HAWAIʻI BEAD CHALLENGE PROCESS RESOURCE GUIDE

Version 1.2

October 4, 2024

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BEAD Challenge Process Guide

The intended audience for this document are entities planning to participate in Hawaiʻi's BEAD State Challenge Process. If you are a member of the public or organization seeking less technical explanations of how Hawaii's Challenge Process works, please visit https://www.hawaii.edu/broadband/challenge-process/.

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 Hawaiʻi with an opportunity to challenge the eligibility of locations. Based on the process approved by the National Telecommunications and Information Administration (NTIA), challengers can dispute the data from the National Broadband Map using local data. The University of Hawaiʻi Broadband Office (UHBO) is responsible for administering Hawaiʻi's BEAD State Challenge Process.

Any questions about the State Challenge Process policy or the Challenge Portal should be directed to broadband@hawaii.edu.

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, with any changes documented in a change log.

Permissible Challengers

Who can submit a challenge?

Under the federal policy for the BEAD Program, only the following entities are permitted to submit formal challenges during the BEAD Challenge Process:

- Units of Local and Tribal Governments
- Non-profit organizations
- Internet Service 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 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 the broadband that is reportedly available to them. Therefore, residents,

businesses, and CAIs will work with permissible challengers to gather evidence and submit formal challenges on their behalf.

Structure and Timing

The BEAD Challenge Process is required to be completed before the state can distribute BEAD funds. This ensures that the list of eligible locations is finalized before the deployment request for proposal application window opens.

Prior to the kickoff of the challenge process, UHBO will post the pre-challenge process eligibility determinations on a public map and be available through the portal.

Challenge Process Data

The Hawaiʻi State BEAD Challenge Process will be using the FCC National Broadband Availability Map Fabric Data dated December 31, 2023 as its starting point for **unserved, underserved, and served** broadband serviceable locations.

The Hawaiʻi State BEAD Challenge Process will be using the National Broadband Availability Map (NBAM) Eligible Entity (EE) Toolkit using data as of December 31, 2023, deduplicated via Section 60105 map as of 05/21/24 as its starting point for **funded** broadband serviceable locations.

The Challenge Process Phases

Timeline - 90 days total

Challenge Phase Submission Window	August 19, 2024 - September 18, 2024
Rebuttal Phase Submission Window	October 7, 2024 - November 6, 2024
Final Determination Phase	November 7, 2024 - December 7, 2024

Challenge Phase

The Challenge Phase will run for 30 calendar days. During this phase, eligible challengers will be able to submit challenges using the Challenge Portal. After a challenge is submitted, the UHBO team will review the evidence and determine if the submission meets the evidentiary requirements. If a challenge is determined to meet the minimum level of evidence, it will be considered a 'valid challenge'. If a challenge requires a revision (e.g. missing evidence), UHBO will request a revision from the challenging entity.

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

Since the intention of the Challenge Process is 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 is an unserved location that is being challenged to show that they are unserved, this challenge would be rejected.

> *Tip: Submit your challenges early. If there are errors in your challenge submission, you will be given an opportunity to re-submit, but ONLY until the challenge phase ends. You will not be allowed to fix errors or omissions in your challenge after the 30-day submission window closes.*

Rebuttal Phase

After the Challenge Phase closes and challenges are processed by UHBO, the Rebuttal Phase will begin. The Rebuttal Phase will run for 30 calendar days. At the beginning of the Rebuttal Phase, all of the challenges that require a rebuttal will be posted in the challenge portal. For challenges directed against broadband providers, only the challenged provider may submit a rebuttal. For other challenge types, any Permissible Challenger may submit a rebuttal.

Broadband providers will be directly notified via email of any challenges directed against them and provided the details necessary to respond during the Rebuttal Phase. The challenged broadband provider will have 30 days to either agree with the challenge or dispute the challenge. If no rebuttal is filed in the allotted time, the challenge will be sustained. At the end of the Rebuttal Phase, all challenges with rebuttals submitted will be marked as "disputed" and proceed to the Final Determination Phase.

Units of Local and Tribal 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 30-day period. Unlike the broadband provider challenges, other challenge types are still subject to the final review and determination by the UHBO team.

Final Determination Phase

After the Rebuttal Phase closes, the Final Determination Phase (also known as Adjudication Phase) will begin. The Final Determination Phase will run for 30 calendar days. The UHBO 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 fully review all of the information included in each challenge and rebuttal prior to making any final determinations.

How to Participate in the Challenge Process

Account Registration

Before a Permissible 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.
   a. Registration Page: https://register.challenge.connectkakou.org/register/bead

2. **Click the Register button** - The Register button will open an intake form to provide the necessary information.

3. **Complete the intake form** - The intake form will ask you for the information needed to verify your account as a permissible challenger.

   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]

   a. **General information** - Every registrant for the challenge process will be asked to provide the following information:
      i. Organization Name
      ii. Organization Website
      iii. Primary Contact name
      iv. Primary Contact Email (Please use domain affiliated with organization)
      v. Primary Contact Phone Number
      vi. Type of Entity (select from dropdown)
   b. **Broadband Providers Information**
      i. Provider Name (select from dropdown)
      ii. FCC Registration Number (FRN)
      iii. IRS Employer Identification Number (EIN)
      iv. Physical Address
      v. Additional documentation to verify identity
   c. **Unit of Local Government Information**
      i. IRS Employer Identification Number (EIN)
      ii. Physical Address
      iii. Additional documentation to verify identity

      d. **Unit of Tribal Government Information**
           i.   UEI Number assigned by Sam.gov
          ii.   Tribe's name as listed by BIA
        iii.   IRS Employer Identification Number (EIN)
        iv.   Physical Address
         v.   Additional documentation to verify identity
      e. **Non-Profit Organization Information**
           i.   IRS Employer Identification Number (EIN)
          ii.   Physical Address
        iii.   Additional documentation to verify identity

4. **Click "Finish" and submit form** - After you submit the form, you will receive an email confirmation. **You do not need to do anything at this point.**

Thank you for registering for the Hawaiʻi BEAD Challenge Process

Hi ▓▓▓

Thank you for registering to participate in the Hawaiʻi BEAD Challenge Process. Your submission will be reviewed, and you will hear back shortly.

