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Grant Request Number	GRN-000080
Funding Program Name	Broadband Equity, Access, and Deployment (BEAD) Program
Funding Request Name	MISSISSIPPI DEPARTMENT OF FINANCE & ADMINISTRATION BEAD-Initial Proposal-Vol 1-GRN-000080
Applying Organization	MISSISSIPPI DEPARTMENT OF FINANCE & ADMINISTRATION
Applicant Name	Kyle Brown

01.01.01 Existing Broadband Funding

As a required attachment, submit the file identifying sources of funding, a brief description of the broadband deployment and other broadband-related activities, the total funding, the funding amount expended, and the remaining funding amount available. Eligible Entities may copy directly from their Five-Year Action Plans.

Existing Broadband Funding-12-14-2023 10-18-MISSISSIPPI DEPARTMENT OF FINANCE & ADMINISTRATION-GRN-000080.xlsx

01.02.01 Unserved Locations Lists

As a required attachment, submit one CSV file with the location IDs of each unserved location, including unserved locations in applicable Tribal Lands.

Instructions:

The Eligible Entity is required to identify each unserved location under the jurisdiction of the Eligible Entity (including unserved in applicable Tribal Lands) using the most recently published National Broadband Map as of the date of submission of the Initial Proposal. The CSV file should contain the location IDs of unserved locations (named "unserved.csv") and must be a single-column file.

Refer to NTIA BEAD Challenge Process Policy Notice for additional guidance.

Unserved-12-14-2023 10-19-MISSISSIPPI DEPARTMENT OF FINANCE & ADMINISTRATION-GRN-000080.csv

01.02.02 Underserved Locations List

As a required attachment, submit one CSV file with the location IDs of each underserved location, including underserved locations in applicable Tribal Lands.

Instructions:

The Eligible Entity is required to identify each underserved location under the jurisdiction of the Eligible Entity (including underserved in applicable Tribal Lands) using the most recently published National Broadband Map as of the date of submission of the Initial Proposal. The CSV file should contain the location IDs of underserved locations (named “underserved.csv”) and must be a single-column file.

Refer to NTIA BEAD Challenge Process Policy Notice for additional guidance.

Underserved-12-14-2023 10-19-MISSISSIPPI DEPARTMENT OF FINANCE & ADMINISTRATION-GRN-000080.csv

01.02.03 National Broadband Map Publication Date

Identify the publication date of the National Broadband Map that was used to identify the unserved and underserved locations.

Instructions:

Only the first edition of the National Broadband Map in each month can be selected. The publication date of the National Broadband Map cannot predate the submission of the Initial Proposal by more than 59 days.

2023-11-28

01.03.01 CAI Statutory Definition

Describe how the statutory definition of “community anchor institution” (e.g., schools, libraries, health clinics) was applied, how eligible CAIs were identified, and how network connectivity needs were assessed, including the types of CAIs that the Eligible Entity intends to serve.

Instructions:

The Eligible Entity must include:

- a. A description of how the Eligible Entity applied the statutory definition of the term “community anchor institution” and identified all Eligible CAIs (i.e., “a community anchor institution that lacks access to Gigabit-level broadband service”) in its jurisdiction and in applicable Tribal Lands.

b. A description of how the Eligible Entity assessed the needs of Eligible CAIs, and of what types of CAIs the Eligible Entity intends to receive service under the BEAD Program.

c. A description of the categories of institutions proposed as CAIs, including during the public comment period, if any, that the Eligible Entity considered but declined to classify as an eligible CAI, and a description of the basis on which the Eligible Entity determined that such category of CAI does not facilitate greater use of broadband service by vulnerable populations.

d. If the Eligible Entity proposes service to one or more CAIs in a category not explicitly cited as a type of CAI in Section 60102(a)(2)(E) of the Infrastructure Act*, the basis on which the Eligible Entity determined that such category of CAI facilitates greater use of broadband service by vulnerable populations.

Refer to NTIA BEAD Challenge Process Policy Notice for additional guidance.

*Section 60102(a)(2)(E) of the Infrastructure Act cites CAIs categories as an entity such as a school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization, or community support organization that facilitates greater use of broadband service by vulnerable populations, including, but not limited to, low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals.

