, and scoring rubric as required documentation.

D. Required Business Plans and Financial Analysis

Applicants will be asked by the IOB to present their business plans and related analyses to demonstrate that the project is sustainable. Pro forma statements or analyses covering cash flows and balance sheet projections, which should cover at least three years of operating costs and cash flow after the project has aimed at completion, shall also be provided.

Business Plans and Related Analyses: In addition to a pro forma, Applicants must

submit business plans and related analyses that substantiate the sustainability of the proposed project as supplementary documents for the application to move onto the review stage. The business plans and related analyses included in the grant guidelines, supplementary documents checklist, and scoring rubric as required documentation.

The IOB will inform applicants of these regulations prior to, during and after the award procedure by means of webinars with regulatory information; publishing a set of rules on Link Up Idaho website including requirements in application.

Financial Capability: Each Applicant must supply a certified statement from an officer-level employee (or individual of comparable rank) attesting that they:

- ✓ Have available funds for all project costs that exceed the amount of the grant; and
- ✓ Have and will continue to have sufficient financial resources to cover its eligible costs for the Project as demonstrated by the pro forma.

2.4.11.1 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.

IOB will submit a draft Requests for Proposals for deployment projects, and narrative to crosswalk against requirements in the Deployment Subgrantee Qualifications section.

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.

To comply with the management capability requirements set out in the BEAD NOFO on pages 73-74, the IOB will ensure that all applicants submitting applications for deployment of network facilities meet those requirements.

A. Resumes for Key Personnel Requirement

The IOB will require applicants to present resumes for all key management staff, as well as any necessary project organizational chart and corporate relationship details for each parent company, subsidiary, or affiliate. The grant guidelines and supplementary documents will require resumes and organization chart requirement from the applicants.

B. Readiness to Manage Proposed Project Requirement

Each applicant shall include a narrative about the applicant's readiness for managing a broadband service network. The applicant's readiness to manage a broadband services network, including the experience and qualifications of its key management and their experience undertaking projects of comparable size and scope. Specifically, applicants should outline their relevant experience and number of years providing services as an ISP, their experience constructing networks that provide internet service to customer locations, and their experience providing services in Idaho.

To receive funding, applications must fulfil the necessary qualifications for management ability as set out in pages 73-74 of the BEAD NOFO.

If the IOB deems that the documents received do not show applicant managerial competence in respect of a proposed project, it will not approve any BEAD funds to deploy or upgrade network facilities.

The IOB will ensure that applicants are aware of these regulations prior to and throughout the selection process, through the delivery of information on the regulations, the posting on the Link Up Idaho website of a list of regulations and the requirements of grant applications, 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.**

> **b. Detail how the Eligible Entity will require prospective subgrantees 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 entity receives the subgrant, all certified 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 Project.**

The IOB will strive to ensure that applications for deployment of network equipment are subject to rigorous examination, as described on page 74 in the BEAD NOFO and meet the minimal technical competences laid down therein.

A. Technical Qualification for Implementation and Credentialed Workforce

Applicants must submit certification to the IOB that they are technically qualified to complete and operate the proposed project and funding activities in a competent manner, including that it will use an appropriately skilled and credentialed workforce (see Section IV.C.1.e of the BEAD NOFO).

B. Proposed Project Workplan Requirement

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.

Deployment Subgrantee Required Documentation: The grant guidelines outline each required supplemental document to complete the application and move on to the review stage. Applicants will submit supplemental documentation in the Excel Workbook provided by the IOB, and other documentation as individual documents within the application portal. Below is a list of supplemental documentation that each subgrantee must submit:

Project Network and Timeline: Section 2.3 of the grant guidelines and associated section of the application ("Project Network and Timeline") requires all Applicants to submit the Project's network design, diagram, and timeline, including key milestones for Project implementation (i.e., contracting, engineering, pole licensing, and make-ready, permitting, construction and connections, etc.), preparations, and risk factors. Applicants should also include a capital investment schedule showing that the Applicant will complete build-out and the initiation of service within four years of the date on which the applicant receives the grant and will meet interim buildout requirements outlined in this document and any other binding documents. The timeline and capital investment schedule will be submitted in the supplemental documents Excel Workbook.

Project Costs: Section 2.13 of the grant guidelines and associated section of the application ("Project Budget") requires all Applicants to include following information included in the budget document:

- ✓ Total Project Area Costs: include any equipment purchase/rental/lease and justification for any capital costs outside of infrastructure. These costs may not be eligible if they cannot substantiate the proposed project.
- ✓ Total Federal Grant Request
- ✓ Total Cash Matching Funds
- ✓ Total In-Kind Matching Funds
- ✓ Total Matching Funds (Cash + In-Kind)
- ✓ Total Matching Funds (Cash + In-Kind) as Percentage of Total Project Area Costs

The applicant will submit project budget in the Supplemental Documents Excel Workbook.

If IOB does not find that the documents submitted show an applicant's technical capacity with respect to proposed project, it will not approve any BEAD funds for deployment or upgrade of network facilities.

The IOB will ensure that applicants are aware of these regulations prior to and throughout the selection process, through the delivery of information on the regulations, the posting on the Link Up Idaho website of a list of regulations and the requirements of grant applications, seminars, and

workshops, as well as the conditions of the grant agreements and subrecipient grant monitoring programs.

IOB will not consider applicants that do not meet the minimum technical competence as set out in page 74 of the BEAD NOFO.

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 shall ensure applicants desiring to install network systems can meet the minimum requirements for the observance of applicable legislation as outlined in the BEAD NOFO.

   A. Compliance with Federal, State, and Local Laws

   The IOB will require applicants to show that they can conduct funded activities in accordance with all applicable Federal, Idaho, Territorial, and local laws.

   All applicable federal, state, territorial, and local laws: Section 2.6 of the grant guidelines and associated section of the application ("Labor Standards and Protections") requires Applicants to describe how strong labor standards and protections will be incorporated into the Project including, but not limited to written disclosure of any violation Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years; and certification that each Applicant must carry out funded activities in a competent manner in compliance with all applicable federal, state, territorial, and local laws. (Applicants then directed to "See section 3.5 of the grant guidelines for more information on workforce compliance requirements.") Applicants must submit the description and certification for the application to be deemed complete and move on to the review stage.

