WEST VIRGINIA
Economic Development

West Virginia BEAD Program: FAQ

Updated October 22, 2024

Disclaimer: The National Telecommunications and Information Administration (NTIA) has approved West Virginia's Initial Proposal Volume 2. In the event of any discrepancy between this FAQ document and West Virginia's Initial Proposal as approved by NTIA, the requirements of the Broadband Equity Access and Deployment (BEAD) program will prevail.

Change Log and Summary

#	Question	Last Updated
1 Pre-Application		
1.1	Can an applicant submit a Pre-Application if match funds are contingently available, such as those that may be dependent on allocations from the West Virginia State Legislature?	March 26, 2024
1.2	Where can applicants download the workbook files?	March 26, 2024
1.3	For the purposes of the E.2 Capital Cost Summary tab in the Pro Forma Workbook, who/what is considered a "customer?" Does this include broadband, phone, and cable television service?	April 9, 2024
1.4	The E.1 Project Specs tab in the Pro Forma Workbook asks "Do you have more than __ customers across all states?" What is considered a "customer" and what is the purpose of this question?	April 9, 2024
1.5	Under what circumstance(s) is a third, Region-sized, pro forma required?	April 9, 2024
1.6	Does each pro forma represent an individual project?	April 9, 2024
1.7	How should applicants approach completing the Universal and Cost Factor workbook knowing that the Target Areas and Regions map may change after they submit their Pre-Applications?	May 17, 2024
1.8	During the workshops, WVDED provided screenshots from a completed or partially completed pro forma workbook. Is this an accurate representation of what a pro forma should look like, including the resulting figures such as return on investment?	April 9, 2024

1.9	WVDED requires that applicants disclose whether and which other broadband deployment projects they, their contractors, or subcontractors are undertaking or plan on undertaking. Is there a threshold for when such a project must be disclosed? As an example, if an applicant plans to submit a proposal for a BEAD program in another state but has not yet decided which, does this need to be reported on?	April 9, 2024
1.10	Pre-application portal question #4 asks, "Which of the following describes the Applicant(s)?" The note immediately underneath the question states "Upload materials substantiating the Applicant's existence as one of the below entity types to the Documents tab for all non-government entities."	April 29, 2024
1.11	Question #3 on the Applicant Information tab in the pre-application portal previously asked for the "State Employer Identification Number" and currently asks for the "Federal Employer Identification Number." Which is correct?	April 29, 2024
1.12	Does an applicant need to list or provide information on all vendors, contractors, or subcontractors that it may use in its Pre-Application?	April 29, 2024
1.13	Should mobile broadband projects be included in the Disclosure of Publicly Funded Projects Form?	May 3, 2024
1.14	Is there a template for the letter of credit commitment letter or performance bond commitment letter required during the Pre-Application? If not, what should it contain?	May 9, 2024
1.15	Have there been any changes to the Pre-Application workbooks templates since the Pre-Application phase started?	May 17, 2024
1.16	The Summary tab of the pre-application portal may display an "IRS Verification" warning under the "Federal Tax ID (EIN) (XX-XXXXXXX)" response. Does this prevent the applicant from submitting its pre-application?	May 17, 2024
1.17	What "Speed and Latency of Service to be Provided" should applicants list in the Disclosure of Publicly Funded Projects Form? As an example, if an applicant committed to and deployed a network at a required speed then upgraded the facilities later to reach increased speeds, which speeds and latency should it report?	May 24, 2024
1.18	How should a not-for-profit cooperative complete the Company Ownership Form if it has a significant number of members/owners? Specifically, how should such an entity complete question #1 regarding persons or entities directly or indirectly owning or controlling the applicant?	May 24, 2024
1.19	The Workforce and Employment section of the WVDED Pre-Application Commitment Form includes a certification that:	May 24, 2024
1.20	How should applicants account for the excess conduit requirement in the cost factors?	May 30, 2024
1.21	Applicants must have a Cybersecurity and Supply Chain Risk Management (SCRM) plan that is, inter alia and per the Pre-Application Commitment Form:	May 30, 2024
1.22	What do the following status messages in the ZoomGrants Pre-Application portal mean?	June 13, 2024
1.23	What other material(s) are required to establish good standing within West Virginia?	June 13, 2024
2 Full Application		
2.1	When and where will the Full Application workbook(s) be available?	May 30, 2024
2.2	When proposing Projects using the Proposed Projects Workbook, should the proposed costs on tab D. Capital Cost Summary include those related to covering CAIs?	May 30, 2024
2.3	How can applicants show that served locations passed to reach unserved and underserved Target Locations will contribute to the ROI and financial sustainability of proposed projects?	August 30, 2024