BEAM applied the definition of “community anchor institution” to mean a school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization (including any public housing agency, HUD-assisted housing organization, or Tribal housing organization), or community support organization that facilitates greater use of broadband service by vulnerable populations, including, but not limited to, low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals.

01.03.02 Eligible CAI List

As a required attachment, submit the CSV file (named cai.csv) that lists eligible community anchor institutions that require qualifying broadband service and do not currently have access to such service, to the best of the Eligible Entity’s knowledge.

Instructions:

The Eligible Entity must submit a CSV file with a list of eligible CAI locations identified within the jurisdiction of the Eligible Entity, using the data format provided by NTIA. The Eligible Entity must complete all mandatory fields in the file named “cai.csv” as outlined in Appendix A of the NTIA BEAD Challenge Process Policy Notice. Address information must identify the physical location of the

community anchor institutions, not the administrative location. For example, the address should describe the location of the school building, not that of the board of education administrative building.

CAI-12-14-2023 10-23-MISSISSIPPI DEPARTMENT OF FINANCE & ADMI-GRN-000080.xlsx

01.04.01 NTIA Model Challenge Process: Challenge

Select if the Eligible Entity plans to adopt the NTIA Challenge Process Model for Requirement 7.

Instructions:

The Eligible Entity must indicate whether or not it intends to adopt the NTIA BEAD Model Challenge Process for Requirement 7.

Yes

01.04.02 Modifications to National Broadband Map

If applicable, describe any modifications to classification of broadband serviceable locations in the Eligible Entity's jurisdiction as "served," "underserved," or "unserved," and provide justification for each modification.

Instructions:

Eligible Entities may, subject to the approval of the Assistant Secretary, modify the set of locations identified as eligible for funding on the National Broadband Map to reflect data not present in the National Broadband Map. If the Eligible Entity plans to modify the classification of locations, it must include a description of each proposed modification and each associated justification. If the Eligible Entity will not plan to modify the set of locations identified as eligible for funding on the National Broadband Map, indicate "N/A" in the response.

Refer to NTIA BEAD Challenge Process Policy Notice for additional guidance."

The modifications described in this section will be implemented to modify the classification of reported broadband service offering at applicable locations. In cases where there are multiple service offerings qualifying a location as "served" or "underserved," these modifications may not result in a modification of a location's designation to "unserved" or "underserved." In these cases, BEAM will modify the reported service available at relevant locations to ensure that a location's final designation is determined based on the totality of all modifications and challenge outcomes.

For example, a location that reported service available from a DSL provider (100/20 Mbps) and a cable provider (1000/35 Mbps) will be subject to the DSL Modification described below. The DSL Modification by itself would not result in a change in designation for that location. However, if during the challenge process, there is a successful challenge to the cable provider not being able to provide service within 10 business days, the totality of the modification and the challenge would result in the location being designated as “underserved.”

NTIA BEAD Model Challenge Process Modifications

The following modifications are included with the intent of reflecting data that are not included in the National Broadband Map, but are necessary to ensure the successful implementation and achieve the goals of the BEAD Program.

The proposed modifications include the DSL and Speed Test Modifications, as included in the Model Process, as well as additional modifications proposed by BEAM.

DSL Modifications

BEAM will treat locations that the National Broadband Map shows to have available qualifying broadband service (i.e., a location that is “served”) delivered via DSL as “underserved.” This modification will better reflect the locations eligible for BEAD funding because it will facilitate the phase-out of legacy copper facilities and ensure the delivery of “future-proof” broadband service. This designation cannot be challenged or rebutted by the provider.

When a location is shown to have qualifying broadband service reported for multiple providers and/or technologies, the service delivered via DSL will be reclassified, but the classification of location itself will remain served, unless the remaining qualifying broadband service(s) are successfully challenged, or reclassified through another modification.

Speed Test Modifications

BEAM will treat as “underserved” locations that the National Broadband Map shows to be “served” if rigorous speed test methodologies demonstrate that the “served” locations actually receive service that is materially below 100 Mbps downstream and 20 Mbps upstream.

This modification will better reflect the locations eligible for BEAD funding because it will consider the actual speeds of locations.