   B. Worker-led Health and Safety Committees

   The IOB will ask 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.

   The State of Idaho Occupational Safety & Health Administration (IOSHA) 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 their employees.

Labor Standards and Protections: Section 2.6 of the grant guidelines and associated section of the application ("Labor Standards and Protections") requires Applicants to describe their plan for permitting workers to create and implement worker-led health and safety committees that management will meet upon reasonable request. Applicants must submit their plan for the application to be deemed complete and move on to the review stage.

The IOB will ensure that applicants informed of this requirement prior to and throughout the selection process, by organizing informational webinars, including a list of required requirements on the applicant's internet site as well as documents relating to contract negotiations, grant agreement conditions or subrecipient monitoring program requirements.

Applications received by the IOB that do not meet the minimum requirements of compliance on page 74 of the BEAD NOFO will not receive funding.

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 make sure that, as specified on pages 74-75 in the BEAD NOFO, applicants applying

to set up network facilities thoroughly investigated and meet the minimum qualifications for operational competence. To complete and operate the project, the IOB will require applicants to demonstrate they have the operational capacity to do so.

A.   Required Operational Qualifications

Operational Capability: Applicants must submit the Certification of Operational Capability for the application to move onto the review stage. Section 2.16 of the grant guidelines and associated section of the application ("Certification of Operational Capability") requires all Applicants to supply a certified statement from an officer-level employee (or individual of comparable rank) attesting and describing how 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. Each Applicant must supply a certified statement from an officer-level employee (or individual of comparable rank) attesting and describing how they:

- ✓ Are qualified to meet the obligations associated with a Project.

- ✓ Are technically qualified to complete and operate the Project and can carry out the funded activities in a competent manner, including they will use of an appropriately skilled and credentialed workforce.

- ✓ Can carry out funded activities in a competent manner in compliance with all applicable federal, state, territorial, and local laws.

- ✓ Possess the operational capability to qualify to complete and operate the Project;

- ✓ Have timely filed Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this period, and otherwise have complied with the Commission's rules and regulations (for Applicants that have provided a voice and/or broadband service); and

- ✓ Meet the minimum qualifications for providing information on ownership as outlined in 47 C.F.R. § 1.2112(a)(1)-(7).

- ✓ New entrants to the broadband market must also provide sufficient evidence to demonstrate that the newly formed entity has obtained sufficient operational capabilities through internal or external resources.

B.   Required Number of Years in Operation

For at least two consecutive years prior to the date of submission of the application, the applicant shall certify that it has provided voice, broadband, and electricity transmission or distribution services, or that it is a wholly owned subsidiary of such an entity. The certification shall provide proof of this fact and the number of years it has been operational by the applicant or its parent company.

C.   Required Compliance with FCC Form 477, Rules, and Regulation

If the applicant has provided a voice and broadband service, the applicant shall, if necessary, certify that it has submitted the Commission forms 477s and the Broadband Data Act, if applicable, on time, and otherwise comply with the Commission's rules and regulations. In addition, an applicant must state whether they have not complied with the FCC Commission's

rules or regulations in respect of any ongoing or completed enforcement action, criminal proceedings, or another matter where alleged to have failed to do so.

D.   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 was submitted to the relevant financial institution.

Qualified Operating or Financial Reports (for electric transmission or distribution service Applicants, only): Applicants that have operated only an electric transmission or distribution service required to submit the additional operating or financial reports and associated certification for the application to move onto the review stage. Per Section 2.16 of the grant guidelines and associated section of the application ("Certification of Operational Capability"), Applicants that have operated only an electric transmission or distribution service must submit, in addition to the certification, qualified operating or financial reports that have been filed with the relevant financial institution for the relevant 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.   Required Operational Capabilities for New Entrants

The applicant shall present sufficient evidence to demonstrate that the new entity has acquired, by means of internal or outside resources, adequate operating capacity to qualify as a new entrant into the broadband market. Such evidence might include the resume of key personnel, project descriptions and reports submitted by contractors, subcontractors, or other partners with experience relevant to their operation, and any comparable data.

The IOB shall ensure that applicants are well informed about the requirements before and throughout the selection process, by conducting informational webinars, posting on its Link Up Idaho website a list of regulations in relation to grant applications and guidelines as well as grant conditions and subrecipient grant monitoring program requirements.

Applications received by the IOB that do not meet the minimum requirements of compliance on pages 74-75 of the BEAD NOFO will not receive funding.

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.

A. 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 (Code of Federal Regulations) 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 percent 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 percent 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 percent 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 percent or more of the applicant, except that if the ownership percentage for an interest in any link in the chain exceeds 50 percent or represents actual control, it shall be treated and reported as if it were a 100 percent 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 percent 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 percent of Company B (the applicant) and 10 percent 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 percent or greater interest or a total of 10 percent 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 percent or greater interest or a total of 10 percent 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, posting 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.

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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.

A. 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 (Public Law 116- 127; 134 Stat. 178); the CARES (Coronavirus Aid, Relief, and Economic Security) Act (Public Law 116-136; 134 Stat. 281), the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182); or the American Rescue Plan of 2021 (Public Law 117-2; 135 Stat. 4), any federal Universal Service Fund high-cost program (e.g., RDOF, CAF (Connect America Fund)), or any State or local universal service or broadband deployment funding program.

B. 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.

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 CAIs, the IOB made the decision not to subgrant for non-deployment activities. Therefore, all subsections shall mark as "Not applicable."

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;

"Not applicable"

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

"Not applicable"

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

"Not applicable"

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.

"Not applicable"

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.

"Not applicable"

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.

"Not applicable"

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 5 without making a subgrant.

