

Vermont Community Broadband Board Request for Input: Vermont Broadband Equity, Access, and Deployment Program

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This document contains all questions on the Request for Input, but all responses must be submitted via [this online form](#). Responses must be submitted before 11:45 PM US Eastern Standard Time (EST) on June 20, 2023.

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I. Introduction

The State of Vermont has a vision to ensure every underserved Vermonter gains access to fiber broadband, and that Vermonters have the devices and skills they need to meaningfully take advantage of it. To realize this vision, the State of Vermont intends to implement sustainable, community-driven solutions to digital equity across the entire State.

Vermont has received planning grants with federal funding from the National Telecommunications and Information Administration (NTIA) to develop and implement its Broadband Equity, Access, and Deployment (BEAD) Five-Year Action Plan and Digital Equity Plan and Program.

The Vermont Community Broadband Board (VCBB) is the state authority charged with expanding broadband service to unserved and underserved parts of the State. VCBB is tasked with implementing the BEAD and Digital Equity grant programs and conducting public comment processes as part of that. This Request for Input is intended as one opportunity to gather Vermonters' perspectives on the design of Vermont's BEAD Five-Year Action Plan and Initial Proposal.

II. About VCBB

VCBB was established in 2021 by the Vermont State Legislature under Act No. 71, an act relating to accelerated community broadband deployment—to coordinate, facilitate, support, and accelerate the development and implementation of universal community broadband solutions. The VCBB is a public instrumentality, with a separate board, designated by statute or appointed by the Governor. The VCBB develops policies and programs to accelerate community efforts that advance the State's goal of achieving universal access to reliable, high-quality, affordable, fixed broadband service at speeds of at least 100 Mbps symmetrical with public accountability and oversight.

III. Background

The federal Infrastructure Investment and Jobs Act (IIJA), passed into law in 2021, includes a significant investment of \$65 billion to help close the digital divide and ensure that all United States (US) residents have equitable access to reliable, high speed, and affordable broadband. This investment builds upon the funding for broadband deployment provided in the American Rescue Plan Act, the Consolidated Appropriations Act, 2021, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Federal Communications Commission's Universal Service programs, and US Department of Agriculture's Rural Utilities Service broadband programs. These funding sources lay the critical groundwork for widespread access to and affordability of broadband, creating new jobs and economic opportunities, providing increased access to

healthcare services, enriching educational experiences of students, and improving overall quality of life for all US residents.

The National Telecommunications and Information Administration (NTIA) administers grant programs that further the deployment and use of broadband and other technologies in the US, laying the groundwork for sustainable economic growth; improving education, public safety, and health care; and advancing other national priorities. Two such examples are the BEAD program and the Digital Equity Act programs. The Notice of Funding Opportunity (NOFO) for BEAD, which details the requirements and guidelines of the program, is available [here](#).

On December 20, 2022, NTIA [awarded](#) Vermont more than \$5.5 million in Internet for All Planning Grants. Vermont received \$5 million to fund various BEAD program-related activities including development of a comprehensive Five-Year Action Plan that will identify Vermont's broadband access, affordability, equity, and adoption needs and Initial and Final Proposals detailing BEAD program elements and unlocking funding from NTIA. Additionally, Vermont received a \$518,154.20 planning grant to develop a Statewide Digital Equity Plan, which will also be submitted to the NTIA in order to qualify for further grant funds under the Digital Equity Act.

The \$42.5B IJA BEAD program prioritizes deployment of high-speed broadband networks to unserved areas (those lacking access to 25/3 Mbps broadband), underserved areas (those lacking access to 100/20 Mbps broadband), and community anchor institutions (CAIs) lacking access to symmetrical 1 Gbps broadband. The program also allows states or territories to use remaining BEAD funding, should there be any, for other purposes, like increasing broadband and device adoption. This prioritization ensures that limited public infrastructure funding is targeted to where it is needed most and could have the greatest impact.

