



**Guam BEAD  
CHALLENGE PROCESS  
RESOURCE GUIDE**

VERSION 1.0, Rev. 2

## TABLE OF CONTENTS

<b>BEAD Challenge Process Guide</b>	<b>3</b>
Eligible Challengers	3
Who can submit a challenge?	3
Role for Residents, Businesses, and CAIs	3
<b>Allowable Challenges</b>	<b>4</b>
What Can Be Challenged?	4
Area & MDU Challenges	4
Structure and Timing	6
The Challenge Process Phases	6
<i>Challenge Phase</i>	7
<i>Rebuttal Phase</i>	7
<i>Final Determination Phase</i>	8
How to Participate in the Challenge Process	8
Account Registration	8
Registration Steps	8
<b>How to Submit Challenges and Rebuttals</b>	<b>10</b>
Submitting Challenges	10
Challenge Steps	10
Submitting Rebuttals	12
Evidence and Documentation Requirements	14
Availability Challenges	14
Evidence for Availability Challenges	14
Evidence for Availability Rebuttals	17
Additional Provider Service Level Challenges	19
Evidence for Additional Provider Service Level Challenges	19
Evidence for Additional Provider Service Level Rebuttals	20
Evidence for Speed Challenges	20
Evidence for Speed Test Rebuttals	21
Evidence for Latency Challenges	22
Evidence for Latency Rebuttals	23
Enforceable Commitment Challenges	24
Evidence for Enforceable Commitment Challenges	24
Evidence for Enforceable Commitment Rebuttals	24
Enforceable Commitment Identification – Process and Methodology	24
Federally-Administered Grant Programs	25
Evidence for Not Enforceable Commitment Challenges	25
Evidence for Not Part of an Enforceable Commitment Rebuttals	25
Planned or Existing Service Challenges	26
Evidence for Planned Service Challenges	26
Evidence for Planned Service Rebuttals	26
Evidence for Existing Service Challenges	27

Evidence for Existing Service Rebuttals	27
CAI Challenges	27
Identification of CAI	29
Evidence for Location is a CAI Challenge	29
Evidence for Location is a CAI Rebuttal	29
Evidence for Location is a Not CAI Challenge	30
Evidence for Location is a Not CAI Rebuttal	30
CAI BEAD Eligibility Based on Broadband Availability	30
Evidence for CAI: Qualifying Broadband Unavailable Challenge	30
Evidence for CAI: Qualifying Broadband Unavailable Rebuttal	31
Evidence CAI: Qualifying Broadband Available Challenge	31
Evidence for CAI: Qualifying Broadband Available Rebuttal	31

# BEAD Challenge Process Guide

As required by statute, the initial eligibility determinations for funding eligibility under the Broadband Equity, Access, and Deployment (BEAD) Program are based on the Federal Communication Commission's (FCC) [National Broadband Map](#).

The BEAD State Challenge Process is designed to provide stakeholders in Guam with an opportunity to participate in the process of challenging the eligibility of locations for BEAD funding. Based on the process approved by the National Telecommunications and Information Administration (NTIA), challengers can dispute the data sourced from the National Broadband Map by using relevant and allowable evidence.

Questions related to policy or procedural items should be directed to [broadband@guam.gov](mailto:broadband@guam.gov). If you have questions related to technical assistance issues, send a message to [guhelpdesk@ready.net](mailto:guhelpdesk@ready.net).

**Note:** Due to ongoing discussions between federal and state partners, this information in this document is subject to update and clarification. Any changes will be announced through official channels and documented in a change log.

## Eligible Challengers

### Who can submit a challenge?

Under the federal policy for the BEAD Program, only the following entities are eligible to submit formal challenges during the BEAD Challenge Process<sup>1</sup>:

- Units of local government
- Units of governments
- Non-profit organizations
- Broadband providers

### Role for Residents, Businesses, and CAIs

While residents and businesses are not allowed to submit challenges directly to the State, they are an essential part of the challenge process. For many types of BEAD Eligibility Determination challenges, the data submitted by the permissible challengers will be gathered directly from residents and/or businesses that have not been provided the level of broadband service that is reportedly available to them. Accordingly, successful participation in the submission of BEAD Eligibility Determination challenges may require coordination between residents and businesses with permissible challengers.

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<sup>1</sup> Eligible challengers are defined in NTIA Challenge Process Policy Notice as Permissible Challengers.

# Allowable Challenges

## What Can Be Challenged?

The BEAD Challenge Process is designed to accommodate different classes of challenges necessary to develop a more accurate list of BEAD-eligible locations.

There are different challenge types within each challenge class, but generally, eligible challengers can only challenge on the following grounds:

- BEAD eligibility determinations for Broadband Serviceable Locations (BSLs) included in the FCC's National Broadband Map<sup>2</sup> – these include challenges to reported availability, speed, data cap, latency, technology, and residential/business service
- Enforceable commitments for existing BSLs (locations with existing funding)
- Planned or existing service for existing BSLs
- The identification of eligible Community Anchor Institutions (CAIs), as defined in Guam Initial Proposal Volume 1
- CAI BEAD eligibility determinations

## Area & MDU Challenges

Guam Broadband Office will administer area and Multiple Dwelling Unit (MDU) challenges for Availability, Technology, Latency, and Data Cap challenge types. An area challenge is triggered if 6 or more broadband serviceable locations using a particular technology and a single provider within a census block group<sup>3</sup> are challenged under the same challenge type.

An MDU challenge requires challenges to at least 3 units or 10% of the unit count listed in the map within the same broadband serviceable location, whichever is larger. An MDU challenge counts towards an area challenge (*i.e.*, six or more MDUs challenges in a census block group may trigger an area challenge).

Please note that all technology challenges will be recorded as availability challenges under reason code 5, as described in Table 1. This means that Technology challenges will be combined with Availability challenges to trigger Area and MDU Challenges. However, this is based on tentative feedback from NTIA. Therefore, it is recommended that you submit all Technology challenges under Availability and Reason Code 5.

The provider receiving an area challenge or MDU challenge must demonstrate that they are indeed meeting the availability/technology, latency, and data cap requirements for all locations within the area or all units within an MDU. The provider can use any permissible rebuttals described in this document for the respective challenge type.

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<sup>2</sup> The Guam Broadband Office will use Version 4 of the Broadband Serviceable Locations Fabric and September vintage of the National Broadband Map Availability Data.

