



MISSISSIPPI BEAD CHALLENGE PROCESS RESOURCE GUIDE

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BEAD Challenge Process Guide

The BEAD State Challenge Process is designed to provide stakeholders in Mississippi with an opportunity to participate in the process of challenging the eligibility of locations for BEAD funding. As required by statute, the initial eligibility determinations for funding under the Broadband Equity, Access, and Deployment (BEAD) Program are based on the Federal Communication Commission's (FCC) [National Broadband Map](#).

Based on the process approved by the National Telecommunications and Information Administration (NTIA), challengers can dispute the data sourced from the National Broadband Map by using relevant and allowable evidence.

The BEAD Challenge Process must be completed before the state can distribute its allocated BEAD funds. This ensures that the list of eligible locations is finalized before internet providers apply for BEAD grants in Mississippi.

Questions related to policy, procedural items, or technical assistance should be directed to info@beam.ms.gov.

Note: Due to ongoing discussions between federal and state partners, the 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.

Eligible Challengers

Who can submit a challenge?

Under the federal policy for the BEAD Program, only the following entities are eligible to submit formal challenges during the BEAD Challenge Process¹:

- Units of local government
- Units of Tribal governments
- Nonprofit organizations
- Broadband providers

Role for Residents, Businesses, and CAIs

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

¹ Eligible challengers are defined in NTIA Challenge Process Policy Notice as Permissible Challengers.

Eligibility Determination challenges may require coordination between residents, businesses, and permissible challengers.

How to Prepare to Participate in the Challenge Process

Account Registration

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

Registration Steps

1. **Visit the Registration Page** – <https://broadbandms.com/register/bead> A QR code for this site can also be found on the last page of this document.
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 for the information needed to verify the account as an eligible challenger.
 - a. **General information** – Every registrant for the challenge process will be asked to provide the following information:
 - i. Entity Name
 - ii. Entity Website
 - iii. Primary Contact name
 - iv. Primary Contact Email (Please use domain affiliated with entity)
 - v. Primary Contact Phone Number
 - vi. Category of Entity (select from dropdown)
 - b. **Unit of Local Government Information**
 - i. Physical Address
 - ii. Additional documentation to verify identity
 - c. **Unit of Tribal Government Information**
 - i. UEI Number assigned by Sam.gov
 - ii. Tribe's name as listed by BIA
 - iii. Physical Address
 - iv. Additional documentation to verify identity
 - d. **Non-Profit Organization Information**
 - i. EIN
 - ii. Physical Address
 - iii. Additional documentation to verify identity

4. **Click “Finish” and submit the form** – After submitting the form, an email confirmation will be sent. **No action is needed at this point.**
5. **Wait for Account Approval** – Each registration will be manually reviewed by BEAM before it is approved. As a result, there will be a slight delay between registration and account setup. If the registration lacks necessary details, an email notice will be sent to update the account request with the necessary information.
6. **Complete setting up the account** – Once approved, an email will be sent with a link to complete the setup of the account, including setting a password.

Obtaining CostQuest BSL Fabric Licenses (optional)

CostQuest Associates is the owner of the FCC National Broadband Map data that BEAM is required to use for the Challenge Process. The terms of BEAM’s licensing agreement with CostQuest prevents BEAM from providing downloadable address data to eligible challengers.

However, eligible challengers can get a free CostQuest license to download the address-level data directly from CostQuest.

A CostQuest License is not required to file challenges directly through the challenge portal. However, if you are considering downloading data or submitting bulk challenges (challenges to more than one location in the same submission), BEAM highly recommends that you obtain a license from CostQuest, which will allow BEAM to provide a bulk challenge template pre-populated with each Broadband Serviceable Location ID that you select. A CostQuest License is also required for entities wishing to download data from the Fabric.