The BEAD program requires each state to develop a Five-Year Action Plan and an Initial Proposal, each of which must include descriptions of a state or territory participant's plans to advance broadband availability and adoption. Once a state receives BEAD funding from NTIA, it may administer a competitive grant program to subgrantees for:

1. Deploying broadband service to unserved locations (those without any broadband service at all or with broadband service offering speeds below 25 megabits per second (Mbps) downstream/3 Mbps upstream) and underserved locations (those without broadband service offering speeds of 100 Mbps downstream/20 Mbps upstream).
2. Once the State can demonstrate it will be able to ensure service to all unserved and underserved locations, NTIA strongly prefers that Eligible Entities (the State of Vermont) use any remaining money to ensure deployment of gigabit connections to community anchor institutions such as libraries and community centers that lack such connectivity.
3. After unserved and underserved locations and community anchor institutions have been served, Eligible Entities can apply any additional funding to pursue eligible access-, adoption-, and equity-related uses, as well as any other uses approved by the NTIA's Assistant Secretary that support the BEAD program's goals.

IV. Purpose of this RFI

The purpose of this Request for Input is to solicit voluntary feedback and suggestions to inform grant funding, eligibility and compliance for funds distributed by the State of Vermont as part of the BEAD Program. Vermonters have put a lot of thought and effort into increasing broadband access and we want to hear your perspective on how best to continue that work.

This is one step in a broader public engagement process VCBP will conduct to gather input and feedback as it designs its BEAD and Digital Equity plans and programs. Other opportunities will include events and working group sessions as well as public comment on draft plans. This process satisfies NTIA's stakeholder outreach and public comment requirements for the BEAD Five-Year Action Plan and Initial Proposal. Most importantly, this process ensures that the resulting plans are built collectively by the very Vermonters who will be impacted by them.

V. Definitions

The following definitions of terms used in this RFI are copied from the BEAD NOFO.

- **Broadband; Broadband Service:** The term 'broadband' or 'broadband service' has the meaning given the term "broadband internet access service"... meaning it is a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service. This term also encompasses any service that the Commission finds to be providing a functional equivalent of the service described in the previous sentence or that is used to evade the protections set forth in this part.
- **Digital equity:** The term "digital equity" means the condition in which individuals and communities have the information technology capacity that is needed for full participation in the society and economy of the United States.
- **Eligible Entity:** The term "Eligible Entity" means any State of the United States, the District of Columbia, Puerto Rico, American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands or, in the case of an application failure, a political subdivision or consortium of political subdivisions that is serving as a Substitute Entity.
- **Extremely High Cost Per Location Threshold:** An "Extremely High Cost Per Location Threshold" is a BEAD subsidy cost per location to be utilized during the subgrantee selection process described in Section IV.B.7 of the BEAD NOFO under which an Eligible Entity may decline to select a proposal for an end-to-end fiber network if use of an alternative technology meeting the BEAD Program's technical (*e.g.*, speed, latency, reliability) requirements would be less expensive. The Extremely High Cost Per Location Threshold should be set as high as possible to help ensure that end-to-end fiber projects are deployed wherever feasible.
- **Funded Network:** The term "Funded Network" means any broadband network deployed and/or upgraded with BEAD Program funds.

- **Subgrantee:** The term “subgrantee” or “subrecipient” means an entity that receives grant funds [a subgrant] from an Eligible Entity [State] to carry out eligible activities.
- **Underrepresented Communities:** The term “underrepresented communities” refers to groups that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including: low-income households, aging individuals, incarcerated individuals, veterans, persons of color, Indigenous and Native American persons, members of ethnic and religious minorities, women, LGBTQI+ persons, persons with disabilities, persons with limited English proficiency, persons who live in rural areas, and persons otherwise adversely affected by persistent poverty or inequality.
- **Underserved Location:** The term “underserved location” means a broadband-serviceable location that Broadband DATA Maps show as having broadband service available at speeds greater than 25 Mbps for downloads/3 Mbps for uploads, but less than 100 Mbps for downloads / 20 Mbps for uploads; and latency greater than or equal to 100 milliseconds.
- **Unserved Location:** The term “unserved location” means a broadband-serviceable location that the Broadband DATA Maps show as only having access to broadband service, at speeds less than 25 Mbps for downloads/ 3 Mbps for uploads; or latency greater than 100 milliseconds.