2.4	Do the network design, diagram, project costs, build-out timeline and milestones for project implementation required in the Full Application need to be certified by a professional engineer?	September 13, 2024
2.5	What is and what is the deadline for applicants to complete the Introduction section in the ZoomGrants application portal?	October 4, 2024
2.6	If an applicant begins or completes the Introduction section in the ZoomGrants portal, is it required to complete the rest of the ZoomGrants application in order to remain eligible for other Projects?	September 18, 2024
2.7	What is a set of Projects?	September 18, 2024
2.8	How many Introductions must an applicant complete by the aforementioned deadline?	September 18, 2024
2.9	How should applicants identify their number of sets in the Introductions to their projects?	September 18, 2024
2.10	Can an applicant propose a project that excludes certain Target Locations in a Target Area?	September 20, 2024
2.11	If an applicant intends on reaching Target Location(s) via a drop from its existing network, should it include this existing network in its network design submission?	October 4, 2024
2.12	In the GIS Schema Feature Layers, WVDED asks for "Existing POP(s) that the new design will originate from." Should applicants show where proposed POPs are to be located? If so, where?	October 4, 2024
2.13	The GIS Schema for 5-Complex Permits is labeled as:	October 4, 2024
2.14	Section 4.2.3 of the Deployment Program Procedures states:	October 4, 2024
2.15	Where are the Full Application presentations, workbooks, and other materials located?	October 4, 2024
2.16	Can applicants access the Full Application in-person seminar recording?	October 4, 2024
2.17	Will the Full Application deadline be extended?	October 4, 2024
2.18	An applicant is proposing a Project in which it will pass one or more Target Locations through separate, non-BEAD-funded activities by the time the BEAD Project in question is complete. What GIS schema layers should the applicant use for these Target Locations and the related facilities?	October 11, 2024
2.19	An applicant is proposing a Project in which it will pass one or more Target Locations through separate, non-BEAD-funded activities by the time the BEAD Project in question is complete. Should the cost of any of these facilities be included in the Proposed Project Workbook?	October 11, 2024
2.20	An applicant is proposing multiple Projects and potentially multiple sets to cover a given Region, and it has an eligible fixed cost that will be required no matter which combination of Projects may be awarded, such as a fixed amount of leased fiber. What would be the result if the applicant were to: a. include the fixed cost as in all of the Proposed Projects, or b. include the fixed cost in only some or one of the Proposed Projects?	October 11, 2024
2.21	How should upgrades to infrastructure, such as central offices, be accounted for in the Full Application? What about in situations where the upgrades apply to only a portion of the required infrastructure as opposed to all instances in all Projects?	October 11, 2024
2.22	Regarding the Network Design, are applicants required to populate the Placement Type attribute field with either "Aerial" or "Underground" where it appears in the GIS Schema? What if the applicant is not able to generate these Placement Type attributes due to limitations of its software tooling?	October 22, 2024
2.23	What file types are accepted for the Full Application network design?	October 22, 2024

3 Relevant to Both Pre- and Full Application		
3.1	Are joint/consortium applications from two or more entities permitted? As an example, consider a scenario where Entity A intends on applying to the program to deploy fiber-optic broadband service and it plans on working with Entity B, which will provide the mobile wireless service portion of the network to earn points toward the Scalability and Resiliency criterion. Should Entity A and B submit a joint application, individual application(s), etc.?	April 29, 2024
3.2	Can an entity be included as a vendor, contractor, or subcontractor on one or more applications in which they are not the lead applicant?	April 29, 2024
3.3	Can an entity both be included as a vendor, contractor, or subcontractor on one or more applications in which they are not the lead applicant and a lead applicant submitting an application?	April 29, 2024
3.4	Can applicants mark information contained in the application as confidential and/or proprietary?	May 9, 2024
3.5	If an applicant does not yet have the required audited financial statements for the prior year, what should it do?	May 9, 2024
4 Target Locations & Mapping		
4.1	Where can applicants find information related to obtaining a CostQuest Tier D license?	March 26, 2024
4.2	How do applicants obtain the December 31, 2022, June 13, 2023, update fabric data?	March 26, 2024
4.3	Where can applicants download the data related to the Target Areas and Regions?	March 26, 2024
4.4	When will an updated set of Target Locations (broadband serviceable locations (BSLs)) be made available and will BSLs funded through ARPA and/or other existing programs be removed from that data set?	March 26, 2024
4.5	How will unserviceable Target Locations (broadband serviceable locations (BSLs)) be handled, such as water tanks, gas wells, barns, etc.?	May 17, 2024
4.6	What is the difference between the high-cost areas defined by NTIA and the Extremely High Cost Threshold?	April 9, 2024
4.7	As far as location types, are unserved, underserved, and community anchor institutions all eligible?	April 9, 2024
4.8	What are Target Locations, Areas, and Regions?	April 29, 2024
4.9	Will WVDED provide final status updates on locations addressed during the Challenge Process?	June 13, 2024
4.10	Are Fabric Location IDs included in the June 4 version of the draft Target Areas and Regions?	June 13, 2024
4.11	In the June 4 version of the draft Target Areas and Regions, there is a field for Mobile Coverage, which is a binary field contained either "Y" or "N." What do these mean?	June 13, 2024
4.12	Where can applicants access the high cost block group (HCBG) data that needs to be included as a feature in the GIS schema?	October 4, 2024
4.13	What Target Areas only contain CAIs?	October 4, 2024
5 Program Information & Requirements		
5.1	Can subawardees (i.e., those receiving awards from WVDED) request reimbursement during the entire BEAD period of performance regardless of the "completion" of the network build as long as they still have funds in their awarded grant leftover? For instance, if a subawardee completes its general fiber network build within two years, can it continue to submit requests for reimbursement for eligible costs up through the full four years or until the grant amount is depleted?	March 26, 2024