<sup>3</sup> Area challenge determinations will be determined based on 2020 Census Block Groups

Area challenges for Availability need to be rebutted with evidence that service is available for all BSLs within the census block group. For wireline providers this should include network diagrams that show fiber or Hybrid Fiber-Coax (HFC) infrastructure and/or customer subscribers. For fixed wireless service, the challenge system will offer a representative random sample of the area in contention, but no fewer than [10], where the provider has to demonstrate service availability and speed (e.g., with a mobile test unit).<sup>4</sup>

For a Speed Test Area Challenge, the challenged provider will be required to submit a rebuttal for at least 10% of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule, i.e. 80% of these locations must experience a speed that equals or exceeds 80% of the speed threshold. Only speed tests conducted by the provider between the hours of 7 pm and 11 pm local time will be considered as evidence for a challenge rebuttal.

For a Latency Area Challenge, the challenged provider will be required to submit a rebuttal for at least 10% of the customers in the challenged area. The customers must be randomly selected, and 80% of these locations must experience a latency that does not exceed 100 ms.

Special note on latency exception from Guam's Initial Proposal Volume I.

***Pre-Challenge Modification for Latency:***

*Guam faces a unique challenge concerning latency in its broadband infrastructure. The substantial distance between Guam and the contiguous United States can result in increased latency for internet traffic over this route, which may have adverse effects on latency-sensitive applications and user experiences. Latency, in this context, refers to the time it takes for a broadband packet to travel between two points, often measured as the round-trip time for data transmission and acknowledgment receipt, considering the interactive nature of internet traffic.*

*The Federal Communications Commission (FCC) does not specify a methodology for measuring latency in data submitted to the National Broadband Map, which subsequently feeds into the NTIA BEAD Eligible Entity Planning Toolkit (EEPT). Some internet service providers may report all their broadband services in Guam as "high latency," primarily due to the considerable distance between Guam and the contiguous United States, rather than congestion on local access networks or other factors. However, the BEAD Notice of Funding Opportunity (NOFO) does prescribe a methodology for measuring latency in BEAD-funded broadband deployment projects, as outlined in the BEAD NOFO at 64, Section IV.C.2.a.i. Under these performance metrics, **providers serving non-contiguous areas greater than 500 air miles from an FCC-designated Internet Exchange Point (IXP) may conduct latency testing between customer premises and the point where traffic is aggregated for transport to the continental U.S. Applying this methodology to internet traffic in Guam is likely to result in "latency less than or equal to 100 milliseconds"***

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<sup>4</sup> A mobile test unit is a testing apparatus that can be easily moved, which simulates the equipment and installation (antenna, antenna mast, subscriber equipment, etc.) that would be used in a typical deployment of fixed wireless access service by the provider.

***for all unserved and underserved locations where high latency conditions primarily arise from the distance from the continental United States.*** This latency measurement standard is adopted by the Office of Infrastructure Policy and Development (OIPD) for BEAD Program implementation in Guam. Our objective is to initiate the challenge process with an accurate list of locations classified as served, unserved, and underserved, utilizing the measurement methodologies applicable to the BEAD Program. To achieve this, we propose a pre-challenge process modification designating all broadband services in Guam as low latency, aligning with the BEAD NOFO's latency determination methodology described above. Failing to apply this latency methodology could lead to mischaracterization, inadequate prioritization of BEAD deployment funding for unserved and underserved areas, and hinder potential challenge process participants from focusing their efforts based on an accurate list of served, unserved, and underserved locations. This would be contrary to the policy goals of our office and NTIA.

**To successfully challenge latency in Guam, challengers will likely need to demonstrate that the latency exceeds 100 milliseconds between customer premises and the nearest point of aggregation, which is likely located in Guam. Any point of aggregation outside of Guam is unlikely to be considered valid upon NTIA review.**

In the event of a representative random sample being used for a rebuttal, such as with a latency area challenge or a fixed wireless provider, the rebuttals against the original challenged locations will not count toward the minimum number of locations required for the area challenge rebuttal.

## Structure and Timing

The BEAD Challenge Process is required to be completed before the territory can distribute funds. This ensures that the list of eligible locations is finalized before the subgrant application window opens.

Prior to the kickoff of the challenge process, the Guam Broadband Office will post the final eligibility determinations on a public map, available through the portal. Dates below are subject to change.

## The Challenge Process Phases

### Timeline

Challenge Submission Window	November 6-November 19, 2024 (Planned)
Rebuttal Submission Window	November 27-December 10, 2024 (Planned)
Final Determination	December 11-January 9 (Minimum Planned)

## Challenge Phase

The challenge phase will run for **14** calendar days. During this phase, eligible challengers will be able to submit challenges using the Challenge Portal. After a challenge is submitted, the Guam Broadband Office team will review the evidence and determine if it meets the evidentiary requirements. If a challenge is determined to meet the minimum level of evidence, it will be considered a 'valid challenge'.

After all of the challenges have been reviewed, the valid challenges will be processed collectively to determine which challenges are eligible for a rebuttal and identify any Area Challenges.

Since the challenge process intends to modify the BEAD eligibility status, rebuttals will only be required for locations where a successful challenge would result in a modification of the eligibility status for the affected location. For example, if there are two providers reporting coverage at 100/20 Mbps and only one of those providers is challenged, the challenged provider will not be required to submit a rebuttal for that location. However, that challenge will still be considered for the purposes of reaching the area challenge threshold.

**Tip:** *Submit your challenges early. If there are errors in your submission, you'll be given an opportunity to re-submit, but ONLY during the challenge phase window. You will not be allowed to fix errors or omissions in your challenge after the 14-day submission window closes.*

## Rebuttal Phase

After the Challenge Phase ends and challenges are processed over 7 days, the Rebuttal Phase will begin and last for 14 calendar days. At the beginning of the Rebuttal Phase, all of the challenges eligible for rebuttal will be posted in the challenge portal. Only the challenged provider may submit a rebuttal for challenges directed against providers. For other challenge types, any Eligible Challenger may submit a rebuttal.

Broadband providers will be directly notified via email prior to the beginning of the rebuttal phase of any challenges directed against them and provided the details necessary to respond during the Rebuttal Phase. The challenged provider will have 14 days to agree with the challenge or dispute the challenge. If no rebuttal is filed in the allotted time, the challenge will be sustained.

Units of local governments, and non-profit organizations, will receive an email notification when the Rebuttal Phase has opened. However, they will not receive direct notifications for specific challenges, since they will not be named parties in the challenges. Accordingly, these challenges will remain open for the entirety of the 14-day period. All challenge types are subject to the final review and determination by the Guam Broadband Office team.



