



**Telecommunications Industry Association**  
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**Via E-Mail: [BEAD@NTIA.gov](mailto:BEAD@NTIA.gov)**

National Telecommunications and Information Administration  
Herbert C. Hoover Building  
1401 Constitution Ave., NW  
U.S. Department of Commerce  
Washington, DC 20230

**Re: National Telecommunications and Information Administration, Broadband Equity, Access, and Deployment (BEAD) Program: Draft Alternative Broadband Technology Policy Notice**

To Whom It May Concern:

The Telecommunications Industry Association (“TIA”) appreciates the opportunity to provide input regarding the National Telecommunications and Information Administration (“NTIA”) Request for Comment on a Draft BEAD Alternative Broadband Technology Policy (“Draft Policy”) to provide Eligible Entities with additional guidance regarding the use of alternative technologies to serve unserved and underserved locations within their jurisdiction. TIA is an industry association that represents more than four hundred U.S. and global manufacturers and vendors of telecommunications equipment and services. From the fiber in the ground to satellites in the sky, TIA member companies build the equipment that will make broadband buildout possible and are therefore deeply invested in the success of this plan and the efficient use of federal dollars in connecting every American to high-quality broadband internet.

TIA welcomes NTIA’s request for industry feedback. As NTIA works to establish the regulations that will govern the BEAD program, TIA wanted to take this opportunity to provide feedback based on conversations with our members and offer several guiding principles on how NTIA can administer these grants in a way that ensures their success.

***NTIA Should Implement Technology-Neutral Policies That Do Not Prioritize Particular Sectors Over Others***

TIA has previously urged NTIA to ensure that the rules governing the BEAD program are neutral and do not favor any one sector of the economy.<sup>1</sup> As TIA explained, NTIA’s regulations should ensure that providers can utilize the wide array of technical options available for building these networks, rather than designing regulations that favor one network architecture or technology over another.<sup>2</sup> These regulations should account for the geographically diverse nature

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<sup>1</sup> See generally, e.g., Comments of the Telecommunications Industry Association, Docket No. 220105-0002, RIN-0660-ZA33, at 11-12, 15-19 (filed Feb. 4, 2022).

<sup>2</sup> *Id.* at 15.

of the U.S. and allow providers to select the most effective technology to serve their communities.<sup>3</sup>

The BEAD Notice of Funding Opportunity sets out a clear hierarchy for awarding projects, and although TIA has encouraged NTIA to take a technology neutral approach, the new Draft Guidance appears to confuse that hierarchy by creating a separate standard for evaluating alternative technology projects.<sup>4</sup> The Draft Guidance's standard for determining whether an area is served is less stringent than the standard that NTIA provides in its other guidance documents, such as the NTIA Model Challenge process. In fact, the Draft Guidance appears to provide alternative technologies with unique consideration over reliable technologies, which is contrary to the BEAD program's priority schema.<sup>5</sup> The Draft Guidance also permits Eligible Entities to fund alternative technology "capacity" only, although this is not an option for reliable technologies under the BEAD program.<sup>6</sup> To ensure an equitable and cohesive Internet for All program, NTIA should establish a consistent standard across all technologies for determining BEAD eligible locations. The standard should be reasonable, technology neutral, and require consistent and reasonable evidence for demonstrating available service.

***NTIA Should Maintain Consistent Standards Across the BEAD Program to Avoid Delays, Taxpayer Waster, and Unintended Consequences***

The Draft Guidance confuses the standard for evaluating BEAD project areas and creates ambiguities that could lead to inefficiencies and delays in connecting Americans. During the Covid-19 pandemic, it became increasingly clear that certain American's lacked sufficient access to the Internet. As a component of the Infrastructure Investment and Jobs Act, the BEAD program was established to remedy that persistent gap. In addition to proposing a new and inconsistent standard for evaluating technology projects, the Draft Guidance provides Eligible Entities with an opportunity to revise their BEAD proposals which could further Americans' access to critical Internet technologies.

With its goal of Internet for All, NTIA made clear from the onset of the BEAD program that certain hard to reach areas of the country would likely rely on satellite for connectivity. It is difficult to understand why NTIA would introduce new guidance on project and technology evaluation three years into the program when most Eligible Entities have already completed their planning process. To ensure that all Americans are connected as soon as possible, NTIA should permit Eligible Entities to move forward on reliable technology projects, even if they will require time to fully incorporate the new alternative technology guidance. By halting progress on reliable

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<sup>3</sup> *Id.* at See NTIA BEAD Alternative Technology Guidance at 4 stating, "[t]he BEAD NOFO establishes a clear hierarchy for awarding Unserved and Underserved Service Projects: (1) Priority Broadband Projects (end-to-end fiber); (2) other Reliable Broadband Service projects; and then (3) alternative technology projects." 15.

<sup>4</sup> NTIA BEAD Alternative Technology Guidance at 7-8.

<sup>5</sup> See NTIA BEAD Alternative Technology Guidance at 4 stating, "[t]he BEAD NOFO establishes a clear hierarchy for awarding Unserved and Underserved Service Projects: (1) Priority Broadband Projects (end-to-end fiber); (2) other Reliable Broadband Service projects; and then (3) alternative technology projects."

<sup>6</sup>

technology projects, connectivity for the entire country could be delayed while only the hardest to reach locations may be impacted by the Draft Guidance. Delays in implementation could also stretch thin those Build America/Buy America vendors that have taken risk to expand and expedite manufacturing to meet the demands of the nation's broadband build out. Maintaining momentum for the BEAD program is crucial to ensure Americans are connected and firms can maintain financial solvency to fulfill the nation's broadband supply chain requirements.

Inconsistencies in NTIA's approach to evaluating alternative technology projects also risks misuse of taxpayer dollars. Under the BEAD program, alternate technologies should not deem a location served if reliable technologies meeting or exceeding the same standard deem a location unserved or underserved. NTIA should reiterate its commitment to a technology-neutral program and utilize a consistent evaluation standard across all technologies to ensure equitable and cohesive program. Any other approach risks wasting finite federal dollars and violates the goal of the BEAD program, which is to connect all Americans regardless of location or circumstance.

By ensuring consistent treatment across technology types and project areas, BEAD's limited resources will be directed toward communities that truly lack adequate broadband infrastructure, rather than duplicating efforts in areas already receiving investment. Before NTIA awards or considers alternative technologies, Eligible Entities should be required to review all enforceable commitments for a location from the Broadband Data Maps and other federal funding programs. By utilizing a consistent standard for evaluating project areas and technologies, NTIA will ensure that all BEAD funds are utilized appropriately, and that connectivity will soon reach all Americans as anticipated by the Infrastructure Investment and Jobs Act.

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TIA looks forward to continued discussion of these issues with NTIA and interested stakeholders as the Administration continues to explore ways to make the goal of 100 percent service a reality.

Sincerely,

Melissa Newman  
Senior Vice President, Government Affairs  
Telecommunications Industry Association