Table 21

Implementation Activities

Initiative	Justification for Use of Funds
Administrative activities to manage the grants to subgrantees.	The Idaho Department of Commerce manages and administers all types of grants with highly skilled subject matter experts. The IOB will utilize personnel from the Capital Projects Fund (CPF) and BEAD Program to ensure these programs are effectively managed and staffed to administer subgrants to subgrantees.
Implementation of the Challenge Process.	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 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.
Implementation of the subgrantee selection process.	This process will be administered by the IOB with the IBAB and stakeholders. As this is an administrative process involving public engagement and work with the IBAB, it will be handled by IOB staff and resources within the Idaho Department of Commerce.
Workforce development related to the deployment of broadband.	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

Initiative	Justification for Use of Funds
	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.
Mapping and data collection	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 Geographic Information System (GIS) professionals in the Idaho Office of Information Technology, a sister agency.

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 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, the Fair Labor Standards Act, 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.

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.

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 Occupational Safety and Health Act (OSHA), the Fair Labor Standards Act (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 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 of employees are followed and maintained.

- **Workplace safety committees:** Applicants are obligated to establish workplace safety committees that have the authority to raise and address health and safety concerns. 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. Fair labor practices will be assessed by the following criteria for applicants:

- 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[13] Section IV.C.1.e, including no infringements during the last three years.

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[13] Notice of Funding Opportunity, Broadband Equity, Access, and Deployment Program, NTIA, https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf.

- 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

The IOB will decide during the competitive sub granting process whether the submitted applicant information meets the BEAD Program requirements. Applicants will receive a full score credit on the Fair Employment Practices if this requirement is met.

2.7.2 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:

a. **Using a directly employed workforce, as opposed to a subcontracted workforce;**

b. **Paying prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements, where applicable, and collecting the required certified payrolls;**

c. **Using project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project);**

d. **Use of local hire provisions;**

e. **Commitments to union neutrality;**

f. **Use of labor peace agreements;**

g. **Use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded);**

h. **Use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure); and**

i. **Taking steps to prevent the misclassification of workers.**

These requirements collectively aim to ensure that subgrantees uphold labor standards, prioritize workplace safety, and comply with federal laws related to labor and employment in the context of broadband deployment projects. This approach seeks to create a fair and safe working environment for all workers involved in these projects.

Idaho will make the following mandatory for all subgrantees (including contractors and subcontractors):

- **Paying prevailing wages:** Subgrantees, contractors, and subcontractors must pay their workers the prevailing wages including compliance with Davis-Bacon requirements.

Prevailing wages are determined by the US Department of Labor[14] and are intended to ensure workers are compensated fairly. For awards of $5 million or more, applicants must agree to provide a certification with respect to Title 40, United States Code, Chapter 31, Subchapter IV (commonly known as the "Davis-Bacon Act") as well as demonstrate fair labor practices.

- **Use of local hires:** This requirement implies that a portion of the workforce hired for the project should come from the local community. This inclusion can help boost local employment and economic activity.

- **Use of an appropriately skilled workforce (registered apprenticeships):** Subgrantees should utilize workers with the necessary job skills to meet safety requirements, appropriate assignment of roles, and equitable pay for the job description. Registered apprenticeships are structured training programs that combine on-the-job training with classroom instruction. This ensures that workers have the skills needed for their roles.

- **Use of an appropriately credentialed workforce:** Subgrantees must employ individuals with the appropriate credentials for their positions. The subgrantee must match each job description and skill set with the hiring description. For roles requiring a particular educational or skilled credential, they must only hire credentialed workers for those roles. It is up to the subgrantee to only hire workers with the matching the proper credentials.

- **Preventing misclassification of workers:** This requirement emphasizes that subgrantees should take steps to prevent the misclassification of workers. Worker misclassification can occur when employees are incorrectly classified as independent contractors, leading to taxes, benefits, and labor rights issues.

These requirements ensure fair labor practices, appropriate compensation, skill development, and compliance with labor laws among subgrantees, contractors, and subcontractors. The details and enforcement of these requirements will depend on the specific regulations and guidelines set forth by the Idaho government or relevant grant-awarding agencies.

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 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:

To meet the construction timetable of the IIJA 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.

The IOB, its partners, and its subgrantees are committed to advancing equitable workforce development and job quality objectives through the BEAD Program. The following strategies and various training programs will be implemented for the BEAD Program.

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[14] United States Department of Labor, *Prevailing Wages*, https://flag.dol.gov/programs/prevailingwages.

a. 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. Training programs specific to the workers' job roles will be designed to align with industry best practices and evolving technological advancements. Subgrantees will be encouraged to collaborate with industry experts, educational institutions, and professional organizations to develop comprehensive training curricula that equip workers with the necessary skills to excel in the broadband sector.

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:
    - o 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.
    - o 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 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 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

The IOB will foster sector-based partnerships that bring together employers, education and 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 ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of workers.

The IOB is committed to creating equitable on-ramps for broadband-related jobs. This involves designing outreach and recruitment strategies that target underserved communities, including those historically marginalized or underrepresented in the sector. Training programs will incorporate culturally sensitive and inclusive practices to attract a diverse pool of candidates. The IOB will also collaborate closely with labor and community-based organizations throughout the planning and implementation process. Worker voices will be solicited and integrated into decision-making to ensure job quality and ongoing dialogue.

The IOB recognizes the importance of diversity in the workforce and is dedicated to ensuring that job opportunities created by the BEAD Program and other broadband funding initiatives are accessible to diverse workers. Efforts will be made to remove barriers to entry, such as discriminatory practices or biased hiring procedures. Subgrantees will be required to develop recruitment and hiring practices that prioritize diversity and provide equal opportunities to all applicants. Strategies will be developed to attract underrepresented groups and provide them with the necessary support to succeed in the sector.

The IOB will require applicants to submit within their application, their plans for targeted outreach to populations that have traditionally been underrepresented in broadband and information technology jobs, including but not limited to women and people of color.

To ensure that a wide range of interested parties have an active role in and awareness about the opportunities provided by the BEAD Program, the IOB will also carry out coordination activities among Tribal governments, local community organizations as well as unions and labor organizations.

Through these comprehensive strategies, the IOB and its subgrantees will develop a skilled and diverse workforce and promote high-quality job opportunities in the broadband sector. By fostering partnerships, ensuring equitable access, maintaining job quality, and prioritizing diversity and

inclusion, the program will contribute to the growth of a sustainable and thriving broadband industry that benefits workers and communities alike.