After a rebuttal is submitted, the Guam Broadband Office team will review the evidence and determine if it meets the evidentiary requirements. If a rebuttal submission is determined to meet the minimum level of evidence, it will be considered a ‘valid rebuttal.’ At the end of the Rebuttal Phase, all challenges with valid rebuttals submitted will be marked as “disputed” and proceed to the Final Determination Phase.

### **Final Determination Phase**

Within 30 days of the close of the Rebuttal Phase, the Guam Broadband Office team will review the evidence for each challenge, including the evidence from any rebuttals, and will make a final determination to “sustain” or “reject” each challenge. The reviewers will study thoroughly all of the information included in each challenge and rebuttal before making any final determinations.

Guam Broadband Office reserves the right to request additional information or evidence from the challenger or submitter of the rebuttal at any time during the final determination phase.

## **How to Participate in the Challenge Process**

### **Account Registration**

Before an Eligible Challenger can participate in the Challenge Process, they must register for an account in the Challenge Portal, ensuring that only eligible parties submit challenges.

#### **Registration Steps**

1. **Visit the Registration Page** – The registration page provides a brief overview of the challenge process and helpful links.
2. **Click the Register button** – The Register button will open an intake form allowing you to provide the necessary information.
3. **Complete the intake form** – The form will ask you for the information needed to verify your account as an eligible challenger.
  - a. **General information** – Every registrant for the challenge process will be asked to provide the following information:
    - i. Entity Name
    - ii. Entity Website

**Register For The BEAD Challenge Process** ×

SECTION 1 OF 2  
**About You**

\* Entity Name  
Entity Name

\* Entity Website  
https:// Entity Website

\* Primary Contact Name  
Primary Contact Name

\* Primary Contact Email  
Primary Contact Email

Primary Contact Number  
Primary Contact Number

\* Type of Organization  
Type of Organization

Next

- iii. Primary Contact name
  - iv. Primary Contact Email (Please use domain affiliated with entity)
  - v. Primary Contact Phone Number
  - vi. Category of Entity (select from dropdown)
- b. **Broadband Providers Information**
    - i. Provider Name (select from dropdown)
    - ii. FCC registration number (FRN)
    - iii. Physical Address
    - iv. Additional documentation to verify identity, such as a business license
  - c. **Unit of Local Government Information**
    - i. Physical Address
    - ii. Additional documentation to verify identity
  - d. **Unit of Government Information**
    - i. UEI Number assigned by Sam.gov
    - ii. Tribe's name as listed by BIA
    - iii. Physical Address
    - iv. Additional documentation to verify identity
  - e. **Non-Profit Organization Information**
    - i. EIN
    - ii. Physical Address
    - iii. Additional documentation to verify identity
4. **Click “Finish” and submit the form** – After you submit the form, you will receive an email confirmation. **You do not need to do anything at this point.**
  5. **Wait for Account Approval** – After submitting your account request, each registration will be manually reviewed by the Guam Broadband Office before it is approved. As a result, there will be a slight delay between registration and account setup. If your registration lacks the necessary details, you will be notified by email to update your account request with the required information.
  6. **Complete setting up your account** – Once approved, you will receive an email with a link to complete the setup of your account, where you'll be asked to set a password.

# How to Submit Challenges and Rebuttals

Once your registration has been approved and your account has been set up, you can file challenges and rebuttals while the respective phases are open.

## Submitting Challenges

In general, all Eligible Challengers are eligible to submit challenges of any type. The primary exception is that “Planned Service or Existing Service” will require an attestation from the carrier and agreed upon by the office Office showing that the planned or existing service meets all BEAD standards for ‘Served’ broadband.

## Challenge Steps

1. **Log-in to the Challenge Portal** – Users can log-in using email/password combo, or use a “Magic Link” which sends an email with a link to log-in directly without a password.
2. **Expand “Challenge” Item in the Navigation Menu** – There are a range of options in the sidebar navigation menu. When clicking on the Challenge menu item, the sub-menu will expand to display two options: “Dashboard” and “Challenge Map.”
3. **Click on either “Dashboard” or “Challenge Map”** – Both options provide different functionality, but each of them will allow you to open a challenge submission window. The Challenge Map provides a geospatial representation of the eligibility designations under BEAD, while the Dashboard is your portal to review the challenges that you’ve submitted. If you’re a provider, you will eventually see challenges submitted on your reported service in your Dashboard.
4. **Click on “Add Challenge” Button** – The “Add Challenge” button is found on the top right of the “Submitted Challenges” panel of the Challenge Map page or on the top-right of the challenges table on the Dashboard page. This will open up the “Create a Challenge” page, which includes the Challenge Map with a challenge flow panel on the right and layers that can be used to filter the map based on a range of parameters.
5. **Create a Challenge** – When creating a challenge in the challenge portal, there are several steps included in the flow:
  - a. **Select Challenge Class and Type** – Each challenge category includes multiple challenge types to select from:
    - i. **Planned or Existing Service**
      1. Planned Service
      2. Existing Service
    - ii. **Enforceable Commitments**
      1. Covered by Enforceable Commitment
      2. Not Covered by Enforceable Commitment

iii. **Provider Service Level**

1. Availability
2. Speed
3. Latency
4. Data Cap
5. Technology
6. Business Service Only

iv. **Community Anchor Institution (CAI) Classification**

1. Location is a CAI
2. Location is not a CAI
3. CAI: Qualifying broadband unavailable
4. CAI: Qualifying broadband available

**b. Select Challenge Details** – After selecting the Challenge Type, the data in the map will be filtered to display only those locations that are eligible for the selected challenge type. For example, if an area is already unserved, you will not be able to file an Availability challenge as ‘unserved.’ From the locations eligible for the selected challenge type, you will be prompted to provide the challenge details that will further filter the locations, based on the options you select. The required challenge details will vary by challenge type, as described further throughout this document.

**c. Select Locations** – After providing challenge details, only the locations eligible for the challenge type and details provided will be displayed. From the remaining locations, you will be prompted to select the location(s) that you want to challenge. You can add locations one-by-one or select a group of locations.

**i. Adding individual locations** – To add an individual location, click on the location on the map, which will then provide a pop-up of the address of that location and an “Add to Challenge” button. If the address aligns with the location you intend to add to the challenge, click “Add to Challenge” and then click “Confirm” in the following prompt. You can multiple locations to the same challenge submission using this method.

**ii. Add locations in bulk** – When filing bulk challenge submissions, you can add locations in groups, rather than adding each location individually, To add multiple locations as a group, there are two methods available.