Please do not respond to this automated email, as the sending address is not monitored. Questions related to policy or procedural items should be directed to broadband@hawaii.edu If you have any technical issues, please contact hihelpdesk@ready.net.

Thank you,
University of Hawaiʻi Broadband Office

5. **Wait for Account Approval** - After submitting your account request, each registration will be manually reviewed by UHBO before it is approved. As a result, there will be a slight delay between registration and account setup. If your registration lacks necessary details, you will be notified by email to update your account request with the necessary information and resubmit the registration form.

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 will 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 will be able to file challenges and rebuttals while the respective phases are open.

Submitting Challenges

In general all Permissible Challengers are eligible to submit challenges of any type. The primary exception is that "Planned Service or Existing Service" will require an agreement between the broadband provider and the UHBO as described in the "Planned Service or Existing Service" section.

Challenge Portal Link

https://challenge.connectkakou.org/

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 password.
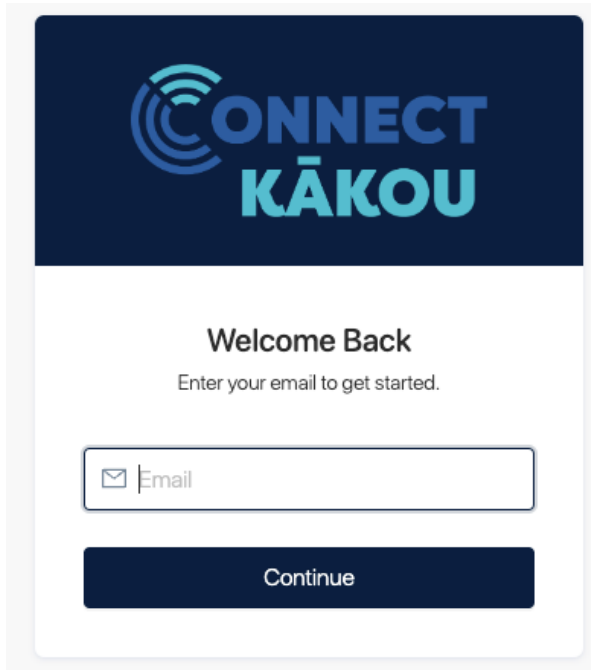
2. **Expand "Challenge" Item in the Navigation Menu** - There are a range of options in the sidebar navigation menu. When clicking on the Challenge menu item, the sub-menu will expand to display two options: "Dashboard" and "Challenge Map."
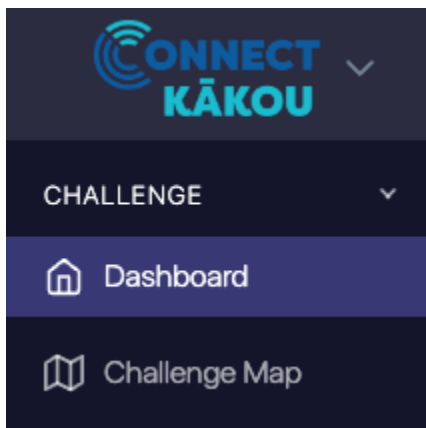
3. **Click on either "Dashboard" or "Challenge Map" -** Both options provide different functionality, but each of them will allow you to open a challenge submission window. The Challenge Map provides a geospatial representation of the eligibility designations under BEAD, while the Dashboard is your portal to review the challenges that you've submitted. If you are 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.

Challenge Map "Add Challenge" location
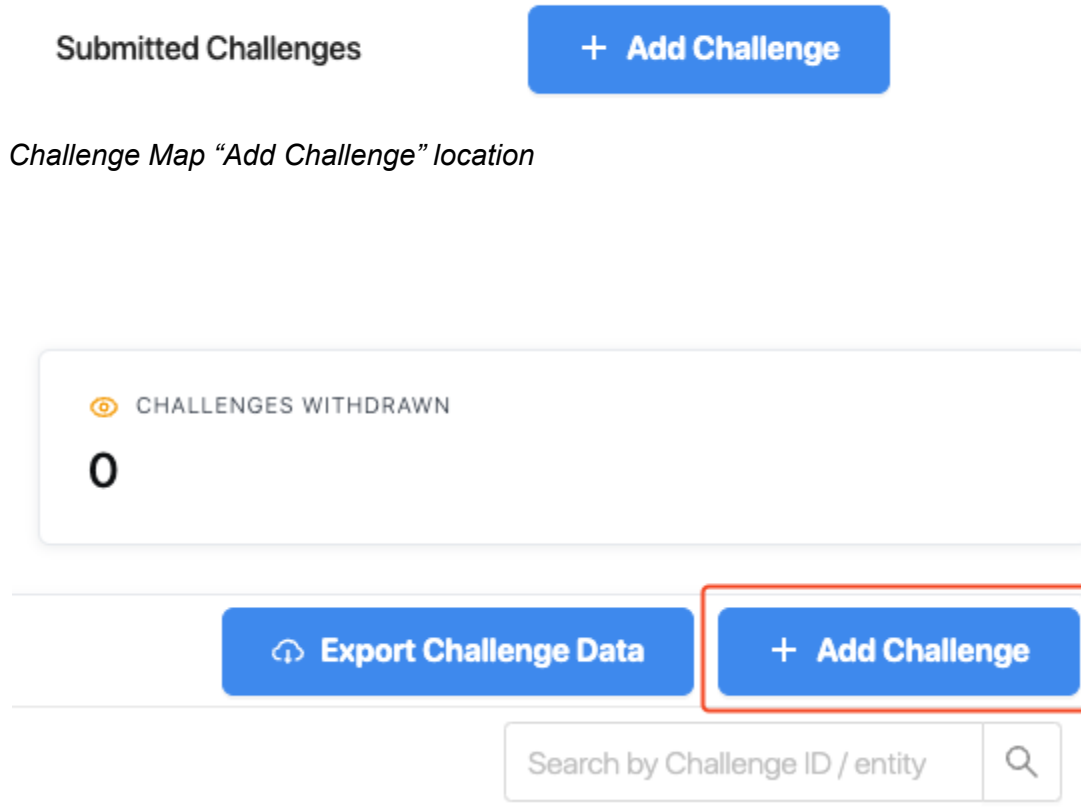
Dashboard "Add Challenge" location