VI. Disclaimers

- VCBB may cancel the RFI at any time.
- There will be no compensation for responses.
- This is not a request for proposals.
- Neither response nor failure to respond to this RFI in whole or in part will disqualify any vendor from participation in any subsequent solicitation regarding this matter.
- VCBB will not respond to submissions.

VII. How to Submit Responses

Responses must be submitted via [this online form](#). Responses must be submitted before 11:45 PM US Eastern Standard Time (EST) on June 20, 2023.

By submitting a response, the respondent acknowledges and accepts that contents of the response and associated documents may become available to the public, except items that have been identified as proprietary or confidential by the respondent. The respondent shall clearly label all information deemed proprietary or confidential in their response. Materials may be evaluated by anyone designated by the State as part of the response evaluation committee.

VIII. Review of Responses

VCBB will review responses and incorporate feedback, as appropriate, as it drafts its BEAD Five-Year Action Plan and Initial Proposal for how to administer the subsequent BEAD grant program in Vermont.

IX. Subsequent Solicitation of Public Comment

There will be other opportunities to provide input and feedback in the coming months. VCBB will host and participate in virtual and in-person community events around the state. VCBB will also release its draft BEAD Five-Year Action Plan and Initial Proposal later this summer for a 14-day public comment period. Please check <https://publicservice.vermont.gov/vt-community-broadband-board-vcbb/broadband-equity-access-and-deployment-bead-program-and-digital> for updates and information on how you can help shape the strategy and programming to advance digital equity in Vermont.

X. Requests for Information Categories and Questions

A. General

1. How should Vermont define the success of this program for broadband equity, access, and deployment?
2. What should measurable objectives for broadband access, affordability, and adoption be?
3. What other general guidelines or feedback do you have for the Vermont Community Broadband Board in developing the broadband equity, access, and deployment program?

B. Existing Programs and Resources

4. Extensive broadband deployment and adoption funding sources are currently available through federal and state programs. We would like to understand what other resources are available in Vermont for broadband adoption, affordability, equity, access, and deployment activities, such as from local governments and private investors and foundations. Kindly share any notable resources (funding, programs), organization name offering it, and links where possible.

C. Challenge Process

As part of Volume 1 of the BEAD Initial Proposal, States are required to use the most recently published National Broadband Map from the Federal Communications Commission (FCC) as of the date of submission of the Initial Proposal to identify each unserved location and underserved location within State. This is a different map source than Vermont's Public Service Department broadband map that the VCBB has used for evaluating broadband grant applications funded with ARPA money under Act 71 (2021) programs.

In their BEAD Initial Proposal submission, states must develop and implement a transparent, evidence-based, fair, and expeditious challenge process under which a unit of local government, nonprofit organization, or broadband service provider can challenge the determinations made on the FCC's National Broadband Map as to whether a particular location or community anchor institution within the jurisdiction of the Eligible Entity is eligible for grant funds. Among other things, the process must allow for challenges regarding whether a particular location is unserved or underserved as defined in the BEAD NOFO. Vermont may accept challenges on the basis of: availability of broadband service at a location, speed of broadband service at a location, latency, data cap, community anchor institution location, and locations with or without enforceable funding commitments.

5. What evidence should Vermont require from challengers asserting that a location labeled as "unserved or "underserved" in reality does already have access to 25/3 Mbps or 100/20 Mbps service, for example, a location that has cable or fiber service but shows up incorrectly on the map as though it lacks high-speed internet access?
6. What evidence should Vermont require from challengers asserting that a location declared as having access to 100/20 Mbps or better service in reality is not actually "served"? For example, addresses that show up on the map as having 100/20 Mbps service but in reality the only internet service provider in the area is a DSL provider, or addresses that show up on the map as having 100/20 Mbps service and do have fiber or cable lines running past the address, but the fiber or cable company is not currently connecting customers in that area.