1. **Upload List of Locations** - This method allows you to upload a list of valid Fabric Location IDs in a .csv format. The .csv must be a single column with the header: location\_id.

2. **Select or Upload Area by creating a “Zone”** – This method allows you to define a zone by drawing a polygon, uploading a shapefile, or selecting from a library, which includes defined geographies such as cities, counties, and areas. To add a zone, click on the Zones tab in the left panel to define a new zone by

drawing, uploading a shapefile or selecting from a library of official boundaries.

3. **Shift+Click+Drag cursor** – This method allows you to quickly select multiple locations directly on the map. This is the quickest, but less precise method of selecting multiple locations, because the selection boundaries are in a rectangular shape. Once you've selected locations using this method, you'll be prompted to confirm that you want to add these locations to your challenge. The prompt will include the number of locations that you've selected.
  4. **Removing locations from selection** – If you inadvertently added locations you do not wish to challenge, you can remove the locations by clicking the trash icon next to the location in the right panel, or remove all of the selected locations by clicking "Remove All"
- d. **Upload Evidence and Documentation** – Once you've finalized the location(s) that you want to challenge you will be asked to provide any evidence and documentation that you want included in the review of your challenge. For challenges that may require you to provide separate evidence files per location, you will be prompted to download a .csv file with the selected location.
  - e. **Attestation** – After you've uploaded your evidence, you will be required to accept and complete an attestation that, to the best of your knowledge and belief, the challenge is true, complete, and accurate, subject to potential civil or administrative penalties.

## Submitting Rebuttals

1. **Notifications of Rebuttal Phase Sent** – When the Rebuttal Phase opens, notifications will be sent to all registered Eligible Challengers to provide formal notice that the challenges are open for rebuttal. All Eligible Challengers will be notified of the opportunity to submit rebuttals to open rebuttal challenges, which includes any challenge not submitted directly against a provider. In addition to the standard notification, the Broadband Providers notification will include information of whether challenges were received against them. The formal notice at the close of the challenge window will initiate the 14-day rebuttal window.
2. **Log-in to the Challenge Portal** – Users can log-in using email/password combo, or use a "Magic Link" which sends an email with a link to log-in directly without password.

3. **Expand “Challenge” Item in the Navigation Menu** – There are a range of options in the sidebar navigation menu. When clicking on the Challenge menu item, the sub-menu will expand to display two options: “Dashboard” and “Challenge Map.” To view the challenges available for rebuttal, click on the “Dashboard.”
4. **Go to “Dashboard”** – During the Rebuttal Phase, the Dashboard is your portal to review the challenges for which you are eligible to submit rebuttals. In the dashboard, you will have two tabs available to review challenges: “Challenges Received” (Providers Only) and “Open for Rebuttal.”
  - a. **Challenges Received (Providers Only)** – The Challenges Received tab will display the challenges that you’ve received against your reported service. The challenges will be grouped by submission and include details, including the challenging entity, challenge type, number of challenged locations, and other details.
  - b. **Open for Rebuttal** – The Open for Rebuttal tab will display all of the challenges that are not directed at a specific broadband provider, such as Planned Service, Enforceable Commitment, or CAI challenges. The challenges will be grouped by submission and include details, including the challenging entity, challenge type, number of challenged locations, and other details.
5. **Click View Details** – To begin the Rebuttal Process, click “View Details” on the challenge that you want to submit a rebuttal against. This will pull up an interface with a map displaying the locations and details on the challenged locations included in the submission. The information on the challenge submission will be available in the right panel, which has two tabs: Details and Locations.
  - a. **Details:** The challenge details will be similar to those provided in the Dashboard, but will include an expanded description of the challenge type.
  - b. **Locations:** The locations tab will provide a full list of locations that were challenged under the selected submission.
6. **Rebut or Accept Challenges** – Using the locations tab, you can choose which individual location challenges you want to rebut and which individual location challenges, if any, you want to accept. If you want to submit or accept all of the challenges, you can do so using the Rebut All/Accept All button. Note that accepting challenges is only an option for providers reviewing challenges against them, since they are the only ones eligible to rebut those challenges. Open challenges can be rebutted by multiple entities, so they will remain open for the entire 14-day window.
7. **Upload Evidence and Documentation** – Once you’ve finalized the location(s) that you want to rebut you will be asked to provide any evidence and documentation that you want included in the review of your rebuttal.
8. **Attestation** – After you’ve uploaded your evidence, you will be required to accept and complete an attestation that, to the best of your knowledge and belief, the rebuttal is true, complete, and accurate, subject to potential civil or administrative penalties.

# Evidence and Documentation Requirements

The evidence and documentation submission is the most important part of the challenge submission. If your submission does not meet the minimum level of evidence sufficient to establish a valid challenge, it will not be approved to proceed to the rebuttal phase.

The minimum level of evidence required varies by challenge type.

## Availability Challenges

The Availability challenge type in the BEAD Challenge Process closely resembles the FCC Challenge Process. It supports challenges that have evidence that the service reported in the maps at a specific location is not actually currently available, or cannot be scheduled for activation within 10 days, over the reported technology and maximum advertised speeds.

In alignment with the FCC Challenge Process, the BEAD Challenge Process requires the “Reason for the Challenge” to be documented, using the reason\_code field from the *FCC Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsourced Data*.<sup>5</sup>

### Evidence for Availability Challenges

When filing availability challenges, you will be required to select one of the following reasons and provide evidence for each challenge. Table 1 outlines the acceptable evidence for each reason code and the maximum age of the evidence submitted to support the challenge.

If you choose to provide “Other evidence to support challenge,” instead of an explicitly stated evidence type, we cannot ensure that the evidence will meet the minimum requirements. To support our review, please provide a thorough explanation of any evidence classified as other.

Table 1

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
1	Provider failed to schedule a service installation within 10 business days of a request.	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Affidavit of Service Offer Confirmation documentation (e.g., offer letters) confirming</li> </ul>	365 days

<sup>5</sup> See “Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsourced Data (Section 3.2),” Federal Communications Commission, January 12, 2023, [bdc-bulk-fixed-challenge-dataspecifications.pdf](https://www.fcc.gov/bdc-bulk-fixed-challenge-dataspecifications.pdf).