License Tiers

There are two tiers of licenses relevant for the BEAD Program:

- **Tier D License** – This license is available to broadband providers, including co-ops, and units of Tribal governments. [Request License](#)
- **Tier E License** – This license is intended for units of local government, non-profits, and other organizations that have signed an FCC Tier 4 license. [Request License](#)

Allowable Challenges

What Can Be Challenged?

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

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

- BEAD eligibility determinations for Broadband Serviceable Locations (BSLs) included in the FCC's National Broadband Map² – these include challenges to reported availability, speed, data cap, latency, technology, and residential/business service.
- Enforceable commitments for existing BSLs (locations with existing funding) [Internet providers only]
- Planned or existing service for existing BSLs [Internet providers only]
- The identification of eligible Community Anchor Institutions (CAIs), as defined in Mississippi's Initial Proposal Volume 1
- CAI BEAD eligibility determinations

Area & Multi-Dwelling Unit (MDU) Challenges

The Office of Broadband Expansion and Accessibility of Mississippi (BEAM) will administer area and MDU challenges for Speed (S), Availability(A), Technology(T), Latency(L), and Data Cap(D) challenge types. An area challenge is triggered if six (6) or more broadband serviceable locations using a particular technology and a single provider within a census block group³ are challenged under the same challenge type.

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

The provider receiving an area challenge or MDU challenge must demonstrate that they are indeed meeting the availability/technology, latency, speed, and data cap requirement, respectively, for all locations within the area or all units within an MDU. Area challenges for Availability need to be rebutted with evidence that service is available for all BSLs within the census block group.

² BEAM will use Version 4 of the Broadband Serviceable Locations Fabric and May 14, 2024, update of the National Broadband Map Availability Data.

³ Area challenge determinations will be determined based on 2020 Census Block Groups

For a Speed Test Area Challenge, the challenged provider will be required to submit a rebuttal for at least 10% of the customers in the challenged area. The customers must be randomly selected.

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.

Structure and Timing of the Challenge Process

Prior to the kickoff of the challenge process, BEAM will post the final eligibility determinations on a public map and available through the portal. A preliminary map is already available on www.broadbandms.com and at www.beam.ms.gov.

The Challenge Process Phases

Timeline

Public Challenge Map Available	July 17, 2024
Challenge Submission Window	August 1 – September 2, 2024
Rebuttal Submission Window	September 2 – 17, 2024
Final Determination	September 18 – October 17, 2024

Challenge Phase

The challenge phase will run for 30 calendar days. During this phase, eligible challengers may submit challenges using the Challenge Portal. If a challenge is determined to meet the minimum level of evidence, it will be considered a 'valid challenge'.

After all challenges are reviewed, the valid challenges will be processed collectively to determine which challenges require a rebuttal and identification of 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 are two providers reporting coverage at 100/20 Mbps and only one of those providers is challenged, the challenged provider will not be required to submit a rebuttal for that location. However, that challenge will still be considered for the purposes of reaching the area challenge threshold.

Tip: Submit your challenges early. If there are errors in your submission, you'll be given an opportunity to re-submit, but ONLY 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, the Rebuttal Phase will run for 15 calendar days. At the beginning of the Rebuttal Phase, all the challenges that require a rebuttal will be posted in the challenge portal. For challenges directed against a specific provider, only the challenged provider may submit a rebuttal. For other challenge types, any Eligible 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 provider will have 15 days to agree with the challenge or dispute the challenge. If no rebuttal is filed in the allotted time, the challenge will be sustained.

Units of Local 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 15-day period. Unlike the provider challenges, other challenge types are still subject to the final review and determination by BEAM.

After a rebuttal is submitted, BEAM will review the evidence and determine if it meets the evidentiary requirements. If a rebuttal submission is determined to meet the minimum level of evidence, it will be considered a 'valid rebuttal.' At the end of the Rebuttal Phase, all challenges with valid rebuttals submitted will be marked as "disputed" and proceed to the Final Determination Phase.