D. Workforce

7. What strategies would you recommend for Vermont to ensure that a diverse and highly skilled workforce for broadband deployment and digital equity is available and employed in Vermont?
8. How should Vermont ensure that subgrantees, contractors, and subcontractors use strong labor standards and protections? What documentation should Vermont require from subgrant applicants?
9. What documentation should Vermont require from subgrant applicants to ensure that any portion of the proposed network that will be constructed or operated by a third party also adheres to defined workforce standards and requirements?
10. What strategies should Vermont consider to develop and promote sector-based partnerships among employers, education and training providers, the public workforce system, unions and worker organizations, and community-based organizations that provide relevant training and wrap-around services to support workers (e.g., childcare, transportation, mentorship)?
11. What strategies should Vermont consider to ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of workers, including by engaging in targeted outreach, and seek subgrantees with effective plans for outreach, to populations that have traditionally been

underrepresented in broadband and information technology jobs, including but not limited to women and people of color?

12. What strategies and process should Vermont consider to ensure that minority businesses, women-owned business enterprises, and labor surplus area firms are recruited, used, and retained when possible?

E. Geographic Level

The Notice of Funding Opportunity gives flexibility to states to solicit proposals from prospective subgrantees at the geographic level of their choosing—for example, on a per-location basis, per-census block basis, per-town, per-county or another geographic unit, such as a Communications Union District (CUD) boundary. States may alternatively solicit proposals for project areas they define or ask prospective subgrantees to define their own proposed project areas.

13. What is the best, or most appropriate, geographic level for subgrantee proposals?
14. Should CUD boundaries, where they have been created, be used to define project areas?
15. Where CUDs have not been created, should town boundaries be used to define project areas?
16. Should prospective subgrantees be permitted to submit project proposals for combinations of CUDs, of towns, and of CUDs and towns?
17. If we permit prospective subgrantees to define proposed project areas, what mechanisms can be implemented to de-conflict overlapping proposals (for example, by de-scoping some locations from a provider's proposed project area) to allow for like-to-like comparison of competing proposals?

F. Broadband Deployment

18. What steps can the State take to reduce costs and barriers to broadband network deployment, promote the use of existing infrastructure, promote and adopt dig-once policies, streamline permitting processes and ensure cost-effective access to poles, conduits, easements, and rights of way, including the imposition of reasonable access requirements?
19. How should Vermont ensure subgrant applicants meet speed and latency requirements defined by the BEAD NOFO and Vermont's Act 71 (i.e., 100/100 Mbps; 95 percent of latency measurements during testing windows must fall at or below 100 milliseconds round-trip time)?

G. Affordability

20. What are barriers to participating in the Affordable Connectivity Program for eligible Vermonters?¹
21. What strategies should the State consider for addressing broadband affordability issues and ensuring that high-quality broadband services are available to all middle-class families in the BEAD-funded network's service area at reasonable prices?
22. How should "middle-class" be defined?
23. What are "reasonable prices," based on what evidence?

The Infrastructure Act requires that each subgrantee receiving BEAD funding to deploy network infrastructure offer at least one low-cost broadband service option. Each Eligible Entity must consult with the Assistant Secretary and prospective subgrantees regarding a proposed definition of the term "low-cost broadband service option." A definition of low-cost broadband service option should address, at a minimum: (1) all recurring charges to the subscriber, as well as any non-recurring costs or fees to the subscriber (e.g., service initiation costs); (2) the plan's basic service characteristics (download and upload speeds, latency, any limits on usage or availability, and any material network management practices, (3) whether a subscriber may use any Affordable Connectivity Benefit subsidy toward the plan's rate; and (4) any provisions regarding the subscriber's ability to upgrade to any new low-cost service plans offering more advantageous technical specifications.

24. How should Vermont define a "low-cost broadband service option" required of BEAD subgrantees?

H. Climate and Sustainability

25. What weather and other climate-related risks and related mitigation strategies should Vermont plan for in the implementation of this program?
26. How can Vermont make use of available tools and resources from the National Oceanic and Atmospheric Administration (NOAA) and other federal agencies, as well as Eligible Entity-level resources and centers of expertise, in drawing up their Proposals pursuant to the BEAD Program?
27. What steps should Vermont take to encourage subgrantees to maximize environmental sustainability and minimize and mitigate environmental risks?