2.8.2 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:

The IOB is committed to making sure applicants have access to adequately trained and qualified staff. In the application procedure, the IOB will require applicants to submit the following information:

a. **The ways in which the prospective subgrantee 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;**

Applicants will need to outline the strategies they will employ to prove the utilization of a skilled workforce. This might include partnering with Registered Apprenticeship programs or other joint labor-management training initiatives to cater to all workers. Details about the specific training programs, partnerships, or initiatives that will be utilized to ensure a skilled workforce should be provided. The plan should explain how these strategies align with project needs and industry standards.

b. **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,**

Applicants will need to detail the steps they will take to ensure that all project workforce members possess appropriate credentials. This could involve pre-existing occupational training, certifications, and licensures that are relevant to the project. If the project requires specific certifications or licenses, the plan should specify how workers will be supported in obtaining these credentials. Any partnerships with training providers or institutions offering relevant certifications should be highlighted.

c. **Whether the workforce is unionized;**

The IOB has opted not to require applicants to have a unionized workforce.

d. **Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and**

The applicant must state in the application whether the workforce will be directly employed or if work will be performed by a subcontracted workforce.

e. **The entities that the proposed subgrantee plan to contract and subcontract with in carrying out the proposed work.**

The applicant must state in the application the names and business license information of the entities of any contractors and/or subcontractors performing the work.

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

The IOB opted not to require applicants to have a unionized workforce. Thus, all subgrantees will be required to provide the following in a separate project workforce continuity plan to be submitted with their application:

a. **The job titles and size of the workforce (FTE 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;**

The IOB will require the applicant to provide information about job titles and sizes of the workforce (including contractors and subcontractors) required to carry out the project work. This can include full-time equivalent (FTE) positions and the employing entity for each portion of the workforce.

b. **For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:**

   i. **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**

The IOB will require each applicant to submit a safety plan. The plan should detail safety training, certification, and/or licensure requirements for each job title required for the project. This could include certifications like OSHA 10, OSHA 30, confined space, traffic control, or other relevant training. The plan should also specify whether in-house training programs with established requirements are in place.

   ii. **Information on the professional certifications and/or in-house training in place to ensure that deployment is done to a high standard.**

For each job title, the applicant should provide information about the professional certifications and in-house training programs that ensure high-quality deployment. This ensures that workers meet industry standards and project requirements.
By addressing these elements in their plan, applicants will demonstrate their commitment to creating a skilled, credentialed, and safe project workforce, and provide a clear roadmap for the implementation of their workforce strategies.

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 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. Removing barriers of entry, unnecessary degree requirements, and promoting pre-apprenticeship programs will create an on-ramp into telecommunications jobs. It is necessary, as an important driver of both economic and employment growth, that the IOB work to establish a solid relationship with unrepresented businesses where possible.

The IOB will create an environment within their broadband deployment initiative that allows MBE, WBE, and labor surplus area (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[15] and State of Idaho labor regulations.[16]

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:

- Place qualified small businesses, MBEs, and WBEs on solicitation lists

- Assure those small businesses, MBEs, and WBEs are solicited whenever they are potential sources.

- Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small businesses, MBEs, and WBEs.

- Establish delivery schedules, where the requirement permits, which encourage participation by small businesses, MBEs, and WBEs.

- Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce

- Require subgrantees to take the affirmative steps listed above as it relates to its subcontractors.

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 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:

1. Outreach and Recruitment

- **Supplier database:** An up-to-date database of certified MBEs, WBEs, and LSA firms is

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[15]   2 C.F.R § 200.321 "Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms," https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.321.

[16]   "Idaho Labor Laws," Idaho Department of Labor, https://www.labor.idaho.gov/businesses/idaho-labor-laws/.

maintained. This database is used to identify potential 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 (SBA) 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. Idaho Black Community Alliance

    d. Idaho Women's Business Center

    e. Idaho Native American Women Business Alliance

    f. Minority Business Development Agencies

    g. Tribal Employment Rights Office (TERO)

- **Networking:** Participation in events, workshops, and business forums focused on diversity, and inclusion helps to connect with potential partners.

2. 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.

3. Contracting and Utilization:

- **Diverse Subcontractors:** Selected MBEs, WBEs, 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**.**

4. Monitoring and Tracking:

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

5. 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 Loop:** Regular feedback is collected from subcontractors to identify areas of improvement and make necessary adjustments to the strategy.

By implementing this process, strategy, and data tracking methods, IOB can ensure that MBEs, WBEs, 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:

6. **Placing qualified small and minority businesses and women's business enterprises on solicitation lists;**

7. **Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;**

8. **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;**

9. **Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;**

10. **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**

11. **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 following 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.

The IOB is steadfast in its commitment to reducing the costs and barriers that often impede broadband deployment efforts. Extensive engagements with ISPs have provided the opportunity to better understand specific obstacles facing providers when it comes to digitally connecting our state. A series of roundtable discussions and interviews revealed constraints involving high

construction costs, delays in permitting, and cross-jurisdictional miscommunication. Idaho is pursuing several mitigation strategies 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 off set the cost of infrastructure buildout, Idaho is adopting a focus-first approach to its existing infrastructure by:

- Identifying and cataloging property within the state for use as broadband infrastructure

- Providing grant scoring bonuses for projects that utilize existing broadband middle-mile infrastructure.

- Supporting middle-mile and last-mile infrastructure investments that build off existing infrastructure and provider networks.

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 American Rescue Plan Act (ARPA) Funds for projects that implement Dig Once principles.

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

Streamlining state and local permitting processes. Permitting processes can drive up the cost of broadband deployment if they are not designed to be predictable and timely. 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.

- Work with 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.

- Waive application and review fees for broadband infrastructure projects

Improving cross-jurisdictional communication. Not solely unique to Idaho is the disconnect between authorities. Like many other 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 assist applicants to 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. With pole attachments playing a significant and cost-effective role in broadband expansion, Idaho will work to streamline access by:

- Soliciting input from pole owners to obtain all requirements for access to poles.

