Indiana Broadband

CONNECTING INDIANA

INITIAL PROPOSAL VOL 2

NTIA — U.S. DEPARTMENT OF COMMERCE · NATIONAL TELECOMMUNICATIONS & INFORMATION ADMINISTRATION

DEPARTMENT OF COMMERCE · UNITED STATES OF AMERICA

Connecting Indiana
Bead Initial Proposal, Volume 2
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1.   Objectives (Requirement 1)

2.1.1 Long-Term Broadband Deployment Objectives

NTIA Guidance: Outline the long-term objectives for deploying broadband; closing the digital divide; addressing access, affordability, equity, and adoption issues; and enhancing economic growth and job creation.

The Indiana Broadband Office (IBO) has identified four overarching goals to accomplish its vision of providing adequate and affordable broadband service to meet the everyday needs of all Indiana residents, both now and in the future. This section details those four overarching goals and their accompanying objectives.

Goal 1

Ensure a future-proof broadband deployment that serves all broadband serviceable locations, including households, businesses, farms, and community anchor institutions throughout Indiana.

The Indiana Broadband Office will connect homes, community anchor institutions (CAIs), and businesses, including farms, with adequate and affordable broadband through the BEAD Program. Indiana will prioritize fiber deployments per the National Telecommunications and Information Administration (NTIA) BEAD Notice of Funding Opportunity (NOFO) but understands that alternative methods may need to be deployed for some locations.

Goal 1, Objective 1: Broadband Serviceable Location (BSL) Identification – The IBO will update its list of all broadband serviceable locations throughout the state and their access to adequate broadband quarterly.

Maintaining accurate information about unserved and underserved broadband serviceable locations is core to the IBO's work. Indiana has identified a mapping and survey partner, Ready.net, to collect speed test data through its http://connectingindiana.com/ website. Ready.net's platform will allow the IBO to combine existing data with new speed tests, ultimately capturing a fuller picture of broadband service in Indiana. The IBO will work alongside partners, nonprofits, and community organizations to encourage speed test collection. Speed test promotion efforts will continue throughout BEAD deployment so that new data can be paired with FCC Broadband Data Collection and inform decisions throughout the program.

Goal 1, Objective 2: BSL Groupings – Throughout the BEAD subgrantee selection process, the Indiana Broadband Office will proactively provide internet service providers with organized groupings of broadband serviceable locations (BSLs) to promote complete coverage and facilitate discussions related to high-cost addresses during each application cycle.

The Indiana Broadband Office will communicate with internet service providers (ISPs) early and often throughout the subgrantee selection process. Through these conversations, the IBO will work with ISPs to consider the feasibility of adding BSLs previously not covered in project areas and the possibility of accompanying incentives to help facilitate buildouts in areas with challenges and barriers to deployment. This communication approach emphasizes transparency, community-specific solutions, and actively addressing barriers that may be discovered.

Goal 1, Objective 3: Alternative Methods of Delivery – The IBO will establish an extremely high-cost threshold in creating its Final Proposal, allowing specific broadband serviceable locations to be served with alternative technologies to fiber.

The IBO recognizes that the business decision to provide certain BSLs with fiber will depend on costs and the market during deployment. To account for the high costs of certain BSLs and fluctuations in the market, the Indiana Broadband Office will complete three phases of subgrantee selection. By allowing for multiple phases, the IBO can gather information on locations that are passed over and engage with ISPs and communities. The goal is to serve as many locations with fiber as the market will allow while providing adequate service through alternative technologies to BSLs that may be priced out.

Goal 2 – Help all Hoosiers use the internet effectively and use digital services effectively, ultimately increasing adoption.

The mission of the Indiana Broadband Office is to assist residents in need of affordable and reliable broadband connectivity. This mission of reaching Hoosiers where they live, work, and play is accomplished by communicating with stakeholders, providing resources to a diverse audience, and leveraging established relationships with elected officials, associations, and providers.

As the BEAD Program is implemented, the IBO will hold residents and businesses at the center of its work, just as its mission states. In doing so, the IBO will strive to understand the financial restraints and knowledge barriers individuals face when trying to obtain and utilize broadband.

Goal 2, Objective 1: Affordability – The IBO will develop a state-specific definition of affordability and work to provide the necessary resources that enable broadband access for residents prior to the submission of the Final Proposal.

The Indiana Broadband Office will continue to be a champion of the Affordable Connectivity Program (ACP) and encourage eligible households to subscribe to the service. Additionally, the IBO will work with ISPs to ensure that all Indiana residents in BEAD funded areas have access to broadband service that offers an ACP program.

It is currently predicted that ACP funding will be exhausted by the summer of 2024 at the current rate of adoption. Many Indiana households rely on the ACP for affordable internet access. If the program is not renewed, the IBO will explore options to ensure that Indiana residents still have affordable options available to them.

Beyond the ACP, the IBO will also create a robust methodology for defining "low-cost" plans. This methodology will be used throughout the life of BEAD funds, and all subgrantees will be required to offer a low-cost plan that makes sense for Indiana.

Goal 2, Objective 2: Adoption – The IBO will collaborate with community stakeholders and local organizations to identify the roadblocks limiting service adoption for unserved and underserved populations. The IBO will provide support in overcoming these challenges throughout the lifetime of the funds provided by the Digital Equity Act.

Identifying roadblocks to broadband adoption will be largely dependent on the work currently being conducted by the Purdue Center for Regional Development (PCRD) on the state's Digital Equity plan. PCRD has identified Digital Ambassadors, individuals who have faced roadblocks to broadband access and adoption, and is collaborating with this group to compile a list of tactical solutions to increase adoption across the state.

By working closely with community stakeholders and organizations, the IBO aims to understand the unique challenges facing populations throughout Indiana and will provide sustained support to overcome them with the use of the Digital Equity Act Funds. The IBO will track the identified roadblocks, document the collaboration with community stakeholders and organizations, and monitor the support provided.

Goal 2, Objective 3: Digital Equity – The Indiana Broadband Office will actively utilize solutions created and refined by Digital Ambassadors and the Digital Equity task force to close the digital divide throughout the lifetime of the funds provided by the Digital Equity Act fund.

As defined by the BEAD NOFO, Digital Equity means, "the condition in which individuals and communities have the information technology capacity that is needed for full participation in the society and economy of the United States". Achieving Digital Equity looks different from community to community; however, it ultimately means providing all Indiana residents the means and skills to access and adopt broadband services at an affordable price. The Indiana Broadband Office will pursue input from diverse perspectives and expertise to address the unique, community-specific challenges faced in bridging the digital divide. The IBO will track the implementation and utilization of the solutions developed in the Digital Equity Plan.

Goal 3 – Through community outreach and engagement, the Indiana Broadband Office is committed to frequently addressing digital equity and adapting to new challenges to provide additional support to communities.

The IBO recognizes that the digital landscape is constantly changing. The digital divide will evolve and look different in the coming years. To adapt appropriately, the IBO will build on its past work and continue to foster a collaborative environment that responds to and addresses challenges facing community stakeholders and local government around broadband deployment and implementation. For example, the Indiana Broadband Office has developed Steps to Success for communities to take on as they prepare to deploy broadband. These steps incorporate each objective in this goal by advocating for community coordination efforts, encouraging and utilizing community input, and enhancing community collaboration.

Goal 3, Objective 1: Community Coordination – The Indiana Broadband Office (IBO) will hire a Communications Manager to meet communities where they are in their broadband journey and help prepare communities for broadband deployments prior to the subgrantee selection process.

Communities are important partners in ensuring the success of broadband deployment. Local roles range from understanding permitting processes, conducting data collection, and encouraging adoption, to securing additional funding. The IBO will employ its resources to help communities successfully accomplish these tasks. The IBO will share best practices and connect communities throughout the state to leverage successes and lessons learned at a local level. As of summer 2023, the IBO has hired a Communications

Manager. This individual aims to further bridge the gap between communities and broadband deployments, tailoring approaches to meet the specific needs and readiness of each community.

Goal 3, Objective 2: Community Input – The IBO will encourage communities to share their experiences with ISPs, collect their feedback, and incorporate it into the scoring process for subgrantee selection.

The IBO recognizes the importance of communities' experiences and knowledge of their areas throughout deployment. It is critical that local leaders have a voice in this process. Through the Steps to Success effort, communities identify a broadband task force point of contact. This contact will work with the IBO to share feedback on specific ISPs in their community and promote quality partnerships prior to the final award notification. The IBO will also encourage communities to provide information about any support needed to accomplish a successful deployment. The IBO will facilitate ongoing communication between local governments and ISPs beyond the selection process and into the physical buildout. By incorporating community feedback, the IBO aims to enhance the grant process and make it more responsive to the needs and challenges faced by the communities.

Goal 3, Objective 3: Community Collaboration – The IBO is committed to enhancing its community outreach through both in-person and virtual opportunities, all aimed at fostering collaboration throughout the BEAD Program, from planning to project completion.

The IBO is dedicated to fostering extensive community collaboration and will continue to prioritize engaging with residents across Indiana. To ensure effective communication, the IBO will make itself available to travel to communities as needed, facilitating discussions about the current and future state of broadband in each area. These efforts will involve engaging with local governments, ISP partners, and other key entities essential to the success of the BEAD deployment. This commitment extends beyond the distribution of BEAD funds and encompasses the ongoing maintenance of the infrastructure.

To reach a wide audience and keep residents informed, the IBO will maintain its online communication channels. These channels include the IBO website, monthly newsletters, and the broadband champions' campaign. By leveraging these platforms, the IBO aims to provide regular updates and essential information regarding broadband to all corners of the state.

In addition to online communication, the IBO recognizes the value of in-person interaction. By organizing outreach events, the IBO can facilitate direct communication, gather feedback, and cultivate relationships with community members. The IBO will track the number of community outreach events conducted and evaluate participation in these events and the level of collaboration that is enabled.

Goal 4 – Use broadband investment as a method to promote quality jobs, community development, and quality of life. Indiana recognizes that broadband is at the center of making the state an attractive place to live, work, and play. Broadband investment will create a positive impact throughout many diverse sectors in Indiana.

Although the IBO is responsible for leading the charge on broadband, it is not working in a silo. Several partners, such as the Indiana Economic Development Corporation (IEDC), Indiana Destination Development Corporation (IDDC), Department of Workforce Development (DWD), and Indiana State Department of Agriculture (ISDA), have greatly contributed to and will continue to play a large role in making sure all Indiana residents have access to reliable and affordable broadband.

Goal 4, Objective 1: Community Impact – The IBO will continue to engage with communities and hear local feedback about the impact of broadband on individuals and their quality of life.

Numerous communities will benefit from expanded broadband access. The benefits range from economic, like opportunities for telecommuting, and those that improve an individual's quality of life. Broadband expansions may help localities better attract residents and provide current residents with the services needed to remain in Indiana. Improved broadband access will simplify the lives of those living in rural areas and encourage young adult populations to remain.

Goal 4, Objective 2: Workforce Development and Job Growth – The Indiana Broadband Office will coordinate with other government agencies and relevant organizations to develop workforce development programs and facilitate the creation of quality jobs through broadband-enabled economic development initiatives and broadband-centered job growth.

Indiana is focused on broadband-related workforce development in two primary ways: 1) ensuring that there is sufficient talent to meet broadband deployment and ongoing maintenance and operation means, and 2) using broadband to upskill labor and encourage digital literacy. To work towards its workforce development goals, the IBO will:

- Encourage residents seeking employment to focus on jobs in this industry;
- Consider scoring mechanisms that encourage timely deployment and maintenance;
- Utilize available funding through the Department of Workforce Development to provide digital literacy training;
- Collaborate with the Department of Workforce Development to provide targeted programs to meet the needs of businesses.

Goal 4, Objective 3: Business Growth – The IBO will identify and support strategic business opportunities through broadband adoption and utilization during the lifetime of the BEAD funds.

The IBO will emphasize growing and championing broadband access at Community Anchor Institutions and small businesses. The IBO will facilitate the provision of programs and resources to help businesses effectively leverage broadband technologies, like webinars and mentorship programs focused on digital skills, e-commerce, and online marketing. The IBO will continue to identify gaps in business sectors that can be addressed through broadband adoption.

2. Local, Tribal, and Regional Broadband Planning Process (Requirement 2)

2.2.1 Local, Tribal, and Regional Support

NTIA Guidance: 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.

Continued stakeholder engagement and coordination with local, Tribal, and regional groups is critical to the success of the BEAD Program and is an IBO priority. All Indiana residents should have a seat at the table as over $868 million is deployed across the state. To ensure sufficient coordination with local, Tribal, and regional groups, the Indiana Broadband Office has several ongoing stakeholder engagements planned that will continue through planning phases to infrastructure buildout and beyond. The various types of current and planned engagement are detailed in the sections below.

Community Feedback

Throughout the BEAD Program, the IBO intends to engage with communities to receive feedback, specifically on the subgrantee selection process and potential project areas. This engagement began with nineteen listening sessions during the Five-Year Action Plan and continued with six public comment and listening sessions for the Initial Proposal. For both the Five-Year Action Plan and the Initial Proposal, these sessions were held across the state to ensure complete geographics coverage. These targeted engagements allow communities to voice concerns and identify obstacles before and during deployment. The Indiana Broadband Office plans for similar in-person listening and feedback sessions to continue during the State Challenge Process and through to the Final Proposal.

Internet Service Provider Engagement

The IBO is proud of the positive relationships held with its ISP partners and understands that these companies will play a large role in the success of the BEAD Program. The IBO intends to continue these conversations so that ISPs, both local and national, pursue future business within Indiana.

The BEAD Program is the first nationwide broadband deployment of this size. With the novelty of the program, the IBO understands new challenges and barriers are likely to arise and that issues such as labor or supply chain shortages will likely fluctuate over the span of the five-year period of deployment. With that in mind, the IBO plans to

communicate with ISPs frequently to understand any new areas of concern and will be a flexible partner in finding potential solutions.

The IBO as a Connector

During the BEAD subgrantee selection process, proposal or project areas may cross county or city lines. As communities prepare their constituents for broadband deployment, there will be times when communities must collaborate with one another. Further, in all project areas, communities and ISP partners will need to work closely. The IBO will serve as a connector for these two groups of stakeholders and help foster positive relationships.

Partnership Establishment

The Indiana Broadband Office is committed to gathering the most accurate data possible and will focus heavily on engaging partners and the public leading up to and throughout the challenge process. A large part of this engagement will be communicating the importance of accurate speed tests and marketing Indiana's speed test at connectingindiana.com. The IBO will work alongside its community partners to advertise the speed test and gather information needed for the most precise map possible.