5. **Create a Challenge** - When creating a challenge in the challenge portal, there are several steps included in the flow:

   a. **Select Challenge Category 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. **Anchor Institution Classification**
1. Location is a CAI (Is An Anchor Institution)
2. Location is not a CAI (Is Not An Anchor Institution)
3. Location Does Not Receive 1 Gbps Service
4. Location Does Receive 1 Gbps Service

Select Challenge Category

To begin the challenge process, please start by selecting the type of challenge you would like to submit.

Planned Or Existing Service

Report qualifying broadband service that has been or will be deployed by June 30, 2024 without an enforceable commitment.

Enforceable Commitment

Report qualifying broadband service deployed, or planned to be deployed, under a current or expanded enforceable commitment.

Provider Service Level

Report a provider's level of service for availability, speed, latency, data cap, technology and business service only.

Anchor Institution Classification

Identify whether a location is a Community Anchor Institution and has access to 1G symmetrical broadband service.

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 you select an "Is Not an Anchor Institution" challenge, you will only see CAI locations to show the location is not a CAI. 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. For example, if you select an Availability challenge against provider X, you will only see locations where provider X provides claims service. 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 add 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. **Shift+Click+Drag cursor -** While holding down the Shift-key, click and drag your cursor to create a box over the locations you wish to select. 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 have selected locations using this method, you will be prompted to confirm that you want to add these locations to your challenge. The prompt will include the number of locations that you have selected.

         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 Tribal 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. **Select by Uploading Location IDs** - If you have a list of FCC Location IDs, you can upload that list to select multiple locations. This method requires you to have a list of FCC Location IDs in a single-column .csv file with a column header "location_id".

         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 require you to separate evidence files per location, you will be prompted to download a .csv file and fill out the metadata for the challenge. This includes information like what kind of file is the evidence, what does it describe, what is the file name, and any other descriptors to help reviewers understand which evidence belongs to which address. Assistance on filling out the .csv files can be provided by the University of Hawaiʻi Broadband Office.

e. **Attestation** - After you have uploaded your evidence, you will be required to accept and complete an attestation that the details and evidence, to the best of your knowledge and belief, for 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 Permissible Challengers to provide formal notice that the challenges are open for rebuttal. All permissible 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 a notification of whether challenges were received against them. The formal notice will initiate the 30-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 location individual location challenges 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 30-day window.

7. **Upload Evidence and Documentation** - Once you have 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.

8. **Attestation** - After you have uploaded your evidence, you will be required to accept and complete an attestation that the details and evidence, to the best of your knowledge and belief, for the rebuttal is true, complete, and accurate, subject to potential civil or administrative penalties.

Allowable Challenges

What can be challenged?

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

The University of Hawaiʻi Broadband Office (UHBO) will only allow challenges on the following grounds:

- Enforceable commitments for existing BSLs (locations with existing funding)

- Planned or existing service for existing BSLs

- BEAD eligibility determinations for Broadband Serviceable Locations (BSLs) (i.e., served, unserved, underserved),

- The identification of eligible Community Anchor Institutions (CAIs), as defined in the Hawaiʻi [Initial Proposal Volume 1](#)

- CAI BEAD eligibility determinations (i.e., 1000 Mbps symmetrical speeds access)

Challenge Types

To facilitate these challenges, eligible challengers will have to select the following challenge types and provide specific evidence for each type as described in the Evidence and Documentation Requirements section.

- **Planned or Existing Service**
  - Planned Service
  - Existing Service
- **Enforceable Commitments**
  - Covered by Enforceable Commitment
  - Not Covered by Enforceable Commitment
- **Broadband Serviceable Location (BSL) BEAD Eligibility**
  - **Provider Service Level**
    - Availability
    - Speed
    - Latency
    - Data Cap
    - Technology
    - Business Service Only
- **Community Anchor Institution Classification/Eligibility**
  - Location is a CAI (Is An Anchor Institution)
  - Location is not a CAI (Is Not An Anchor Institution)
  - Location Does Not Receive 1 Gbps Service
  - Location Does Receive 1 Gbps Service

Area & Multi-Dwelling Unit (MDU) Challenges

UHBO will administer area and multi-dwelling unit (MDU) challenges for challenge types Availability (A), Speed (S), Latency (L), Data Cap (D), and Technology (T). An area challenge reverses the burden of proof for availability, speed, latency, data cap and technology challenges if a defined number of challenges for a particular category, across all challengers, have been submitted for a provider and moved to the Rebuttal Phase. In other words, an area challenge places the burden of proof on the internet provider if a number of challenges within an area across all eligible challengers are successful. Thus, the provider receiving an area challenge or MDU must demonstrate that they are indeed meeting the availability, speed, latency, data cap

and technology requirement, respectively, for all (served) locations within the area or all units within an MDU.