I. Cybersecurity and Supply Chain Risk Management

Vermont is required to impose requirements of cybersecurity and supply chain risk management upon subgrantees. In the BEAD NOFO, NTIA sets forth minimum requirements:

"With respect to cybersecurity, prior to allocating any funds to a subgrantee, an Eligible Entity shall, at a minimum, require a prospective subgrantee to attest that:

¹ Households are eligible for the Affordable Connectivity Program if the household income is at or below 200% of the Federal Poverty Guidelines, or if a member of the household meets at least one of the criteria listed at <https://www.fcc.gov/acp>.

- a. The prospective subgrantee has a cybersecurity risk management plan (the plan) in place that is either: a. operational, if the prospective subgrantee is providing service prior to the award of the grant; or b. ready to be operationalized upon providing service, if the prospective subgrantee is not yet providing service prior to the grant award;
- b. The plan reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented;
- c. The plan will be reevaluated and updated on a periodic basis and as events warrant; and
- d. The plan will be submitted to the Eligible Entity prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days. The Eligible Entity must provide a subgrantee's plan to NTIA upon NTIA's request.

With respect to supply chain risk management (SCRM), prior to allocating any funds to a subgrantee, an Eligible Entity shall, at a minimum, require a prospective subgrantee to attest that:

1. The prospective subgrantee has a SCRM plan in place that is either: a. operational, if the prospective subgrantee is already providing service at the time of the grant; or b. ready to be operationalized, if the prospective subgrantee is not yet providing service at the time of grant award;
2. The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented; Notice of Funding Opportunity – 71
3. The plan will be reevaluated and updated on a periodic basis and as events warrant; and
4. The plan will be submitted to the Eligible Entity prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days. The Eligible Entity must provide a subgrantee's plan to NTIA upon NTIA's request."

28. What, if any, additional requirements should Vermont impose on subgrantees for cybersecurity and/or supply chain risk management?
29. What cybersecurity and/or supply chain risk management documentation should Vermont require of subgrant applicants?
30. What approach should subgrantees take to account for potential increases in cost or limitation of supplies?

J. Program Governance

In accordance with the BEAD NOFO, Vermont competitive process for selecting subgrantees “may not exclude, as a class, cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility as a subgrantee.” Moreover, according to the BEAD NOFO, “each Eligible Entity must establish fair, open, and competitive processes for selecting subgrantees. The selection of subgrantees is a critically important process that will determine which providers will bring service to all Americans, and in many cases, which entities will stand up and operate training programs and take other actions aimed at closing the digital divide.... Each Eligible Entity is encouraged to invite participation in the process by a broad cross-section of potential subgrantees, including minority- owned business and other socially or economically disadvantaged individual-owned businesses.”

31. How can Vermont encourage participation in the process by a broad cross-section of potential subgrantees?
32. How should Vermont define its “Extremely High Cost Per Location Threshold,” which is the cost per location above which Vermont will consider proposals using technologies other than fiber to bring internet access to the most remote addresses? This threshold must be designed to maximize use of the best available technology while ensuring that the program can help Vermont achieve its goal of universal access. What data should Vermont use to calculate the threshold?

The BEAD NOFO outlines subgrantee scoring criteria for States to use when evaluating applications.

“Primary Criteria. In deciding among competing Priority Broadband Projects [end-to-end fiber-optic architecture] covering the same location or locations, Eligible Entities must give the greatest weight (e.g., substantial points or credits) to the following criteria:

- *Minimal BEAD Program Outlay.* The total BEAD funding that will be required to complete the project, accounting for both total projected cost and the prospective subgrantee’s proposed match (which must, absent a waiver, cover no less than 25 percent of the project cost), with the specific points or credits awarded increasing as the BEAD outlay decreases. In comparing the project’s BEAD outlay and the prospective subgrantee’s match commitments, Eligible Entities should consider the cost to the Program per location while accounting for any factors in network design that might make a project more expensive, but also more scalable or resilient.
- *Affordability.* The prospective subgrantee’s commitment to provide the most affordable total price to the customer for 1 Gbps/1 Gbps service in the project area.
- *Fair Labor Practices.* Eligible Entities must give priority to projects based on a prospective subgrantee’s demonstrated record of and plans to be in compliance with Federal labor and employment laws. New entrants without a record of labor and employment law compliance must be permitted to mitigate this fact by making specific, forward-looking commitments to strong labor and employment standards and

protections with respect to BEAD-funded projects. This prioritization requirement is described in further detail in Section IV.C.1.e of the BEAD NOFO.