5.2	Have the requirements related to ACP changed given the sunsetting of the program?	March 26, 2024
5.3	What is the maximum price of the middle-class affordability tier?	April 9, 2024
5.4	Do applicants need to apply for an entire Region, or can they apply for a specific Target Area?	April 9, 2024
5.5	What if an applicant does not have the financial resources to perform on an award for an entire Region? Can the applicant still participate in the program?	April 9, 2024
5.6	Some entities have relied on the Broadband Loan Insurance Program (BLINS) to secure funding from banks for previous broadband deployment efforts. With that program in flux, how should applicants approach securing match funding?	April 9, 2024
5.7	In the pro formas required during the Pre-Application stage, WVDED asks that applicants include costs associated with Non-Target Locations. Does this impact the Letter of Credit or Performance Bond requirement for the program?	April 9, 2024
5.8	Is reimbursement based on actuals or the averages in the cost factor?	April 9, 2024
5.9	On April 25, 2024, NTIA approved West Virginia's Initial Proposal Volume 2. What changes should applicants be aware of since the last publicly available version from October 2023?	May 17, 2024
5.10	To whom are awardees required to offer a low-cost service tier?	April 29, 2024
5.11	In the webinars, WVDED noted that the letter of credit or performance bond would need to be for at least 10% of the award amount. Given this, does the commitment letter for a letter of credit or performance bond that must be submitted during the Pre-Application phase need to be for at least 10% of the Maximum pro forma award amount?	April 29, 2024
5.12	Are vendors, contractors, or subcontractors required to obtain a letter of credit or performance bond?	May 3, 2024
5.13	If an applicant wants to make the decision of whether to use a letter of credit or performance bond after the Pre-Application phase, does it therefore need to submit a commitment letter for both?	May 17, 2024
5.14	Can the letter of credit be governed by another state's laws other than those of West Virginia?	May 10, 2024
5.15	If an applicant pursues a performance bond, what type should it acquire?	May 30, 2024
5.16	Can applicants keep funds available in a bank or credit union as a substitute for a letter of credit?	May 30, 2024
5.17	Does the term of the performance bond need to be for the duration of the Project, or can it be renewed annually?	May 30, 2024
5.18	Section 5.4 of the Deployment Program Procedures establishes that under certain circumstances, applicants may be required to accept additional funding to build line extensions. How would this work in practice?	May 30, 2024
5.19	Are backhoe cuts considered "force majeures" for the purpose of the network uptime requirement?	May 30, 2024
5.20	How can applicants earn points for Community Support?	May 30, 2024
5.21	What changes have been made to the Deployment Program Procedures since WVDED published the original draft in November 2023?	May 30, 2024
5.22	When will the content of the in-person workshops be made available online?	June 13, 2024
5.23	Are speed tests and costs associated with performing them, such as required special equipment and third-party agreements, considered eligible expenses?	July 3, 2024
5.24	What are the specific speed testing requirements, such as test samples, frequency, and timing?	July 3, 2024
5.25	What public awareness efforts must subgrantees partake in?	July 3, 2024
5.26	Under the OSP Design scoring criteria within Resiliency and Scalability, how can applicants demonstrate meeting the condition of "Use appropriate technologies for the specific needs of the network?"	September 20, 2024

5.27	Can an applicant propose a project that excludes certain Target Locations in a Target Area?	October 4, 2024
5.28	Will the BEAD grants cover network that has to be built through another state to reach a targeted location in West Virginia?	October 4, 2024
5.29	The Deployment Program Procedures states that "expenses incurred prior to the start date of the period of performance" are ineligible. Has WVDED changed this requirement?	October 4, 2024
5.30	How will changes to the BEAD program promulgated by NTIA impact West Virginia's implementation of its program? For instance, NTIA only just recently published draft Proposed BEAD Alternative Broadband Technology Guidance.	October 4, 2024
5.31	Is there a limit on the number of Non-Target Locations that can be passed if doing so is necessary to reach Target Location(s).	October 4, 2024
5.32	If an applicant is awarded projects via the BEAD program, will the contract between it and WVDED specifically identify the Target Locations included in the project(s)?	October 4, 2024
5.33	Will reimbursements be performed on a pro rata basis?	October 4, 2024
5.34	Are Non-Target Locations passed as a consequence of serving Target Locations subject to the low-cost requirement and middle-class affordability option?	October 4, 2024
5.35	What are the conditions under which applicants can be reimbursed for expenditures related to passing non-Target Locations in service of passing Target Locations.	October 4, 2024
5.36	Under what circumstances can a project qualify for less than 25% match during the Full Application phase?	October 4, 2024
5.37	Are the costs associated with deploying to Target Locations classified as CAIs eligible expenses?	October 11, 2024
5.38	In the context of the BEAD Program, what does "serving" a Target Location mean?	October 11, 2024
5.39	If two applicants each propose viable set(s) of Projects for a given Target Region, but there are no possible combinations of their Projects such that both can be awarded a portion of the Region, what happens?	October 11, 2024
5.40	When will provisional awards be announced?	October 11, 2024
5.41	When will the draft agreement language be available?	October 11, 2024
5.42	When will grant agreements be signed with awarded applicants?	October 11, 2024
5.43	When does the clock begin for the project completion deadline of four years?	October 11, 2024
5.44	The Deployment Program Procedures lists the following as ineligible expenses: *"Expenses incurred prior to the start date of the period of performance or any existing inventory purchased prior to the program launch date."*	October 11, 2024
5.45	How will WVDED assess the following scoring factor: "The applicant has obtained a meaningful financial contribution, as determined by WVDED, from proposed communities to be served."	October 11, 2024
5.46	What does the Pre-Award phase entail?	October 11, 2024
5.47	What is the meaning of "topology" within the context of the Topology portion of the Resiliency and Scalability scoring criteria?	October 18, 2024
5.48	Does the Topology portion of the Resiliency and Scalability scoring criteria refer to middle-mile interconnect or last-mile network, and what types of equipment points should be addressed under each scenario?	October 18, 2024
5.49	Under what circumstances should applicants fill in Topology Type attribute field in the GIS Schema?	October 18, 2024
5.50	How and where do applicants provide the information relevant to the Topology portion of the Resiliency and Scalability scoring criteria?	October 18, 2024
5.51	As amended in October 2024, what is the West Virginia Broadband Loan Insurance (BLINS) Program and its relation to the BEAD Program?	October 18, 2024