Third-Party Engagement

Many stakeholders are involved in carrying out a successful broadband deployment. Although ISPs and local communities are the key stakeholders, there are a variety of third-party entities that will typically be engaged at some point during the process. The IBO intends to keep conversations open with these third-party entities to ensure that possible delays or pain points in the construction process are considered proactively.

Workforce Development

Workforce development is crucial to a successful BEAD deployment. The IBO is working with the Department of Workforce Development (DWD), other state and local government entities, ISPs, and educational institutions to identify workforce development partnerships. These conversations may explore partnerships with public institutions like Ivy Tech and local high schools.

3.   Local Coordination (Requirement 4)

2.3.1 Local Coordination Efforts

NTIA Guidance: Describe the coordination conducted, summarize the impact the coordination has had on the content of the Initial Proposal, and detail ongoing coordination efforts. Set forth the plan for how the Eligible Entity will fulfill the coordination associated with its Final Proposal.

Since its inception, local coordination and engagement have been critical components of the IBO's success. Throughout the BEAD planning process, the IBO has sought to engage with a wide range of stakeholders in every corner of the state. These efforts have resulted in significant conversation, valuable feedback, and meaningful relationship-building for the Indiana Broadband Office. The insights gathered from local coordination have already been incorporated into many aspects of this Initial Proposal, including the state challenge process, CAI identification, subgrantee selection and scoring, and more. The IBO will continue its significant coordination efforts throughout the BEAD Program, including through the submission of its Final Proposal.

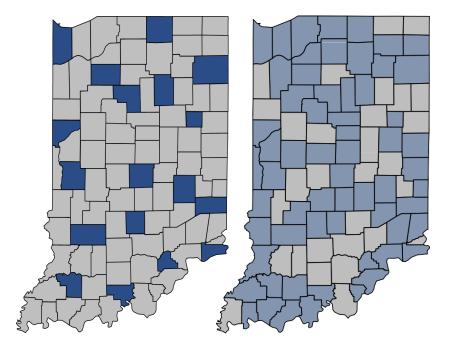An overview of the IBO's coordination efforts is described in the sections below.

Visioning and Listening Sessions

From May to July 2023, the IBO conducted nineteen total stakeholder visioning sessions about the BEAD Program. These sessions both informed stakeholders about BEAD and the upcoming deployment projects and solicited targeted feedback about local broadband needs, successes, and barriers. The IBO invited a range of relevant stakeholders to these listening sessions, including broadband task force members, school leadership, county commissioners, clerks, and council members, community foundations, business leaders, economic development officials, city and town leadership, public library officials, hospital and healthcare leadership, and agriculture community leadership.

The sessions were strategically scheduled across the state to ensure full geographic coverage as well as diverse attendee perspectives, including a range of rural, suburban, and urban areas. Stakeholders from every county in Indiana were invited to these sessions, though some counties did not have individuals in attendance. Listening session attendees ultimately represented 62 of Indiana's 92 total counties. The maps below illustrate where listening sessions were hosted (left) and the home county of all attendees (right).

**Map of Listening Session Locations (Left) and
Counties Represented in Session Attendees (Right)**

The Indiana Broadband Office also planned these listening sessions specifically to engage with historically underrepresented and marginalized groups. First, about 50% of the listening sessions were held in extremely rural areas of the state so that the IBO could engage directly with persons who live in rural areas and those who are impacted by rural poverty. This group has been severely disadvantaged in participating in aspects of economic, social, and civic life due to its lack of adequate broadband access.

Second, though many of Indiana's unserved and underserved BSLs are concentrated in highly rural areas, the IBO planned at least three of the nineteen listening sessions purposefully in urban areas (Lake County, Fort Wayne, and Indianapolis) to elicit input from Indiana's historically marginalized populations that are more heavily concentrated in urban areas. These groups include persons of color, members of ethnic and religious minorities, and individuals with limited English proficiency. By hosting these urban area listening sessions, the IBO was able to hear more extensive feedback about issues like affordability, multi-dwelling units, and the experiences of these underrepresented communities.

Stakeholder Meetings

The Indiana Broadband Office has continually engaged individually with stakeholders relevant to the BEAD Program. This engagement includes informal conversations and answering questions about BEAD to formal in-person meetings, presentations for

leadership groups, and attending conferences. The IBO has met with and attended the following in the past month:

- Association of Indiana Counties Conference
- MetaLINK Technologies
- Decatur County REMC
- Indiana Cable and Broadband Association
- Communications Workers of America
- Quantum Corridor
- Lumen Technologies
- Mainstream Fiber
- Searchlight Capital Investments
- Berry Communications
- Wireless Internet Service Providers Association
- National Association of Tower Erectors
- Indiana Railway Coalition
- Purdue Center for Regional Development
- Smithville Communications
- Department of Workforce Development
- Wireless Infrastructure Association

The IBO has also met continually with the following groups since its inception:

- Internet service providers, including multiple technologies from fiber to wireless providers
- Local REMCs
- City and county leaders
- Broadband Ready Communities and broadband task forces
- Union and trade groups

The IBO will continue to engage with these many groups throughout the Initial Proposal writing and submission process, the state challenge process, and in preparation for subgrantee selection.

Interviews

In addition to ongoing engagement with many stakeholder partners, the IBO also conducted targeted interviews with relevant state government agencies and external partners throughout the spring and summer of 2023. Interviewees were asked to participate based on their knowledge of broadband deployment, the impact of broadband on their constituents, their interaction with vulnerable populations who will benefit from broadband deployment, or the impact of BEAD on their organization itself. The information gathered from the interviews was incorporated into both the 5-Year Action

Plan and this Initial Proposal. The table below describes all stakeholders who were engaged in 1-on-1 interviews.

Type of Organization	Organizations
Internal Government	Office of Community and Rural Affairs Indiana Destination Development Corporation Indiana State Department of Agriculture Purdue Center for Regional Development (PCRD) I-Light Indiana Department of Education Former State Broadband Director Indiana Office of Technology Indiana Geographic Information Office Indiana Integrated Public Safety Commission (IPSC) Indiana Department of Transportation Indiana Tollway Indiana Department of Workforce Development Indiana Economic Development Corporation
External	Association of Indiana Counties Association of Indiana Municipalities Indiana Association of County Commissioners Indiana Farm Bureau Indiana Electric Cooperative Indiana Cable & Broadband Association Indiana Rural Broadband Association Indiana Broadband Technology Association Wabash Heartland Innovative Network Indiana Small & Rural Schools Association Indiana Wide Area Network AT&T Indiana State Building & Construction Trade Council United Way of Central Indiana Indiana Laborers District Council Indiana Bond Bank Indiana Wireless ISP Association Indiana Rural Health Association Accord Alta Fiber Indiana Economic Development Association The American Association of Retired Persons Indiana Association of Regional Councils/Commissions Indiana School Board Association Indiana Department of Veteran Affairs Charter Communications Meridiam Indiana Housing & Community Development Authority Starlink Hawk Networks

Engagement via Web and Social Media

The Indiana Broadband Office has also conducted significant engagement using online and asynchronous participation methods. The IBO is diligent in using its website, public email address, and social media accounts on Facebook, Instagram, Twitter/X, YouTube, and LinkedIn to post news, BEAD Program updates, and engage with the public. In addition to its continual web updates, the IBO also has a monthly email newsletter that summarizes the important developments of the month. Members of the public can sign up for the newsletter and engage with all online materials at in.gov/indianabroadband. To further utilize these additional awareness and participation mechanisms, the Indiana Broadband Office hired a communications manager in fall 2023 who will grow its public engagement and online platform.

Ongoing and Future Efforts

The Indiana Broadband Office will continue leaning on its local coordination efforts to receive feedback on its BEAD Program plans and learn more about community needs, gaps, and barriers. Throughout the Initial Proposal, state challenge, subgrantee selection, and Final Proposal processes, the IBO will utilize a wide array of communication methods to achieve awareness about BEAD. Ongoing and future engagement will include:

- Six (6) upcoming in-person feedback sessions about Indiana's Initial Proposal,
- Ongoing meetings and presentations with relevant stakeholders and organizations,
- Continued utilization of the IBO's website and social media presence to inform the public about BEAD, and
- All other engagement needed to ensure that all unserved and underserved locations in the state are reached by BEAD dollars.

2.3.2 Tribal Consultation Process

NTIA Guidance: 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."

Not applicable. The Department of the Interior does not identify Indiana as having any federally recognized tribes. However, the Pokagon Band of Potawatomi Indians does partially reside in the state of Indiana, though its tribal headquarters is located in Dowagiac, Michigan.

The Indiana Broadband Office has engaged with the Pokagon Band of the Potawatomi Indians several times so far regarding to the BEAD Program. The IBO conducted initial outreach in March 2023, culminating in a meeting with Tribal leaders on April 12, 2023.

The IBO has subsequently had follow-up communication via email in April, May, and June 2023.

As Indiana's BEAD Program moves forward and in anticipation of required Tribal consent for any build on its land, the Indiana Broadband Office will continue to engage with the Pokagon Band of Potawatomi to ensure the Tribe is informed and consulted on relevant project areas.

4.   Deployment Subgrantee Selection (Requirement 8)

2.4.1 Fair, Open, and Competitive Subgrant Process

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

The Indiana Broadband Office is dedicated to running an efficient, fair, open, and competitive subgrantee selection process that will ultimately result in projects ensuring all Indiana residents have access to broadband service.

The IBO's BEAD subgrantee selection process will begin after both the challenge process and Next Level Connections Round 4 selections are complete. Next Level Connections (NLC) is a state program funded by both state funds and ARPA dollars and administrated by Indiana's Office of Community and Rural Affairs. The Next Level Connections broadband program is designed to provide funds for the deployment of broadband infrastructure to provide eligible broadband service to unserved end users, which include households, businesses, and community anchor institutions, such as schools and health clinics, across Indiana. Next Level Connections is currently scheduled to announce its awards on June 5, 2024. If the Next Level Connections timeline shifts to announcing its awards any later, the IBO will not wait until NLC Round 4 is complete.

Before the first round of subgrantee selection after the challenge process is complete, the IBO will post the finalized list of unserved and underserved BSLs that are eligible for BEAD funding. When these BSLs are published, the IBO will publicize the list to all of Indiana's eligible internet service providers and the public.

The subgrantee selection process will begin with a pre-qualification round to ensure that all potential ISP applicants meet the necessary qualifications and understand the applicable laws and regulations of the BEAD Program. For the pre-qualification round, internet service providers will be required to submit materials that fulfill several requirements of this Initial Proposal, including:
- EHP and BABA compliance (2.4.5)
- Financial capability (2.4.11)
- Managerial capability (2.4.12)
- Technical capability (2.4.13)
- Compliance with applicable law (2.4.14)
- Operational capability (2.4.15)
- Information on ownership (2.4.16)

- Information on other public funding (2.4.17)
- Labor standards and protection (2.7.1)
- Certification of compliance with BEAD requirements – cybersecurity and supply chain risk management (2.16.4)

Participating in the pre-qualification round does not bind any ISP to submit a project area proposal, but all applicants who are considering participation or intend to submit a proposal must participate in the pre-qualification round. The Indiana Broadband Office has been proactively engaging with as many ISPs in Indiana as possible and aggregating a list of contacts. The IBO will utilize that list, public postings, and communication through telecommunications industry organizations for notification and information about the requirements of the pre-qualification round. After the pre-qualification round begins, ISPs will have 30 days to submit their materials. However, notification and information will be sent ahead of the 30-day commencing.

After all potential applicants have been qualified, the Indiana Broadband Office will begin its first round of subgrantee selection. During this round, internet service providers will propose their own project areas made up of one or several Census blocks, with all applications to be submitted via Ready.net. Within ten business days of the first round ending, the IBO will post all applications on the Indiana Broadband Office webpage to guarantee transparency with local governments, involved community organizations, and the public.

All applications will be scored against identical, neutral criteria that do not favor one type of provider over another. The scoring rubric for all applications is described in Requirement 2.4.2 below. To further ensure fairness and competitiveness in the selection process, the Indiana Broadband Office will assemble a scoring group that includes representatives from the IBO as well as neutral, unaffiliated individuals. These additional scorers will be chosen from within the State of Indiana and will be selected for expertise in related topics, such as rural issues, permitting, broadband, etc. The IBO will work with the Indiana Department of Administration to assess these individuals and ensure that they meet all state requirements for being free from bias or conflicts of interest.

To promote transparency, the Indiana Broadband Office will provide updates on the status of application reviews on its website, social media, and through its newsletter. When all applications have been evaluated, and project areas and subgrantees have been selected, the IBO will notify all applicants of the chosen awards. These awards will be subject to NTIA's approval in Indiana's Final Proposal. All awards, and their subgrantees and project areas, will be posted on the Indiana Broadband Office website within ten business days of the subgrantee being notified.

The IBO intends to have three total rounds of selection, with the final two rounds having project areas aggregated by the Indiana Broadband Office rather than ISPs. These project areas will be highly dependent on the results of the first round of subgrantee selection. Project areas during the second and third rounds may be as small as a single location or include several locations. The IBO will initially create project areas based on what it believes to be feasible buildouts specific to each local context. As the IBO intends for the second and third rounds to be more collaborative with ISPs to ensure all locations in Indiana receive reliable broadband service, it will accept feedback from ISPs on the feasibility and makeup of these project areas. This feedback process will be part of the second and third submission rounds.

Beyond this change to project area determination, all subsequent rounds of subgrantee selection will be conducted using the same procedures outlined above. All rounds of subgrantee selection will be available to all pre-qualified ISPs, even if the provider did not participate in a previous round of subgrantee selection. For example, an ISP may become pre-qualified and only participate in the third round of subgrantee selection.

Each round will include the posting of the eligible BSLs, an application process through Ready.net, applications that are released publicly, and identical, neutral criteria that are applied by a fair group of scorers.

Even waiting until the completion of Next Level Connections Round 4, the Indiana Broadband Office is confident in its ability to complete the subgrantee selection process described above within the NTIA-allotted timeframe. A timeline of tentative dates for the entire subgrantee selection process is detailed below.

Event	Timeline
Pre-qualification round for ISPs	August 1- August 30
IBO posts final list of eligible BSLs	September 4
First round application submission	September 9 – October 24
IBO announces first round awards	November 1
Second round application submission	November 4 – December 3
IBO announces second round awards	December 13
Third round application submission	December 16 – January 15
IBO announces third round awards	January 29

With the design enumerated here, the Indiana Broadband Office is confident that it has established a fair, open, and competitive selection process that is free from collusion, bias, conflicts of interest, and arbitrary decisions.