Secondary Criterion. Eligible Entities must also give weight (e.g., some number of points or quantity of credits less than the amount given to the criteria above) to the following criterion:

- *Speed to Deployment.* All subgrantees that receive BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each customer that desires broadband services within the project area not later than four years after the date on which the subgrantee receives the subgrant from the Eligible Entity. Eligible Entities must give secondary criterion prioritization weight to the prospective subgrantee's binding commitment to provide service by an earlier date certain, subject to contractual penalties to the Eligible Entity, with greater benefits awarded to applicants promising an earlier service provision date.

Additional Prioritization Factors. Eligible Entities may develop additional secondary criteria to be given weights that align with Eligible Entity and local priorities, subject to the requirement to give the greatest weight to the primary criteria and the approval of the Assistant Secretary in the Initial and Final Proposal process. In particular, NTIA encourages Eligible Entities to incorporate the following as selection criteria:

- *Equitable Workforce Development and Job Quality.* NTIA encourages Eligible Entities to adopt selection criteria relating to the subgrantee's enforceable commitments with respect to advancing equitable workforce development and job quality objectives, see Section IV.C.1.f of the BEAD NOFO.
- *Open Access.* NTIA encourages Eligible Entities to adopt selection criteria promoting subgrantees' provision of open access wholesale last-mile broadband service for the life of the subsidized networks, on fair, equal, and neutral terms to all potential retail providers.
- *Local and Tribal Coordination.* NTIA encourages Eligible Entities to adopt selection criteria reflecting a prospective subgrantee's support from the local and/or Tribal Government with oversight over the location or locations to be served."

33. What Primary and Secondary Criteria and Additional Prioritization Factors should the VCBB apply to scoring subgrant proposals for BEAD funding and with what weighting?
34. Given Vermont's positive experience with public-private partnerships and considering Act No. 71 (2021), which established the VCBB, should Vermont implement a scoring preference for prospective subgrantees comprised of partnerships between privately held internet service providers (ISPs) and CUDs?
35. What conditions should the State impose on BEAD subgrantees-- for example, community support, community oversight/accountability, workforce development (e.g., job training), affordable plans, or public benefits of network design?
36. What reporting requirements should Vermont consider for subgrantees, beyond those described in the BEAD NOFO?

K. Subgrantee Qualification Requirements

According to the BEAD NOFO, Eligible Entities also shall ensure that prospective subgrantees have the *competence, managerial* and *financial* capacity to meet the commitments of the subgrant and any requirements of the Program, as well as the *technical* and *operational* capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award.

37. What documentation should Vermont require of subgrant applicants to demonstrate its capability to carry out all activities funded under this program, in compliance with all federal and state regulations?
38. What documentation should Vermont require of subgrant applicants to demonstrate they have the financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the Program and such other requirements as have been prescribed by the Assistant Secretary of the NTIA or the State of Vermont?
39. The BEAD NOFO requires prospective subgrantees to obtain an irrevocable letter of credit from a bank, as well as audited (if available) financial statements from the prior fiscal year. How, if at all, would these financial requirements impact subgrantees' ability to participate in any BEAD projects for the broadband deployment, maintenance, and operations?
40. In certain circumstances, the NTIA may provide States the flexibility to waive the irrevocable letter of credit requirement for prospective subgrantees that cannot obtain an irrevocable letter of credit on favorable terms. In this instance, the state will have the responsibility to ensure through other methods that the subgrantee has the financial capacity to meet the commitments of the proposed project. Besides Letter of Credit, what equivalently rigorous methods could Vermont use to meet the IJA requirement of ensuring a subgrantee's financial capacity to meet commitments?
41. What documentation should Vermont require of subgrant applicants to demonstrate they have the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award?