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
		<p>that the provider has offered service with a guarantee of installation within 10 business days. It verifies the provider's service availability as required under this code.</p> <ul style="list-style-type: none"> <li>• A statement confirming that the provider can or can't schedule and complete a service installation within 10 business days of a request. This should include details such as the availability of necessary equipment, the readiness of network infrastructure, and a commitment to meet the 10-day timeline consistently.</li> <li>• Other evidence to support challenge</li> </ul>	
2	Provider did not install the service at the agreed-upon time.	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Other evidence to support challenge</li> </ul>	365 days
3	Provider requested more than the standard installation fee to connect the location.	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Other evidence to support challenge</li> </ul>	365 days
4	Provider denied the request for service.	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Other evidence to support challenge</li> </ul>	180 days
5	Provider does not offer the technology entered above at this location.	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> </ul>	365 days



Code	Reason	Acceptable Evidence Types for Challenges	Data Age
		<ul style="list-style-type: none"> <li>• Terms of Service / Service Description</li> <li>• End-User contract or offer</li> <li>• Infrastructure Knowledge/Evidence, including manufacturer and model number of residential gateway</li> <li>• Affidavit of Past Service Performance: This supports the code where the provider needs to prove their ability to schedule and install service within 10 business days. Historical data showing past compliance with the 10-day installation requirement is considered acceptable evidence under this code.</li> <li>• An affidavit from the provider's technical or engineering team attesting that the network infrastructure is in place and capable of delivering service at the advertised speeds to the specific location(s) within the required timeframe. This affidavit should detail the proximity of existing infrastructure (e.g., fiber nodes, fixed wireless towers) and the provider's operational procedures for rapid deployment.</li> <li>• Other evidence to support challenge</li> </ul>	
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location.	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Terms of Service / Service Description</li> <li>• End-User contract or offer</li> <li>• Infrastructure Knowledge/Evidence</li> <li>• Other evidence to support challenge</li> </ul>	180 days
7	Intentionally Omitted <sup>6</sup> (Does not constitute a formal challenge)	N/A	N/A

<sup>6</sup> The Availability challenge does not adjudicate whether the actual speeds of the service falls below the advertised speeds. The FCC uses Code 7 is used for consumer complaints when "Subscribed Speed Not Achievable"

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
8	No wireless signal is available at this location (only for technology codes 70 and above).	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Infrastructure Knowledge/Evidence</li> <li>• Other evidence to support challenge</li> </ul>	365 days
9	New, non-standard equipment had to be constructed at this location.	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Infrastructure Knowledge/Evidence</li> <li>• Other evidence to support challenge</li> </ul>	365 days

## Evidence for Availability Rebuttals

Only the challenged provider may submit a rebuttal to a latency challenge. This evidence must include evidence that counter the reason code and evidence provided by the challenger. The acceptable forms of evidence are provided in Table 2.

Table 2

Code	Reason	Acceptable Evidence Types for Rebuttals
1	Provider failed to schedule a service installation within 10 business days of a request.	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability.</p> <p>Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.</p>
2	Provider did not install the service at the agreed-upon time.	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability.</p> <p>Provider provides a copy of an offer sent to the location</p>

Code	Reason	Acceptable Evidence Types for Rebuttals
		for the service at the speeds shown on the Broadband Map.
3	Provider requested more than the standard installation fee to connect the location.	The provider submits evidence that service is now available as a standard installation, e.g., via a copy of an offer sent to the location.
4	Provider denied the request for service.	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability.</p> <p>Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.</p>
5	Provider does not offer the technology entered above at this location.	Provider has countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location.	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability.</p> <p>Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.</p>
7	Intentionally Omitted <sup>7</sup> (Does not constitute a formal challenge)	N/A
8	New, non-standard equipment had to be constructed at this location.	The provider submits evidence that service is now available as a standard installation, e.g., via a copy of an offer sent to the location.

<sup>7</sup> The Availability challenge does not adjudicate whether the actual speeds of the service falls below the advertised speeds. The FCC uses Code 7 for consumer complaints when “Subscribed Speed Not Achievable”

## Additional Provider Service Level Challenges

In addition to the Availability challenge type in the BEAD Challenge Process, there are four additional allowable Provider Service Level Challenge Types: Latency, Speed, Data Cap, Technology, and Business Service Only.

### Evidence for Additional Provider Service Level Challenges

The Latency and Speed challenges have specific requirements that differ from the rest, as described below in the “Evidence for Latency Challenges” and “Evidence for Speed Challenges” section. However, the Data Cap, Technology, and Business Service Only challenge requirements are similar to those for Availability challenges. Table 3 outlines the acceptable evidence for each of these challenge types and the maximum age of the evidence submitted to support the challenge.

If you choose to provide “Other evidence to support challenge,” instead of an explicitly stated evidence type, we cannot ensure that the evidence will meet the minimum requirements. To support our review, please provide a thorough explanation of any evidence classified as other.

Table 3

Type	Reason	Acceptable Evidence Types for Challenges	Data Age
Data Cap	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer.	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Terms of Service / Service Description</li> <li>• End-User contract or offer</li> <li>• Other evidence to support challenge</li> </ul>	180 days
Technology	Provider does not offer the technology entered above at this location (The technology indicated for this location is incorrect.)	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Terms of Service/Service Description</li> <li>• End-User contract or offer</li> <li>• Infrastructure Knowledge/Evidence, including manufacturer and model number of residential gateway</li> <li>• Other evidence to support challenge</li> </ul>	365 days
Business Service	The location is residential, but the	<ul style="list-style-type: none"> <li>• Screenshot from provider website</li> <li>• Email from provider</li> </ul>	180 days

Type	Reason	Acceptable Evidence Types for Challenges	Data Age
Only	service offered is marketed or available only to businesses.	<ul style="list-style-type: none"> <li>• Text message or Voicemail transcript from provider</li> <li>• Letter from provider (Physical or PDF)</li> <li>• Documentation of phone call or in-person interaction</li> <li>• Terms of Service/Service Description</li> <li>• End-User contract or offer</li> <li>• Other evidence to support challenge</li> </ul>	

## Evidence for Additional Provider Service Level Rebuttals

Only the challenged provider may submit a rebuttal to a Provider Service Level Determination challenge. This rebuttal must include evidence that counter the reason code and evidence provided by the challenger. The acceptable forms of evidence are provided in Table 4.

Table 4

Type	Reason	Acceptable Evidence Types for Rebuttals
Data Cap	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer.	Provider has terms of service showing that it does not impose an unreasonable data cap or offers another plan at the location without an unreasonable cap
Technology	Provider does not offer the technology entered above at this location (The technology indicated for this location is incorrect.)	Provider has countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.
Business Service Only	The location is residential, but the service offered is marketed or available only to businesses.	Provider documentation that the service listed in the BDC is available at the location and is marketed to residential customers.