2.4.2 Prioritization and Scoring Process

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

The Indiana Broadband Office has designed robust and fair prioritization and scoring processes for all BEAD projects. The processes for both priority broadband projects and other last-mile broadband deployment projects are described in the sections below. The scoring processes are similar, but not identical. A "priority broadband project" means a project that will provide service via end-to-end fiber-optic facilities to each end-user's premises. Other last-mile broadband deployment projects are projects that include the provision of service in part or whole by non-fiber-optic technology.

Priority Broadband Project Scoring

Each priority broadband project will be scored using a total of 100 points. The IBO will evaluate all priority broadband projects by the following criteria, which abide by the guidelines set forth in the BEAD Notice of Funding Opportunity. If there are multiple competing proposals for the same project area utilizing priority broadband technologies, the rubric described below is the process the IBO will utilize to select amongst these competing proposals.

Primary Criteria (80 total points)

Minimal BEAD Program Outlay – 45%, or 45 total points

> **Definition:** This criterion measures the total BEAD funding that will be required to complete the project. All projects will be completed with some combination of BEAD funds and an applicant's proposed match, which must cover no less than 25 percent of the project cost, except for BSLs that exceed the extremely high-cost threshold.
>
> **Scoring:** Points will be awarded based on two categories.
>
> *BEAD Outlay Per BSL*
>
> The IBO will calculate the BEAD Program outlay per broadband serviceable location for each project area. This calculation will only include unserved and underserved BSLs. The most cost-efficient application for each project area will receive a full 40 points under this section. All other applications will receive a percentage of the total points available based on their relative distance from the most cost-efficient proposal.
>
> *Provider Match Percentage*
>
> For all broadband serviceable locations in a project area, except those that meet the extremely high-cost threshold, applicants must provide at least a 25% match to BEAD funds. Matching funds lower the BEAD outlay required for a project area and ensure that BEAD funds are used judiciously and can stretch to meet

the needs of all unserved and underserved BSLs in the state. In an effort to minimize BEAD outlay, the IBO will calculate the percent of each project area to be funded with applicant dollars and will assign points based on the following scale.

% Funded by Applicant	Score
>25-30%	1
>30-40%	2
>40-50%	3
50-60%	4
60%+	5

Affordability – 20%, or 20 total points

Definition: The affordability criterion measures the prospective subgrantee's commitment to provide the most affordable total price to the customer for 1 Gbps/1 Gbps service in the project areas.

Scoring: Prospective subgrantees will be required to submit their planned cost to the customer for gigabit symmetrical service for all project areas. An application will receive 20 points if the service package for 1 Gbps/1 Gbps is $100 or less per month, including all taxes, fees, and charges. Applicants with more expensive total costs to the customer will receive a percentage of the total points available based on their distance from $100 a month. For every 5% higher than a total cost of $100 a month, an applicant will lose 1 point. For example, if an applicant submits a project area with a total price for gigabit symmetrical service of $150, the applicant will receive a score of 10 for affordability. The IBO will allow for adjustments by the subgrantee based on inflation, costs, and the general economy.

Fair Labor Practices – 15%, or 15 total points

Definition: All prospective subgrantees must demonstrate a record of and plans to be in compliance with federal labor and employment laws. New entrants without a record of labor and employment law compliance are permitted to mitigate this fact by making specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects. The Indiana Broadband Office will also require all applicants to submit a response about its labor practices and plans for the BEAD project area.

Page 57 of the BEAD Notice of Funding also states that an effective plan for being in compliance with federal labor and employment laws can include a commitment to strong labor standards and protections for the project workforce. In alignment with this guidance, the Indiana Broadband Office will also award points for fair labor practices based on an applicant's dedication to strong labor standards as evidenced by their use of a qualified workforce.

Scoring: Points for fair labor practices will be awarded based on three categories. First, 5 points will be awarded to each applicant based on their narrative response that displays compliance with federal labor and employment laws and their plans to continue to be in compliance with these laws. If the response includes both components, the applicant will receive the 5 points. New entrants without a record of labor and employment law compliance will receive up to 5 points based on their narrative response that makes specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects. If the narrative includes specific commitments, the applicant will receive the 5 points.

An additional 5 points will be awarded to applicants who submit evidence of their plans to utilize a qualified workforce, signaling an applicant's commitment to strong labor standards and a skilled workforce. A qualified workforce can include many methods of qualification, including using registered apprenticeships or other training programs, using a directly employed workforce, preventing the misclassification of workers, partnerships with community partners like Ivy Tech Community College, etc.

Finally, applicants will be required to submit any OSHA violations they have received in the past three years. Applicants with no OSHA violations in the past three years will receive an additional 5 points.

Secondary Criteria (20 total points)
Service Levels in Project Area – 12%, or 12 total points

Definition: For each project area, the prospective subgrantee must submit the total number of broadband serviceable locations it plans to serve, as well as the total number of BSLs that are unserved, underserved, and served.

Scoring: Points will be awarded based on two categories.

Unserved Percentage

First, the applicant will be scored on the percentage of BEAD-eligible BSLs in the project area that are unserved. This category is worth 10 points. The IBO will sum the total number of unserved and underserved locations in each project area and calculate the percentage of that total that are unserved. For every 10% of the project that is unserved rather than underserved, the applicant will receive 1 point. For example, if 80% of the BSLs in a project area are unserved, the applicant would receive 8 total points.

Served Locations

Applicants will also be scored on the percent of total project BSLs that are served. Per the BEAD NOFO, up to 20% of BSLs in a project area may be served. Applicants will be scored on the following scale.

% Served in Project Area	Score
>10-20%	0
>5-10%	1
0-5%	2

Speed to Deployment – 3%, or 3 total points

Definition: All subgrantees that received BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each customer that desires broadband services within the project area not later than four years after the date on which the subgrantee receives the subgrant. The BEAD NOFO states a preference for applicants promising earlier service provision dates.

Scoring: For each project area, prospective subgrantees will be required to submit a timeframe in which they make a binding commitment to complete the deployment of their BEAD-funded broadband project. The IBO will award points in this category based on the number of years before the 4-year deadline that the applicant commits to complete deployment. The scale for scoring is described below:

Years to Deployment	Score
2 years or less	3
2-3 years	2
3- less than 4 years	1

Local Coordination and Support – 5%, or 5 total points

Definition: The Indiana Broadband Office values local coordination and works with local units of government to understand community broadband needs, gaps, and experiences. During the 5-Year Action Plan drafting process, the IBO heard significant feedback about how some internet service providers acted as valuable community partners to localities across the state. This criterion is designed to incentivize continued local coordination and to provide an opportunity for counties and cities to weigh in on preferred internet service provider partners.

Scoring: Letters of support may be given from local government leaders and groups, including County Commissioners, County Councils, Auditors, Mayors, and City Councils. Applicants who receive a basic letter of support with limited details will be awarded 1 points.

If the letter of support includes details about meetings and correspondence between the applicant and the local government leader or group, the applicant will

receive an additional 2 points. Examples of evidence or language that would provide the applicant with these two points include:

- Mention of meeting(s), either in-person or virtual, between the applicant and the entity granting the letter of support, with the date of the meeting(s) explicitly listed. The local government leader or group may also include who attended the meeting and what was discussed.
- In lieu of a meeting, the entity granting the letter of support may also describe email or phone correspondence that has occurred between the applicant and the entity. Additional details, such as the date range of these correspondences, who was included on the communication, and what was discussed, will be considered in the scoring. In short, for the applicant to receive these two points, the letter of support must include enough evidence to ensure that some kind of meeting or correspondence occurred specifically related to potential BEAD-funded project areas.

Finally, if the letter of support includes a justification for the support based on local coordination that has occurred, the applicant will receive another 2 points. This justification should go beyond the mention of meetings and communication and describe why the applicant has the local government entity's support. A non-exhaustive list of example justifications are provided below:

- The applicant intends to serve the most hard-to-reach locations within the area in a logical fashion.
- The applicant has previously been a good partner in the community, so the local government entity feels confident it can deliver on its proposed BEAD project.
- The applicant and local government entity had extensive communication, and the local government entity believes the applicant's project area makes sense in its jurisdiction.
- The applicant's plans for deployment, including the technology, pricing, and buildout plan, are ideal for the community.

Local governments are strongly encouraged to meet with all potential applicants, deeply discuss BEAD Program plans, and write judicious letters of support. Local government may support none, one, or multiple applicants for a project area.

In summary, all priority broadband projects will be scored against the following rubric:

Category	Maximum Points Available
Minimum BEAD Program Outlay	45
Affordability	20
Fair Labor Practices	15
Service Levels in Project Area	12
Local Coordination	5
Speed to Deployment	3
TOTAL	100

Other Last-Mile Broadband Deployment Project Scoring

All other last-mile broadband deployment projects will be scored using a total of 100 points. The IBO will evaluate all other last-mile broadband deployment projects by the following criteria, which abide by the guidelines set forth in the BEAD Notice of Funding Opportunity. If there are multiple competing proposals for the same project area utilizing other last-mile broadband technologies, the rubric described below is the process the IBO will utilize to select amongst these competing proposals.

Primary Criteria (80 total points)

Minimal BEAD Program Outlay – 45%, or 45 total points

Definition: This criterion measures the total BEAD funding that will be required to complete the project. All projects will be completed with some combination of BEAD funds and an applicant's proposed match, which must cover no less than 25 percent of the project cost, except for BSLs that exceed the extremely high-cost threshold.

Scoring: Points will be awarded based on two categories.

BEAD Outlay Per BSL

The IBO will calculate the BEAD Program outlay per broadband serviceable location for each project area. This calculation will only include unserved and underserved BSLs. The most cost-efficient application for each project area will receive a full 40 points under this section. All other applications will receive a percentage of the total points available based on their relative distance from the most cost-efficient proposal.

Provider Match Percentage

For all broadband serviceable locations in a project area, except those that meet the extremely high-cost threshold, applicants must provide at least a 25% match to BEAD funds. Matching funds lower the BEAD outlay required for a project area and ensure that BEAD funds are used judiciously and can stretch to meet the needs of all unserved and underserved BSLs in the state. In an effort to minimize BEAD outlay, the IBO will calculate the percent of each project area to be funded with applicant dollars and will assign points based on the following scale.

% Funded by Applicant	Score
>25-30%	1
>30-40%	2
>40-50%	3
50-60%	4
60%+	5

Affordability – 20%, or 20 total points

Definition: The affordability criterion measures the prospective subgrantee's commitment to provide the most affordable total price to the customer for 100 Mbps/20 Mbps service in the project areas.

Scoring: Prospective subgrantees will be required to submit their planned cost to the customer for 100 Mbps/20 Mbps service for all project areas. An application will receive 20 points if the service package for 100 Mbps/20 Mbps is $70 or less per month, including all taxes, fees, and charges. Applicants with more expensive total costs to the customer will receive a percentage of the total points available based on their distance from $70 a month. The IBO will allow for adjustments by the subgrantee based on inflation, costs, and the general economy.

Fair Labor Practices – 15%, or 15 total points

Definition: All prospective subgrantees must demonstrate a record of and plans to be in compliance with federal labor and employment laws. New entrants without a record of labor and employment law compliance are permitted to mitigate this fact by making specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects. The Indiana Broadband Office will also require all applicants to submit a response about its labor practices and plans for the BEAD project area.

Page 57 of the BEAD Notice of Funding also states that an effective plan for being in compliance with federal labor and employment laws can include a commitment to strong labor standards and protections for the project workforce. In alignment with this guidance, the Indiana Broadband Office will also award points for fair labor practices based on an applicant's dedication to strong labor standards as evidenced by their use of a qualified workforce.

Scoring: Points for fair labor practices will be awarded based on three categories. First, 5 points will be awarded to each applicant based on their narrative response that displays compliance with federal labor and employment laws and their plans to continue to be in compliance with these laws. If the response includes both components, the applicant will receive the 5 points. New entrants without a record of labor and employment law compliance will receive up to 5 points based on their narrative response that makes specific, forward-looking commitments to strong

labor and employment standards and protections with respect to BEAD-funded projects. If the narrative includes specific commitments, the applicant will receive the 5 points.

An additional 5 points will be awarded to applicants who submit evidence of their plans to utilize a qualified workforce, signaling an applicant's commitment to strong labor standards and a skilled workforce. A qualified workforce can include many methods of qualification, including using registered apprenticeships or other training programs, using a directly employed workforce, preventing the misclassification of workers, partnerships with community partners like Ivy Tech Community College, etc.

Finally, applicants will be required to submit any OSHA violations they have received in the past three years. Applicants with no OSHA violations in the past three years will receive an additional 5 points.

Secondary Criteria (20 total points)
Service Levels in Project Area – 12%, or 12 total points
Definition: For each project area, the prospective subgrantee must submit the total number of broadband serviceable locations it plans to serve, as well as the total number of BSLs that are unserved, underserved, and served.
Scoring: Points will be awarded based on two categories.
Unserved Percentage
First, the applicant will be scored on the percentage of BEAD-eligible BSLs in the project area that are unserved. This category is worth 10 points. The IBO will sum the total number of unserved and underserved locations in each project area and calculate the percentage that are unserved. For every 10% of the project that is unserved, the applicant will receive 1 points. For example, if 80% of the BSLs in a project are are unserved, the applicant would receive 8 total points.
Served Locations
Applicants will also be scored on the percent of total project BSLs that are served. Per the BEAD NOFO, up to 20% of BSLs in a project area may be served. Applicants will be scored on the following scale.

% Served in Project Area	Score
>10-20%	0
>5-10	1
0-5%	2

Speed to Deployment – 1.5%, or 1.5 total points

Definition: All subgrantees that received BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each customer that desires broadband services within the project area no later than four years after the date on which the subgrantee receives the subgrant. The BEAD NOFO states a preference for applicants promising earlier service provision dates.

Scoring: For each project area, prospective subgrantees will be required to submit a timeframe in which they make a binding commitment to complete the deployment of their BEAD-funded broadband project. The IBO will award points in this category based on the number of years before the 4-year deadline that the applicant commits to complete deployment. The scale for scoring is described below:

Years to Deployment	Score
2 years or less	1.5
2-3 years	1
3 - less than 4 years	.5

Speed of Network and Other Technical Capabilities – 1.5%, or 1.5 total points

Definition: The Indiana Broadband Office will weigh the speeds, latency, and other technical capabilities of the technologies proposed by prospective subgrantees seeking to deploy projects that are not priority broadband projects. Applications that propose technologies that will provide higher speeds to the consumer will receive preference.