- Creating a pole access readiness checklist.

- Conducting an online seminar that introduces the make ready process, parties involved, and requirements and fees.

Broadband access comes at a higher price in rural states with low housing density. Building and maintaining even the most common broadband technologies can be costly and requires creative mitigation strategies to help reduce the burdens of projects as much as possible. The above techniques will help reduce costs and barriers, for example, the implementation of Prioritizing projects that align with requirements enumerated under the Idaho Broadband Dig Once and Right-of-Way Act (Sections 40-515 thru 40-520, Idaho Code)

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 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 (NOAA).[17] The plan for addressing climate threats within Idaho and suitable mitigation methods when carrying out BEAD funded activities is outlined in this plan.

a. **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, flooding, and extreme cold temperatures**. The tables and maps presented in this section depict the areas of the state that are most vulnerable to each of these three risks. Due to Idaho's highly varied

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[17] "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.

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 (7) 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 22

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 23

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

County		
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 24

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

b. **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 US Forest service Wildfire Risk to Communities Program, Idaho has a higher average wildfire risk than any other state in the nation.[18]

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[18]   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.
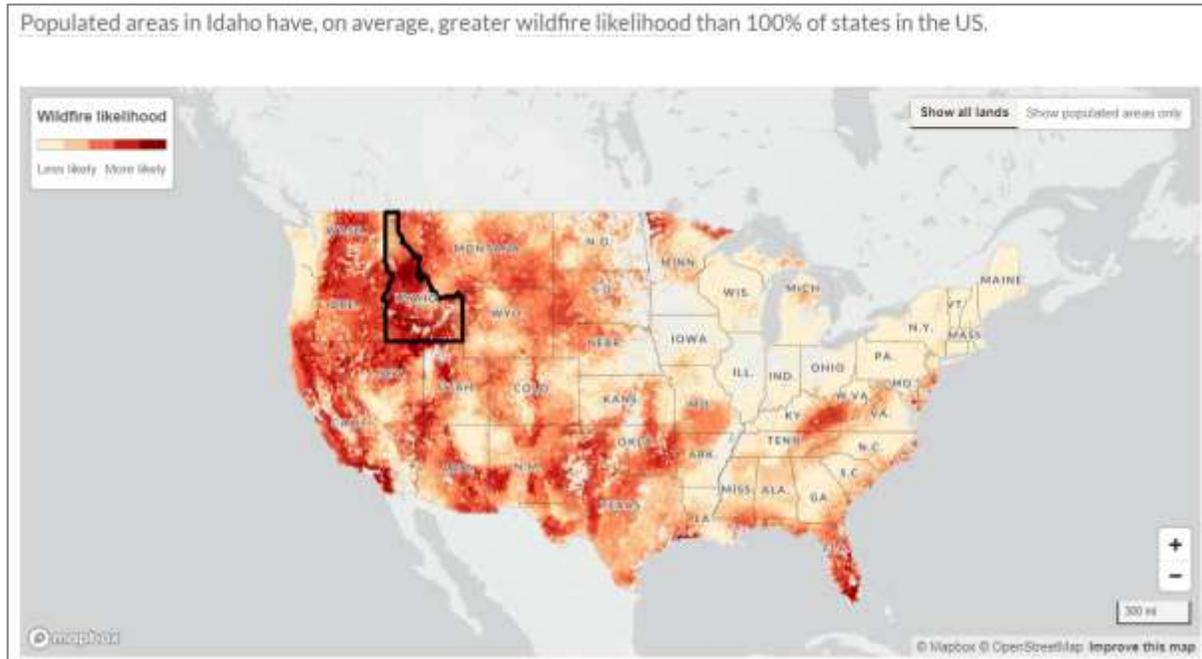
Figure 1: Wildfire likelihood in the continental United States. Data Source: US Forest Service Wildfire Risk to Communities Program

c. 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.[19] The 10-year average is around 600,000 acres per year.[20] 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).[21]

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 (MSA) - and the annual burn probability in its unserved and underserved areas.

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[19]   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.

[20]   "Wildfire Likelihood, Idaho," Wildfire Risk to Communities, https://wildfirerisk.org/explore/wildfire-likelihood/16/.

