

# BEAD Letter of Intent (LOI)

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## Webinar Agenda



#### **Goals and Target Audience**

- 1. BEAD Overview and Timeline
- 2. Letter of Intent Overview
- 3. PSC Grants System
- 4. Letter of Intent Sections 1 10, Uploads
- 5. Curing
- 6. Resources and Questions



## NTA NTA

## BEAD Program Will Provide ~\$42.45B for Infrastructure Planning and Implementation

#### Funding pool \$42.45B

A program to get all Americans online by funding partnerships between states or territories, communities, and stakeholders to build infrastructure where we need it to and increase adoption of high-speed Internet.

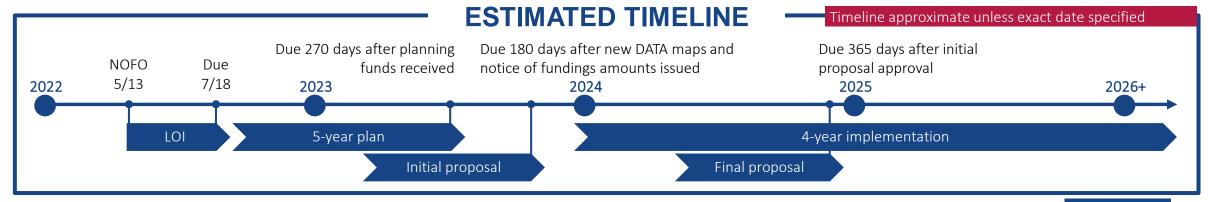
#### **PROGRAM HIGHLIGHTS**

#### Entities eligible to apply for this program include:

- All 50 States
- The District of Columbia and Puerto Rico
- Other Territories: U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands

#### **Example eligible uses of funds include:**

- Planning for deployment of Internet
- Deploying or upgrading Internet
- Installing
  Internet in
  multi-tenant
  buildings
- Implementing adoption and digital equity programs
- Workforce and job training





#### What is BEAD



The Bipartisan Infrastructure Law allocated \$42 Billion under the Broadband Equity, Access and Deployment (BEAD) Program for broadband infrastructure deployment.

**Awarded:** \$1,055,823,574 billion for broadband infrastructure in Wisconsin

**Goal:** High-quality, reliable, affordable internet for all. At least 100/20 for all homes and businesses

**PSC** operates allocation process: reviewing, scoring, and selecting recipients

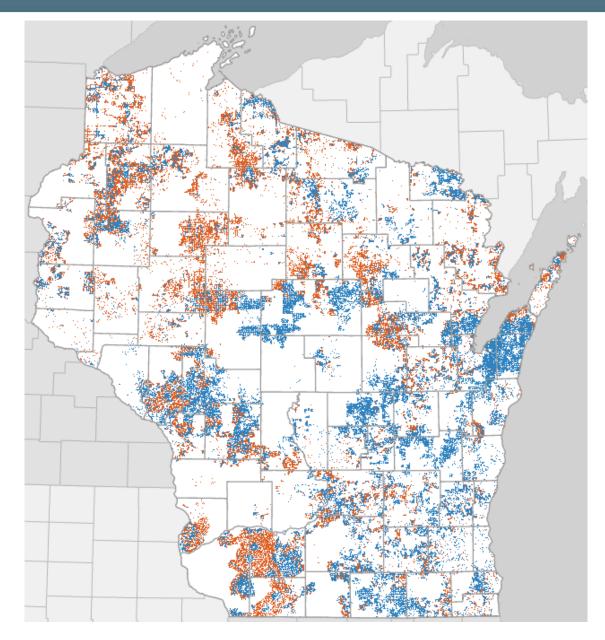
NTIA oversees to ensure compliance, approves initial & final proposal

**Subgrantee Recipients** are entities that will construct, own, operate broadband infrastructure, and comply with reporting



## Where will BEAD funding go?





Map represents the PRELIMINARY BEAD eligible locations and does not account for the Wisconsin Challenge Process

The challenge process is still being completed, and locations are not final – but are very close.