Final Determination Phase

Within 30 days of the close of the Rebuttal Phase, BEAM 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 the information included in each challenge and rebuttal prior to making any final determinations.

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

How to Submit Challenges

Once a requested registration has been approved and the account has been set up, the account will be able to file challenges.

Submitting Challenges in the Challenge Portal

In general, all Eligible Challengers are eligible to submit challenges of any type. The primary exception is that “Planned Service or Existing Service” challenges are submitted by providers.

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’re a provider, you will eventually see challenges submitted on your reported service in your Dashboard.
4. **Click on “Add Challenge” Button** – The “Add Challenge” button is found on the top right of the “Submitted Challenges” panel of the Challenge Map page or on the top-right of the challenges table on the Dashboard page. This will open the “Create a Challenge” page, which includes the Challenge Map with a challenge flow panel on the right and layers that can be used to filter the map based on a range of parameters.
5. **Create a Challenge** – When creating a challenge in the challenge portal, there are several steps included in the flow:
 - a. **Select Challenge Class and Type** – Each challenge category includes multiple challenge types to select. The two used by nonprofits will be:
 - i. **Reported Provider Service Level**
 1. Availability
 2. Speed
 3. Latency
 4. Data Cap
 5. Technology
 6. Business Service Only
 - ii. **Anchor Institution Classification**
 1. Location is a CAI
 2. Location is not a CAI
 3. CAI: Qualifying broadband unavailable
 4. CAI: Qualifying broadband available

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

- c. **Select Locations** – After providing challenge details, only the locations eligible for the challenge type and details provided will be displayed. From the remaining locations, you will be prompted to select the location(s) that you want to challenge. You can add locations one-by-one or select a group of locations.
 - i. **Adding individual locations** – To add an individual location, click on the location on the map, which will then provide a pop-up of the address of that location and an “Add to Challenge” button. If the address aligns with the location you intend to add to the challenge, click “Add to Challenge” and then click “Confirm” in the following prompt. You can add multiple locations to the same challenge submission using this method.
 - ii. **Add locations in bulk (Can only be done if your organization has registered for a CostQuest License to download data from the FCC. CostQuest Licenses are free for nonprofits wishing to obtain one.)** – When filing bulk challenge submissions, you can add locations in groups, rather than adding each location individually, to add multiple locations as a group, there are two methods available.
 1. **Upload List of Locations** - This method allows you to upload a list of valid Fabric Location IDs in a .csv format. The .csv must be a single column with the header: location_id.
 2. **Select or Upload Area by creating a “Zone”** – This method allows you to define a zone by drawing a polygon, uploading a shapefile, or selecting from a library, which includes defined geographies such as cities, counties, and 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. **Shift+Click+Drag cursor** – This method allows you to quickly select multiple locations directly on the map. This is the quickest, but less precise method of selecting multiple locations, because the selection boundaries are in a rectangular shape. Once you’ve selected locations using this method, you’ll be prompted to

confirm that you want to add these locations to your challenge. The prompt will include the number of locations that you've selected.

- 4. Removing locations from selection** – If you inadvertently added locations, you do not wish to challenge, you can remove the locations by clicking the trash icon next to the location in the right panel, or remove all the selected locations by clicking “Remove All”

- d. Upload Evidence and Documentation** – Once you've finalized the location(s) that you want to challenge you will be asked to provide any evidence and documentation that you want included in the review of your challenge. For challenges that may require you to provide separate evidence files per location, you will be prompted to download a .csv file with the selected Location. **Definition of Evidence for each challenge type begins at the bottom of this page.**
- e. Attestation** – After uploading the evidence, you will be required to accept and complete an attestation that, to the best of your knowledge and belief, the challenge is true, complete, and accurate, subject to potential civil or administrative penalties.

Evidence and Documentation Requirements

Evidence and documentation submission is the most important part of the challenge submission. Evidence submitted by local governments or nonprofits must be collected from citizens who report unreliable broadband service. If your submission does not meet the minimum level of evidence sufficient to establish a valid challenge, it will not be approved to proceed to the rebuttal phase.