An area challenge is triggered if six (6) or more broadband serviceable locations of the same technology of the same provider within a census block group[1] are challenged under the same challenge type. Each type of challenge and each technology and provider is considered separately, i.e., an availability challenge (A) does not count towards reaching the area threshold for a speed (S) challenge and vice versa. If a provider offers multiple technologies, such as cable and fiber, each is treated separately since they are likely to have different availability and performance. For example, if six availability challenges for cable provider X are submitted during the Challenge Phase and move to the Rebuttal Phase, the entire census block group will become challenged for provider X to rebut.

An MDU challenge requires challenges for one unit for MDUs having fewer than 15 units, for two units for MDUs of between 16 and 24 units, and at least three units for larger MDUs. Here, the MDU is defined as one broadband serviceable location listed in the Fabric. An MDU challenge counts towards an area challenge (i.e., six successful MDU challenges in a census block group may trigger an area challenge).

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

Area challenges for availability need to be rebutted in whole or by location with evidence that service is available for all BSLs within the census block group, e.g., by network diagrams that show fiber or hybrid fiber-coaxial (HFC) infrastructure or by subscriber information. For fixed wireless service, the challenge system will offer representative random, sample of the area in contention, but no fewer than 10, where the provider must demonstrate service availability and speed (e.g., with a mobile test unit[2]). For MDU challenges, the rebuttal must show that the inside wiring is reaching all units and is of sufficient quality to support the claimed level of service.

For a Speed 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 7:00 pm and 11:00 pm Hawaii Standard Time will be considered as evidence for a challenge rebuttal.

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[1] Area challenge determinations will be determined based on 2020 Census Block Groups

[2] 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 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. Providers must apply the 80/80 rule, i.e. 80% of these locations must experience a latency that does not exceed 80 ms. Only speed tests conducted by the provider between the hours of 7:00 pm and 11:00 pm Hawaii Standard Time will be considered as evidence for a challenge rebuttal.

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.

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.

Provider Service Level Challenges

There are six allowable Provider Service Level challenge types to challenge a location's BEAD eligibility: Availability, Speed, Latency, Data Cap, Technology, and Business Service Only.

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 delivered 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 Crowdsource Data.*[3]

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[3] See "Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsource Data (Section 3.2)," Federal Communications Commission, January 12, 2023, bdc-bulk-fixed-challenge-dataspecifications.pdf.

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.	• Screenshot from provider website • Email from provider • Text message or Voicemail transcript from provider • Letter from provider (Physical or PDF) • Documentation of phone call or in-person interaction • Other evidence to support challenge	January 1, 2023 or later
2	Provider did not install the service at the agreed-upon time.	• Screenshot from provider website • Email from provider • Text message or Voicemail transcript from provider • Letter from provider (Physical or PDF) • Documentation of phone call or in-person interaction • Other evidence to support challenge	January 1, 2023 or later
3	Provider requested more than the standard installation fee to connect the location.	• Screenshot from provider website • Email from provider • Text message or Voicemail transcript from provider • Letter from provider (Physical or PDF) • Documentation of phone call or in-person interaction • Other evidence to support challenge	January 1, 2023 or later
4	Provider denied the request for service.	• Screenshot from provider website • Email from provider • Text message or Voicemail transcript from provider • Letter from provider (Physical or PDF) • Documentation of phone call or in-person interaction • Other evidence to support challenge	January 1, 2023 or later

5	Provider does not offer the technology entered above at this location.	• Screenshot from provider website • Email from provider • Text message or Voicemail transcript from provider • Letter from provider (Physical or PDF) • Documentation of phone call or in-person interaction • Terms of Service / Service Description • End-User contract or offer • Infrastructure Knowledge/Evidence, Infrastructure Knowledge/Evidence, including manufacturer and model number of residential gateway • Other evidence to support challenge	January 1, 2023 or later
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location.	• Screenshot from provider website • Email from provider • Text message or Voicemail transcript from provider • Letter from provider (Physical or PDF) • Documentation of phone call or in-person interaction • Terms of Service / Service Description • End-User contract or offer • Infrastructure Knowledge/Evidence • Other evidence to support challenge	January 1, 2023 or later
7	Intentionally Omitted[4] (Does not constitute a formal challenge)	N/A	N/A
8	No wireless signal is available at this location (only for technology codes 70 and above).	• Screenshot from provider website • Email from provider • Text message or Voicemail transcript from provider • Letter from provider (Physical or PDF) • Documentation of phone call or in-person interaction • Infrastructure Knowledge/Evidence • Other evidence to support challenge	January 1, 2023 or later

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[4] 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"

| 9 | New, non-standard equipment had to be constructed at this location. | • Screenshot from provider website
• Email from provider
• Text message or Voicemail transcript from provider
• Letter from provider (Physical or PDF)
• Documentation of phone call or in-person interaction
• Infrastructure Knowledge/Evidence
• Other evidence to support challenge | January 1, 2023 or later |

Evidence for Availability Rebuttals

Only the challenged provider may submit a rebuttal to an availability 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.	Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill. If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.
2	Provider did not install the service at the agreed-upon time.	Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill. If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. Provider provides a copy of an offer sent to the location 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	Provider shows that the location subscribes or has

	request for service.	subscribed within the last 12 months, e.g. with a copy of a customer bill. If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.
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.	Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill. If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.
7	Intentionally Omitted[5] (Does not constitute a formal challenge)	N/A
8	No wireless signal is available at this location (only for technology codes 70 and above).	Provider has countervailing evidence to demonstrate service availability and speed (e.g., with a mobile test unit).
9	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.

