

Notice of Request for Data Related to the Broadband Equity, Access, and Deployment Program

The West Virginia Department of Economic Development (WVDED), Office of Broadband, formed via W. Va. Code §31G-1A-2, is tasked with gathering and reporting data related to broadband adoption and availability, and exploring ways to expand access to broadband services. To that end, WVDED is managing all activities related to the National Telecommunications and Information Administration's (NTIA) [Broadband Equity, Access, and Deployment \(BEAD\) Program](#), which was made possible by the bipartisan [Infrastructure Investment and Jobs Act](#) and seeks to increase high-speed broadband Internet access in all 50 U.S. states and territories.

W. Va. Code §31G-1A-4-a provides WVDED with the authority to establish a voluntary data collection program "in order to ascertain, categorize, analyze, map, and update the status of broadband in the state, as well as to enable the Office of Broadband to make informed policy and legislative recommendations..." In parallel, the Federal Communications Commission (FCC) requires that Internet Service Providers (ISPs) participate in the Digital Opportunity Data Collection (DODC) process and provide information on their networks to the FCC.¹ ISPs are required to provide the latest round of data by March 1, 2023.

As such and to assist West Virginia in completing its own data-related mission, WVDED requests that ISPs operating in the State concurrently provide it with the portion of the DODC data provided to the FCC which pertains to services provided in West Virginia by March 2, 2023. The specific portion of this data and the method through which it should be submitted is outlined in the following section.

ISPs that participate or intend to participate in any State of West Virginia Broadband grants programs and anyone who wishes to file a challenge to a notice of potential award of a grant are **required** to submit data responsive to this request.

¹ Federal Communications Commission (FCC), 36 FCC Rcd 1126 (2), January 13, 2021, <https://www.govinfo.gov/content/pkg/FR-2021-04-07/pdf/2021-04998.pdf>, as amended by FCC, 28 FCC Rcd 9887 (12), https://docs.fcc.gov/public/attachments/FCC-13-87A1_Rcd.pdf.

1. Data Request

1.1 Instructions and confidentiality

Method of submission. Information submitted in response to this request, including the Broadband Availability Response Template and all other supporting documentation, should be submitted through the response file request link for this Request for Comments posted at [WV Comment Upload Portal](#). The password required for upload submissions is:

WVbroadband

Responses must be submitted not later than March 2, 2023, at 5:00 PM EDT. Early responses are encouraged.

Confidentiality notice. Responding ISPs may request that WVDED treat as confidential and not publish or make public documentation supporting claims about the submitted addresses that identifies elements of the ISP's network. ISPs requesting confidential treatment of supporting documents must attach a letter to their response that specifically identifies the documents or specific parts of documents for which they are requesting confidential treatment and identify the relevant public records exemption listed in W.Va. Code Sections 29B-1-4 or 31G-1A-5. Documents for which confidential treatment is sought should be marked or stamped as confidential. WVDED will not treat as confidential and may publish or otherwise provide public access to the addresses submitted by respondents to WVDED.

1.2 Requested data

We request the same data, and in the same format, that you will provide the FCC for the BDC program for the following categories: fixed wireline, mobile wireless, and fixed wireless. The specifications for which can be found in the FCC's BDC availability data specifications document located here: <https://us-fcc.app.box.com/v/bdc-availability-spec>.

The specifications for each of these three categories can be found in the following sections of the abovementioned document:

- Fixed Wireline – All of Section 6 “Fixed Broadband Availability Data”
- Mobile Wireless – All of Section 8 “Mobile Broadband and Mobile Voice Availability Data”

- Fixed Wireless - Section 7.3 “Fixed Wireless Propagation Modeling Information”
through Section 7.7 “Fixed Wireless Clutter Category Data”