The minimum level of evidence required varies by challenge type.

Availability Challenges

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

In alignment with the FCC Challenge Process, the BEAD Challenge Process requires the “Reason for the Challenge” to be documented, using the reason_code field from the FCC

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, BEAM cannot ensure that the evidence will meet the minimum requirements. To support our review, please provide a thorough explanation of any evidence classified as other.

Table 1

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
1	Provider failed to schedule a service installation within 10 business days of a request.	<ul style="list-style-type: none"> ● 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 	365 days
2	Provider did not install the service at the agreed-upon time.	<ul style="list-style-type: none"> ● 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 	365 days
3	Provider requested more than the standard installation fee to connect the location.	<ul style="list-style-type: none"> ● 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 	365 days
4	Provider denied the request for service.	<ul style="list-style-type: none"> ● Screenshot from provider website ● Email from provider 	180 days

⁴ See “Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsourced Data (Section 3.2),” Federal Communications Commission, January 12, 2023, [bdc-bulk-fixed-challenge-dataspecifications.pdf](#).

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
		<ul style="list-style-type: none"> ● 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 	
5	Provider does not offer the technology entered above at this location.	<ul style="list-style-type: none"> ● 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, including manufacturer and model number of residential gateway ● Other evidence to support challenge 	365 days
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location.	<ul style="list-style-type: none"> ● 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 	180 days
7	Intentionally Omitted ⁵ (Does not constitute a formal challenge)	N/A	N/A

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.”

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
8	No wireless signal is available at this location (only for technology codes 70 and above).	<ul style="list-style-type: none"> ● 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 	365 days
9	New, non-standard equipment had to be constructed at this location.	<ul style="list-style-type: none"> ● 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 	365 days

Additional Provider Service Level Challenges

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

Evidence for Additional Provider Service Level Challenges

The Latency and Speed challenges have specific requirements that differ from the rest, as described below in the “Evidence for Latency Challenges” and “Evidence for Speed Challenges” section. However, the Data Cap, Technology, and Business Service Only challenge requirements are similar to those for Availability challenges. Table 2 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, BEAM 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 2

Type	Reason	Acceptable Evidence Types for Challenges	Data Age
Data Cap	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer.	<ul style="list-style-type: none"> • 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 technology indicated for this location is incorrect.)	<ul style="list-style-type: none"> • 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, including manufacturer and model number of residential gateway • Other evidence to support challenge 	365 days
Business Service Only	The location is residential, but the service offered is marketed or available only to businesses.	<ul style="list-style-type: none"> • 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
Planned Service	The challenger has knowledge that broadband will be deployed at this location by December 30, 2024, without an enforceable	<ul style="list-style-type: none"> • Construction contracts or similar evidence of on-going deployment, along with evidence that all necessary permits have been applied for, or obtained. • Contracts or a similar binding agreement between the Eligible Entity and the provider committing that planned service will meet the BEAD definition and 	

commitment or a provider is building out broadband offering performance beyond the requirements of an enforceable commitment.	requirements of reliable and qualifying broadband even if not required by its funding source (i.e., a separate federal grant program), including the expected date deployment will be completed, which must be on or before December 30, 2024.
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Evidence for Speed Challenges