When applicable speed test data is used to reclassify reported service at a location with multiple providers and/or technologies, the service relevant to the speed test will be reclassified and the classification of location itself will be reprocessed with the updated entry.

Locations modified by speed test data will be applied toward qualifying a Census Block Group for an Area Challenge and the challenged provider will have the opportunity to submit a rebuttal during the applicable phase of the challenge process.

Additional Modifications

In addition to the Modifications included in the Model Challenge Process, the BEAM believes the

following modifications are necessary to ensure the successful implementation and achieve the goals of the BEAD Program.

Fully Deployed Service Modification

BEAM will treat as served locations in with build outs that are fully deployed, or will be completed by January 31, 2024, but are not yet reflected in the FCC National Broadband Map. Documentation of deployments must be submitted to BEAM by January 15, 2024.

FCC Challenge Modifications

BEAM will treat locations that the National Broadband Map shows to be served as unserved or underserved if:

- 6 or more broadband serviceable locations using a particular technology and a single provider within a census block group were subject to successful availability challenges through the Federal Communications Commission's challenge process, and;
- the location would be unserved or underserved if not for the challenged service.

The location's status would change to the status that would have been assigned to the location without the challenged service.

The following entries in the outcome field will be treated as a successful challenge:

- Challenge Upheld - Provider Conceded
- Upheld - Service Change
- Challenge Upheld - Adjudicated by FCC

At locations where there are multiple offerings of qualifying broadband, the designation of the location will remain unchanged, however the applicable service would be removed from the location.

A provider subject to the FCC Area Challenge Modification will be given an opportunity to submit a rebuttal during the applicable phase of the challenge process.

Data Cap Modifications

BEAM will treat as "unserved" locations that the National Broadband Map shows to be "underserved" or "served" if there is evidence that demonstrates that the service is only available over plans that impose an unreasonable capacity allowance, or "data cap" (less than 600 GB/month), on the consumer. When the Data Cap Modification is used to reclassify reported service at a location with multiple providers and/or technologies, the service(s) affected by the modification will be reclassified and the classification of location itself will be reprocessed with the updated entry.

01.04.03 Eligible Entity Planning Toolkit

Select if the Eligible Entity plans to use the BEAD Eligible Entity Planning Toolkit to identify existing federal enforceable commitments.

Yes

01.04.04 Enforceable Commitments Identification

Describe the process that will be used to identify and remove locations subject to enforceable commitments.

Instructions:

If the Eligible Entity plans to adopt the NTIA BEAD Model Challenge Process, the Eligible Entity must copy in the Model language and add in the unique information required from each Eligible Entity as specified in the Model.

If the Eligible Entity does not adopt the NTIA BEAD Model Challenge process, the Eligible Entity must:

- a. Describe the process used to identify and remove locations subject to enforceable commitments, and
- b. Outline whether or not the Eligible Entity plans to use the BEAD Eligible Entity Planning Toolkit.

If the Eligible Entity does not plan to use the BEAD Eligible Entity Planning Toolkit, the Eligible Entity must also include the following information:

- a. A description of the technology or tool to be used for deduplication, including explanation of its capacity to aggregate multiple data sources to create an accurate list of existing federal, state/territory, and local commitments.
- b. Assurance that the process to identify and remove enforceable commitments will analyze, at a minimum:
 - i. All programs included in the Broadband Funding Map published by FCC pursuant to Section 60105 of the Infrastructure Act as of the date of the deduplication of funding process.
 - ii. All state or territorial and local broadband deployment programs, including those that utilize funds from the Capital Projects Fund and the State and Local Fiscal Recovery Funds administered by the U.S. Treasury.

Refer to NTIA BEAD Challenge Process Policy Notice for additional guidance.

BEAM will enumerate locations subject to enforceable commitments by using the BEAD Eligible Entity Planning Toolkit, and consult at least the following data sets:

- The Broadband Funding Map published by the FCC pursuant to IIJA § 60105.
- Data sets from state broadband deployment programs that rely on funds from the Capital Projects Fund and the State and Local Fiscal Recovery Funds administered by the U.S. Treasury.
- Mississippi and local data collections of existing enforceable commitments or obligations.