Scoring: Prospective subgrantees will be required to submit the maximum speed that their proposed technology will provide to each location within the project area. The IBO will award points in this category based on the scale described below:

Maximum Downstream/Upstream Speed (Mbps)	Score
300/150	.5
400/200	1
1000/500	1.5

Local Coordination and Support – 5%, or 5 total points

Definition: The Indiana Broadband Office values local coordination and works with local units of government to understand community broadband needs, gaps, and experiences. During the 5-Year Action Plan drafting process, the IBO heard significant feedback about how some internet service providers acted as valuable community partners to localities across the state. This criterion is designed to incentivize continued local coordination and to provide an opportunity for counties and cities to weigh in on preferred internet service provider partners.

Scoring: Letters of support may be given from local government leaders and groups, including County Commissioners, County Councils, Auditors, Mayors, and City Councils. Applicants who receive a basic letter of support with limited details will be awarded 1 point.

If the letter of support includes details about meetings and correspondence between the applicant and the local government leader or group, the applicant will receive an additional 2 points. Examples of evidence or language that would provide the applicant with these two points include:

- Mention of meeting(s), either in-person or virtual, between the applicant and the entity granting the letter of support, with the date of the meeting(s) explicitly listed. The local government leader or group may also include who attended the meeting and what was discussed.
- In lieu of a meeting, the entity granting the letter of support may also describe email or phone correspondence that has occurred between the applicant and the entity. Additional details, such as the date range of these correspondences, who was included on the communication, and what was discussed, will be considered in the scoring. In short, for the applicant to receive these two points, the letter of support must include enough evidence to ensure that some kind of meeting or correspondence occurred specifically related to potential BEAD-funded project areas.

Finally, if the letter of support includes a justification for the support based on local coordination that has occurred, the applicant will receive another 2 points. This justification should go beyond the mention of meetings and communication and describe why the applicant has the local government entity's support. A non-exhaustive list of example justifications are provided below:

- The applicant has previously been a good partner in the community, so the local government entity feels confident it can deliver on its proposed BEAD project.
- The applicant and local government entity had extensive communication, and the local government entity believes the applicant's project area makes sense in its jurisdiction.
- The applicant's plans for deployment, including the technology, pricing, and buildout plan, are ideal for the community.
- The applicant intends to serve the most hard-to-reach locations within the county in a logical fashion.

Local governments are strongly encouraged to meet with all potential applicants, deeply discuss BEAD program plans, and write judicious letters of support. Local government may support none, one, or multiple applicants for a project area.

In summary, all other last-mile broadband deployment projects will be scored against the following rubric:

Category	Maximum Points Available
Minimum BEAD Program Outlay	45
Affordability	20
Fair Labor Practices	15
Service Levels in Project Area	12
Local Coordination	5
Speed to Deployment	1.5
Speed of Network and Other Technical Capabilities	1.5
TOTAL	**100**

2.4.2.1 Scoring Rubric

NTIA Guidance: 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 rubrics for both priority broadband projects and other last-mile broadband deployment projects are available in the attachment titled "BEAD Initial Proposal_Volume II_Subgrantee Selection Rubric.xlsx."

2.4.3 Prioritization of Unserved Service Projects

NTIA Guidance: 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.

The Indiana Broadband Office is committed to the prudent use of BEAD funds such that all unserved and underserved locations receive adequate broadband service. The IBO will first prioritize unserved locations, then underserved locations, and then the provision of gigabit symmetrical service to eligible community anchor institutions if funds permit.

To ensure that BEAD funding stretches to all unserved and underserved locations, the IBO has designed its subgrantee selection process with three rounds. During the first round of applications, prospective applicants will be able to select their own project areas made up of contiguous Census Block Groups. The first round was designed in this way

so that internet service providers could create project areas in the most cost-effective way possible based on existing infrastructure, community relationships, and expansion plans.

The second and third rounds of applications will include project areas created by the Indiana Broadband Office based on the unserved and underserved broadband serviceable locations that remain after the first round. The IBO will prioritize the provision of service to unserved locations in the subsequent application rounds. Further, the IBO will be diligent in its communication with potential applicants about the status of BSLs and in understanding barriers to bidding on unserved and underserved locations that repeatedly receive no applications. Collaboration with ISPs is a critical component of Indiana's plan and will include conversations to expand project areas and incentivize potential applicants to undertake deployment to additional unserved and underserved when needed.

In its scoring rubric design, the Indiana Broadband Office included multiple categories that aim to enable full coverage of all unserved and underserved locations and prioritize unserved locations. First, a combined 55% of available points are based on the total amount of BEAD funding needed to complete an applicant's project and the portion of the project that will be funded by the applicant. Projects with lower BEAD outlay and a higher applicant contribution are favored, incentivizing a competitive use of BEAD funds that reaches as many locations as possible. Additionally, the IBO is awarding 5% points based on the portion of unserved locations included in a project area. The higher the portion of unserved locations, the more points an applicant will receive. With these structures in place, the IBO is confident it can work together with prospective subgrantees to cover all unserved and underserved locations.

Finally, the Indiana Broadband Office will also utilize the extremely high-cost per location threshold (EHCPLT) as a budgeting mechanism to make the best use of limited funds. The extremely high-cost threshold methodology is outlined in Requirement 2.4.9 and will be subject to material, labor, and other costs at the time of award. Taking these factors into consideration, the IBO will set the EHCPLT as high as possible to maximize the use of fiber. By setting the threshold high and incentivizing higher applicant fund matching, the IBO hopes to reserve sufficient funds for those locations that are above the EHCPLT and will be extremely difficult to include in project areas without additional funding.

2.4.4 Non-Deployment Plans
NTIA Guidance: 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. If not applicable to plans, note "Not applicable."

Not applicable.

2.4.5 Environment and Historic Preservation and Build America, Buy America Compliance

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

The IBO recognizes the important opportunity BEAD presents to utilize taxpayer dollars to strengthen and grow the United States' domestic manufacturing capacity. To emphasize this opportunity, the IBO will communicate the Build America, Buy America (BABA) requirements to all prospective subgrantees. These requirements include the following:

- All iron, steel, manufactured products (including but not limited to fiber-optic communications facilities), and construction materials used in BEAD projects must be produced in the United States unless a waiver is granted.
- To determine whether a product is produced in America, all subgrantees must comply with the definitions included in Section 70912 of the Build America, Buy America Act.
- 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. § 1608).
- Subgrantees are forbidden from using BEAD funding to purchase or support fiber optic cable and optical transmission equipment manufactured in the People's Republic of China.

The Indiana Broadband Office will also adhere to all applicable Environmental and Historic Preservation (EHP) requirements. These include:

- Analyzing the potential environmental impacts of all proposals and awards.
- Submitting all required environmental documentation to NTIA for any construction and/or ground-disturbing activities.
- Obtaining all necessary federal, state, and local government permits and approvals necessary for the proposed work to be conducted.
- Designing projects to minimize the potential for adverse impacts on the environment.
- Identifying feasible measures to reduce or avoid any identified adverse environmental impacts of proposed projects.
- Ensuring all proposals contain sufficient information to conduct a National Environmental Policy Act (NEPA) analysis.

The IBO will also encourage potential subgrantees to engage with organizations like the National Parks Service, the US Fish and Wildlife Service, the Bureau of Land Management, and the US Forest Service to understand any restrictions or special conditions that may apply to proposed infrastructure projects.

The Indiana Broadband Office will incorporate these Build America, Buy America, and Environmental and Historic Preservation requirements into the pre-qualification application round. All prospective subgrantees will be informed of these regulations and will be required to certify their understanding and adherence to these rules. All BABA and EHP requirements will be posted in the application guidance on the IBO website and in the application on Ready.net. Prospective applicants will be notified and have access to the guidance about the pre-qualification round in the 30 days leading up to the prequalification round.

The IBO will also provide technical assistance to prospective subgrantees before and during the pre-qualification round to ensure they understand all BABA and EHP requirements and can successfully certify their planned adherence to these rules. Technical assistance will include providing written guidance, hosting webinars and other events, and connecting prospective subgrantees with state and Federal experts as needed.

If any application received violates BABA or EHP requirements, the IBO will throw out the application.

2.4.6 Project Area Definitions

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

The Indiana Broadband Office will take two different approaches to defining project areas depending on the application round. Both approaches are described below.
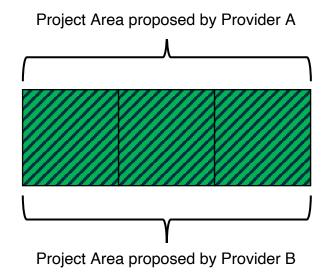
First-Round Application Approach

In the first round of applications, prospective subgrantees will be allowed to define their own project areas. Applicants must design project areas at the Census block level. The project will then consist of every unserved and underserved BSL in the proposed Census block(s). A project area may consist of one or more contiguous Census blocks. An applicant is not permitted to submit non-contiguous Census blocks as a single project
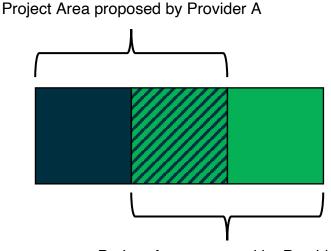
area. Applicants may submit multiple project areas in the first round of applications, but these must be non-overlapping. A single applicant will not be allowed to submit two bids that cover the same Census block.

Because the Indiana Broadband Office is allowing prospective subgrantees to propose their own project areas, it has developed a process for de-conflicting overlapping proposals to allow for like-to-like comparison. Deconfliction would only occur when two non-identical project areas are submitted by two or more applicants that include the same Census block covered by the same technology type. To clarify, the IBO will utilize the full rubric to score all project areas, and the full rubric score will apply for comparing project areas that include identical Census Block. An example of this scenario, where two providers submit the same project area with the same technology type, is illustrated below. In the example scenario, the full rubric would be used to select a subgrantee.

Project Area proposed by Provider A

Project Area proposed by Provider B

The deconfliction process will be used when project areas overlap but are not identical. An example of this scenario is illustrated below. In the scenario below, the deconfliction process would only be used to determine the subgrantee awarded the overlapping Census Block. Only the overlapping Census Block, designated in stripes, would be deconflicted utilizing the process described here. The provider that has the best score in the deconfliction process would be awarded the striped Census Block.

Project Area proposed by Provider A

Project Area proposed by Provider B

The IBO will only deconflict project areas that propose using the same technology. This means the IBO will not compare priority broadband projects to other last-mile broadband deployment projects. If there are multiple overlapping proposals that utilize the same technology, then the IBO will consider each project's BEAD outlay per broadband serviceable location for the Census block. The IBO will calculate the BEAD outlay per passing by dividing the total BEAD outlay of each applicant's proposal by the number of unserved and underserved BSLs in each proposal. The proposal with the lowest BEAD outlay per passing will be awarded the conflicting Census block. If the proposed project areas have the same BEAD outlay per passing, the IBO will then consider the provider match amount for each project area.

When any deconfliction occurs, the Indiana Broadband Office will contact both the winning applicant and the applicant who did not receive the award for the Census block. Whenever an applicant is not awarded its entire proposed project area, the IBO will provide the applicant the option to continue with the smaller project area or to withdraw its project area. If the applicant chooses to withdraw its project area, those Census blocks will become available for the next round of subgrantee selection.

Second and Third-Round Application Approach

In all subsequent application rounds, the Indiana Broadband Office will define project areas for which internet service providers may submit applications. The number and size of these project areas will be heavily dependent on the proposals received from ISPs during the first round of applications. The Indiana Broadband Office may utilize units as small as a single broadband serviceable location to create project areas in the second and third application rounds and will collaborate with ISPs to define project areas that build on existing infrastructure and ensure that all unserved and underserved locations receive service.

2.4.7 Zero-Bid Scenarios

NTIA Guidance: 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.

Because Indiana has several sparsely populated areas with additional mitigating factors that make broadband deployment difficult, like underlying limestone, dense tree cover, and difficult topography, the IBO expects there will be locations that receive no bids. The IBO designed the multi-round application process specifically so locations with zero bids can be addressed. The IBO will have a firm understanding of all locations that did not receive a bid after the first round of applications. It will then create project areas from these remaining locations for the second and third rounds.

The Indiana Broadband Office expects that the second and third rounds of applications will come with extensive conversation and collaboration with prospective subgrantees. After project areas for the second and third rounds are created, the IBO will contact all internet service providers in close proximity to the remaining project areas to make them aware of these zero-bid areas, as well as posting these zero-bid areas publicly. An internet service provider will be considered in close proximity to a project area if it has existing service in the area, based on the FCC Broadband Map, it has an enforceable commitment in the area, or it was awarded BEAD funds in the area during the first or second round of applications. Project areas will also be posted publicly for all prospective subgrantees to review.

To ensure that all unserved and underserved locations are covered by the end of the third application round, the Indiana Broadband Office will continually work with ISPs and communities to understand why certain locations are not receiving bids and to mitigate any underlying barriers to deployment. Additionally, the Indiana Broadband Office will consider inducements for areas that do not receive any bids or interest. The IBO plans to

utilize the waiving of matching funds for locations above the extremely high cost-per-location threshold as an inducement. All prospective applicants will be notified during the selection round if a location is eligible for such an inducement.

2.4.8 Tribal Government's Consent

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

Not applicable.

2.4.9 Extremely High Cost Per Location Threshold

NTIA Guidance: 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 IBO will set the Extremely High Cost per Location Threshold (EHCT) using a modified Fiber Broadband Association (FBA) BEAD Threshold Financial Model. This model was created by the FBA to support states with a robust and transparent methodology to setting their EHCT that is consistent with the NOFO requirements and maximizes fiber deployments while covering unserved and underserved locations with broadband connectivity. The initial conditions of the model were set by FBA using historical data to provide reasonable estimates on a national scale, and FBA has recommended to adjust as appropriate to reflect local conditions.

The BEAD Threshold Financial Model focuses on the broader goal of maximizing priority broadband projects and ensuring widespread coverage of broadband access. The model does this by emphasizing the funding allocation process for Priority Projects rather than providing a specific EHCT value as an output. Instead, EHCT is treated as one of the inputs in the model, along with the factors listed in the table below. In addition to the factors described in the table, the IBO will consider the impact of state-specific conditions like soil types, bedrock, tree coverage, elevation change, and local labor costs. This approach enables the IBO to model different EHCT values and conditions to find an optimal EHCT that strikes the right balance. The IBO aims to set the EHCT at a level that is high enough to maximize fiber coverage but low enough to avoid missing out on BEAD funding opportunities due to excessive costs.