New enforceable funding commitments from Capital Projects Fund will be removed.

Recent federal defaults and withdrawn or released state grant awards will be added back before the locations are finalized. Once final and approved by NTIA.

Unserved and Underserved locations will be funded together and at once.



#### **BEAD Volume 2**



Wisconsin BEAD Initial Proposal Volume 2 was approved July 29, 2024.

Volume 2 outlines the subgranting process for BEAD (Volume 1 outlined the challenge process for BEAD eligible locations and is almost complete in docket 5-BCH-2024)

Per the BEAD Notice of Funding Opportunity, Wisconsin has 365 days from approval to make preliminary subawards and submit our final proposal to NTIA.

Wisconsin BEAD Volume 2 as approved: <a href="https://apps.psc.wi.gov/pages/viewdoc.htm?docid=5">https://apps.psc.wi.gov/pages/viewdoc.htm?docid=5</a> 10389



Wisconsin
BEAD Initial Proposal Volume 2



## BEAD subgrantee selection **Estimated** Timeline



8/1/2024 – 10/1/2024	Letter of Intent open / accepting submissions from prospective BEAD grantees
9/1/2024 – 11/1/2024	Letter of Intent Review: Entities meeting requirements invited to apply
11/1/2024 – 1/3/2025	Round 1 BEAD subgranting open to invited entities
1/3/2025 – 2/1/2025	Commission staff review period and preliminary awards
2/1/2025 – 3/15/2025	Round 2 BEAD subgranting open to certain new applications and to expand or modify unawarded Round 1 applications
3/15/2025 – 4/15/2025	Commission staff review period and additional preliminary awards
4/15/2025 – 7/1/2025	Round 3 BEAD negotiate with preliminary awardees, invite alternative technologies, non-competitive allocations
7/1/2025 – 8/1/2025	Final Proposal to the Commission and then to NTIA



#### What is Letter of Intent



The first phase for interested entities in the BEAD Letter of Intent process.

Serves to evaluate an applicant's technical, financial, operation and managerial capacity

Required pre-qualification for participating in the BEAD grant program for entities deploying qualifying broadband

Grant round opens after the LOI.