L. Community Outreach and Local Coordination

42. What strategies should Vermont consider to ensure Vermonters are informed about broadband access, affordability, and digital equity resources?
43. What strategies should Vermont consider to ensure adequate transparency about its administration of the BEAD program?
44. What strategies should Vermont consider to ensure ongoing local coordination of broadband and digital equity activities across the state?

45. According to the BEAD NOFO, Vermont “shall require subgrantees to carry out public awareness campaigns in their service areas that are designed to highlight the value and benefits of broadband service in order to increase the adoption of broadband service by consumers.” What information should the State require subgrantees to provide to the public in the public awareness campaigns?
46. How should the State ensure subgrantee public awareness campaigns are conducted in a way that provides full, accurate, and useful information in an equitable and nondiscriminatory manner, particularly to Underrepresented Communities (as defined in the BEAD NOFO)?
47. Once a Funded Network has been deployed in an unserved or underserved area, what are the most effective means (using which medias) to notify relevant populations, including Underrepresented Communities (as defined in the BEAD NOFO), of the new service offerings available in each area?

M. Accountability

At a minimum, according to the BEAD NOFO, Vermont must employ the following practices: (1) distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow Vermont to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize); (2) the inclusion of clawback provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee; (3) timely subgrantee reporting mandates; and (4) robust subgrantee monitoring practices. NTIA will review proposed subgrant processes during the Initial Proposal and Final Proposal review phases and will reject Proposals that fail to provide sufficient recourse against subgrantees that do not fulfill their legal and contractual responsibilities.

48. What specific or additional accountability procedures should Vermont use within its program to ensure subgrantee compliance with all applicable Program requirements?
49. What provisions for recovery of funds in the event of a subgrantee’s noncompliance with the BEAD Program’s requirements should Vermont include?
50. What additional measures can Vermont put in place to incentivize and reward subgrantees that deploy funded networks and services in a timely manner?
51. What risk mitigation approach should Vermont take if a subgrantee, at any time, is no longer able to provide broadband service to the end user locations covered by the subgrant at any time on a retail basis?

N. Non-deployment Activities

BEAD Program funds may be used for non-deployment activities. As articulated in the BEAD NOFO, the State that “can demonstrate it has a plan for bringing affordable, high-speed broadband service to all unserved and underserved locations within its jurisdiction may also

allocate funding to non-deployment activities. Such eligible non-deployment uses include, but are not limited to, the following:

- User training with respect to cybersecurity, privacy, and other digital safety matters.
- Remote learning or telehealth services/facilities.
- Digital literacy/upskilling (from beginner-level to advanced).
- Computer science, coding and cybersecurity education programs.
- Implementation of Eligible Entity digital equity plans (to supplement, but not to duplicate or supplant, Planning Grant funds received by the Eligible Entity in connection with the Digital Equity Act of 2021).
- Broadband sign-up assistance and programs that provide technology support.
- Multi-lingual outreach to support adoption and digital literacy.
- Prisoner education to promote pre-release digital literacy, job skills, online job-acquisition skills, etc.
- Digital navigators.
- Direct subsidies for use toward broadband subscription, where the Eligible Entity shows the subsidies will improve affordability for the end user population (and to supplement, but not to duplicate or supplant, the subsidies provided by the Affordable Connectivity Program).
- Costs associated with stakeholder engagement, including travel, capacity-building, or contract support.
- Other allowable costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described below in Section V.H.2 of this NOFO.”

52. While the VCBB expects the majority of the BEAD funds will be needed to accomplish Priority 1 (ensuring access to all unserved and underserved locations), with respect to eligible non-deployment activities, what types of initiatives should Vermont prioritize for support?

Respondent Information

Name (Required):

Company (If relevant):

Town (Required):

Zip Code (Required):

E-mail Address or Phone Number (Required, in case VCBB needs to contact you for further information on your responses):