5.52	Should and how can BEAD applicants notify WVDED that they intend to seek West Virginia Broadband Loan Insurance (BLINS) Program assistance in connection with a BEAD application?	October 18, 2024
5.53	Is it a violation of the BEAD Anti-Collusion and Prohibited Communications Policy for an applicant to seek a formal expression of support from the leadership of any proposed communities to be served? What about in cases where the community leadership discusses or otherwise discloses the request or result of such a request in a public forum?	October 22, 2024
5.54	Do the third-party communications requirements (see quoted text below) of the BEAD Anti-Collusion and Prohibited Communications Policy apply to communications during the Pre-Award phase with banks, credit unions, or bond issuers?	October 22, 2024
6 Extension		
6.1	Where can applicants view details on the Extension?	September 13, 2024
6.2	The Application Extension Program Procedures note that applicants may submit proposed projects for Target Areas that "remain without viable projects" following receipt of full applications. What is a "viable project," and how will the remaining Target Areas lists be created?	September 13, 2024
6.3	If a Target Area is included in a remaining Target Areas list, does that mean a proposed project already submitted for that Area will not be awarded?	September 13, 2024
6.4	In the Extension, can applicants apply for a specific Target Area?	September 13, 2024
6.5	Will CPF/SLFRF project requirements be the same as those for BEAD projects?	September 13, 2024
6.6	Is a Letter of Credit or Performance Bond required for projects proposed with CPF/SLFRF funding?	September 13, 2024
6.7	If an applicant previously submitted a Proposed Project for a Target Area, will WVDED accept a new project in the Target Area proposed by the same applicant during the Extension?	September 13, 2024
6.8	Can potential applicants who have not completed a Pre-Application propose projects?	September 13, 2024
6.9	During the Extension, do applicants still need to follow the following rule when creating Proposed Projects? "If an applicant proposes to include any Target Area within a Target Region in a Proposed Project, it must include all Target Areas in that Target Region in a Proposed Project. The applicant may, however, choose to propose that the Target Areas within the Target Region be in one Proposed Project or distributed among multiple Proposed Projects."	October 11, 2024
6.10	What Target Areas will be eligible for the Extension?	October 11, 2024
6.11	Will Projects submitted during the Extension be ranked against those from the Full Application phase?	October 11, 2024

1. Pre-Application

Subject: Funding	Topic: Match
1.1 Can an applicant submit a Pre-Application if match funds are contingently available, such as those that may be dependent on allocations from the West Virginia State Legislature?	
Yes, Pre-Applications may be submitted if match funds are contingently available. Applicants should be sure to note that any such funds are contingently available in the description/details section of the Pre-Application Pro Forma Workbook, Funding and Match tab.	

Subject: Workbooks	Topic: Both Workbooks
1.2 Where can applicants download the workbook files?	
Applicants can download the Pre-Application workbook files in the Documents tab within the ZoomGrants Pre-Application portal.	

Subject: Workbooks	Topic: Pro Forma Workbook
1.3 For the purposes of the E.2 Capital Cost Summary tab in the Pro Forma Workbook, who/what is considered a "customer?" Does this include broadband, phone, and cable television service?	
For the purposes of the E.2 Capital Cost Summary tab, the term "customer" is used in relation to "customer installation[s]." These are locations receiving a connection capable of providing a broadband service that complies with the program's minimum performance requirements.	

Subject: Workbooks	Topic: Pro Forma Workbook
1.4 The E.1 Project Specs tab in the Pro Forma Workbook asks "Do you have more than __ customers across all states?" What is considered a "customer" and what is the purpose of this question?	
For the purposes of this question alone, a "customer" is a unique internet service subscriber that receives such service from the applicant or any of its affiliates with common ownership. The applicant should count broadband customers on service tiers that equal or exceed 100/20 Mbps. Do not count phone or cable television customers that are not also subscribed to broadband service. The number listed in the question within the pro forma is automatically calculated such that the number of Total Locations Covered is 10% of this figure. For instance, if an applicant has a pro forma with 5,000, the question will be "Do you have more than 50,000 customers across all states?" This question offers WVDED an indicator of whether a potential set of projects is large relative to existing operations. Note that this does <u>not</u> place a ceiling or cap on the number of locations that an applicant can be awarded. An applicant may seek an award comprising, and may be awarded, new locations greater than 10% of its existing customers. For this to occur, however, applicants must be able to demonstrate they have the financial and operational ability to scale and that the potential projects are financially sustainable with grant funding.	