[5] 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"

Data Cap, Technology, and Business Service Only Challenges

The Data Cap challenge type in the BEAD Challenge Process is for Internet service plans marketed to consumers that impose an unreasonable (less than 600GB/month) capacity allowance (AKA "data cap") on the consumer and therefore is underserved.

The Technology challenge type in the BEAD Challenge Process is for when the technology for the location does not match what is claimed on the challenge map for the provider and therefore is underserved.

The Business Service Only challenge type in the BEAD Challenge Process is for when the location is residential, but the service offered is marketed or available only to businesses and therefore is underserved.

Evidence for Data Cap, Technology, and Business Service Only Challenges

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.	- Screenshot from provider website - Email from provider - Text message or Voicemail transcript from provider - Letter from provider (Physical or PDF) - Documentation of phone call or in-person interaction - Terms of Service / Service Description - End-User contract or offer - Other evidence to support challenge	180 days
Technology	Provider does not offer the technology entered above at this location (The	- Screenshot from provider website - Email from provider - Text message or Voicemail transcript from provider - Letter from provider (Physical or PDF)	365 days

	technology indicated for this location is incorrect.)	• Documentation of phone call or in-person interaction • Terms of Service / Service Description • End-User contract or offer • Infrastructure Knowledge/Evidence, including manufacturer and model number of residential gateway • Other evidence to support challenge	
Business Service Only	The location is residential, but the service offered is marketed or available only to businesses.	• Screenshot from provider website • Email from provider • Text message or Voicemail transcript from provider • Letter from provider (Physical or PDF) • Documentation of phone call or in-person interaction • Terms of Service / Service Description • End-User contract or offer • Other evidence to support challenge	180 days

Evidence for Data Cap, Technology, and Business Service Only Rebuttals

Only the challenged provider may submit a rebuttal to a Data Cap, Technology, or Business Service Only 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 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.

Speed & Latency Challenges

The Speed challenge in the BEAD Challenge Process is meant to show that the location does not have the infrastructure to support at least 100/20 Mbps speeds and is therefore underserved. For CAIs 1000/1000 Mbps speed. Similarly the Latency challenge type is meant to show that the location does not have the infrastructure to support less than100 milliseconds round-trip latency and is therefore underserved.

Evidence for Speed Test Challenges

The University of Hawaiʻi Broadband Office will accept speed tests as evidence for substantiating challenges and rebuttals. Each speed test consists of three (3) measurements, taken on different days. Speed tests cannot predate the beginning of the challenge period by more than 60 calendar days.

Speed tests can take five forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., DSL modem, cable modem for hybrid fiber-coax (HFC)).

2. Optical Network Terminal (ONT) for fiber-to-the-home (FTTH), or fixed wireless subscriber module.

3. A reading of the speed test available from within the residential gateway (i.e., router or modem) web interface.

4. A reading of the speed test found on the service provider's web page.

5. A speed test performed on a laptop, desktop computer, or mobile device within immediate proximity of the residential gateway (i.e., as close as possible to the router or modem), using a speed test application provided by M-Lab, Ookla Speedtest, Cloudflare or another commonly used speed test application provider.

Each speed test measurement must include:

- The time and date the speed test was conducted.

- The provider-assigned internet protocol (IP) address, either version 4 or version 6, identifying the residential gateway conducting the test.

Each group of three speed tests must include:

- The name and street address of the customer conducting the speed test.

- A certification of the speed tier the customer subscribes to (e.g., a copy of the customer's last invoice).

- 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).

Each location must conduct three speed tests on three different days; the days do not have to be consecutive. The median of the three tests (i.e., the second highest (or lowest) speed) is used to trigger a speed-based (S) challenge, for either upload or download. For example, if a location claims a broadband speed of 100 Mbps/25 Mbps and the three speed tests result in download speed measurements of 105, 102 and 98 Mbps, and three upload speed measurements of 18, 26 and 17 Mbps, the speed tests qualify the location for a challenge, since the measured median upload speed marks the location as underserved.

Speed tests may be conducted by subscribers, but speed test challenges must be gathered and submitted by units of local government, nonprofit organizations, or a broadband service provider.

Subscribers submitting a speed test must indicate the speed tier they are subscribing to. Since speed tests can only be used to change the status of locations from "served" to "underserved", **only speed tests of subscribers that subscribe to tiers at 100/20 Mbps and above are considered**. If the household subscribes to a speed tier of 100/20 Mbps or higher and the speed test yields a speed below 100/20 Mbps, this service offering will not count towards the location being considered served. However, even if a particular service offering is not meeting the speed threshold, the eligibility status of the location may not change. For example, if a location is served by 100 Mbps licensed fixed wireless and 500 Mbps fiber, conducting a speed test on the fixed wireless network that shows an effective speed of 70 Mbps does not change the status of the location from served to underserved.

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 speed greater than or equal to 100 Mbps and upload speed greater than or equal to 20 Mbps, e.g., from their own network management system or the CAF performance measurements in the manner described above. Speed tests cannot predate the beginning of the challenge period by more than 60 calendar days.

A service provider may rebut an area speed test challenge by providing speed tests, in the manner described above, for at least 10% of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule[6], i.e., 80% of these

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[6] The 80/80 threshold is drawn from the requirements in the CAF-II and RDOF measurements. See BEAD NOFO at 65, n. 80, Section IV.C.2.a.

locations must experience a speed that equals or exceeds 80% of the speed threshold. For example, 80% of these locations must have a download speed of at least 80 Mbps and an upload speed of 16 Mbps to meet the 100/20 Mbps speed tier. Only speed tests conducted by the provider between the hours of 7 p.m. and 11 p.m. Hawaii Standard Time will be considered as evidence for a challenge rebuttal.