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

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

■ Evidence & Review Approach

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

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

Table 2 – Challenge Types and Evidence

Code	Challenge Type	Description	Specific Examples	Permissible Rebuttals
A	Availability	The broadband service identified is not offered at the location, including a unit of a multiple dwelling unit (MDU).	<ul style="list-style-type: none"> • Screenshot of provider webpage. • A service request was refused within the last 180 days (e.g., an email letter, or written account of a conversation with a provider). • Lack of suitable infrastructure (e.g., no fiber on pole), including evidence such as demonstration that current spectrum holdings, nodes, backbone, and towers (including location and loading constraints) are insufficient to support all of the claimed locations. • A letter, email, or written account of a conversation with a provider dated within the last 180 days that a provider failed to schedule a service installation or offer an installation date within 10 business days of a request.¹ • A letter, email, or written account of a conversation with a provider dated within the last 180 days indicating that a provider requested more than the standard installation fee to connect this location or 	<ul style="list-style-type: none"> • Provider shows that the location subscribes or has subscribed within the last 180 days, e.g., with a copy of a customer bill and attest that there is no waitlist or delay greater than 10 days for connecting new, or returning customers. • 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. • The provider submits network diagrams and/or propagation maps that show evidence of infrastructure and coverage • Evidence of network capacity • Evidence that the challenged provider of Cellular Fixed Wireless Access (FWA) does not throttle, or prioritize mobile customers over, home Internet customers. Evidence that demonstrates that the provider provides a plan that is not subject to usage- based throttling, below a threshold of 600 GB/month in line with the data cap challenge type.

¹ A standard broadband installation is defined in the Broadband DATA Act (47 U.S.C. § 641(14)) as “[t]he initiation by a provider of fixed broadband internet access service [within 10 business days of a request] in an area in which the provider has not previously offered that service, with no charges or delays attributable to the extension of the network of the provider.”

			<p>that a Provider quoted an amount in excess of the provider's standard installation charge in order to connect service at the location.</p> <p>Evidence that demonstrates that the service is only available via plans where the speeds of the broadband service are throttled in favor of another category of customer (e.g. LTE/5G networks where mobile connections are prioritized over fixed wireless connections).</p> <ul style="list-style-type: none"> • Evidence that demonstrates that the service is only available via plans with usage-based throttling, below a threshold of 60 GB/month in line with the data cap challenge type. 	
S	Speed	The actual speed of the service tier falls below the unserved or underserved thresholds. ²	Speed test by subscriber, showing the insufficient speed and meeting the requirements for speed tests within the past 60 days, or 180 days for speed tests performed using broadbandms.com.	Provider has countervailing speed test evidence showing sufficient speed, e.g., from their own network management system. ³

² The challenge portal has to gather information on the subscription tier of the household submitting the challenge. Only locations with a subscribed-to service of 100/20 Mbps or above can challenge locations as underserved, while only locations with a service of 25/3 Mbps or above can challenge locations as unserved. Speed challenges that do not change the status of a location do not need to be considered. For example, a challenge that shows that a location only receives 250 Mbps download speed even though the household has subscribed to gigabit service can be disregarded since it will not change the status of the location to unserved or underserved.

³ As described in the NOFO, a provider's countervailing speed test should show that 80 percent of a provider's download and upload measurements are at or above 80 percent of the required speed. See Performance Measures Order, 33 FCC Rcd at 6528, para. 51. See BEAD NOFO at 65, n. 80, Section IV.C.2.a.

L	Latency	The round-trip latency of the broadband service exceeds 100 ms. ⁴	Speed test by subscriber, showing the excessive latency within the past 60 days, or 180 days for speed tests performed using broadbandms.com	Provider has countervailing speed test evidence showing latency at or below 100 ms, e.g., from their own network management system or the CAF performance measurements. ⁵
D	Data cap	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer. ⁶	<ul style="list-style-type: none"> • Screenshot of provider webpage. Service description provided to 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.
T	Technology ⁷	The technology indicated for this location is incorrect.	<ul style="list-style-type: none"> • Manufacturer and model number of residential gateway (CPE) that demonstrates the service is delivered via a specific technology. 	Provider has countervailing evidence from their network management system showing an appropriate residential gateway (CPE) that matches the reported service.
B	Business service only	The location is residential, but the service offered is marketed or available only to businesses.	<ul style="list-style-type: none"> • Screenshot of provider webpage. • A letter, email, or written account of a conversation with a provider dated within the last 180 days indicating that a provider only offers business service at the location 	Provider documentation that the service listed in the BDC is available at the location and is marketed to consumers. Providers must sign an affidavit confirming residential service is available with no waitlist or delay greater than 10 days for connecting new customers.