[21]   "Wildfires and Climate Change," Center for Climate and Energy Solutions, https://www.c2es.org/content/wildfires-and-climate-change/
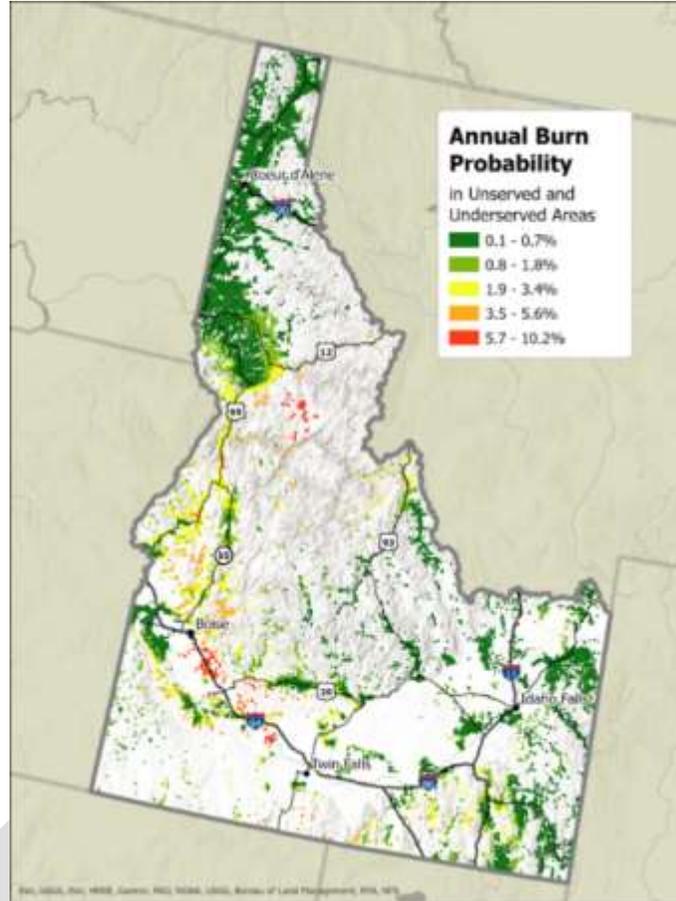
Figure 2: Annual wildfires burn probability in unserved and underserved areas. Data Source: United States Forest Service, Wildfire Risk to Communities Program, Annual Burn Probability raster
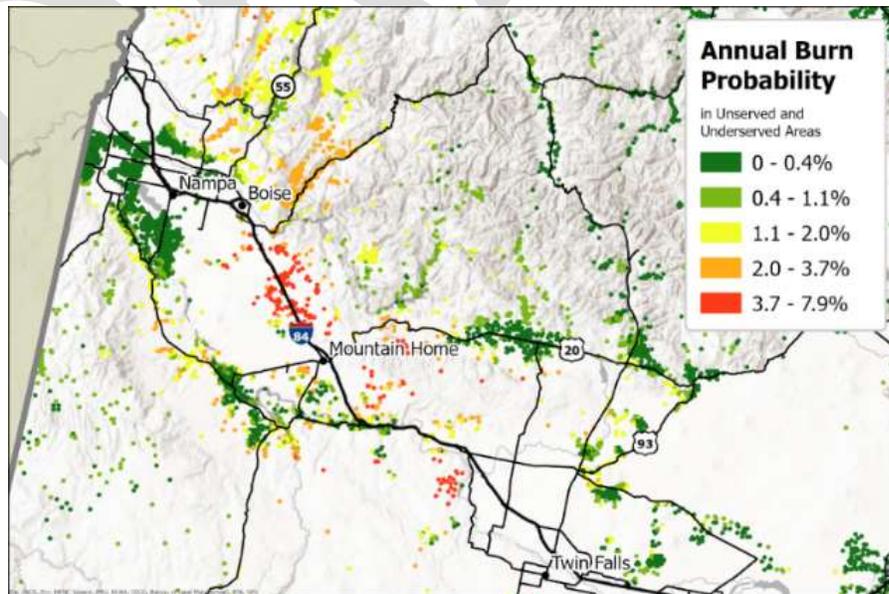

Figure 3: Annual wildfires burn probability in unserved and underserved areas in the Boise MSA. Data Sources: United States Forest Service, Wildfire Risk to Communities Program, Annual Burn Probability raster

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 (Figure 6). 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 (USGS), in unserved and underserved areas.
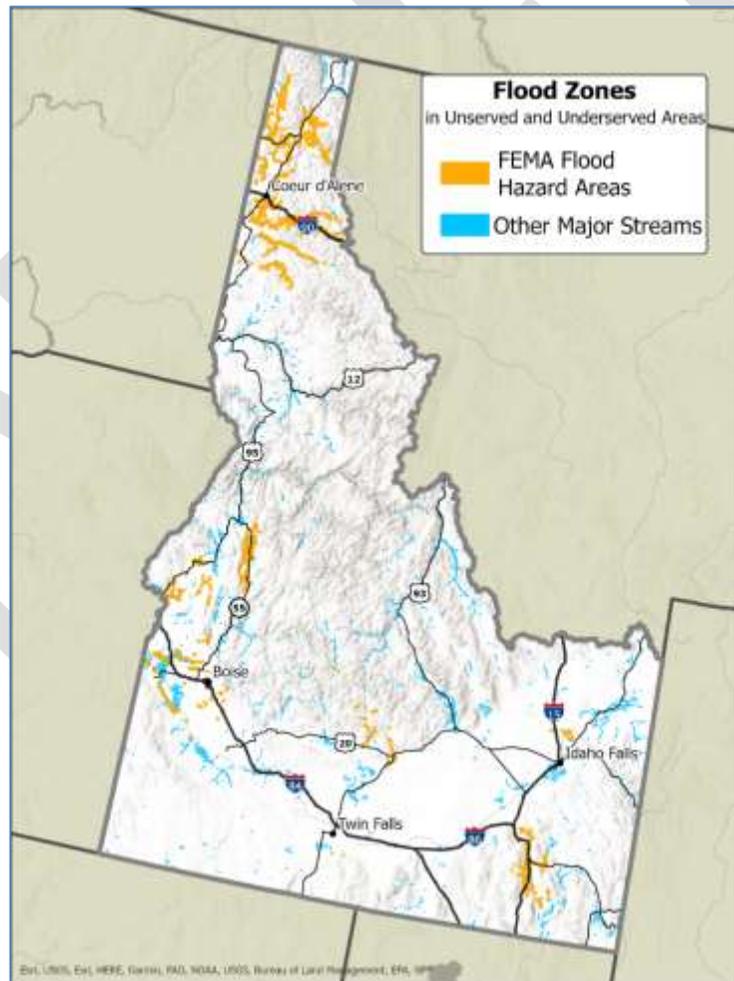

Figure 4: Flood zones and major streams/rivers in unserved and underserved areas Data Sources: Federal Emergency Management Agency Flood Map Service Center and United States Geological Survey National Hydrography Dataset