Factor	Description
Extremely High Cost per Location Threshold value	A cost threshold set by the IBO, above which the preference for fiber projects ceases and it may consider use of an alternate technology on equal footing if it can meet the BEAD technical requirements
Available funding	The total BEAD funding allocated to the State of Indiana
Fiber build distance [1]	The estimated fiber mileage required to reach locations
Target locations [1]	FCC map data for unserved and underserved locations
Location setting [1]	Percentage of locations serviced designated as rural, suburban, or urban
Materials and labor [2]	The cost of fiber deployment on a per mile basis. Different values are used for unserved and underserved as well as urban, suburban, and rural deployments.
ISP match	The maximum dollar amount and percentage of a project an ISP is willing to contribute to a location while retaining financial viability
Alternative technology cost [3]	The average cost per passing for locations above the EHCT and serviced with alternative technologies
ISP match for alternative technologies	The percent ISPs are willing to contribute to an alternative technology serviced location
[1] Aggregated at the census block level for modeling [2] Blended rate for aerial, buried, and underground fiber [3] Estimated rate for fixed wireless	

The EHCT model will start by considering all unserved and underserved locations in Indiana, except those with existing enforceable commitments. These locations will be grouped into Indiana Census Blocks, which are the model's basic unit of analysis. Census Blocks, which are the smallest geographical units used by the Census Bureau, can be fully unserved, unserved and underserved, or underserved only.

Using Geographical Information Systems, the model will then map fiber deployment routes from each location, calculating the total fiber mileage, average fiber mileage per location, and the maximum fiber mileage needed within each Census Block. These calculations help estimate the overall fiber build distance. The calculation of fiber miles

per location will focus on the 25% of locations with the lowest population density, aiming to simulate multiple project areas.

Next, Census Blocks will be organized based on the fiber mileage required to connect their locations, from lowest to highest. The blocks are then divided into percentiles depending on the number of unserved and underserved locations they contain compared to Indiana's total number of unserved and underserved BSLs. The highest percentiles are the Census Blocks with the most extensive average fiber mileage needed per location, indicating they will be the most costly to pass with fiber. Percentiles are determined separately for blocks with unserved locations, regardless of the presence of underserved locations, and for those with only underserved locations.

Within each percentile, the model will determine total costs and funding allocations through a sequence of calculations. Utilizing fiber miles per location, total location count, average cost per mile, and location types (urban, suburban, rural), the model will calculate the total cost of providing fiber to unserved and underserved locations separately. These costs will be summed and then calculations performed to determine the average cost per location, average ISP contributions, and the maximum cost per location. If the maximum cost that the BEAD funds must cover is less than the EHCT and the overall ISP contribution meets or exceeds the 25% threshold, locations will be passed with fiber.
The average ISP contribution, when multiplied by the number of locations, provides the total amount of ISP contribution. Subtracting the total amount of ISP contribution from total costs provides the total BEAD funding needed for a given percentile. The funding allocation takes place progressively until all areas are connected, either with fiber, alternative technology, or until the funding is exhausted. The model subtracts the cost for unserved locations from the funding and repeats the process for underserved locations, using alternative technology costs only when the EHCT is exceeded.

Recognizing the BEAD Threshold Financial Model is heavily influenced by the accuracy and specificity of model inputs, the IBO will complete simulations using FBA default values with a 10% margin of error for each model input. The IBO will also use proposals submitted under the BEAD Program to reflect current economic conditions for broadband connectivity. This approach will allow fine-tuning of the model to select an EHCT that considers a range of local factors to maximize fiber deployment while also ensuring the most remote unserved and underserved locations do not remain under-connected.

2.4.10 Extremely High Cost Per Location Threshold Utilization

NTIA Guidance: 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 a less costly technology and may not meet the definition of Reliable Broadband.**

The IBO will establish the EHCT through the comprehensive modeling process detailed in Requirement 2.4.9. After the EHCT is established, the IBO will utilize the threshold during the subgrantee selection process to maximize the reach of the BEAD funds.

All submissions, whether priority or other last-mile projects, will be evaluated for cost per passing and compared to the EHCT. Any projects that exceed the EHCT will prompt the IBO to conduct a cost-reasonable assessment. This assessment will help the IBO gain insight into the factors driving costs and assess the project's viability.

In situations where there are multiple proposals for the same project area and priority proposals exceed the EHCT, the IBO will assess non-priority proposals within the same area for feasibility. If this proposal is feasible and efficient, the priority project will be declined.

In cases where no non-priority proposals have been submitted for the area or where priority proposals remain the most suitable option, the IBO will evaluate the reasonableness of the outlined costs. During this evaluation, the IBO may collaborate with the prospective subgrantee to review other options, such as reducing costs or exploring alternative technologies. The purpose of these revisions is to enhance the efficiency of serving the project area. However, it's essential that the final outcome aligns with the standards for Reliable Broadband. The IBO does not intend to award any projects where the technology does not meet the definition of Reliable Broadband.

2.4.11 Financial Capability Minimum Qualifications

NTIA Guidance: 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 similar to the model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF).**

c) **Detail how the Eligible Entity will require prospective subgrantees to submit audited financial statements.**

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

The Indiana Broadband Office will ensure that all prospective subgrantees meet the minimum qualifications for financial capability as outlined on pages 72-73 of the BEAD NOFO. Prospective subgrantees will be required to submit general financial capability information as part of the pre-qualification round and specific project financial capability information during all subsequent rounds, ensuring that all applicants have been sufficiently vetted.

In the prequalification round, prospective subgrantees will be required to submit the following:

- A letter from a bank that meets eligibility requirements consistent with those set forth in 47 C.F.R. § 54.804(c)(2) committing to issue an irrevocable standby letter of credit, in the required form, to the prospective subgrantee. The Indiana Broadband Office will establish a model letter of credit that is similar to that used during the Rural Digital Opportunity Fund (RDOF). The letter shall at a minimum, provide the dollar amount of the letter of credit and the issuing bank's agreement to follow the terms and conditions of Indiana's model letter of credit.

- o This requirement can be waived under certain circumstances, which are outlined below.
- Financial statements from the prior fiscal year that are audited by an independent certified public accountant. If the potential subgrantee has not been audited during the ordinary course of business, in lieu of submitting audited financial statements, it must submit unaudited financial statements from the prior fiscal year and certify that it will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant by a deadline specified by the Indiana Broadband Office.
- Business plans and related analyses that substantiate the sustainability of the proposed project. This can be provided in the form of pro forma statements or analyses, inclusive of cash flow and balance sheet projections, and should include at least three years of operating cost and cash flow projections post-targeted completion of the project.

The letter of credit requirement can be waived as described below:
- That portion of the LOC Requirement that requires the use of a bank that meets the eligibility requirements of 47 C.F.R. § 54.804(c)(2) is waived where the subgrantee otherwise meets the LOC Requirement using any United States credit union that:
  - o Is insured by the National Credit Union Administration; and
  - o Has a credit union safety rating issued by Weiss of B– or better.
- A subgrantee has an option to use performance bonds where:
  - o During the application process, prospective subgrantees are required to submit a letter from a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570 committing to issue a performance bond to the prospective subgrantee. The letter shall at a minimum provide the dollar amount of the performance bond.
  - o Prior to entering into any subgrantee agreement, each prospective subgrantee obtains a performance bond, acceptable in all respects to the Eligible Entity and in a value of no less than 100 percent of the subaward amount.

The Indiana Broadband Office will verify minimum financial capability based on these materials and confirm that each prospective subgrantee is eligible to submit an application.

During the three application rounds, all applicants will be required to certify that they are financially qualified to meet the obligations associated with their project areas, that they will have available funds for all project costs that exceed the amount of the award, and

that they will comply with all BEAD requirements. Because the Indiana Broadband Office will disburse funds on a reimbursement basis, all applicants will also be required to certify that they have and will continue to have sufficient finance resources to cover eligible costs until the IBO authorizes disbursements.

Finally, the Indiana Broadband Office will confirm that each prospective subgrantee's letter of credit is in a value of no less than 25 percent of its subaward amount. If not, awardees must obtain a new letter of credit before awards are finalized. For subgrantees that choose to utilize a performance bond, the IBO will confirm this is no lower than 100% of the subaward amount. The IBO may waive this requirement under the following circumstances:

- The IBO issues funding on a reimbursable basis consistent with Section IV.C.1.b of the NOFO;
- Reimbursement is for periods of no more than six months; and
- The subgrantee commits to maintain a letter of credit or performance bond in the amount of 10% of the subaward until it has demonstrated to satisfaction of the Eligible Entity that it has completed the buildout of 100 percent of locations to be served by the project or until the period of performance of the subaward has ended, whichever occurs first.

Each awardee will also be required to provide an opinion letter from legal counsel clearly 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 subgrantee's bankruptcy estate under Section 541 of the Bankruptcy Code.

The Indiana Broadband Office will communicate these requirements to all prospective subgrantees through coordination efforts and on its website.

2.4.12 Managerial Capacity Minimum Qualifications

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

a) **Detail how the Eligible Entity will require prospective subgrantees to submit resumes for key management personnel.**

b) **Detail how it will require prospective subgrantees to provide a narrative describing their readiness to manage their proposed project and ongoing services provided.**

The Indiana Broadband Office will ensure that all prospective subgrantees meet the minimum qualifications for managerial capacity as outlined on pages 73-74 of the BEAD NOFO.

As part of the pre-qualification round, prospective subgrantees will be required to submit resumes for all key management personal and organization charts detailing all parents, subsidiaries, and affiliates. Along with resumes and organization charts, each applicant will submit a narrative describing their readiness to manage a broadband service network and their experience and qualifications in undertaking projects of similar size and scope.

The Indiana Broadband Office will communicate these requirements to all prospective subgrantees through coordination efforts and on its website.

2.4.13 Technical Capability Minimum Qualifications

NTIA Guidance: 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 are capable of carrying 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 Indiana Broadband Office will ensure that all prospective subgrantees meet the minimum qualifications for technical capability as outlined on page 74 of the BEAD NOFO.

During each of the application rounds, prospective subgrantees must certify to the Indiana Broadband Office that they are technically qualified to complete and operate the projects they are proposing and that they are capable of carrying out the activities in a competent manner. Prospective subgrantees will be required to provide a brief narrative response about the workforce to be used on the project and how this workforce is appropriately skilled and credentialed in alignment with industry best practices.

Additionally, the IBO will require all applicants to submit a network design, network diagram, project costs, build-out timeline, milestones for project implementation, and a capital investment schedule that shows a completed buildout within four years. These materials must be certified by a professional engineer who states that the proposed network can deliver broadband service that meets all performance needs to all locations in the project area. The Indiana Broadband Office will utilize a third-party engineer to independently verify these materials and confirm that each prospective subgrantee is technically capable.

The Indiana Broadband Office will communicate these requirements to all prospective subgrantees through coordination efforts and on its website.

2.4.14 Compliance with Applicable Laws
NTIA Guidance: 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 are capable of carrying 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 Indiana Broadband Office will ensure that all prospective subgrantees meet the minimum qualifications for compliance with applicable laws as outlined on page 74 of the BEAD NOFO. This includes all applicable federal, state, and local laws.

As part of the pre-qualification round, all prospective subgrantees must provide a legal opinion that certifies their capability to carry out BEAD Program deployment competently and in compliance with all applicable laws. This legal opinion must detail any past violations or pending court proceedings that contradict an applicant's ability to comply with applicable laws. Additionally, all prospective subgrantees will be required to identify the key management personnel (ex. Chief Compliance Officer) who will be responsible for all aspects of legal compliance.

The pre-qualification round will also require all prospective subgrantees to certify that they will allow workers to create work-led health and safety committees. Applicants must also certify that management will meet with any health and safety committees periodically and upon reasonable request.

The Indiana Broadband Office will communicate these requirements to all prospective subgrantees through coordination efforts and on its website.

2.4.15 Operational Capability Minimum Qualifications

NTIA Guidance: 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 time 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 Indiana Broadband Office will ensure that all prospective subgrantees meet the minimum qualifications for operational capability as outlined on pages 74-75 of the BEAD NOFO.

First, during the pre-qualification round, the IBO will require each prospective subgrantee to submit the following information:

- Number of years providing internet service;
- Numbers of years providing internet service in Indiana;
- Current number of subscribers in Indiana.

Depending on the prospective subgrantee's history of service, the Indiana Broadband Office may require additional certifications or submissions. If a prospective subgrantee has not 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 is a wholly-owned subsidiary of such an entity, then it must submit a certification that attests to these facts and specifies the number of years the prospective subgrantee or its parent company has been operating.

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

If the prospective subgrantee has operated only 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 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.

For a new entrant to the broadband market, a prospective subgrantee must provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities. Such evidence may include resumes from key personnel, project descriptions and narratives from contractors, subcontractors, or other partners with relevant operational experience, or other comparable evidence.

During all main application rounds, prospective subgrantees will be required to certify that they possess adequate operational capability to complete and operate the projects for which they are submitting applications.

The Indiana Broadband Office will review this operational capability information and confirm that all applicants meet the minimum criteria. The IBO will communicate these requirements to all prospective subgrantees through coordination efforts and on its website.

2.4.16 Ownership Information Minimum Qualifications

NTIA Guidance: 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 Indiana Broadband Office will ensure that all prospective subgrantees meet the minimum qualifications for providing information on ownership as outlined on page 75 of the BEAD NOFO.

During the pre-qualification round, each applicant will be required to provide ownership information consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7). The Indiana Broadband Office will assess this information for completeness and adherence to the Code of Federal Regulations regarding ownership. To fulfill the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7), prospective subgrantees must:

(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;

(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 pre-applications), 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 into 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 Indiana Broadband Office will communicate these requirements to all prospective subgrantees through coordination efforts and on its website.

2.4.17 Public Funding Information Minimum Qualifications

NTIA Guidance: 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 Indiana Broadband Office will ensure that all prospective subgrantees and its affiliates meet the minimum qualifications for providing information on other public funding as outlined on pages 75-76 of the BEAD NOFO.

The IBO will structure a portion of the pre-qualification round to gather the necessary information about any applications potential subgrantees have submitted or plan to submit and every broadband deployment project that they are undertaking or have committed to undertake using public funds All applicants must provide information about projects using funds from the Families First Coronavirus Response Act (Public Law 116- 127; 134 Stat. 178); the CARES 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), or any Indiana or local universal service or broadband deployment funding program.