BEAM will make a best effort to create a list of BSLs subject to enforceable commitments based on state/territory or local grants or loans. If necessary, the broadband office will translate polygons or other geographic designations (e.g., a county or utility district) describing the area to a list of Fabric locations. The broadband office will submit this list, in the format specified by the FCC Broadband Funding Map, to NTIA.

For existing federal, state, or local funding for broadband deployment on Tribal Lands, only those awards accompanied by a Tribal a legally binding agreement, which includes a Tribal Government Resolution. It is the responsibility of any recipients of an Enforceable Commitment to build-out on Tribal lands to produce the necessary documentation during the public comment period for Initial Proposal Volume 1, or during the Challenge Process itself.

The broadband office will review its repository of existing state and local broadband grant programs to validate the upload and download speeds of existing binding agreements to deploy broadband infrastructure.

In situations in which the state or local program did not specify broadband speeds, or when there was reason to believe a provider deployed higher broadband speeds than required the broadband office will reach out to the provider to verify the deployment speeds. For service that was already deployed. The broadband office will document this process by requiring providers to sign a binding agreement certifying the actual broadband deployment speeds deployed.

The broadband office drew on these provider agreements, along with its existing database on state and local broadband funding programs' binding agreements, to determine the set of Mississippi and local enforceable commitments.

01.04.05 Enforceable Commitments List

As a required attachment, submit the list of the federal, state/territorial, and local programs that will be analyzed to remove enforceable commitments from the set of locations eligible for BEAD funding.

Instructions:

The Eligible Entity must list the programs that will be analyzed to identify existing enforceable commitments. If the Eligible Entity plans to use the BEAD Eligible Entity Planning Toolkit and/or the

NTIA BEAD Model Challenge Process, the Eligible Entity must list any state or territorial and local programs that constitute enforceable commitments.

If the Eligible Entity does not plan to use the BEAD Eligible Entity Planning Toolkit, the Eligible Entity must list the federal, state or territorial, and local programs that will be analyzed to identify existing enforceable commitments. These programs must include, at a minimum:

- a. All programs included in the Broadband Funding Map published by FCC pursuant to the Infrastructure Act § 60105, and
- b. All state or territorial and local broadband deployment programs, including those that utilize funds from the Capital Projects Fund and the State and Local Fiscal Recovery Funds administered by the U.S. Treasury.

Refer to NTIA BEAD Challenge Process Policy Notice for additional guidance.

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01.04.06 Challenge Process Design

Describe the plan to conduct an evidence-based, fair, transparent, and expeditious challenge process.

Instructions:

If the Eligible Entity plans to adopt the NTIA BEAD Model Challenge Process, the Eligible Entity must copy in the Model language and add in the unique information required from each Eligible Entity, outlined in the Model.

If the Eligible Entity does not plan to adopt the NTIA BEAD Model Challenge Process, the Eligible Entity must include in its response:

- a. The proposed approach for the challenge process, including the publication of eligible locations, challenge phase, rebuttal phase, and final determination phase.
- b. Challenge types permitted, including the identification of community anchor institutions, existing Broadband Serviceable Location (BSL) and community anchor institution BEAD funding eligibility determinations, enforceable commitments, and planned service.
- c. Challengers permitted: units of local government, nonprofit organizations, and broadband service providers.

d. Proposed evidentiary review process through which the Eligible Entity will review and make determinations based on challenges and rebuttals received. If the Eligible Entity decides to add any additional data sources to or remove from the list as outlined in Table 3 “Examples of Acceptable Evidence for BEAD Challenges and Rebuttals” in the NTIA BEAD Challenge Process Policy Notice, it must respond to question 1.4.7 and outline the proposed sources and requirements that will be considered acceptable evidence.

e. Requirements for acceptable speed tests (e.g., number of speed tests, geographic distribution, speed test collection time), if applicable.

f. Plan to ensure that sufficient opportunity and time is given to all relevant parties to initiate, rebut, and substantiate challenges, and that the challenge process standards of review are applied uniformly to all challenges submitted.

g. The plan to ensure transparency, including:

i. The plan to publicly post documentation explaining the challenge process once it is approved by NTIA (prior to beginning the challenge process).