Subject: Workbooks	**Topic**: Pro Forma Workbook
1.5 Under what circumstance(s) is a third, Region-sized, pro forma required?	
Applicants must complete a Region-sized pro forma if both their Maximum and Medium pro formas are larger than 3,000 Total Locations Covered. Total Locations Covered are defined according to the Instructions tab in the pro forma workbook.	

Subject: Workbooks	**Topic**: Pro Forma Workbook
1.6 Does each pro forma represent an individual project?	
No. Each pro forma represents a *set* of projects together. For example, the Maximum pro forma represents the largest set of projects that the applicant would be able and willing to perform on if awarded.	

Subject: Workbooks	**Topic**: Universal and Cost Factor Workbook
1.7 How should applicants approach completing the Universal and Cost Factor workbook knowing that the Target Areas and Regions map may change after they submit their Pre-Applications?	
Please note that the Universal and Cost Factor workbook allows applicants to describe their cost <u>factors</u> applicable across various projects in West Virginia. It does not ask for the costs specific to a particular project. During the Application Phase, applicants will use their cost factors and the specific facts of each project to summarize that proposed project's costs. For example, an applicant will be able to describe the cost of aerial roadside construction for a proposed project using its cost per mile for that type of construction, submitted at the Pre-application Phase and the number of miles of that type of construction the applicant determines will be required for that particular project. WVDED asks that applicants provide their best estimates of cost factors during the Pre-Application Phase. In the Application Phase, WVDED will allow differences in cost factors used by an applicant for a particular project to differ by up to 10% from the values presented in the Pre-Application Phase. Costs for pole licensing and make-ready may vary by a greater percentage. Applicants who use cost factors at the Application Phase that are within this range of variance will be able to use a simplified budget of their proposed costs when describing their proposed projects. Should an applicant have a proposed project which has exceptional circumstances that would make use of the applicant's own cost factors inappropriate for its proposed project, applicants will have the opportunity to justify these costs differences based on these circumstances. Applicants seeking approval to use cost factors with a greater variance from those presented during the Pre-Application Phase may not use the simplified budget to describe the proposed project costs.	

Subject: Workbooks	**Topic**: Both Workbooks
1.8 During the workshops, WVDED provided screenshots from a completed or partially completed pro forma workbook. Is this an accurate representation of what a pro forma should look like, including the resulting figures such as return on investment?	
The numbers used in the example pro forma workbook were for illustrative purposes to demonstrate use of the workbook. While the overall process was indicative of what a single example of a pro forma may look like, it should not be considered complete and not give a specific expectation for results, including but not limited to costs or return on investment.	

Subject: Disclosures	Topic: Previous Projects
1.9 WVDED requires that applicants disclose whether and which other broadband deployment projects they, their contractors, or subcontractors are undertaking or plan on undertaking. Is there a threshold for when such a project must be disclosed? As an example, if an applicant plans to submit a proposal for a BEAD program in another state but has not yet decided which, does this need to be reported on?	
If an applicant has any expectation at all that it might pursue or simply apply for another program, it must disclose this information. Even if the only statement that the applicant can make is "We plan to apply for $20 million in funding in at least one of the four following states…" it should disclose this. If an applicant does not have any such expectation but later does, it should reach out to WVDED and provide updated information as soon as it becomes available.	

Subject: Portal	Topic: Applicant Information
1.10 Pre-application portal question #4 asks, "Which of the following describes the Applicant(s)?" The note immediately underneath the question states "Upload materials substantiating the Applicant's existence as one of the below entity types to the Documents tab for all non-government entities." Is this the same as the document request for a "Statement of Existence for the Applicant as issued by the West Virginia Secretary of State?	
Yes.	

Subject: Portal	Topic: Applicant Information
1.11 Question #3 on the Applicant Information tab in the pre-application portal previously asked for the "State Employer Identification Number" and currently asks for the "Federal Employer Identification Number." Which is correct?	
Federal Employer Identification Number is correct. On April 23, 2024, it was changed from "State" to "Federal" to provide clarity.	

Subject: Portal	Topic: Vendors, Contractors, Subcontractors
1.12 Does an applicant need to list or provide information on all vendors, contractors, or subcontractors that it may use in its Pre-Application?	
An applicant is required to list or provide information on vendors, contractors, or subcontractors in its Pre-Application only to the extent that information is required to aid WVDED's evaluation of the application, including its assessment of operational capability and/or capacity. For details on WVDED's assessment of applications, please see the Deployment Program Procedures and Initial Proposal Volume 2.	

Subject: Disclosures	Topic: Previous Projects
1.13 Should mobile broadband projects be included in the Disclosure of Publicly Funded Projects Form?	
Yes, both fixed and mobile broadband projects should be included in the Disclosure of Publicly Funded Projects Form.	