Evidence for Latency Challenges

Latency Challenges must provide evidence that the round-trip latency of the broadband service exceeds 100 milliseconds (ms). This will require multiple speed tests by the subscriber at each challenged location, showing the excessive round-trip latency. Speed tests cannot predate the beginning of the challenge period by more than 60 calendar days.

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

Speed tests can take five forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., DSL modem, cable modem for hybrid fiber-coax (HFC)).

2. Optical Network Terminal (ONT) for fiber-to-the-home (FTTH), or fixed wireless subscriber module.

3. A reading of the speed test available from within the residential gateway (i.e., router or modem) web interface.

4. A reading of the speed test found on the service provider's web page.

5. A speed test performed on a laptop, desktop computer, or mobile device within immediate proximity of the residential gateway (i.e., as close as possible to the router or modem), using a speed test application provided by M-Lab, Ookla Speedtest, Cloudflare or another commonly used speed test application provider.

Each speed test measurement must include:

● The time and date the speed test was conducted.

● The provider-assigned internet protocol (IP) address, either version 4 or version 6, identifying the residential gateway conducting the test.

Each group of three speed tests must include:

● The name and street address of the customer conducting the speed test.

● A certification of the speed tier the customer subscribes to (e.g., a copy of the customer's last invoice).

- 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).

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 below 100 ms, e.g., from their own network management system or the CAF performance measurements in the manner described above. Speed tests cannot predate the beginning of the challenge period by more than 60 calendar days.

A service provider may rebut an area latency challenge by providing speed tests, in the manner described above, for at least 10% of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule[7], i.e., 80% of these locations must experience a latency that equals or exceeds 80% of the latency threshold. For example, 80% of these locations must have a latency below 80 milliseconds (ms). Only speed tests conducted by the provider between the hours of 7 p.m. and 11 p.m. Hawaii Standard Time will be considered as evidence for a challenge rebuttal.

Enforceable Commitment Challenges

In preparation for the BEAD program deployment, UHBO is required to identify every location where an "Enforceable Commitment" exists to deploy qualifying broadband service at or above 100 Mbps download and 20 Mbps upload, regardless of the current service available at the funded locations. This includes identifying the broadband serviceable locations served by federal and state funding programs. Per the BEAD Notice of Funding Opportunity (NOFO), BEAD is unable to fund locations already receiving federal or state funding for broadband deployment and therefore locations within enforceable commitments are ineligible for BEAD funding.

Enforceable Commitment Identification - Process and Methodology

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

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[7] The 80/80 threshold is drawn from the requirements in the CAF-II and RDOF measurements. See BEAD NOFO at 65, n. 80, Section IV.C.2.a.

Federally/State Administered Grant Programs

UHBO used the BEAD Eligible Entity Planning Toolkit to identify existing federal and state enforceable commitments, which includes data on funding from the following programs (not all applicable to Hawaiʻi):

- NTIA Broadband Infrastructure Program (BIP)*
- NTIA Tribal 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)*
- Puerto Rico Together (BPRT)*
- Connect U.S. Virgin Islands (CUSVI)*
- Coronavirus State and Local Fiscal Recovery Funds
- Enabling Middle Mile Broadband Infrastructure Grant Program
- Hawaiʻi Department of Transportation HI Connect Program (HI Connect)
- Coronavirus Capital Projects Fund (CPF)

  *Programs did not fund any infrastructure deployment in State

UHBO 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 confirmed the locations funded by Enhanced A-CAM. 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 UHBO proactively.

Evidence for Enforceable Commitment Challenges

The Enforceable Commitment Challenge allows Permissible 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 deployed service will be under 100 milliseconds.

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 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 the award.

    c. If available, methodology used to match awarded locations to Fabric IDs.

    d. If any locations included in the award are on Tribal Lands, you will need to attach a legally binding agreement with Tribal Government, certified by Tribal Resolutions.

Evidence for Enforceable Commitment Rebuttals

Any Permissible 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 therefore the location(s) are not covered by that commitment.

Evidence for Not Part of an Enforceable Commitment Challenges

The Not Enforceable Commitment Challenge allows Permissible Challengers to provide evidence that a location is not covered by an Enforceable Commitment identified by UHBO. 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.

- If locations are on Tribal lands, the Tribal Government may challenge based on a failure of the provider to obtain consent from the Tribal Council for the application and/or receiving the award.

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.

- A Tribal Council Resolution or requisite legally binding agreement with the Tribal Government supporting the Enforceable Commitment.

Planned or Existing Service Challenges

If a provider has deployed service, or will deploy service that will be available by June 30, 2024, they can file a "Planned or Existing Service Challenge."

Evidence for Planned Service Challenges

If a provider began building out broadband service to unserved and/or underserved locations, they may challenge under the "Planned Service" subtype and provide evidence that service will be available to the locations by June 30, 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 100 milliseconds

5. An attestation to confirm that service will be deployed to the locations included in this challenge by June 30, 2024 with the technology, speeds, and latency provided.

6. 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 obtained.

    c. Inspection results.

    d. Construction contracts and invoices.

    e. Other evidence that may demonstrate that the deployment is **completed** by June 30, 2024.

For a Planned Service Challenge to be successful, a provider will be required to enter into a binding agreement with the UHBO 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 UHBO.

Evidence for Planned Service Rebuttals

Any Permissible Challenger may submit a rebuttal for Planned Service Rebuttal. The rebuttal must include countering evidence that demonstrates that the planned service cannot be deployed by June 30, 2024.