ii. The plan to post all submitted challenges and rebuttals before final determinations are made, including information from the NTIA BEAD Challenge Process Policy Notice.

iii. The plan to host a website, including the link to the website’s URL, if the hosting website already exists.

iv. The plan to inform units of local government, relevant nonprofit organizations and broadband providers to the challenge process and its deadlines.

h. The plan to ensure the protection of Personally Identifiable Information (PII), business confidential, and proprietary information, including anyone who will have access to any PII submitted through the challenge process (e.g., provider’s subscriber PII), including through state/territory public records processes.

i. The overall timeline, with tentative dates of initiation and completion, for the challenge process. The timeline must also include the plan to ensure that:

i. The proposed challenge process will be completed within 120 days, starting with the initiation of the challenge submission window.

ii. The proposed challenge process will include a minimum 14-day window to file a rebuttal after the challenge is available on the challenge portal.

iii. The proposed challenge process will publicly post final classification of eligible locations after resolving each challenge, at least 60 days before allocating grant funds for network deployment.

Refer to NTIA BEAD Challenge Process Policy Notice for additional guidance.

Based on the NTIA BEAD Challenge Process Policy Notice, as well as BEAM's dedication to the goals of the BEAD program, the process outlined in this proposal represents a transparent, fair, expeditious, and evidence-based challenge process.

Permissible Challenges

The broadband office will only allow challenges on the following grounds:

The identification of eligible community anchor institutions, as defined by BEAM,
Community anchor institution BEAD eligibility determinations,
BEAD eligibility determinations for existing broadband serviceable locations (BSLs),
Enforceable commitments, or
Planned service

Permissible Challengers

During the BEAD Challenge Process, the broadband office will only allow challenges from nonprofit organizations, units of local and tribal governments, and broadband service providers.

Challenge Process Overview

The challenge process conducted by the broadband office will include four phases, spanning 90 calendar days.

If necessary, the broadband office will work with challengers and respondents to align submissions with the appropriate challenge type and the requisite data specifications.

Publication of Eligible Locations: Prior to beginning the Challenge Phase, the broadband office will publish the set of locations eligible for BEAD funding, which consists of the locations resulting from the activities outlined in Sections 5 and 6 of the NTIA BEAD Challenge Process Policy Notice (e.g., administering the deduplication of funding process). The office will also publish locations considered served, as they may be challenged.

Timeline: BEAM tentatively plans to publish the locations on Feb 1, 2024.

Challenge Phase: During the Challenge Phase, Permissible Challengers will be able to submit the challenge through the broadband office challenge portal. Prior to submitting a challenge, the challenger will be required to register in the portal. The registration process will confirm that the email address is reachable by sending a confirmation message to the listed contact. All registrations are subject to BEAM verification.

The portal will notify the providers by email of any challenges received against their service availability

or performance, which will include related information about timing for the provider's response. After this stage, the location will enter the "challenged" state.

Details on the challenges against service providers (A, S, L, D, T, B, N) will be made available to the service provider whose service availability and performance is being contested, while protecting proprietary information and personally identifiable information (PII).

Details on other challenge types (E, P, C, R, G, Q) will be made available to all Permissible Challengers, while protecting proprietary information and personally identifiable information (PII).

Minimum Level of Evidence Sufficient to Establish a Challenge: The challenge portal will verify that:
the challenged location exists in the Fabric and is a BSL

the challenged service is listed in the National Broadband Map

the challenged service meets the definition of reliable broadband service

the quality of evidence is sufficient to enable optical character recognition (OCR), if applicable

The broadband office will manually verify that the evidence submitted falls within the categories stated in the Model Process and that document is unredacted and dated, as applicable.

Timeline: Challengers will have 30 calendar days to submit a challenge from the initial list of served, unserved, and underserved locations, community anchor institutions, and existing enforceable commitments. The challenge phase is tentatively planned to run from February 1, 2024 - March 1, 2024

Rebuttal Phase: For challenge types A, S, L, D, T, B, and N, only the challenged service provider may rebut the reclassification of a location or area with evidence, causing the location or locations to enter the "disputed" state. If a challenge of these types that meets the minimum level of evidence is not rebutted, the challenge will be sustained. A provider may also agree with or conceded the challenge and thus transition the location to the "sustained" state. Providers must regularly check email and their designated user account for notifications and information on all submitted challenges.