## Evidence for Speed Challenges

The Guam Broadband Office will accept speed tests as evidence for substantiating challenges and rebuttals. Each speed test consists of three measurements, taken on different days. Speed tests cannot predate the beginning of the challenge period by more than 60 days.

Speed Challenges must provide evidence that the download/upload speeds of the broadband service is materially lower than 100/20 Mbps, as described below. This will require multiple speed tests by the subscriber at each challenged location, showing the excessive round-trip speed.

Each speed challenge must consist of three measurements, taken on different days. The measurements do not need to occur on consecutive days. The median of the three tests is used to trigger the challenge.

Speed tests can take four forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., DSL modem, cable modem (for HFC), Optical Network Terminal (ONT) (for fiber to the home (FTTH)), or fixed wireless subscriber module.
2. A reading of the speed test available from within the residential gateway web interface.
3. A reading of the speed test found on the service provider's web page.
4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway.

Each speed test measurement must include:

1. Each speed test measurement must include: The time and date the speed test was conducted.
2. The provider-assigned internet protocol (IP) address, either version 4 or version 6, identifying the residential gateway conducting the test.
3. Download and Upload speed results.

Each group of three speed tests must include:

1. The name and street address of the customer conducting the speed test.
2. A certification of the speed tier the customer subscribes to (e.g., a copy of the customer's last invoice). Tier must be  $\geq 100/20$  Mbps.
3. An agreement, using an online form provided by the Eligible Entity, that grants access to these information elements to the Eligible Entity, any contractors supporting the challenge process, and the service provider.

The IP address and the subscriber's name, and street address are considered personally identifiable information (PII) and thus are not disclosed to the public (e.g., as part of a challenge dashboard or open data portal).

## Evidence for Speed Test Rebuttals

Only the challenged provider may submit a rebuttal to a speed challenge. This evidence must include countervailing speed test evidence showing download/upload speeds at or below 100/20 Mbps.

Speed tests must consist of three measurements, taken on different days. The measurements do not need to occur on consecutive days, but must be conducted between the hours of 7 pm and 11 pm local time to be considered as evidence for a challenge rebuttal. The median of the three tests is used for the rebuttal to the challenge.

Each measurement must include the following details:

- The time and date each speed test was conducted.
- The provider-assigned internet protocol (IP) address identifying the residential gateway where the test is conducted

If an Area Challenge is triggered, the rebuttal must include evidence for at least 10% of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule, i.e. 80% of these locations must experience a latency that does not exceed 80 ms.

## Evidence for Latency Challenges

Latency Challenges must provide evidence that the round-trip latency of the broadband service exceeds 100ms to the closest point of aggregation. This will require multiple tests by the subscriber at each challenged location, showing the excessive round-trip latency.

Each latency challenge must consist of three measurements, taken on different days. The measurements do not need to occur on consecutive days. The median of the three tests is used to trigger the challenge.

Speed tests for Latency Challenges can take four forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., DSL modem, cable modem (for HFC), ONT (for FTTH), or fixed wireless subscriber module.
2. A reading of the speed test available from within the residential gateway web interface.
3. A reading of the speed test found on the service provider's web page.
4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway.

Each group of three speed tests must include:

1. The name and street address of the customer conducting the speed test.
2. A certification of the speed tier the customer subscribes to (e.g., a copy of the customer's last invoice). Tier must be  $\geq 100/20$  Mbps.
3. An agreement, using an online form provided by the Eligible Entity, that grants access to these information elements to the Eligible Entity, any contractors supporting the challenge process, and the service provider.

The IP address and the subscriber's name are considered personally identifiable information (PII) and thus are not disclosed to the public (e.g., as part of a challenge dashboard or open data portal).

To be considered valid, the speed tests must be performed using one of the following options:

1. A reading of the physical line speed provided by the residential gateway, e.g. DSL modem, cable modem, ONT, or fixed wireless subscriber module.
2. A reading of the speed test available from within the residential gateway web interface.
3. A reading of the speed test found on the service provider's web page.
4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway, using a commonly used speed test application, such as those provided by Ookla or Measurement Lab.

## Evidence for Latency Rebuttals

Only the challenged provider may submit a rebuttal to a latency challenge. This evidence must include countervailing speed test evidence showing latency at or below 100 ms, e.g., from their own network management system or the CAF performance measurements.

Only speed tests must consist of three measurements, taken on different days. The measurements do not need to occur on consecutive days, but must be conducted between the hours of 7 pm and 11 pm local time to be considered as evidence for a challenge rebuttal. The median of the three tests is used for the rebuttal to the challenge.

Each measurement must include the following details:

- The time and date each speed test was conducted.
- The provider-assigned internet protocol (IP) address identifying the residential gateway where the test is conducted

If an Area Challenge is triggered for a latency challenge, the rebuttal must include evidence for at least 10% of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule, i.e. 80% of these locations must experience a latency that does not exceed 100 ms.

**Please refer to pages 5-6 for latency modification.**



## Enforceable Commitment Challenges

In preparation for the deployment of the BEAD program, Guam Broadband Office is required to identify every location where an “Enforceable Commitment” exists to deploy qualifying broadband service at or above 100/20 Mbps, regardless of the current service available at the funded locations. This includes identifying the broadband serviceable locations served by federal and state funding programs.

### Evidence for Enforceable Commitment Challenges

The Enforceable Commitment Challenge allows Eligible Challengers to provide evidence that an unserved or underserved locations have an existing federal, state, or local funding that should make those locations ineligible for BEAD.

The following details and evidence will be required:

1. Obligation Deployment Download Speed in Mbps
2. Obligation Deployment Upload Speed in Mbps
3. Obligation Deployment Technology
4. An attestation to confirm that the round-trip latency of the deployed service will be under 100ms
5. An attestation to confirm that the network will be fully deployed to the challenged locations by the dates required by the award
6. Whether the deployed service be available as a residential service, business service, or both
7. Evidence should include:
  - a. Evidence of award such as authorization letter and executed agreement with funding entity.
  - b. List of funded locations included in award
  - c. If available, methodology used to match awarded locations to Fabric IDs

### Evidence for Enforceable Commitment Rebuttals

Any Eligible Challenger may file a rebuttal to an Enforceable Commitment Challenge if they have documentation that the provider has defaulted on the commitment, is otherwise unable to meet the commitment, or that the location(s) are in an area that are subject to an enforceable commitment to less than 100% of locations and the location(s) are not covered by that commitment.