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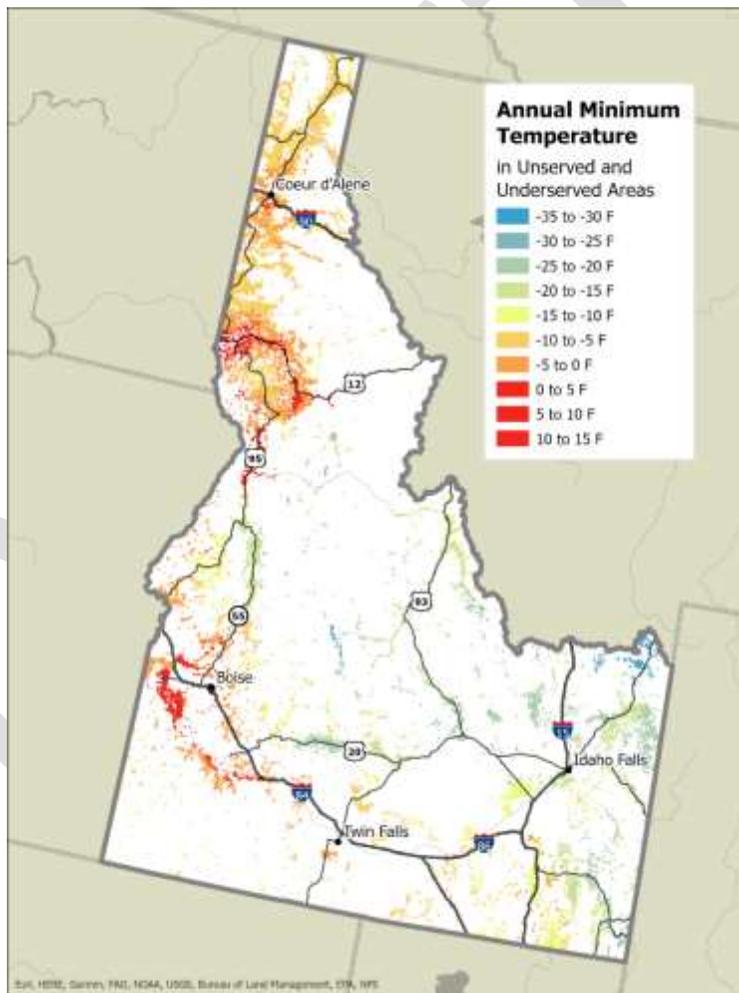
Figure 5: Annual minimum temperature in unserved and underserved areas. Data Sources: US Department of Agriculture, Agricultural Research Service, Plant Hardiness Zones compiled by PRISM mapping group at Oregon State University

d. 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. 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 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 25

Possible Mitigation Strategies to Reduce Climate Risks

Risk	Risk to Infrastructure	Mitigation Strategies
Wildfires	• Burn damage, destruction of poles and above ground infrastructure over large swaths of land. • Heat damages shallow buried infrastructure.	• Burying infrastructure at depths of at least 12-24 inches wherever possible[22] • Utilizing steel poles over wooden when burying is not possible. • Keeping utility corridors free from trees, brush, and other fuels
Flooding	• 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.	• Utilizing aerial installations in flood zones • Avoid placement of on-the-ground infrastructure in flood zones
Extreme Freezing	• Severe icing, condensation on lines and poles • Failure of electronic components not designed to withstand extreme cold	• Burying infrastructure where possible

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

e. 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. 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

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[22] 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.

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 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 receiving BEAD funds for broadband infrastructure deployment projects are required to provide a "low-cost broadband service" to all customers that will be available for the life of the network.[23]

It is important to the IOB that all customers are informed of this option and do not face undue burden in selecting it. Applicants must present their marketing process for this option as part of their proposal for IOB to review and provide feedback. The IOB may provide guidelines or requirements to BEAD subgrantees to facilitate this process. Customer service staff must be trained in how to assist people with selecting this option.

Like many other states, Idaho is home to individuals and communities with limited resources and lack of upward financial mobility. The United States Census Bureau 2021 data shows that 11% of the population can be classified as a "person in poverty."[24] 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.[25] To best serve the needs of its low-income residents,

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[23] 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:

[24] United States Census Quick Facts, "QuickFacts: Idaho; United States," United States Census Bureau, https://www.census.gov/quickfacts/fact/table/ID,US/IPE120221#IPE120221

[25] 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.

Idaho has developed a definitive set of parameters that emphasize access to low-cost broadband service for eligible individuals.

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 Act's 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 Affordable Connectivity Program (ACP) benefit subsidy to the service price.

- Provides the greater of (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 Federal Communications Commission pursuant to Section 706(b) of the Communications Act of 1934.[26]

- 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; and,

A low-cost service option as defined by the IOB as follows in the table below:

Table 26

Criteria for Low-Cost Options

Criteria	Performance Standard
Recurring Charges	$30 per month or less; $75 for Tribal households (inclusive of taxes, fees, and charges)

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[26] 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).

Criteria	Performance Standard
Non-recurring Charges	No additional non-recurring costs or fees
Download Speeds	At least 100 Mbps
Upload Speeds	At least 20 Mbps
Latency	No more than 100ms
Limits on Usage or Availability	No data caps, surcharges, or usage-based throttling. No use policies that are not typically applicable to all subscribers.
Ability to Apply the Affordable Connectivity Program (ACP) Benefit	Allows ACP or successor program and/or any other household broadband subsidy programs
Provisions regarding the subscriber's ability to upgrade to any new low-cost service plans	Subscribers are allowed to switch to a better low-cost plan of that provider 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 IIJA, 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 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 Affordable Connectivity Program 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 Affordability Plans (Requirement 20)

Describe a middle-class affordability plan to ensure that all consumers have access to affordable

Idaho is working to provide affordable broadband service for all consumers through its middle-class affordability plan. The middle-class affordability 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 affordability plan adopts the following strategies in all BEAD-funded network service areas, focusing on three key areas: **availability, assistance, and ongoing monitoring**.

Availability

- The requirement that all providers receiving BEAD funding must offer at least one (1) low-cost plan with a minimum speed of 100/20 to all middle-class households using a BEAD-funded network.

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 establishment of a body that continues monitoring and public reporting to ensure that high-speed internet connections are affordable for middle-class households in their state or territory.

Determining middle-class affordability

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."[27]

According to the Phoenix Center Policy Bulletin, "Middle-Class Affordability of Broadband: An Empirical Look at the Threshold Question,"[28] 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.

A priority of 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:

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[27] 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.

[28] 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

BEAD Proposal Scoring Criteria

The IOB's primary instrument for ensuring affordability is the utilization of the weighting criteria set out in the sub-grantee scoring criteria section of this Initial Proposal. The affordability criterion shall constitute 15% of the evaluation categories used by the IOB to evaluate proposals from ISPs regarding servicing a location as defined within the BEAD program.

The applicant will receive full credit under this section if the cost of the gigabit symmetrical service package is less than $100 per month, including all taxes, fees and charges charged to the customer. A percentage of scoring will reflect their percentage distance from $100 per month to more expensive packages in addition to all taxes, fees, and charges to the customer.