For each intended or submitted application and planned or current project, the prospective subgrantee must report the following information:
- 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 serve (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,
- The matching commitment, if any, provided by the subgrantee or its affiliates.

The Indiana Broadband Office will verify this information with its own records. Additionally, the IBO may request updated or additional information about other publicly funded projects during the main application rounds. The IBO will communicate these requirements to all prospective subgrantees through coordination efforts and on its website.

5.   Non-Deployment Subgrantee Selection (Requirement 9)

2.5.1 Non-Deployment Activities

NTIA Guidance: 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.

The Indiana Broadband Office is focused on ensuring adequate, reliable, and affordable broadband service to all unserved and underserved locations in the state. At this time, the Indiana Broadband Office has no plans to conduct a competitive subgrantee selection process for eligible non-deployment activities. The IBO will revisit non-deployment activities pending availability of funds after prioritizing unserved and underserved locations and community anchor institutions.

2.5.2 Non-Deployment Selection Process

NTIA Guidance: 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;**
   b) **How the non-deployment initiatives will address the needs of residents within the jurisdiction;**
   c) **The ways in which engagement with localities and stakeholders will inform the selection of eligible non-deployment activities;**
   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 currently applicable. The IBO will revisit non-deployment activities pending availability of funds after prioritizing unserved and underserved locations and community anchor institutions.

2.5.3 Coverage

NTIA Guidance: Describe the Eligible Entity's plan to ensure coverage to all unserved and underserved locations prior to allocating funding to non-deployment activities.

Not currently applicable. The IBO will revisit non-deployment activities only if funds are available after achieving full coverage of unserved and underserved locations and community anchor institutions.

2.5.4 Subgrantee Qualifications

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

Not currently applicable. The IBO will revisit non-deployment activities pending availability of funds after prioritizing unserved and underserved locations and community anchor institutions.

6. Eligible Entity Implementation Activities (Requirement 10)

2.6.1 Indiana Broadband Office Initiatives

NTIA Guidance: Describe any initiatives the Eligible Entity proposes to implement as the recipient without making a subgrant, and why it proposes that approach.

The Indiana Broadband Office plans to conduct BEAD implementation and deployment activities as the recipient of BEAD funds without making a subgrant. These activities include:

- Facilitating public comment and local coordination throughout planning and deployment;
- Planning and running the statewide challenge process;
- And managing the subgrantee selection process and all subsequent grant management.

Public Comment and Local Coordination

To ensure that public comment and local coordination are completed in a timely manner and can be sufficiently executed across the entire state, the Indiana Broadband Office will utilize a small portion of its BEAD funds. These funds will allow for necessary travel, materials for public comment and engagement, and additional IBO employees and the necessary third parties. Throughout the program, BEAD funds will be used for IBO employee salaries and fringe benefits. The Indiana Broadband Office is already executing local coordination for other programs and maintains the relationships necessary for public comment, therefore, it will continue to do so with BEAD funds.

Statewide Challenge Process

The Indiana Broadband Office will directly implement its own challenge process with the support of necessary third parties, like its mapping partners at Ready.net. The IBO will utilize limited BEAD funds to support the challenge process infrastructure and efforts around deduplication, analysis, marketing, and outreach to the eligible challengers. Given its familiarity with the existing data, collaboration with Ready.net, and ongoing communication with eligible challengers, the IBO is well-positioned to execute the challenge process.

Subgrantee Selection and Management

Finally, the IBO will also directly implement the subgrantee selection process and all ongoing management of awarded grants. IBO activities will include:

- Prequalification of potential subgrantees;
- Development and implementation of the subgrantee selection process;

- Scoring and selection of all subgrantees;
- Grant development, administration, management, reporting, monitoring, and compliance specific to the BEAD NOFO;
- Coordination between subgrantees and local and regional groups during deployment projects.

These subgrantee selection and grant management activities will take significant time and resources to oversee. The IBO intends to use a small portion of BEAD funds to provide the appropriate resources and expertise needed such that the subgrantee processes run smoothly and efficiently.

7. Labor Standards and Protection (Requirement 11)

2.7.1 Labor Information in Application Process

NTIA Guidance: 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.

The Indiana Broadband Office will require federal labor and employment law information to be submitted during the prequalification round. Specifically, all subgrantees will be required to submit the information listed below.

- A record of past compliance with federal labor and employment laws, which:
    - o Must address information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years;
    - o 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
    - o 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.
- Plans for ensuring compliance with federal labor and employment laws, which must address the following:
    - o How the prospective subgrantee will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including:
        - ▪ 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
        - ▪ 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.

In alignment with the scoring processes described in Requirement 2.4.2, the Indiana Broadband Office will award 15 points based on Fair Labor Practices during the subgrantee selection process. Five of the 15 points will be awarded based on the subgrantee's responses to the above requirements on federal labor law and employment law compliance. If the applicant submits all necessary information, including a robust plan for ensuring continued compliance, they will receive five points.

Five points will also be awarded based on the applicant's OSHA compliance in the preceding three years. The applicant will receive five points if they have had no OSHA violations in those three years. If an applicant has had a violation, they will receive zero points.

Each subgrantee is only required to submit the above federal labor and employment law information once during the prequalification round, though the response will be applied to each project area submitted for during the application rounds.

Finally, the IBO will also encourage, though not require, prospective subgrantees to submit information and evidence about their plans to utilize a qualified workforce. This information will be submitted during each subgrantee selection round. A qualified workforce can include many methods of qualification, including apprenticeships, training programs, partnerships with community partners like Ivy Tech Community College, etc. If an applicant submits its plans to utilize a qualified workforce, they will receive the final five points.

2.7.2 Additional Mandatory Labor Commitments

NTIA Guidance: 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.**

The Indiana Broadband Office will not incorporate additional items into legally binding commitments for subgrantees (including contractors and subcontractors) outside of what is explicitly required in the BEAD NOFO.

8. Workforce Readiness (Requirement 12)

2.8.1 Equitable Workforce Development

NTIA Guidance: 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 he BEAD NOFO:

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

    b) **A description of how the Eligible Entity will develop and promote sector-based partnerships among employers, education and training providers, the public workforce system, unions and worker organizations, and community-based organizations that provide relevant training and wrap-around services to support workers to access and complete training (e.g., child care, transportation, mentorship), to attract, train, retain, or transition to meet local workforce needs and increase high-quality job opportunities;**

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

    d) **A description of how the Eligible Entity will ensure that the job opportunities created by the BEAD Program.**

The BEAD Program is not only an opportunity to deploy significant broadband infrastructure to unserved and underserved locations but also to advance equitable workforce development and develop quality jobs in the state of Indiana. The Indiana Broadband Office is actively working with its internet service provider, education, workforce, and community partners to create a sufficiently large and competent workforce to complete all BEAD projects. These efforts are essential given the breadth of infrastructure projects in broadband and beyond expected over the next five that will compete for workforce members.

Development and Use of Highly Skilled Workforce

The IBO will work alongside all applicants and subgrantees to support the development and use of a highly skilled workforce that can carry out all project work in a manner that is safe and effective. This process has already begun through the IBO's engagement with several ISP partners, Indiana's Department of Workforce Development, and educational institutions across the state ahead of the Initial Proposal and award of funds. Through these conversations, the IBO has acted as a connector between existing and planned programming and ISPs who can mutually benefit from these partnerships. The IBO will

support its partners throughout the life of the grant funds to encourage continual development and partnership that will result in a highly skilled workforce.

Beyond coordination through the IBO's work, each prospective subgrantee must also show its dedication to developing and using an appropriately skilled workforce in the BEAD subgrantee selection process. Full details on these application requirements are available in Requirement 2.8.2 below. The Indiana Broadband Office will not consider applications that do not adequately ensure that a highly skilled workforce will be used in BEAD-funded projects.

Sector-Based Partnerships

Over the past year, the IBO has engaged with employers, education and training providers, unions and worker organizations, community-based organizations, and the Department of Workforce Development to learn about the existing partnerships that provide training and prepare local workforces. The IBO intends to build upon these existing, highly effective programs and utilize their lessons learned to help establish similar programs in other areas of the state. In short, the IBO will act as a hub for knowledge and a connector of organizations working to support the same sectors.

The Indiana Broadband Office has identified several existing partnerships that it aims to promote and recreate. For example, Ivy Tech Community College, a public community college system with over 40 locations across the state, has many degree and training programs that align with BEAD's needed workforce. Ivy Tech has collaborated with Indiana's Department of Workforce Development to create several Telecommunications State Earn and Learn (SEAL) opportunities, which are Indiana's state-level pre-apprenticeship programs. These SEALs include work-based learning with employer partners and certifications necessary to become fiber optic technicians, fiber installation technicians, and network technicians. The IBO will continue to support programs like the Telecommunications SEALs and work alongside DWD's Office of Work-Based Learning and Apprenticeships to identify additional opportunities to grow Indiana's telecom and broadband workforce. The IBO will also engage with internet service providers to emphasize the value of work-based learning opportunities and encourage participation in apprenticeship programs and additional educational partnerships.

Ivy Tech Community College also serves as an educational partner with the Indiana Department of Corrections. Ivy Tech offers incarcerated individuals several vocational and technical education opportunities, including programs within building trades that are relevant to the broadband workforce. Currently, the Muncie Ivy Tech campus is running a pilot program with a nearby correctional facility and local internet service provider for fiber installation and maintenance training. The IBO is dedicated to supporting similar non-traditional training programs and will monitor the pilot program closely for expansion and opportunities to replicate its impact across the state.

Throughout its 5-Year Action Plan listening sessions and engagement with providers and labor organizations, the IBO has also become familiar with numerous high school-based training partnerships, ISP internal training programs, and labor union apprenticeships and training. The IBO will stay closely apprised of this programming as it nears the subgrantee selection process to ensure there are sufficient, quality training opportunities to support BEAD deployment. The IBO will also work with other state agencies to review opportunities and funding to develop additional partnerships that will educate and train the telecommunications and broadband industry workforce.

Beyond training programs and partnerships, the IBO is also exploring existing community-based organizations and opportunities that provide wrap-around services to support workers and their ability to complete training, such as childcare, transportation, mentorship services, financial assistance, etc. Between the Initial Proposal and the Final Proposal, the IBO will continue to identify the biggest wraparound needs for Indiana workers and work across the Department of Workforce Development, educational institutions, community organizations, and labor organizations to identify prospective solutions.

As previously mentioned, the Indiana Broadband Office has held significant engagement with labor organizations and community-based organizations throughout its 5-Year Action Plan and Initial Proposal processes. This engagement included focused meetings with labor groups, soliciting specific input on Volumes 1 and 2 of the Initial Proposal, and ensuring labor organizations were invited and apprised of all listening and public comment sessions. The IBO has formed significant relationships with labor and community-based organizations during this process and will continue to meet with these groups throughout BEAD deployment to ensure workers' voices and concerns are heard. The IBO also expects to host additional trainings and listening sessions throughout the State Challenge Process, subgrantee selection, and the Final Proposal. Labor and community-based organizations will be substantially included in these sessions.

Equitable On-Ramps into Broadband Jobs and Diverse Worker Pool

As illustrated above, the IBO is dedicated to ensuring several on-ramps into the broadband workforce that reach diverse worker pools. By working alongside a broad range of educational programs, from high schools to community colleges to on-the-job training, the Indiana Broadband Office will reach individuals from many walks of life and in traditionally underrepresented groups, like women, people of color, and formerly incarcerated individuals. For example, 25% of Ivy Tech's student population are students of color, and the IBO will work with Ivy Tech and the DWD to make its broadband industry programs accessible to diverse groups of students.

The Indiana Broadband Office will also encourage all subgrantees to take actions that enable opportunities for diverse worker groups. These include:
- Implementing diverse hiring practices for BEAD-funded projects.

- Promoting a wide range of educational opportunities, including SEALs, apprenticeships, work-based learning, certifications, etc.
- Participating in educational institution and community partnerships to reach a diverse worker pool.
- Implementing wrap-around services, such as childcare, tuition assistance, flexible learning opportunities, etc., to support workers and reduce barriers to accessing the workforce.
- Maintaining high-quality job experiences and cultivating opportunities for workers' voices to be heard.

2.8.2 Appropriately Skilled and Credentialed Workforce

NTIA Guidance: 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.

To ensure that the workforce that builds out any BEAD-funded infrastructure is appropriately skilled and credentialed, the Indiana Broadband Office will require all prospective subgrantees to submit information about its plan for a highly skilled workforce during each application round.

First and foremost, each prospective subgrantee will be required to provide information about its workforce and its plan for all workers to be appropriately skilled and credentialed. The Indiana Broadband Office expects all subgrantees to detail any training programs, apprenticeships, certifications, and/or licensure that workers will be required to complete. Applicants that utilize internal, organization-specific training programs, must describe how these training programs and their curriculum produce appropriately skilled workers. In this narrative response, prospective subgrantees must also detail how they will ensure that all workers on BEAD-funded projects fulfill the necessary training and credential requirements.

In addition to training and credential information, each prospective subgrantee must also submit the following information:
- Whether any portion of its workforce will be subcontracted.
- Any entities that it plans to contract and subcontract with to perform the proposed work.
- Whether its workforce is unionized.

If the prospective subgrantee or any proposed contractors or subcontractors have a workforce that is not unionized, the applicant must provide the following additional information:

- The job titles and size of the full-time employee workforce required to carry out the proposed project work and the entity (applicant, contractor, or subcontractor) that will employ each portion of the workforce.
- For every job title required to carry out the proposed work, including contractors and subcontractors, a description of:
  - Safety training, certification, and/or licensure requirements (e.g. OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on the title and the work), including whether there is a robust in-house training program with established requirements tied to certification, titles; and
  - Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.

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

2.9.1 MBEs/WBEs/Labor Surplus Firms Inclusion

NTIA Guidance: 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 IBO recognizes that Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) are catalysts for economic growth and job creation, but historically face contracting disparities compared to other businesses. For the BEAD Program, the IBO is aligned to the Indiana Department of Administration (IDOA) Division of Supplier Diversity's key objectives of:
- Adding value to Indiana's economy
- Establishing strategic partnerships
- Positioning minority, women, and veteran-owned businesses for growth.

The IBO will encourage all prospective subgrantees to utilize MBEs, WBEs, and labor surplus firms when possible. This includes advocating for early conversation between applicants and MBEs and WBEs about where these firms can and should be included in BEAD projects even before the subgrantee selection process begins. The IBO will emphasize that MBEs and WBEs should be considered for a wide array of opportunities related to BEAD funds, including customer service, equipment operators, technicians, engineering, management, administration, equipment maintenance, grant adherence, etc. The IBO will utilize IDOA's existing list of MBE/WBE-certified businesses as a resource for prospective subgrantees. Further, the IBO will work with IDOA to identify broadband sector and other relevant MBEs and WBEs to be proactively contacted about BEAD news and opportunities. Beyond IDOA, the IBO will also work with organizations such as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce, to identify relevant organizations and/or practices that should be included in BEAD projects.