Subject: Uploads	**Topic**: LOC/Performance Bond
1.14 Is there a template for the letter of credit commitment letter or performance bond commitment letter required during the Pre-Application? If not, what should it contain?	
No, the letter of credit commitment letter or performance bond commitment letter is a non-binding opinion letter or comfort letter from an eligible institution indicating the applicant's capacity to obtain a letter of credit or performance bond up to a stated dollar amount. The applicant and issuing entity can use their own wording provided it meets the above criteria and those included in the Deployment Program Procedures.	

Subject: Pre-Application Workbooks	**Topic**: Both Workbooks
1.15 Have there been any changes to the Pre-Application workbooks templates since the Pre-Application phase started?	
On May 16, 2024, WVDED updated the two Pre-Application workbook templates to clarify two mislabels. Note that these edits **did not impact the functionality of the workbooks** and applicants therefore can continue using any that they have started provided they **take into account these clarifications**. WVDED uploaded new templates for the workbooks for consistency. The corrected items are as follows: 1. <u>Pro Forma Workbook – Tab "E.2 Capital Cost Summary."</u> The units in column F for rows 18 and 19 should be "% of eligible subscribed <u>cable</u> customer installations" not those for fiber. As long as applicants answers these for cable information, the outputs of its workbook will use the appropriate cost factors. Column D contains those cost factor names. 2. <u>Both the Universal and Cost Factor Workbook and Pro Forma Workbook</u>. The unit labels for E36 and E37 are swapped in both the "Output" tab of the Universal Workbook and "D. Universal Info" tab of the Pro Forma Workbook. That is, E36 should be "Per Water Tank Colocation" and E37 should be "Per Rooftop Colocation." Despite this label swap, applicants can continue using these tabs as they are and following the "Instructions" tabs in both workbooks.	

Subject: Portal	**Topic**: Applicant Information
1.16 The Summary tab of the pre-application portal may display an "IRS Verification" warning under the "Federal Tax ID (EIN) (XX-XXXXXXX)" response. Does this prevent the applicant from submitting its pre-application?	
No, this will not prevent the applicant from submitting its pre-application and does not necessarily mean that the FEIN was entered incorrectly. Applicants should ensure the entered FEIN is correct and can ignore this warning if that is the case.	

Subject: Disclosures	**Topic**: Previous Projects
1.17 What "Speed and Latency of Service to be Provided" should applicants list in the Disclosure of Publicly Funded Projects Form? As an example, if an applicant committed to and deployed a network at a required speed then upgraded the facilities later to reach increased speeds, which speeds and latency should it report?	
For Speed and Latency of Service to be Provided, applicants should list the speed and latency "as measured and/or reported under the applicable rules," as stated in NTIA's Notice of Funding Opportunity, page 75. In the example provided, the applicant may provide the increased speeds and latency provided it was measured and/or reported according to the "applicable rules."	

Subject: Uploads	**Topic**: Company Ownership Form
1.18 How should a not-for-profit cooperative complete the Company Ownership Form if it has a significant number of members/owners? Specifically, how should such an entity complete question #1 regarding persons or entities directly or indirectly owning or controlling the applicant?	
All applicants, including not-for-profit cooperatives, must complete the Company Ownership Form. When addressing question #1, if such an applicant has more than 25 members, the applicant can list its board members, officers, and/or executive committee in place of its members. However, the applicant should include as attachment(s) a description of its composition and nature as a cooperative and any supporting organizational documents and materials that demonstrate this. This information should include, at a minimum, information on the structure of the cooperative, number of members, role of the board members, officers, and/or executive committee as listed in question #1, and governance structure. The remainder of the questions in the Form should be addressed to the extent they apply to the applicant.	

Subject: Uploads	**Topic**: Commitment Form
1.19 The Workforce and Employment section of the WVDED Pre-Application Commitment Form includes a certification that: *"…the Applicant, its contractors, and its subcontractors will adhere to the following labor standards, as applicable...* a. *A commitment to union neutrality…"* What does adhering to a commitment to union neutrality mean?	

As stated in the certification, applicants should adhere to this standard as it may apply to them. In other words, the applicant certifies that it, its contractors, and its subcontractors will adhere to commitments to union neutrality to the extent that they
     a. are required to by federal or West Virginia law, or
     b. have or will have union neutrality agreement(s) in place,
 for the duration of, and only within the context of, this program.	

Subject: Pre-Application Workbooks	**Topic**: Universal and Cost Factor Workbook
1.20 How should applicants account for the excess conduit requirement in the cost factors?	
Applicants should account for the costs of deploying excess conduit in their cost factors for underground construction.	

Subject: Uploads	**Topic**: Cybersecurity and SCRM Plans

1.21 Applicants must have a Cybersecurity and Supply Chain Risk Management (SCRM) plan that is, inter alia and per the Pre-Application Commitment Form:

        a. *"Operational, if the Applicant is already providing service at the time of the grant; or*
        b. *Ready to be operationalized, if the Applicant is not yet providing service at the time of grant award…"*

Can an applicant submit attestation that it has plans that meet the applicable standards, including those of NIST, instead of submitting the plans themselves?