⁴ Performance Measures Order, including provisions for providers in non-contiguous areas (§21)

⁵ Ibid

⁶ An unreasonable capacity allowance is defined as a data cap that falls below the monthly capacity allowance of 660 GB listed in the FCC 2024 Urban Rate Survey (FCC Public Notice DA 23-1172, December 15, 2023). Alternative plans without unreasonable data caps cannot be business-oriented plans not commonly sold to residential locations. A successful challenge may not change the status of the location to unserved or underserved if the same provider offers a service plan without an unreasonable capacity allowance or if another provider offers reliable broadband service at that location.

⁷ Technology challenges will be recorded as an Availability challenge under reason code 5, as described in Table 2. This means that Technology challenges will be combined with Availability challenges for the purposes of triggering Area and MDU Challenges.

E	Enforceable Commitment	The challenger has knowledge that broadband will be deployed at this location by the date established in the deployment obligation.	<ul style="list-style-type: none"> • Enforceable commitment by service provider (e.g., authorization letter). In the case of Tribal Lands, the challenger must submit the requisite legally binding agreement between the relevant Tribal Government and the service provider for the location(s). 	Documentation that the provider has defaulted on the commitment or is otherwise unable to meet the commitment (e.g., is no longer a going concern).
P	Planned service	The challenger has knowledge that broadband will be deployed at this location by December 30, 2024, without an enforceable commitment or a provider is building out broadband offering performance beyond the requirements of an enforceable commitment.	<ul style="list-style-type: none"> • Construction contracts or similar evidence of on- going deployment, along with evidence that all necessary permits have been applied for, or obtained.⁸ • Contracts or a similar binding agreement between the Eligible • Entity and the provider committing that planned service will meet the BEAD definition and requirements of reliable and qualifying broadband even if not required by its funding source (<i>i.e.</i>, a separate federal grant program), including the expected date deployment will be completed, which must be on or before December 30, 2024. 	Documentation showing that the provider is no longer able to meet the commitment (e.g., is no longer a going concern) or that the planned deployment does not meet the required technology or performance requirements.

⁸ 9 Necessary permits include any permits that are needed to deploy qualifying broadband to the degree of completion that broadband service will be available no later June 30, 2024

N	Not part of enforceable commitment	This location is in an area that is subject to an enforceable commitment to less than 100% of locations and the location is not covered by that commitment. (See BEAD NOFO at 36, n. 52.)	<ul style="list-style-type: none"> • Declaration by service provider subject to the enforceable commitment. 	
C	Location is a CAI	The location should be classified as a CAI.	<ul style="list-style-type: none"> • Evidence that the location falls within the definitions of CAIs set by the Eligible Entity.⁹ 	Evidence that the location does not fall within the definitions of CAIs set by the Eligible Entity or is no longer in operation.
R	Location is not a CAI	The location is currently labeled as a CAI but is a residence, a non-CAI business, or is no longer in operation.	<ul style="list-style-type: none"> • Evidence that the location does not fall within the definitions of CAIs set by the Eligible Entity or is no longer in operation. 	Evidence that the location falls within the definitions of CAIs set by the Eligible Entity or is still operational.
G	CAI: Qualifying broadband unavailable. ²¹	The CAI cannot obtain qualifying broadband.	<ul style="list-style-type: none"> • Evidence that the CAI has tried to acquire qualifying broadband but has been unsuccessful. 	Evidence that qualifying broadband is available to the CAI.

⁹ For example, eligibility for FCC e-Rate or Rural Health Care program funding or registration with an appropriate regulatory agency may constitute such evidence, but the Eligible Entity may rely on other reliable evidence that is verifiable by a third party.