In each application round, prospective subgrantees will be required to submit information about their proposed contractors and subcontractors. All applicants will be asked to designate any MBEs, WBEs, or labor surplus firms they expect to utilize to complete BEAD deployment projects. The Indiana Broadband Office will evaluate these answers and cross-check all contractors and subcontractors with IDOA's list of MBE/WBE-certified businesses. If the IBO recognizes an opportunity for a small, minority, or women's business enterprise to be involved in an applicant's project, it will contact the prospective

subgrantee about the potential contractor/subcontractor opportunity. The IBO expects applicants to solicit small, minority, and women's businesses whenever possible.

The IBO is also dedicated to designing project requirements and schedules that encourage the participation of small, minority, and women's businesses enterprises. When it is feasible to do so, the IBO will allow subgrantees to break projects or project components into smaller tasks or solicitations so that small, minority, and women's businesses can participate. Additionally, the IBO will also allow for more lenient delivery schedules, where still within the requirements of the BEAD NOFO, such that MBEs and WBEs may participate in the BEAD project. The Indiana Broadband Office will proactively look for these opportunities to support MBEs and WBEs; however, if a subgrantee also recognizes an opportunity where total requirements should be divided or delivery scheduled should be shifted to support firm inclusion, they should contact the IBO for review.

The IBO will track the contractor and subcontractor information submitted by applicants to determine how many MBEs, WBEs, and labor surplus firms were included in applications and projects that are ultimately selected. The IBO will utilize this data to create metrics, like the percentage of contractors and subcontractors that are MBEs and WBEs and the number of projects that include MBE/WBE-certified businesses. All BEAD project metrics will be benchmarked against the goals adopted by the Governor's Commission on Supplier Diversity – 7% participation for MBEs and 5% participation for WBEs. Based on the data from each application round, the IBO will evaluate MBE, WBE, and labor surplus firm participation and encourage additional engagement from prospective subgrantees where needed.

In all efforts related to MBEs, WBEs, and labor surplus firms, the IBO will adhere to the relevant state guidelines, such as the IDOA Division of Supplier Diversity Public Works Construction Projects Policy, and Federal guidelines, like 2 C.F.R. § 200.321. The IBO will also require all subgrantees to certify they understand and will take the affirmative steps for minority businesses, women-owned business enterprises, and labor surplus area firms as listed in the BEAD NOFO.

2.9.2 MBE/WBE/Labor Surplus Inclusion Certification

NTIA Guidance: 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.

The Indiana Broadband Office certifies that it 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:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- 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;
- Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- 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
- Requiring subgrantees to take the affirmative steps listed above as it relates to subcontractors.

10. Cost and Barrier Reduction (Requirement 14)

2.10.1 Cost and Barrier Reduction

NTIA Guidance: Identify steps that the Eligible Entity will take to reduce costs and barriers to deployment.

The BEAD Program will enable significant broadband infrastructure deployment in Indiana, and the IBO intends to take every possible action to ensure these funds reach all corners of the state and every unserved and underserved location. To minimize BEAD funding outlay for individual projects, the Indiana Broadband Office will take several actions to reduce both costs and time to deployment.

Steps to Success

Through its local coordination and the deployment of existing programs, like Next Level Connections and the Indiana Connectivity Program, the IBO has identified many costs and barriers to deployment that depend heavily on local context. To help streamline local processes and avoid these deployment pitfalls, the IBO developed and has been promoting its Steps to Success. These steps are targeted specifically to local units of government who can address issues such as permitting, right of ways, etc. The Steps to Success are detailed below:

1. **Create a leadership group or task force** – By creating a group of knowledgeable community members, localities can increase collaboration with ISPs and have productive conversations about barriers or areas of need.
2. **Become a Broadband Ready Community (BBRC)** – Communities that are BBRC certified send a signal to the telecommunications industry that the community has taken steps to reduce barriers to broadband infrastructure investment. To be certified, a local unit of government will need to be compliant with requirements listed in IC 5-28-28.5-7, which include:
   a. The appointment for a single point of contact for all matters related to broadband development projects.
   b. The establishment of procedures to allow for electronic submission of forms, applications, and documentation required for a broadband development project.
   c. A requirement that all permit applications are approved or denied within 10 business days after they are filed.
   d. An assurance that all inspections related to a broadband project will be completed in a timely and expeditious manner.
   e. Prohibition on requiring the designation of a final contractor to complete a broadband project.
   f. Prohibition on imposing a fee to review an application or to issue a permit on a broadband project.

g. Prohibition on imposing a seasonal moratorium on the issuance of permits for a project.

h. Prohibition on discriminating among communications service providers.

3. **Consider a broadband plan or feasibility study** – Such plans encourage communities to plan for long-term development and have knowledge of potential barriers or areas of concern.

4. **Engage with providers** – Communities should form strong working relationships with providers in the area to understand what local leadership can do to help and to become familiar with provider assets and opportunities to expand.

5. **Showcase incentives and benefits of broadband expansion** – Take action to incentivize providers to expand in the area. Tax exemptions such as those outlined in Senate Enrolled Act No. 560 (Infrastructure Development Zone) make it appealing for broadband providers to invest in an area by offering exemptions to business and personal property taxes on broadband investment.

6. **Increase the adoption rate in your community** – The adoption rate refers to the ratio of those who subscribe to broadband to those who have access. Increasing the adoption rate will make an area more attractive to providers and investors.

7. **Compile an inventory of public resources and assets** – Having an inventory of public resources and assets will help providers interested in an area, eliminating much of the groundwork on their behalf. This inventory can include vertical assets, existing or unused fiber, a list of ordinances, permits, or requirements for construction, and documentation that helps with the permit process.

8. **Gather data: surveys, mapping, and eligibility** – Data can be used in conversations with providers, grant applications, and more. It is important to have reliable data at your fingertips.

9. **Identify funding sources** – Identifying funding sources can assist communities with broadband planning as well as making them more attractive and competitive for investment.

10. **Engage with community and education partners to increase the local workforce in anticipation of buildout** – Broadband brings more opportunities than just internet. It brings new jobs, new residents, and new businesses. Communities should be prepared to increase their local workforce.

The Indiana Broadband Office has found that sharing and guiding local government units through the Steps to Success has had great success in preparing areas for deployment projects and reducing costs and barriers. Throughout the BEAD Program, the IBO will continue to work alongside local governments to navigate these steps, including hiring additional positions with the Indiana Broadband Office to coordinate with local governments and other organizations.

Other Cost and Barrier Reduction Steps

The IBO will also address cost and barrier reduction through collaboration with other state agencies, utilities, and internet service providers. Throughout the Next Level Connections funding, the State of Indiana has encountered significant barriers and delays related to

the National Environmental Policy Act (NEPA). The IBO is currently engaged with the Indiana Office of Community and Rural Affairs (OCRA), the office that administrates the Next Level Connections grants, to document lessons learned and identify areas that can be improved for BEAD subgrantee selection and deployment. Because NEPA has already been identified as a potential barrier, the IBO has begun and will continue conversations with the Department of Natural Resources (DNR) to develop education and streamlined processes to assist with NEPA compliance.

In addition to OCRA and DNR, the Indiana Department of Transportation (INDOT) is a critical partner to the IBO that also works to reduce costs and barriers. INDOT has already implemented programs to assist in broadband deployment, like the Broadband Corridors Program, designed to facilitate, implement, and maintain new avenues for rapid deployment of broadband throughout Indiana by focusing on removing any barriers that may prevent providers from deploying broadband or wireless facilities within the right of way. The IBO will keep INDOT apprised of the BEAD Program progress and deployments and collaborate to identify additional ways to reduce permitting and right-of-way barriers.

Additionally, the INDOT has an existing dig once program for broadband, which is detailed in 105 Indiana Administrative Code Article 16. The Indiana Broadband Office will utilize this existing program for all BEAD-funded projects and continue to collaborate between INDOT and internet service providers. Further, the IBO is also communicating with Indiana 811, a non-profit corporation made up of member operators of underground facilities in Indiana, designed to reduce the number of damages to buried utilities and promote safe digging state-wide. Through these conversations, the IBO will streamline information for safe digging and dig once.

Finally, the IBO will work with utility and ISP partners to aggregate relevant information that makes deployment processes, including permitting, pole access, easements, and rights of way, easier. The Indiana Broadband Office has already begun conversations with local utilities and REMCs to prepare for pole access requests that will occur during BEAD projects, and these conversations will continue for the duration of the program. The IBO will also work with subgrantees to provide education on relevant local processes and work with ISPs to provide pre-submission review of permits and other documentation as needed to avoid any delays based on missing information.

11. Climate Assessment (Requirement 15)

2.11.1 Climate Threats and Mitigation

NTIA Guidance: 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:

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;**

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;**

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

d) **Identify how the proposed plan will avoid and/or mitigate weather and climate risks identified; and**

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.**

To identify, assess, and develop initial mitigation methods for climate threats, the IBO worked with the Indiana Department of Homeland Security (IDHS) to understand Indiana's current and future climate trends. Currently, IDHS is drafting its 2024 State Multi-Hazard Mitigation Plan, a document that lays the foundation for building resiliency by identifying Indiana's greatest risks for disasters and creating strategies to mitigate these risks. The Federal Emergency Management Agency (FEMA) requires each state to update its multi-hazard mitigation plan every five years. Indiana's 2024 State Multi-Hazard Mitigation Plan is in the public comment phase and will be completed shortly.

Because IDHS houses several experts and data sources around climate threats and mitigation, the IBO will reference the draft 2024 State of Indiana Standard Multi-Hazard Mitigation Plan in this requirement to ensure the best information about climate threats possible. The IBO will work with IDHS to address any additional focus areas that develop based on public comment. Further, the IBO will also collaborate with IDHS and its experts for ongoing evaluation of climate threats and mitigation throughout the life of the BEAD funds. The IBO intends to evaluate updated data on an annual basis so that risks are
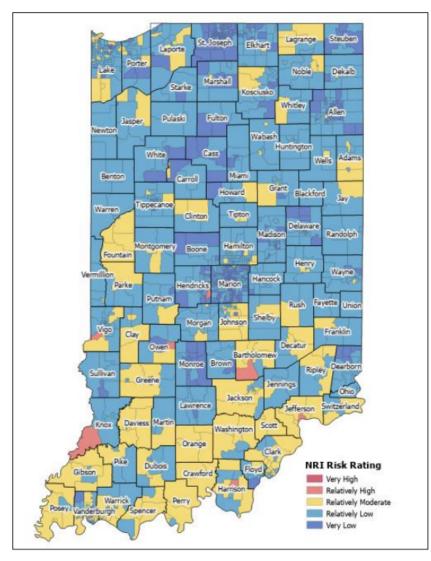
addressed appropriately but will adjust this plan as needed depending on the climate risks and threads that arise.

Geographic Areas of Interest

The Indiana Department of Homeland Security identifies areas of geographic interest based on FEMA's National Risk Index on pages 80-83 of the 2024 State Multi-Hazard Mitigation Plan. The National Risk Index evaluates eighteen different natural hazards, social vulnerability indices, and community resilience rankings to assign each Census track one of the following risk ratings: very high, relatively high, relatively moderate, relatively low, and very low. Indiana has no census tracts with a very high-risk rating, but all Census tracts with relatively high and relatively moderate risk ratings should be subject to an initial hazard screening. These areas with a higher risk rating are also backed by historical data of federal disaster declarations, as described in the State Mitigation Plan on pages 18-22.

Indiana's National Risk Index Map at a Census tract level is included below:

Projected Weather and Climate Hazards

The Indiana Department of Homeland Security describes its process for classifying potential hazards as high risk, moderate risk, or low risk based on the probability of occurrence and the potential impact of the occurrence over the next ten years. A description of this hazard prioritization is available in the State Mitigation Plan on pages 84-85.

Based on this hazard prioritization process, IDHS identified the following as hazards of interest:

- Flooding
- Severe weather, including thunderstorms, damaging winds, hail, and lightning.
- Tornadoes
- Earthquake
- Ground failures
- Dam and levee failure
- Extreme temperatures
- Winter storms, including snow and ice storms
- Drought
- Wildfire

These hazards of interest are detailed thoroughly in the State Mitigation Plan from pages 89 to 207.

Impact on BEAD Infrastructure

Based on IDHS's analysis of priority hazards in Indiana, flooding, severe weather, tornadoes, extreme temperatures, and winter storms pose the largest threats to infrastructure deployed using BEAD funds in the next 20 years. Details about each climate hazard are available in the vulnerability assessment section of the State Mitigation Plan. The table below illustrates the key risks to BEAD-funded infrastructure for each priority hazard.

Climate Hazard	Potential Impact on BEAD Infrastructure
Flooding	- Risk to above-ground equipment, like network hubs and provider offices - Damage to buried fiber from long-term exposure to water - Additional risk from flooding as infrastructure ages
Severe weather	- Severe weather, including thunderstorms, winds, hail, etc. can damage all exposed broadband equipment - Aerial fiber and wireless infrastructure is particularly susceptible to these severe weather threats

	• Severe weather can also include significant rain that causes flooding, posing problems for both above ground and underground infrastructure
Tornadoes	• Similar impacts to severe weather above • Tornadoes can also destroy maintenance centers and offices that can maintain infrastructure and serve customers
Extreme temperatures	• Extremely high temperatures can cause overheating of both indoor and outdoor equipment, causing failures • In the long run, extreme temperatures may also cause power blackouts that impact connectivity
Winter storms	• Both ice and snow can cause problems and failures for aerial fiber and fixed wireless technologies

Mitigation Methods

The IBO recognizes that the climate hazards facing Indiana vary by area of the state and require locally specific mitigation measures based on existing infrastructure, planned broadband technology in the area, and community resilience. To that end, the IBO will encourage both internet service providers and community leaders to discuss community climate resiliency needs in their coordination. The IBO will also help facilitate these conversations before, during, and after the subgrantee selection process.

For project areas in Census tracts with relatively high and relatively moderate NRI risk ratings (as a note, Indiana does not currently have any Census tracts with a very high risk rating), the IBO may also ask applicants to submit additional information during the application process. These additional submissions may describe the prospective subgrantee's climate resilience and mitigation measures for the project area and how they will develop emergency response plans if these hazards arise. Where there are any concerns about project areas and climate risk plans, the IBO will engage with IDHS and other experts to evaluate the project's feasibility and the degree to which risks will be managed.