It is anticipated that the primary rebuttals will be submitted by units of Local or Tribal 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 a provider completed broadband deployment to locations currently designated as unserved and/or underserved locations, they may challenge under the "Existing Service" challenge type and provide evidence that 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 100 milliseconds.

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 the the 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 Challenger 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 Hawaiʻi's Initial Proposal Volume 1, which includes:

*   **Schools**: The list of Hawaiʻi Department of Education K-12 public and public charter schools, the U.S. Department of Health & Human Services Head Start schools, and private/independent schools. The list and locations of K-12 schools were sourced from the Hawaiʻi Department of Education (HIDOE) website and the Hawaiʻi Office of Planning

and Sustainable Development's GIS data.[8] The list and locations of Head Start schools were sourced from the U.S. Department of Health & Human Services Office of Head Start ECLKC website. The list and locations of private/independent schools were sourced from the Hawaiʻi Association of Independent Schools.

- **Libraries**: The list of public libraries part of the Hawaiʻi State Public Library System. The list and locations of libraries were sourced from the Hawaiʻi State Public Library's website and the Hawaiʻi Office of Planning and Sustainable Development's GIS data.

- **Health clinic, health center, hospital, or other medical providers**: The list of rural health clinics, federally qualified community health centers, Native Hawaiian health centers, hospitals, critical access hospitals, public health nursing centers, and family guidance centers. The list of rural health clinics, hospitals, critical access hospitals, public health nursing centers, and family guidance centers was sourced from the Hawaiʻi Department of Health website. The list of federally qualified community health centers was sourced from the Hawaiʻi Primary Care Association website. The Native Hawaiian community health centers were sourced from the Papa Ola Lōkahi website and the U.S. Department of Health & Human Services Bureau of Primary Health Care website.

- **Public safety entity**: The list of public safety entities includes fire stations and police stations. The list of public safety entities was sourced from the County police and fire department websites and the Hawaiʻi Office of Planning and Sustainable Development's GIS data.

- **Institutions of higher education:** The list of institutions of higher education includes accredited universities, community colleges, community schools for adults, university centers, and education centers. The list of community schools for adults was sourced from the Hawaiʻi Department of Education's website. The list of universities, community colleges, university centers, and education centers was sourced from the respective entity's website (e.g., University of Hawaiʻi campuses were sourced from the University of Hawaiʻi's website).

- **Public housing organizations**: The list of public housing locations managed by the Hawaiʻi Public Housing Authority websites and county-owned public housing. The list and locations of public housing were sourced from the Hawaiʻi Public Housing Authority's websites and the Hawaiʻi Office of Planning and Sustainable Development's GIS data.

- **Community support organizations:** The University of Hawaiʻi Broadband Office (UHBO) included any organizations that facilitate greater use of broadband service by vulnerable populations, including Native Hawaiians, low-income individuals, unemployed individuals, and aged individuals following the criteria stated above as candidate CAIs. Native Hawaiians are specifically included as vulnerable populations due to their indigenous identity in Hawaiʻi and as a population that is vulnerable to losing its indigenous identity in Hawaiʻi through various overlapping socioeconomic factors. In

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[8] https://planning.hawaii.gov/gis/download-gis-data-expanded/ Section 017 - Facilities and Structures

addition to these community support organizations, UHBO included jails and prisons, juvenile correction centers, job training centers, houseless support centers, and community centers as subcategories to be included.

- **Jails and Prisons**

  Jails and prisons were included as candidate CAIs due to their vital role in facilitating broadband usage by incarcerated individuals. The State of Hawaiʻi Digital Equity Plan states that incarcerated individuals are a covered population vulnerable to digital inequality due to the lack of digital literacy and access to devices or the internet while incarcerated and post-incarceration. On top of that, Native Hawaiians are overrepresented in the incarcerated population. The Hawaiʻi Department of Public Safety's Comprehensive Offender Reentry Plan (CORP[9]), outlines how incarcerated individuals in jails and prisons reenter society successfully. Part of the plan incorporates employment, vocational, and educational opportunities, including obtaining proper identification documents. Therefore, providing access to high-speed internet at jails and prisons assists in facilitating greater use of broadband services by incarcerated individuals.

  The list of jails and prisons was sourced from the Hawaiʻi Department of Public Safety Corrections Division websites.

- **Youth Correctional Centers**

  UHBO included youth correctional centers as candidate CAIs due to their role in facilitating broadband usage by incarcerated or detained youth. The State of Hawaiʻi has one statewide juvenile correctional center, one juvenile detention facility, and one juvenile shelter. The Hawaiʻi Department of Human Services manages the Hawaiʻi Youth Correctional Facility (HYCF), housing incarcerated youth aged 12-19 years old while providing rehabilitation services to them. Such services include mental health telehealth visits with licensed therapists, workforce development, and educational opportunities to deter youth from participating in at-risk activities post-incarceration. The Hale Ho'omalu Juvenile Detention Facility and Home Maluhia Shelter provide therapy, telehealth, educational services, and outside community contact to ensure continuity of care for juveniles.

  The list of youth correctional centers was sourced from the Hawaiʻi Department of Health websites.

- **Job Training Centers**

  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

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[9] https://dps.hawaii.gov/wp-content/uploads/2019/01/Comprehensive-Reentry-Plan-190115.pdf

database can be accessed at the American Job Center Finder. American Job Centers from this database were included as CAIs due to their role in helping the public, including vulnerable populations such as youth, unemployed, or veterans, with employment and training services for workers and employers, information on unemployment benefits, and links to other related social services. Therefore, job training centers are included as candidate CAIs for facilitating greater use of broadband services by vulnerable populations.