For challenge types E, P, C, R, G, and Q, any Permissible Challenger may file a rebuttal and multiple rebuttals may be submitted. For these challenge types, BEAM will evaluate the evidence submitted by the challenger and any rebuttal(s) after the 15-day Rebuttal window. However, a lack of rebuttal will not automatically transition the location to the "sustained" state.

Minimum Level of Evidence Sufficient for Rebuttal: The challenge portal and reviewers will verify that:
the rebuttal data is related to the challenged location

relevant affidavits are submitted, as applicable

the quality of evidence is sufficient to enable optical character recognition (OCR)

The broadband office will manually verify that the evidence submitted meets the requirement within the categories stated in the Model Process and that documentation is dated and as unredacted as possible.

Timeline: Providers will have 15 calendar days from notification of a challenge to provide rebuttal information to the broadband office. The rebuttal phase is tentatively planned to run from March 4, 2024 - March 18, 2024

Final Determination Phase: During the Final Determination phase, the broadband office will fully review the evidence submitted in each challenge and rebuttal. Based on the evidence, BEAM will make the final determination of the classification of the location, either declaring the challenge "sustained" or "rejected." If necessary, BEAM may choose to request additional evidence from the challenger and

rebuttal submitter.

Timeline: Following intake of challenge rebuttals, the broadband office will make a final challenge determination no later than April 17, 2024.

Evidence & Review Approach

To ensure that each challenge is reviewed and adjudicated based on fairness for all participants and relevant stakeholders, BEAM will review all applicable challenge and rebuttal information in detail without bias, before deciding to sustain or reject a challenge. BEAM will document the standards of review to be applied in a Standard Operating Procedure and will require reviewers to document their justification for each determination. This documentation will be captured directly through the review interface in the challenge portal.

BEAM plans to ensure reviewers have sufficient training to apply the standards of review uniformly to all challenges submitted. BEAM will also require that all reviewers submit affidavits to ensure that there is no conflict of interest in making challenge determinations.

01.04.06.01 Challenge Process Design Acceptable Evidence

As a required attachment only if the Eligible Entity is not using the NTIA BEAD Model Challenge Process, outline the proposed sources and requirements that will be considered acceptable evidence.

Instructions:

If the Eligible Entity plans to adhere to the sources outlined in Table 3 “Examples of Acceptable Evidence for BEAD Challenge and Rebuttals” in the NTIA BEAD Challenge Process Policy Notice, the Eligible Entity will not be required to complete the attachment. Otherwise, the Eligible Entity must list any proposed data sources that will be accepted as sufficient evidence that are not included in the NTIA BEAD Challenge Process Policy Notice. Additionally, the Eligible Entity must also indicate any data sources that are included in the NTIA BEAD Challenge Process Policy Notice that will not be accepted as sufficient evidence.

- To add an additional data source: the Eligible Entity must complete all columns and indicate in column 3 (“Proposed Change to NTIA BEAD Policy Notice”) whether the Eligible Entity will add or remove this data source as outlined in the NTIA BEAD Challenge Process Policy Notice.
- To remove an approved data source: the Eligible Entity can skip columns 3 and 4 (i.e., “Data Source Requirements” and “Permissible Rebuttal”) and fill out only columns 1 and 2 (i.e., “Challenge Type” and “Data Source”).

Refer to NTIA BEAD Challenge Process Policy Notice for additional guidance.

Volume I Waivers

Upload an attachment(s) detailing the waiver request(s) for the requirements related to Volume I. Please draft the waiver request(s) using the Waiver Request Form template.

01.05.01 Volume I Public Comment

Describe the public comment period and provide a high-level summary of the comments received during the Volume I 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 public comment period was 30 days. A summary of the public comments and community outreach is attached in the spreadsheet.

01.05.02 Volume I Supplemental Materials

As an optional attachment, submit supplemental materials to the Volume I submission and provide references to the relevant requirements. Note that only content submitted via text boxes, certifications, and file uploads in sections aligned to Initial Proposal requirements in the NTIA Grants Portal will be reviewed, and supplemental materials submitted here are for reference only.