## Enforceable Commitment Identification – Process and Methodology

Guam Broadband Office has deduplicated the list of BEAD-eligible locations, based on existing funding from current programs, using the following process:

## **Federally-Administered Grant Programs**

Guam Broadband Office used the BEAD Eligible Entity Planning Toolkit to identify existing federal enforceable commitments, which includes data on funding from the following programs:

- NTIA Broadband Infrastructure Program (BIP)
- NTIA Broadband Connectivity Program (TBCP)
- FCC Rural Digital Opportunity Fund (RDOF)
- FCC Connect America Fund II (CAFII)
- USDA Rural eConnectivity Broadband Loan and Grant Program (ReConnect)
- USDA Telephone Loan Program (TLP)
- USDA Community Connect Grant Program (CCGP)

Guam Broadband Office is aware that the FCC adopted rules for the Enhanced Alternative Connect America Model (A-CAM), allowing providers to participate in the extension of the program and deploy at speeds of 100/20 Mbps or greater. As of the publication of Version 1.0 of this guide, the FCC has not made the locations funded by Enhanced A-CAM available in a usable format. However, an additional deduplication process will be run following the Challenge Process. This second round of deduplication will occur in January 2024. If you are a provider electing to participate in Enhanced A-CAM, we encourage you to notify the Guam Broadband Office proactively.

## **Evidence for Not Enforceable Commitment Challenges**

The Enforceable Commitment Challenge allows Eligible Challengers to provide evidence that a location is not covered by an Enforceable Commitment identified by Guam Broadband Office. This evidence provided for the challenge type should demonstrate on the following:

- Documentation that the provider has defaulted on the commitment or is otherwise unable to meet the commitment. This may include:
  - Public notice of default published by the funding agency
  - Default notice sent to the provider
- Documentation that the location(s) are in an area that are subject to an enforceable commitment to less than 100% of locations and the location(s) are not covered by that commitment.

## **Evidence for Not Part of an Enforceable Commitment Rebuttals**

Only the provider with the challenged Enforceable Commitment can submit a rebuttal to a Not Part of an Enforceable Commitment Challenge.

The rebuttal must produce evidence that counters the challenge and may include the following:

- Evidence that the provider has not defaulted on the commitment
- Evidence that the provider is able to meet the commitment
- Evidence that 100% of the locations are covered by the commitment

## Planned or Existing Service Challenges

If a provider has deployed service, or will deploy service that will be available by the beginning of the Challenge Process Start Date, they can file a “Planned or Existing Service Challenge.”

### Evidence for Planned Service Challenges

If you have begun building out broadband service to unserved and/or underserved locations, you may challenge under the “Planned Service” subtype and provide evidence that service will be available to the locations by October 28, 2024.

The information and evidence required for this challenge type includes:

1. Maximum Advertised Download Speed in Mbps
2. Maximum Advertised Upload Speed in Mbps
3. Technology Type of Service
4. Confirmation that the Round-Trip Latency will not exceed 100ms
5. An attestation to confirm that service will be deployed to the locations included in this challenge by October 28, 2024, with the technology, speeds, and latency provided.
6. Will the planned deployment, including the listed speeds, latency, and technology be deployed to the selected locations by October 28, 2024?
7. Evidence that the deployment is on track to be completed on time, which should at least include:
  - a. Planned network diagrams
  - b. Evidence of all necessary permits that were applied for or obtained
  - c. Inspection results
  - d. Construction contracts and invoices
  - e. You are also encouraged to submit other evidence that may demonstrate that the deployment is in progress

For a Planned Service Challenge to be successful, you will be required to enter into a binding agreement with the Guam Broadband Office that the service will be deployed and available as documented in the challenge. Additional guidance will be provided on a case-by-case basis by the Broadband Office.

### Evidence for Planned Service Rebuttals

Any Eligible Challenge may submit a rebuttal for Planned Service Rebuttal. The rebuttal must include countering evidence that demonstrates that the planned service cannot be deployed by October 28, 2024.

It is anticipated that the primary rebuttals will be submitted by units of Local government that have knowledge and evidence that necessary permits, reviews, or other pre-construction requirements have not been met.

## Evidence for Existing Service Challenges

If you have completed broadband deployment to locations currently designated as unserved and/or underserved locations, you may challenge under the “Existing Service” subtype and provide evidence that your service is currently available.

The information and evidence required for this challenge type includes:

1. Maximum Advertised Download Speed in Mbps
2. Maximum Advertised Upload Speed in Mbps
3. Technology Type of Service
4. Confirmation that the Round-Trip Latency does not exceed 100ms
5. Indicate if you have already reported the available broadband service to FCC’s Broadband Data Collection Program (BDC).
  1. If yes, you will need to confirm which BDC filing window you filed the service under.
  2. If no, you will need to attest that the service availability will be reported to the FCC during the next BDC filing window
6. Evidence that service is deployed and available (as many of the following as possible):
  1. Submitted BDC Filing (If applicable)
  2. Evidence of subscribers
  3. Network diagram of deployments
  4. Evidence of completed deployment, such as evidence of all necessary permits that were obtained, inspection results, or construction contracts and invoices.

## Evidence for Existing Service Rebuttals

Any Permissible Challenge may submit a rebuttal for an Existing Service Challenge. The rebuttal must include countering evidence that demonstrates that the claimed service is not available.

The evidence may include the allowable evidence from Tables 1 and 2, but may also include evidence such as failure to pass inspection or other evidence that demonstrates that the provider is unable to deliver service to Broadband Serviceable Locations as claimed.

## CAI Challenges

There are two categories of Community Anchor Institutions (CAI) challenges, including

- Identification of CAIs
- Eligibility based on Broadband Need

The identification of Community Anchor Institutions for the purposes of BEAD is based on the definition and process outlined in Section 1.3 of Guam’s Initial Proposal Vol. 1, which includes:

- **Schools:** K-12 schools. Include all K-12 schools participating in the FCC E-Rate program or that have an NCES (National Center for Education Statistics) ID in the categories “public schools” or “private schools.” Institutions of higher education. Institutions of higher education include all institutions that have an NCES ID in the

category “college,” including junior colleges, community colleges, minority serving institutions, historically black colleges and universities, other universities, or other educational institutions.