#### **Letter of Intent Overview**

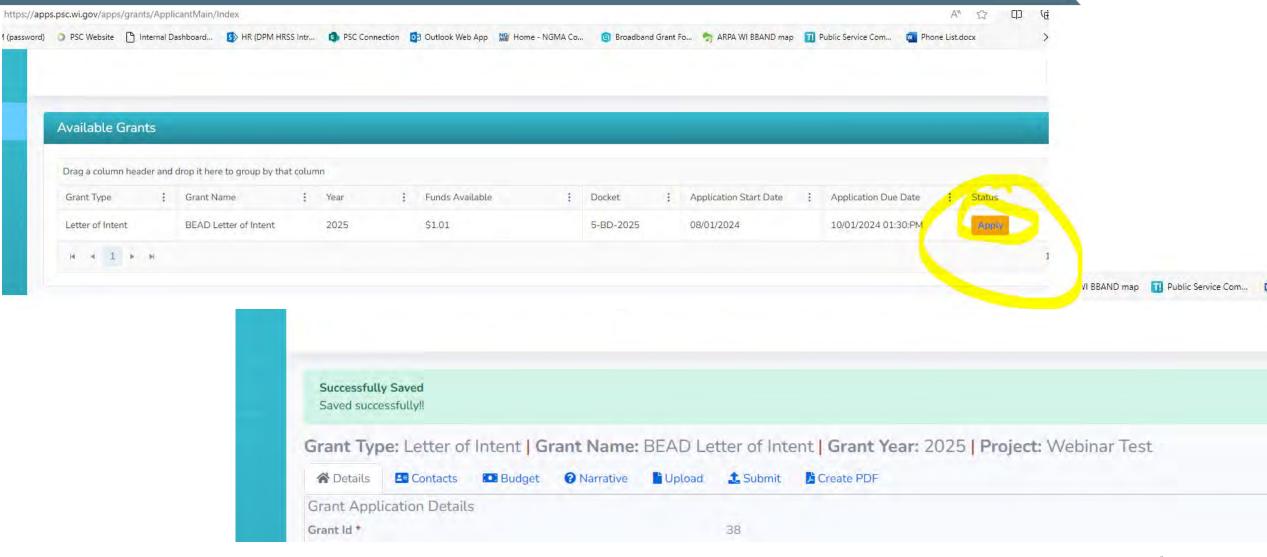


- Consortium, partnership or entity?
- Using the PSC Grant System and going to ERF
- In docket <u>5-BD-2025</u>
- Submitted at the entity level (not project level)
- Due October 1 at 1:30 PM CT
- Last day for grant system help September 30
- Submitting early will give more opportunity for curing
- Will be approved as finally submitted, approved with conditions or disqualified from participating



## **Grant System Initial Tabs**







## Letter of Intent – Ownership Section 1



- Provide and upload documentation establishing ownership information 47 CFR 1.2112(a)(1)-(7).
- Ownership Questions
  - Applicant name
  - Entity types (Private Company, PPP, Coop., Non-Profit, Consortium, Tribal Nation, etc.)
  - Name of parent entity/consortium/holding company
  - Affiliates/Subsidiaries that will own or operate any BEAD funded infrastructure.
  - Any Doing Business As (DBA)
  - Applicant Universal Entity Identifier (SAM.gov)
  - FEIN



### LOI Program Intent, Tech and Experience Section 2



- Does applicant intend to apply for less/more than 5,000 BSLs.
- Has applicant successfully completed and closed 5 PSC administered broadband grant projects totaling \$1 million in public funding?
- Type of technology(ies) to be used.
- Confirmation and Narrative on technology meeting BEAD Requirements.
- Upload that includes the estimated highest number of locations that
  the applicant intends to seek funding for and the counties/Tribal
  Nations where it may compete for funding. The count of locations and
  counties/Tribal Nations submitted on this document plus 10 percent
  overage will serve as a ceiling for bidding unless a waiver is requested
  and approved.

## LOI Managerial Capacity Section 3



- Resumes for key management personnel
- Organizational charts
- History implementing broadband grants, universal service fund support and other deployment activities
- Description of the experience and qualifications of the entity for undertaking BEAD projects. This will include information demonstrating retention of appropriately credentialed engineers or other qualified staff or contractors that will be involved in the deployment of the network.



## **LOI Low-Cost Service Offering Section 4**



- The applicant attests they understand and will abide by the required low-cost service option broadband plan requirements as detailed in Wisconsin's Volume 2.
  - Low cost service option requires \$40 per month service for ACP eligible households in year 1 and other requirements.



#### LOI Fair Labor Practice and Highly Skilled Workforce – Section 5



- Applicant certifies it has been in compliance with federal labor and employment laws for three years.
- Applicant describes how they will ensure compliance with labor and employment practices.
- Attestation to comply with BEAD rules to allow workers to create worker-led health and safety committees.
- Commit to taking all necessary affirmative steps to ensure minority business, women's business enterprises, and labor surplus area firms are used when possible.



## **LOI Financial Capacity and Cap – Section 6**



- Audited financial statements or financial statements
- Business plans and related analysis.
- The Applicant attests to understanding the Letter of Credit (LOC) or equivalent requirement and will be prepared to secure a
  Letter of Credit equal to at least 10 percent and up to 25
  percent of any BEAD subaward or a performance bond equal to
  at least 10 percent and up to 100 percent of any BEAD
  subaward
- The Applicant certifies it is financially qualified to meet the obligations associated with the BEAD grant program.