The IOB recommends that the following affordable service option be selected by subgrantees who have received BEAD funds. This will ensure the BEAD funds used in such a way as to increase affordable broadband for middle class households:

Recommended Service Plan

Table 27

Criteria for Performance Standards of Recommended Service Plan

Criteria	Performance Standard
Recurring Charges	$50 per month or less (inclusive of taxes, fees, and charges) ☐
Non-recurring Charges	No additional non-recurring costs or fees ☐
Download Speeds	At least 100 Mbps ☐
Upload Speeds	At least 20 Mbps ☐
Latency	No more than 100ms ☐
Limits on Usage or Availability	No data caps, surcharges, or usage-based throttling. No use policies that are not typically applicable to all subscribers. ☐
Commitment	Five years ☐
Acceptable use policy	Subject to the same acceptable use policy applicable to all other broadband Internet access service plans offered to home subscribers by the participating subgrantee, subscribers shall be subject to the same acceptable use policy. ☐

The IOB intends for providers who are using BEAD funds to keep their commitment to ensure middle class affordability over the life of the network. The IOB will require that each applicant provide a certification that it will continue to provide a range of service offerings, including a low-cost option during the useful life of the network, as required by the NOFO. This is in addition to the reporting obligation noted above. Prospective subgrantees should also outline their plans for reinvesting network revenues into the networks to help reduce customer rates.

In addition to the criteria noted above, each sub-grantee is required to notify all prospective customers of the affordable service option via publicly available and easily accessible means such as website, mailers, invoice inserts, etc.

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

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 State of Idaho intends to request 100% of the awarded $583,256,249.88 in BEAD funding. The IOB, service providers, state and local government, and community partners stand by ready to implement the BEAD funding program to build critical infrastructure to deliver access to all unserved and underserved communities in Idaho.

Idaho's internet service providers and local governments are prepared with the experience of navigating previous state and federal funding programs and prepared with the technical expertise to begin expanding broadband networks to the remaining unserved and underserved locations in Idaho with BEAD funding not later than four years after the date on which the subgrantee receives the award from the IOB.

With the request for 100% of our allocation, the IOB has the following categories identified for the use of BEAD funds.

✓ Activities Required as part of the Initial Proposal - These funds will be used for Subgrantee Selection Process and Challenge Process Execution.

✓ Administrative Costs not subject to the 2% Cap - These funds to be used for administrative purposes, other than the administration of the grant.

✓ Administrative Costs subject to the 2% Cap – These funds will used for expenses relating (directly or indirectly) to administration of the grant under Section 60102(d)(2)(B) of the Infrastructure Act.

✓ Deployment Activities - These funds will be used for broadband deployment, including construction and acquisition of infrastructure and workforce preparation/training.

✓ Non-Deployment Activities – These funds will be used to support BEAD Program goals including training, digital literacy, etc.

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 adhere to 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 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.

The Cost Performance Index (CPI) method will be used to measure the cost efficiency of the project using the following formula: CPI = earned value (EV) / actual cost (AC). A CPI ratio with a value higher than 1 indicates that the project is performing well against the budget (under budget). A CPI value of 1 indicates that a project is performing on budget. A CPI value that is less than 1 indicates that the project is over budget.

The IOB will require subgrantees to complete and submit a CPI form with each remittance. For projects with a CPI value of less than .9, the IOB reserves the right to refuse reimbursement of expenses and may require further explanations for any remittance request.

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 and 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, 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 IOB shall immediately inform the subgrantee and may request submission of corrective action plans if, prior to the contract period performance date, less than 90 percent of each key objective has been achieved by the subgrantee. The IOB shall have the right to recover funds from the subgrantee. Such repayment shall be due from the subgrantee within thirty (30) days of the notice to recoup funds. The IOB may decide, if the subgrantee does not make any payment on its due date, that further collection action is necessary and can refer this case to the Idaho Office of Attorney General for recovery.

c. Timely subgrantee reporting mandates;

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.

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:

✓ Monthly Report: Every 30 days, a monthly 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.

- ✓ 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 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 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 following 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 (sam.gov) and Federal Awardee Performance and Integrity Information System (FAPIIS) records as well as a response to requests for policy, procedure, and financing information. 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.

Additional Provisions:

- The required information referred to within 2 CFR (Code of Federal Regulations) 200 regulations 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 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 i.e., daily about 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 IOB. The IOB defines the useful life of the BEAD funded network as the following 1). Fiber Network 20 years and 2). Wireless Network 5 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, 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 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 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 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:
- ✓ Site Visits: To verify and document project development and progression, the IOB will conduct regular site visits quarterly.
- ✓ Desktop Reviews: The IOB will conduct a desk review of the project at the site visits on alternating quarters.

✓ Internal Compliance Reviews: The IOB will conduct internal compliance reviews to ensure the compliance of the subgrantee with 2 CFR (Code of Federal Regulations) 200 regulations as well as its internal controls, implementation of appropriate fiscal management procedures and current project management plan.

✓ Final Financial Closeout Review: 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 intends to comply with all applicable requirements of the BEAD Program, including the reporting requirements.

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 Supply Chain Risk Management (SCRM) requirements on pages 70 - 71 of the BEAD NOFO, including:

A. Cybersecurity

- The applicant has a cybersecurity risk management plan (the 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

- 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.

- 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.

B. 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 is posting both Volume I and Volume II of the Initial Proposal for public comment beginning September 29, 2023, and running through October 31, 2023. The documents are being made available on the Link Up Idaho Website. Print copies are also available at local libraries.

Public comments can be made in the following ways:

Email: Via USPS:

broadbandcomments@commerce.Idaho.gov   Idaho Office of Broadband
                                                               Attn: BEAD Program Comments
Telephone: 700 West State St.
                                                               Boise, ID 83702
208.334.2470

b. Outreach and engagement activities were conducted to encourage feedback during the public comment period.

The IOB is conducting 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, unions and worker organizations, and other underrepresented groups. Examples of outreach mechanisms include public meetings, informational brochures, local media, relevant social media channels, and direct mail.

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.