- **Libraries:** Including all libraries participating in the FCC E-Rate program as well as all member libraries, and their branches, of the American Library Association (ALA).
- **Health clinic, health center, hospital, or other medical providers:** The list of health clinics, health centers, hospitals and other medical providers includes all institutions that have a Centers for Medicare and Medicaid Services (CMS) identifier.
- **Public safety entity:** The list includes entities such as fire houses, emergency medical service stations, police stations, and public safety answering points (PSAP), based on records maintained by the Eligible Entity and units of local government. The list of public safety answering points (PSAPs) includes all PSAPs in the FCC PSAP registry.
- **Public housing organizations:** Public housing organizations were identified by contacting the Public Housing Agencies (PHAs) for the state or territory enumerated by the U.S. Department of Housing and Urban Development. The nonprofit organizations Public and Affordable Housing Research Corporation (PAHRC) and National Low-Income Housing Coalition maintain a database of nationwide public housing units at the National Housing Preservation Database (NHPD).
- **Community support organizations:** The Eligible Entity included any organizations that facilitate greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals. The Eligible Entity included senior centers and job training centers in this category. The Department of Labor maintains a database of “American Job Training” training centers, established as part of the Workforce Investment Act, and reauthorized in the Workforce Innovation and Opportunities Act of 2014. The database can be accessed at the American Job Center Finder. The National Council on Aging (NCOA) helped identify senior centers.

## Identification of CAI

All Eligible Challengers can challenge the designation of the location as a CAI, based on the categories described above.

### *Evidence for Location is a CAI Challenge*

If you believe that a location is incorrectly identified as a non-CAI, you may challenge to have that location included as a CAI. To submit a successful challenge, you will need to submit the following information and evidence:

1. Official entity name of the institution
2. The type of CAI, selecting from the categories defined above
  1. Depending on the entity type, you will be asked to provide different types of identification numbers, e.g. CMS Certification Number (CCN) for hospitals
  2. If a Community Support Organization, explanation of how organizations facilitate greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals.
3. Evidence to support the challenge, which may include:
  1. Registration documents
  2. Contact information to confirm
  3. Other evidence that demonstrates that the organization meets the requirements of the selected category of CAI.

When challenging to add a location as a CAI, you will be given an opportunity to indicate whether the institution has unmet broadband needs based on the standard of 1000/1000 Mbps.

If the location for a CAI is missing entirely from the map, please reach out to [broadband@guam.gov](mailto:broadband@guam.gov)

### *Evidence for Location is a CAI Rebuttal*

Any Eligible Challenger may submit a rebuttal to a CAI Challenge. The information and evidence must include:

1. Identify the basis for the challenge that claims the locations is not a CAI
  1. Location is a residence
  2. Location is a non-CAI business
  3. Institution does not fall under listed category
    1. Identify the institution type that the location should be listed as
  4. CAI has ceased operations
    1. Date CAI ceased operations
2. Evidence to support rebuttal

## ***Evidence for Location is a Not CAI Challenge***

If you believe that a location is incorrectly identified as a CAI, you may challenge to have that location removed from the list. Please note that Guam Broadband Office is not allowed to add Broadband Serviceable Locations (BSLs) to the map, so a successful challenge will remove this location from BEAD eligibility altogether.

To submit a successful challenge, you will need to submit the following information and evidence:

1. Identify the basis for the challenge that claims the locations is not a CAI
  1. Location is a residence
  2. Location is a non-CAI business
  3. Institution does not fall under listed category
    1. Identify the institution type that the location should be listed as
  4. CAI has ceased operations
    1. Date CAI ceased operations:
    2. Is there another CAI currently operating at this location? If so, provide the following information:
      1. Official entity name of the institution
      2. The type of CAI, selecting from the categories defined above
        - a. Depending on the entity type, you will be asked to provide different types of identification numbers, e.g. CMS Certification Number (CCN) for hospitals
        - b. If a Community Support Organization, explanation of how organizations facilitate greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals.
        - c. Other evidence that demonstrates that the organization meets the requirements of the selected category of CAI.
2. Evidence that demonstrates that the location is a non-CAI or is no longer in operation

## ***Evidence for Location is a Not CAI Rebuttal***

Any Eligible Challenge may submit a rebuttal for a Location is a CAI Challenge. The information and evidence must include evidence that the location falls within the definitions of CAIs set by the Eligible Entity or is still operational.

## **CAI BEAD Eligibility Based on Broadband Availability**

### ***Evidence for CAI: Qualifying Broadband Unavailable Challenge***

If a CAI that is reported to have 1 Gbps symmetrical service, but you have countering evidence, you may submit a “CAI Does Not Receive 1 Gbps Service” Challenge. To submit this challenge type, you must provide the following information and evidence.

1. Attest that this location does not currently receive 1 Gbps/1Gbps broadband service and does not have a connection that is readily scalable to 1 Gbps speeds at a higher tier of service over the existing infrastructure.
2. If there is an available Internet connection at the location, you'll be asked to provide the following information:
  1. Who is the current provider?
  2. What technology is delivering the current services?
  3. What are the speeds of your current plan?
3. Upload evidence of recent bill/invoice, photo of the provider gateway, or other evidence to support the challenge
4. Signed attestation or upload evidence

### ***Evidence for CAI: Qualifying Broadband Unavailable Rebuttal***

Any Eligible Challenger may submit a rebuttal for a “CAI Does Not Receive 1 Gbps Service,” challenge. The information and evidence must include evidence that the CAI Location has an existing connection capable of delivering 1 Gbps/1Gbps speeds or a connection that is readily scalable 1 Gbps symmetrical speeds at a higher tier of service over the existing infrastructure.

### ***Evidence CAI: Qualifying Broadband Available Challenge***

1. I confirm that selected CAI Location(s) have an existing connection capable of delivering 1 Gbps/1Gbps symmetrical speeds or a connection that is readily scalable to these speeds at a higher tier of service over the existing infrastructure.
2. (Optional) If available please provide the following information:
  1. Who is the current provider? (Do not use dropdown of providers, as it may not include the network delivering enterprise ISPs)
  2. What technology is delivering the current services? (Dropdown from the Technologies used in other challenges)
  3. What are the speeds of your current plan?
3. Upload evidence of recent bill/invoice, photo of the provider gateway, or other evidence to support the challenge
4. Signed attestation or upload evidence

### ***Evidence for CAI: Qualifying Broadband Available Rebuttal***

Any Eligible Challenger may submit a rebuttal for a “CAI Does Receive 1 Gbps Service,” challenge. The information and evidence must include evidence that the CAI Location does not have an existing connection capable of delivering 1 Gbps/1Gbps speeds or a connection that is readily scalable 1 Gbps symmetrical speeds at a higher tier of service over the existing infrastructure.