## **LOI Operational Capacity – Section 7**



- Technically qualified to complete and operate broadband network
- Will complete awarded projects within 4 years
- Operational capacity of operating a broadband network or related activities
- Evidence that entity filed FCC Broadband Data Act or 477 Filings
- Unresolved compliance issues with FCC or cure letters with PSC
- Digger's Hotline compliance
- Certification that applicant will sign grant agreement within 60 days



#### LOI Compliance with all Federal, State and Local Laws - Section 8



- Will comply with Wisconsin One-Call
- Is authorized to transact business in Wisconsin or will be prior to applying for BEAD projects
- Will comply with Wisconsin law and OSHA standards
- History of compliance with all federal, state, and local laws for previous broadband projects.
- Provide a summary of the applicant's history and commitment to compliance with all laws







#### **LOI Additional Required BEAD Attestations – Section 9**



Certifies will comply with Build America, Buy America requirements

MADE IN USA

- Certifies will comply with Environmental and Historic Preservation requirements
- Will comply with BEAD program and reporting requirements
- Certifies it intends to account for and satisfy authorities relating to civil rights and non-discrimination
- Applicant has or will have a cybersecurity risk management plan and supply chain risk management plan
- Information on facilities owned or operated by third-parties



## **LOI Other Funding – Section 10**



- List Enforceable Funding Commitments
- Applicant's intent to participate in the BEAD program in other states and territories
- Changes to the Applicant's enforceable commitments within Wisconsin – "released" locations

- Families First
   Coronavirus Response Act
- CARES Act
- Consolidated Appropriations Act, 2021
- American Rescue Plan of 2021
- RDOF
- E-ACAM
- CAF
- Any Eligible Entity or local universal service or broadband deployment funding program



## **Uploads**



#### **REQUIRED** (as applicable)

Upload 1: Ownership information

Upload 2: Estimated BEAD locations \*Confidentiality required

Upload 3: Key Personnel

Upload 4: Org chart

Upload 5: Certifications of labor compliance

Upload 6: Audited financial statements

Upload 7: If available, additional LOC / performance bond

documents

Upload 8: Business plan/analyses supporting grant participation

Upload 9: Documentation FCC Form 477 (as applicable)

Upload 10: Third party network attestation (as applicable)

#### **OPTIONAL**

Build America, Buy America plan Cybersecurity Risk Management plan Supply Chain Risk Management plan Enforceable Funding Commitments

Table of Uploads: pages 22-23

How to file confidentially: <a href="ERF - Upload Confidential Documents">ERF - Upload Confidential Documents</a> (wi.gov)



## **Curing and finalizing LOI**



- Curing includes updating answers, responding to questions and providing additional detail and will happen through the grant system. (Primary, AOR, Grant Contact will get email)
- Curing activities will begin upon submission of and may extend for up to 30 days after deadline.
- Submission of an incomplete LOI or failure to respond to cures timely may result in the disqualification of the applicant entity.



## Tips, Reminders, Best Practices



- The deadline is firm October 1st at 1:30 p.m. CT
- Answer every question, even if the answer is N/A.
  - Save your work
- WBO encourages early submission; it will give entities additional time for curing and clarification and we intend to review and approve on a rolling basis.
- Cures will come over email and be done in the PSC Grants System.
- Current *suggestion:* start documenting allocable, reasonable BEAD expenses effective August 1, 2024.



#### Resources



PSC BEAD GRANTS PAGE

PSC Broadband Equity, Access, and Deployment Grant (wi.gov)

**Letter of Intent Application Instructions** 

https://psc.wi.gov/Documents/broadband/BEAD Letter of Intent Instructions.pdf

**BEAD location Estimator workbook** 

https://psc.wi.gov/Documents/broadband/BEAD Location Estimate.xlsx

Wisconsin BEAD Initial Proposal Volume II Approved <a href="https://apps.psc.wi.gov/pages/viewdoc.htm?docid=510389">https://apps.psc.wi.gov/pages/viewdoc.htm?docid=510389</a>

**Getting Started in the PSC Grants System** 

- •Grants System One Page
- •Grants System PowerPoint
- •Grants System Webinar



## Questions









#### PSCBeadGrants@Wisconsin.gov

https://psc.wi.gov/Pages/ServicesType/Broaband/GrantBEAD.aspx