No, the applicant must provide such plans to WVDED per the Deployment Program Procedures and Pre-Application Commitment Form. If the applicant is concerned about sharing sensitive information contained in the plans, it may redact it to the extent necessary. However, WVDED may request additional information if it is required to verify that the plans meet the requirements detailed in the aforementioned documents.

Subject: Portal	**Topic**: Status Messages

1.22 What do the following status messages in the ZoomGrants Pre-Application portal mean?
    1. Under Applicant information, it says "Submitted-Approved."
    2. On the main portal page, the application says "(full application submitted, decision pending)."

The first message should not be taken to convey any meaning related to the approval status of an applicant's Pre-Application submission. It is an artifact of the ZoomGrants system. The second item solely reflects that the applicant has submitted the Pre-Application.

WVDED will directly and unambiguously inform applicants of the status of their Pre-Applications and whether they are able to participate in the Full Application phase.

Subject: Uploads	**Topic**: Good Standing

1.23 What other material(s) are required to establish good standing within West Virginia?

As of June 13, 2024, WVDED will require that during the Pre-Application process, applicant must provide a Letter of Good Standing from the West Virginia Tax Division.

Information on how to acquire the Letter can be found here:
https://tax.wv.gov/Business/GoodStanding/Pages/RequestForLetterOfGoodStanding.aspx.

2. Full Application

Subject: Full Application Workbook	Topic: Proposed Projects Workbook
2.1 When and where will the Full Application workbook(s) be available?	
They will be available when the Full Application phase begins in the ZoomGrants portal.	

Subject: Full Application Workbook	Topic: Proposed Projects Workbook
2.2 When proposing Projects using the Proposed Projects Workbook, should the proposed costs on tab D. Capital Cost Summary include those related to covering CAIs?	
Yes, the costs provided in the Proposed Project Workbook should include those to cover all Target Locations in each scenario, including CAIs if they apply. Specifically, if the applicant has selected "Yes" for "Provide 1/1 Gbps to CAIs?" on the A. Project Selection tab for a given Project, then it must include the cost to cover CAIs in the Primary scenario for that Project.	

Subject: Full Application Workbook	Topic: ROI and Served Locations
2.3 How can applicants show that served locations passed to reach unserved and underserved Target Locations will contribute to the ROI and financial sustainability of proposed projects?	
Applicants can consider already served locations passed in their pro forma as part of their ROI. Following the application phase, there will be a pre-award review round where applicants will complete proformas for the specific projects. Similar to the pre-application, applicants will have the opportunity to describe their assumptions related to take and churn, including potential take from served locations.	

| Subject: Uploads	Topic: Professional Engineer Certifications
2.4 Do the network design, diagram, project costs, build-out timeline and milestones for project implementation required in the Full Application need to be certified by a professional engineer?	
A professional engineer must certify the network design, diagram, project costs, build-out timeline, and milestones for project implementation, as described in the BEAD NOFO. WVDED will not require these items to be certified by a professional engineer for full application submission, but provisional awardees will be required to submit these items with professional engineer certification as part of pre-award activities. Per NTIA's Conditional Limited Programmatic Waiver and Clarification of Professional Engineer Certification, the requirement that an applicant submit a "capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the entity receives the subgrant" that is "certified by a professional engineer" is waived.	

Subject: ZoomGrants Application	**Topic**: Introduction Section
2.5 What is and what is the deadline for applicants to complete the Introduction section in the ZoomGrants application portal?	
The Introduction section is the first section of each application in the ZoomGrants portal and it collects basic information about the applicant and the Project it seeks to propose. Applicants originally had to complete this section by September 24, 2024, to be eligible to submit the remainder of each application during the Full Application phase. WVDED has revised the deadline for the Introduction section to **October 18, 2024**.	

Subject: ZoomGrants Application	**Topic**: Introduction Section
2.6 If an applicant begins or completes the Introduction section in the ZoomGrants portal, is it required to complete the rest of the ZoomGrants application in order to remain eligible for other Projects?	
No. An applicant may begin or complete the Introduction section but later choose not to complete the rest of the application.	

Subject: Project Creation	**Topic**: Definitions
2.7 What is a set of Projects?	
A set of Projects, also called a Project set, is a collection of Projects that covers a single Target Region in a manner that satisfies the rules defined in Section 4.1.1 of the Deployment Program Procedures—available on broadband.wv.gov. You can find examples of both valid and invalid Project sets in section 4.1.2 of the same document. While more detailed examples and explanations can be found in Section 4.1.2 of the Deployment Program Procedures, the following briefly illustrates the concept of Project sets. Consider the following Example Region 1, which contains two Target Areas with no CAIs in either. **Example Region 1** **Valid Set 1:** The following is an example of a valid Project set, which contains only one Project with both Areas contained therein. 	

Valid Set 2:
The following is another example of a valid Project set using Example Region 1, wherein the Areas are split into two Projects.