Q	CAI: Qualifying broadband available.	The CAI can obtain qualifying broadband	<ul style="list-style-type: none"> Evidence that the CAI can acquire symmetric gigabit service. 	Evidence that qualifying broadband is not available to the CAI.
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Each speed challenge must consist of three measurements, taken on different days. The measurements do not need to occur on consecutive days. The median of the three tests is used to trigger the challenge.

Speed tests can take four forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., router, cable modem (for HFC), ONT (for FTTH), or fixed wireless subscriber module.
2. A reading of the speed test available from within the residential gateway web interface.
3. A reading of the speed test found on the service provider’s web page.
4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway. **BEAM encourages use of the speed test found on www.broadbandms.com as it conducts Ookla, Measurement Lab, and Cloudflare speed tests simultaneously.**

Each speed test measurement must include:

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

The speed test at broadbandms.com captures all the information required.

Each group of three speed tests must include:

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

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

Evidence for Latency Challenges

Latency Challenges must provide evidence that the round-trip latency of the broadband service exceeds 100ms. This will require multiple speed tests by the subscriber at each challenged location, **which will show excessive round-trip latency.**

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

Speed tests for Latency Challenges can take four forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., router, cable modem (for HFC), ONT (for FTTH), or fixed wireless subscriber module.
2. A reading of the speed test available from within the residential gateway web interface.
3. A reading of the speed test found on the service provider's web page.
4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway. **BEAM encourages use of the speed test found on www.broadbandms.com as it conducts Ookla, Measurement Lab, and Cloudflare speed tests simultaneously.**

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3. An agreement, using an online form provided by the Eligible Entity, that grants access to these information elements to the Eligible Entity, any contractors supporting the challenge process, and the service provider.

The IP address and the subscriber's name are considered personally identifiable information

(PII) and thus are not disclosed to the public (e.g., as part of a challenge dashboard or open data portal).

Submitting Rebuttals

1. **Notifications of Rebuttal Phase Sent** – When the Rebuttal Phase opens, notifications will be sent to all registered Eligible Challengers to provide formal notice that the challenges are open for rebuttal. All Eligible Challengers will be notified of the opportunity to submit rebuttals to open rebuttal challenges, which includes any challenge not submitted directly against a provider. In addition to the standard notification, the Broadband Provider’s notification will include a notification of whether challenges were received against them. The formal notice at the close of the challenge window will initiate the 15-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 the portal to review the challenges for which you are eligible to submit rebuttals. In the dashboard, two tabs will be available to review challenges: “Challenges Received” (Providers Only) and “Open for Rebuttal.”
 - a. **Open for Rebuttal** – The Open for Rebuttal tab will display all the challenges that are not directed at a specific broadband provider, such as Planned Service, Enforceable Commitment, or CAI challenges. The challenges will be grouped by submission and include details, including the challenging entity, challenge type, number of challenged locations, and other details.
5. **Click View Details** – To begin the Rebuttal Process, click “View Details” on the challenge that you want to submit a rebuttal against. This will pull up an interface with a map displaying the locations and details on the challenged locations included in the submission. The information on the challenge submission will be available in the right panel, which has two tabs: Details and Locations.
 - a. **Details:** The challenge details will be similar to those provided in the Dashboard but will include an expanded description of the challenge type.
 - b. **Locations:** The locations tab will provide a full list of locations that were challenged under the selected submission.

6. **Rebut or Accept Challenges** – Using the locations tab, you can choose which individual location challenges you want to rebut and which individual location challenges, if any, you want to accept. **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’ve finalized the location(s) that you want to rebut you will be asked to provide any evidence and documentation that you want included in the review of your rebuttal.
8. **Attestation** – After uploading the evidence, you will be required to accept and complete an attestation that, to the best of your knowledge and belief, the rebuttal is true, complete, and accurate, subject to potential civil or administrative penalties.