As annual climate evaluations occur and updated data becomes available, the IBO will proactively communicate with selected subgrantees about the new information that impacts their project area(s). Transparency across all relevant parties ensures that the IBO and its partners can help adequately address any new or increased climate risks or challenges that arise.

12. Low-Cost Broadband Service Option (Requirement 16)

2.12.1 Low-Cost Service Option

NTIA Guidance: 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);**

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

    c) **Whether a subscriber may use any Affordable Connectivity Benefit subsidy toward the plan's rate; and**

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

The Indiana Broadband Office recognizes that affordability is an important component of the BEAD Program and that deployment without affordable options will severely limit Indiana residents' ability to navigate the internet effectively and utilize digital services. To that end, the IBO has identified an appropriate low-cost broadband service option that must be offered by all BEAD subgrantees to Affordable Connectivity Plan participants. Further, the IBO will require all subgrantees to participate in the Affordable Connectivity Program.

During the application process, all prospective subgrantees will be required to certify their participation in ACP and adherence to offering this low-cost service option by the deployment completion date.

Minimum Requirements

A low-cost service option will be considered as such if it meets the following minimum criteria:

1. Costs less than the threshold set by the annually reviewed methodology, inclusive of all taxes, fees, and charges. The methodology is described below.
2. Allows the end user to apply the Affordably Connectivity Benefit subsidy to the service price. Eligibility criteria for the Affordable Connectivity Program are located at affordableconnectivity.gov/do-i-qualify.
3. Provides typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps.

4. Provides typical latency measurements of no more than 100 milliseconds.
5. Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.
6. In the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers who are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost.

Cost Threshold Methodology

The IBO is adopting a cost threshold methodology for its low-cost broadband service option to balance the need for affordable broadband service and responsiveness to economic conditions. A methodology is a sound option, as it allows the IBO to adjust based on changes to the ACP program as well as the broader economy. If the IBO were to name a recurring charge to the subscriber as a flat number rather than a methodology, this could ultimately disadvantage both ACP-eligible households and providers. For example, if economic conditions changed so significantly that even the flat recurring charge named were too expensive for ACP-eligible households, the IBO would not have created an inclusive, appropriate low-cost plan. For these reasons, the IBO has devised a logical, well-supported low-cost plan with an annual methodology for calculating the maximum recurring charges to the subscriber.

An applicant's monthly plan will be considered low-cost if it is equal to or less than 2% of the maximum eligible annual income for the ACP for a household of one divided by twelve (12). In other words, the ACP's maximum eligible annual income for a household of one is currently $29,160. Divided by twelve, this is a monthly income of $2,430. For 2023, the maximum monthly charge for a low-cost plan would be 2% of $2,430, or $48.60.

The IBO has elected to take this approach so that the methodology is directly related to ACP eligibility requirements and utilizes a 2% of monthly household income affordability benchmark similar to the 2% of monthly disposable income metric introduced by the FCC. Because there is no standard, industry-wide, objective measures of broadband affordability, the IBO believes utilizing a metric as close as possible to that introduced by the FCC is the most objective option available. The IBO will use this methodology to update the cost threshold for low-cost plans each year. All recipients of BEAD funds will be notified of the updated annual cost threshold.

If the Affordable Connectivity Plan is not renewed and no successor program is adopted, the Indiana Broadband Office will require all subgrantees to provide the same low-cost plan detailed above to all households that otherwise would have been eligible for the Affordable Connectivity Program. If a successor program is adopted, the Indiana Broadband Office will require all subgrantees to participate in that program.

2.12.2 Affordable Connectivity Program Certification

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

The Indiana Broadband Office will require all subgrantees to participate in the Affordable Connectivity Program or any successor program.

13. Middle-Class Affordability Plans (Requirement 20)

2.13.1 Middle-Class Affordability Plans

NTIA Guidance: Describe a middle-class affordability plan that details how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices. This response must clearly provide a reasonable explanation of how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices.

Middle-class affordability is a priority for the IBO and a critical component that will contribute to the BEAD Program's success. Throughout all its local coordination and engagement, the IBO has heard significant feedback about middle-class affordability and the need for plans that are accessible to a wide range of income levels. To ensure that BEAD-funded projects remain affordable to the middle class, the Indiana Broadband Office is adopting two middle-class affordability approaches.

Affordability in Scoring Criteria

First, the Indiana Broadband Office has weighted its scoring for both priority broadband projects and other last-mile broadband deployment projects heavily toward affordability criteria – 20% of the total scoring. All prospective subgrantees will be scored on their proposed pricing for gigabit symmetrical service (for priority projects) or 100/20 service (for other projects). By allocating such significant points to affordability, the IBO will incentivize applicants towards prices that are affordable for the middle class. Additionally, the Indiana Broadband Office set the threshold for affordability scoring – $100 for gigabit symmetrical and $70 for 100/20 service – based on Indiana service providers' responses to the FCC's Urban Rate Survey. By setting these thresholds based on existing service provision in Indiana's urban areas, the IBO believes it will provide improved middle-class affordability in BEAD project areas.

Recommended Middle-Class Affordability Plans

Beyond the subgrantee selection scoring criteria, the IBO will also encourage all providers participating in the BEAD Program to offer an affordable option for 100/20 Mbps service that is available to all customers. The IBO recommends that this plan's price be no higher than the rates for 100/20 service provided in the FCC's United States Broadband Benchmark Rate Calculator, created annually using the data from the broadband Urban Rate Survey. For 2023, the US benchmark rate for 100/20 service is $104.99. As the Urban Rate Survey data is released each year, the IBO will notify all subgrantees about the updated benchmark for 100/20 service and promote middle-class affordability plans in alignment with the new benchmark.

14. Use of 20 Percent of Funding (Requirement 17)

2.14.1 Use of Funds

NTIA Guidance: 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 Indiana Broadband Office is requesting 100% of its funding allocation. The IBO will use these funds for deployment activities, eligible implementation activities, like running the State Challenge Process, and administrative costs. The Indiana Broadband Office believes requesting a 100% allocation during the Initial Proposal round ensures that when the subgrantee selection process begins, it can quickly and efficiently begin allocating funds and supporting its internet service provider partners. All uses of the 100% funding request will be detailed in Indiana's Final Proposal.

2.14.2 Initial Proposal Funding Request

Enter the amount of the Initial Proposal Funding Request. If not requesting initial funds, enter '$0.00.'

$863,149,578.19

2.14.3 Fund Usage Certification

NTIA Guidance: 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 Funding Request, note "Not applicable."

The Indiana Broadband Office certifies that it will adhere to BEAD Program requirements regarding Initial Proposal funds usage.

15. Eligible Entity Regulatory Approach (Requirement 18)

2.15.1 Waiving of Laws

NTIA Guidance:

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.**

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.**

The Indiana Broadband Office has not identified any relevant laws that need to be waived to administer the BEAD Program.

16. Certification of Compliance with BEAD Requirements (Requirement 19)

2.16.1 Compliance Certification

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

The Indiana Broadband Office certifies that it will comply with all applicable requirements of the Program, including the reporting requirements.

2.16.2 Subgrantee Accountability Procedures

NTIA Guidance: 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);**
   b) **The inclusion of clawback provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee;**
   c) **Timely subgrantee reporting mandates; and**
   d) **Robust subgrantee monitoring practices.**

The integrity of its BEAD projects is of the utmost importance to the IBO. To ensure that all subgrantees uphold project integrity, the IBO will proactively monitor all its subgrantees throughout the duration of their projects to ensure compliance with all BEAD Program requirements. The IBO recognizes that compliance and accountability procedures are complex to monitor and implement, so is working towards hiring the appropriate resources with grant monitoring experience and implementing software that will allow for effective compliance monitoring. Additionally, the IBO will collaborate with OCRA to understand lessons learned from compliance and accountability tracking for Next Level Connections.

To ensure compliance, the Indiana Broadband Office will implement the following accountability procedures as required in the BEAD NOFO:
- All funds distributed to subgrantees will be disbursed on a reimbursable basis only, which allows the IBO to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize.
- The inclusion of clawback provisions that allows the IBO to recoup funds previously disbursed in all agreements between the Ibo and subgrantees.
- Timely subgrantee reporting mandates.

- Semi-annual reporting by all subgrantees, in alignment with the NTIA requirements for Eligible Entities, that must be completed on a timely basis.
- Robust subgrantee monitoring practices that will be informed by the State of Indiana's experiences with other broadband deployment projects, such as Next Level Connections. The Indiana Broadband Office is drafting these policies, and plans to have all monitoring and accountability practices finalized with the appropriate staff before the subgrantee selection process begins.

2.16.3 Civil Rights and Nondiscrimination Certification

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

The Indiana Broadband Office certifies that its selection of subgrantees will account for and satisfy each of the following authorities:
- Parts II and III of Executive Order 11246, Equal Employment Opportunity
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency
- Executive Order 13798, Promoting Free Speech and Religious Liberty

Prior to distributing any funding to a subgrantee, the Indiana Broadband Office will require all subgrantees to agree to abide by the non-discrimination requirements set forth in the following legal authorities, to the extent applicable, and to acknowledge that failure to do so may result in cancellation of any award and/or recoupment of funds already disbursed:
- Title VI of the Civil Rights Act
- Title IX of the Education Amendments of 1972
- The Americans with Disabilities Act of 1990
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975
- Any other applicable non-discrimination law(s).

2.16.4 Cybersecurity and Supply Chain Risk Management Requirements

NTIA Guidance: 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.

The Indiana Broadband Office certifies that it will ensure subgrantee compliance with the cybersecurity and supply chain risk management requirements on pages 70-71 of the BEAD NOFO.

Cybersecurity

The IBO will require prospective subgrantees to attest that:

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 Indiana Broadband Office prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the IBO within 30 days.

Supply Chain Risk Management

The IBO will require prospective subgrantees to attest that:

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 Indiana Broadband Office prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the IBO within 30 days. The IBO must provide a subgrantee's plan to NTIA upon NTIA's request.

Volume II Public Comment

2.17.1 Public Comment Period

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

The Indiana Broadband Office posted Volume 2 of its Initial Proposal on the IBO website on November 3, 2023, to begin its public comment period. The IBO accepted comments on Volume 2 at the ibopubliccomment@iot.in.gov email address through December 4, 2023. This constitutes a public comment period of 31 days, fulfilling the NTIA's 30-day requirement.
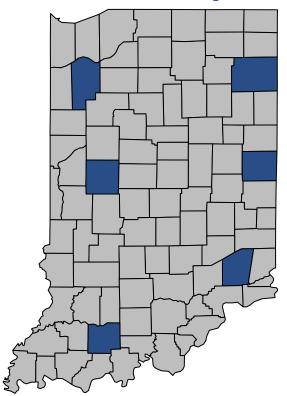
To increase awareness of the public comment period, the IBO promoted Volume 2 through several channels, including its website, continual social media posts throughout the 31 days, multiple targeted email campaigns to internet service providers, county commissioners, local government contacts, Indiana House and Senate legislative assistants and media contacts, former listening sessions attendees, broadband strategy stakeholders, Broadband Ready Community and broadband task force members, and Indiana Broadband Office newsletter subscribers, and at all conference, in-person meetings, and other events leading up to and during the public comment period.

Additionally, the Indiana Broadband Office hosted six public comment listening sessions in six different regions across the state. These public comment listening sessions walked through several requirements from Volume 2 and solicited verbal feedback from attendees. All sessions were open to the public and were well attended by over 170 individuals across the state. These sessions were advertised continually through the same targeted email campaigns and social media efforts as those for Volume 2 public comment. The locations of these sessions are described in the list and map below:
- Allen County, New Haven Community Center, November 29, 2023
- Jasper County, Wheatfield Library, November 16, 2023
- Montgomery County, Fusion54 Coworking Space, November 15, 2023
- Randolph County, Randolph County Courthouse, November 14, 2023
- Ripley County, Versailles Town Hall, November 8, 2023
- Dubois County, The Parklands of Jasper, November 6, 2023

Map of Public Comment Listening Session Locations

The IBO received substantial engagement during the public comment process, including from members of the public, internet service providers, unions and labor organizations, trade groups, and non-profit organizations. Much of this feedback focused on project areas and the subgrantee selection process. The general categories of this feedback and the changes that were made to Indiana's Volume 2 of the Initial Proposal are detailed below.

Project Areas

The IBO plans to allow applicants to design their own project areas during the first round of subgrantee selection. As originally designed, project areas would be built based on Census Block Groups as the smallest geographic level available to ISPs. The IBO received significant feedback about Census Block Groups and the desire for a smaller geographic building block. After reviewing feedback and the research available, the IBO opted to move to Census Blocks as the smallest geographic level available for creating project areas.

Subgrantee Selection Timeline

The IBO will host three rounds of subgrantee selection to ensure total coverage of unserved and underserved addresses. In its draft, the Indiana Broadband Office did not include a tentative timeline of the subgrantee selection process. Based on feedback and discussion from the public comment listening session, Volume 2 now includes a tentative

timeline for subgrantee selection with time periods similar to suggestions received via public comment.

Fair Labor Practices Scoring

The draft version of Volume 2 had 5 points assigned to Fair Labor Practices for the subgrantee selection process. The IBO recognized that additional points needed to be assigned to this category based on NTIA guidance, and also received significant feedback about potential methods of scoring this criterion. Volume 2 now assigns 15 points to Fair Labor Practices, with these points being allocated based on adherence to federal labor and employment laws, OSHA compliance, and the utilization of a qualified workforce.

Affordability

The Indiana Broadband Office received several comments related to affordability, including affordability scoring, middle class affordability, and its low-cost plan. Indiana has not significantly changed any pieces of its affordability approach based on public comment, but has added clarification and methodology language to increase transparency and understandability of its plans.

Local Coordination Scoring

The IBO included local coordination it its scoring rubric because throughout the 5-Year Action Plan listening sessions, local input was the most common feedback heard from community members. During the public comment period, the IBO also heard feedback about further stratifying local coordination and support points. That scoring criterion has been updated to include a range of scores based on the level of evidence and detail included in the local coordination letter.

Indiana
Broadband

The mission of the Indiana Broadband Office is to assist residents in need of affordable and reliable broadband connectivity. This mission of reaching Hoosiers where they live, work and play is accomplished by communicating with stakeholders, providing resources to a diverse audience and leveraging established relationships with elected officials, associations and providers.