Job training centers were sourced from the U.S. Department of Labor "American Job Training" training centers database[10].

- ○ **Houseless Support Centers**

  Hawaiʻi's houseless population is 43.2 people per 10,000. This is over 2x the national rate according to 2023 data[11]. The problem is severe enough that Hawaiʻi has an emergency proclamation[12] to expedite solutions to address this vulnerable population. Houseless support centers facilitate greater use of broadband by providing access to the internet and supporting houseless families and individuals through employment and health services so they can get stabilized and out of homelessness as soon as possible.

  The list of locations was sourced from the houseless support organizations' websites and then geolocated using Google Maps.

- ○ **Community Centers**

  Community centers are important gathering places for communities in Hawaiʻi due to their public access, flexibility in usage, and space for larger gatherings. Some are located within parks and schools, and some are standalone buildings in the community. They are ubiquitous, well-known, and, for some communities, the only means to receive access to the internet and online services. Community centers vary in the services they offer, and the audience ranges from children to seniors, including vulnerable populations. These services include but are not limited to, digital literacy, computer access, and employment services. UHBO recognizes that some community centers are exclusive to certain communities such as home associations or have membership requirements that will not meet the criteria above. However, given the importance of their presence in facilitating broadband usage to vulnerable populations in their respective communities, community centers are candidate CAIs and will be evaluated against the set criteria.

  The list of locations was sourced from the respective county websites and community center websites and then geolocated using Google Maps.

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[10] https://www.careeronestop.org/localhelp/americanjobcenters/find-american-job-centers.aspx
[11] https://www.hawaiihealthmatters.org/indicators/index/view?indicatorId=5223&localeId=14&comparisonId=7227
[12] https://homelessness.hawaii.gov/emergency-proclamations-and-supplementary-proclamations/

Identification of CAI

All Permissible 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 meets the CAI definition, 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 Mbps download and 1000 Mbps upload symmetrical access.

If the location for a CAI is missing entirely from the map, please fill out this form: https://arcg.is/1z5qb91.

Evidence for Location is a CAI Rebuttal

Any Permissible Challenge may submit a rebuttal for a Location is 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 the 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 Not a CAI Challenge

If you believe that a location is incorrectly identified as a CAI, you may challenge to have that location removed from the CAI list.

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 the 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 Not a CAI Rebuttal

Any Permissible Challengers may submit a rebuttal for a Location is Not a CAI Challenge. The information and evidence must include evidence that the location falls within the Hawai'i definitions of CAIs or is still operational.

CAI BEAD Eligibility based on Broadband Need

Evidence for CAI Does Not Receive 1 Gbps Service Challenge

If a CAI that is reported to have access to 1 Gbps symmetrical (download/upload) service, but you have countering evidence, you may file 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 have access to 1 Gbps (aka 1000 Mbps) download and 1Gbps (aka 1000 Mbps) upload 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 will 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 Does Not Receive 1 Gbps Service Rebuttal

Any Permissible Challengers may submit a rebuttal for a CAI Does Not Receive 1 Gbps Service. The information and evidence must include evidence that the CAI Location has an existing connection capable of delivering 1 Gbps download and 1Gbps upload speeds or a connection that is readily scalable 1 Gbps symmetrical speeds at a higher tier of service over the existing infrastructure.

Evidence for CAI Does Receive 1 Gbps Service Challenge

1. I confirm that selected CAI Location(s) have an existing connection capable of delivering 1 Gbps (aka 1000 Mbps) download and 1Gbps (aka 1000 Mbps) upload 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 Does Receive 1 Gbps Service Rebuttal

Any Permissible Challenge may submit a rebuttal for a CAI Does Receive 1 Gbps Service. The information and evidence must include evidence that the CAI Location does <u>not</u> have an existing connection capable of delivering 1 Gbps download and 1Gbps upload speeds or a connection that is readily scalable 1 Gbps symmetrical speeds at a higher tier of service over the existing infrastructure.

Obtaining CostQuest BSL Fabric Licenses

In order to administer the BEAD program, UHBO is required to use the FCC National Broadband Map as the baseline, which provides reported broadband availability data at the location level and relies on a proprietary dataset to provide the location data.

UHBO was required to enter into a license agreement with Costquest Associates, the owner of the dataset, to access the data for the purposes of the BEAD program including the challenge process. The terms of this license agreement restrict UHBO from making the data fully available to stakeholders participating in the challenge process.

While UHBO cannot make the data fully available to stakeholders, the participants in the challenge process are eligible to apply for their own licenses with CostQuest. The NTIA entered into a contract with CostQuest to cover the cost of these licenses, so there is no expense to the licensees.

A CostQuest License is not required to file challenges directly through the challenge portal. However, if you are considering submitting bulk challenges (challenges to more than one location in the same submission), we highly recommend that you obtain a license from CostQuest, which will allow us to provide a bulk challenge template pre-populated with Location IDs that you select.

License Tiers

There are two tiers of licenses relevant for the BEAD Program:
- **Tier D License** - The Tier D License is available to all qualified, or presumptively qualified, recipients and subrecipients of federal broadband grants. This license is available to broadband providers, including co-ops, and units of Tribal governments.
  [Request License](#)

- **Tier E License -** The Tier E license is intended for units of local government, non-profits, and other organizations that have signed an FCC Tier 4 license.
  [Request License](#)

Document Change Log

Version	Update Date	Summary of Changes
1.0	7/24/2024	Initial Publication
1.1	8/13/2024	Replace Ready.net helpdesk info with UHBO info.
1.2	10/4/2024	Update Challenge Process Phases section with new timeline.