Community Anchor Institution (CAI) Challenges and Rebuttals

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

- Identification of CAIs
- Eligibility based on Broadband Availability

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

- **Schools:** K-12 schools include all K-12 schools participating in the FCC E-Rate program or that have an NCES (National Center for Education Statistics) ID in the categories “public schools” or “private schools.”
- **Libraries:** Including all libraries participating in the FCC E-Rate program as well as all member libraries, and their branches, of the American Library Association (ALA).
- **Health clinic, health center, hospital, or other medical providers:** The list of health clinics, health centers, hospitals and other medical providers includes all institutions that have a Centers for Medicare and Medicaid Services (CMS) identifier.
- **Public safety entity:** The list includes entities such as firehouses, emergency medical service stations, police stations, sheriff and constable offices, and public safety answering points (PSAP), based on records maintained by the Eligible Entity and units of local government. The list of public safety answering points (PSAPs) includes all PSAPs in the FCC PSAP registry.
- **Institutions of higher education:** Institutions of higher education include all institutions that have an NCES ID in the category “college,” including junior colleges, community colleges, minority-serving institutions, historically black colleges and universities, other universities, or other educational institutions.
- **Public housing organizations:** Public housing organizations were identified by contacting the Public Housing Agencies (PHAs) for the state or territory enumerated by

the U.S. Department of Housing and Urban Development. The nonprofit organizations Public and Affordable Housing Research Corporation (PAHRC) and National Low-Income Housing Coalition maintain a database of nationwide public housing units at the National Housing Preservation Database (NHPD).

- **Community support organizations:** The Eligible Entity included any organizations that facilitate greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals. The Eligible Entity included senior centers and job training centers in this category. The Department of Labor maintains a database of “American Job Training” training centers, established as part of the Workforce Investment Act, and reauthorized in the Workforce Innovation and Opportunities Act of 2014. The database can be accessed at the American Job Center Finder. The National Council on Aging (NCOA) helped identify senior centers.

Identification of Community Anchor Institution (CAI)

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

Evidence for “Location is a CAI” Challenge

If you believe that a location is not currently marked as a CAI but should be, you may challenge to have that location included as a CAI. To submit a successful challenge, submit the following information and evidence:

1. Official entity name of the institution
2. The type of CAI, selecting from the categories defined on the previous page.
 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 submitting a challenge to add a location as a CAI, you will be given an opportunity to indicate whether the institution has unmet broadband needs based on the standard of 1000/1000 Mbps (also known as 1 Gbps symmetrical).

If the location for a CAI is missing entirely from the map, please reach out to info@beam.ms.gov.

Evidence for “Location is a CAI” Rebuttal

Any Eligible Challenger 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 location 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 a Not CAI” Challenge

If you believe that a location is incorrectly identified as a CAI, you may submit a challenge to have that location removed from the list. Please note that BEAM is not allowed to add residential Broadband Serviceable Locations (BSLs) to the map, so a successful challenge will remove this location from the Mississippi broadband map.

To submit a successful challenge, submit the following information and evidence:

1. Identify the basis for the challenge that claims the location 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 a Not CAI” Rebuttal

Any Eligible Challenge may submit a rebuttal for a “Location is a CAI” Challenge. The

information and evidence must include evidence that the location falls within the definitions of CAIs set by the Eligible Entity or is still operational.

CAI BEAD Eligibility Based on Broadband Availability

Evidence for CAI: Qualifying Broadband Unavailable Challenge

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

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

Evidence for CAI: Qualifying Broadband Unavailable Rebuttal

Any Eligible Challenger 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/1Gbps speeds or a connection that is readily scalable 1 Gbps symmetrical speeds at a higher tier of service over the existing infrastructure.

Evidence CAI: Qualifying Broadband Available Challenge

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

Evidence for CAI: Qualifying Broadband Available Rebuttal

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

Register for the Mississippi BEAD Challenge Portal at the link below or scan the QR code.

<https://broadbandms.com/register/bead>