Project 1:

Project 2:
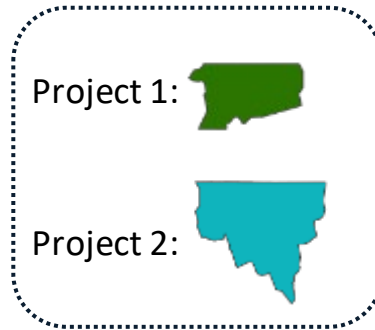
Valid Set 3:
Note that applicants may propose more than one valid set. For instance, an applicant could propose both Valid Set 1 and Valid Set 2, provided they are not dependent on one another, because they each satisfy the rules outlined in Section 4.1.1 of the Deployment Program Procedures. The Projects contained in each set would need to be marked accordingly in the Introduction sections of the ZoomGrants application portal.

Project 1:   and   Project 2:

Project 3:

Subject: ZoomGrants Application	**Topic**: Introduction Section
2.8 How many Introductions must an applicant complete by the aforementioned deadline?	
An applicant should complete as many Introduction sections for applications associated with a Region as the maximum number of applications it may submit for that Region during the Full Application phase. For instance, if an applicant may submit two Projects to cover a single Region, the applicant should complete two Introductions. If an applicant has not yet decided whether it will submit one or two applications in a Region, completing Introductions for two applications in that Region will allow it to pursue either option. If the applicant may submit two Projects to cover that Region then another single Project as a separate, but complete, set for that same Region, then the applicant must complete at least three Introductions.	

Subject: ZoomGrants Application	**Topic**: Introduction Section
2.9 How should applicants identify their number of sets in the Introductions to their projects?	
The following examples illustrate how to identify the number of sets to associate with an application in the Introduction. Consider a situation in which an applicant intends on applying for only one Target Region: Example Region 1, which contains two Target Areas.	

Example Region 1
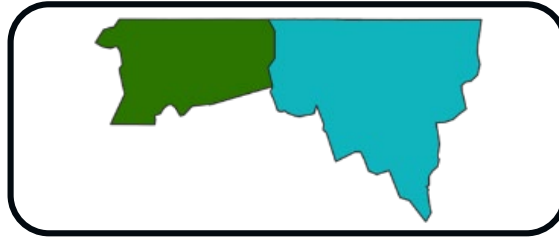
Note: Project sets, as defined in FAQ 2.7 , are represented in these examples by dashed boxes like the following:

Scenario 1:

In this scenario, the applicant intends to submit one Project for a single Region that contains all of the Region's Target Areas and submit no other applications in that Region. Therefore, there is one "set," and it contains only a single application. Accordingly, it would need to complete one Introduction for a project in that Region to later complete the required one application.

Project 1:

In the Introduction for Project 1, the applicant would mark the following for Question #3:

> **3. If submitting multiple complete project sets for a Region, please indicate set number (e.g., #1 of 2, #2 of 2). A "set" is 1 or more Applications that together contain all of the Target Areas in a Region.**
> *Please indicate if this Application will be the only Application, or part of the only set of Applications that will be submitted for this Region. If you will be submitting multiple sets of Applications for the Region, please indicate which set.*
> ☒ Submitting only one 1 Application or 1 set for Region
> ☐ This Application will be part of set 1 of multiple sets for this Region
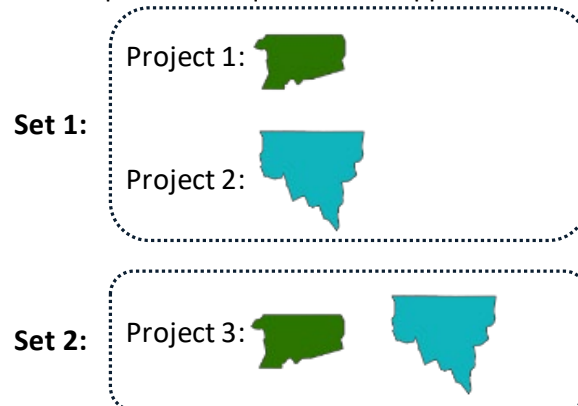> ☐ This Application will be part of set 2 of multiple sets for this Region
> ☐ This Application will be part of set 3 of multiple sets for this Region
> ☐ This Application will be part of set 4 of multiple sets for this Region
> ☐ There will be more than 4 of multiple sets for this Region

Scenario 2:

In this scenario, the applicant intends to submit two Projects for a single Region. Between the two projects, they cover all the Target Areas and the applicant is not proposing any other projects in that Region, so the applicant is proposing only a single set in that Region. In this example, the one set

contains two projects. Accordingly, it would need to complete two Introductions in that Region to later complete the required two applications.
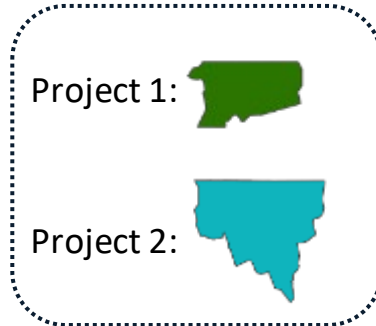
Project 1:

Project 2:

The applicant would mark the following for Question #3 both in the Introduction for Project 1 and in the introduction for Project 2:

> **3. If submitting multiple complete project sets for a Region, please indicate set number (e.g., #1 of 2, #2 of 2). A "set" is 1 or more Applications that together contain all of the Target Areas in a Region.**
> *Please indicate if this Application will be the only Application, or part of the only set of Applications that will be submitted for this Region. If you will be submitting multiple sets of Applications for the Region, please indicate which set.*
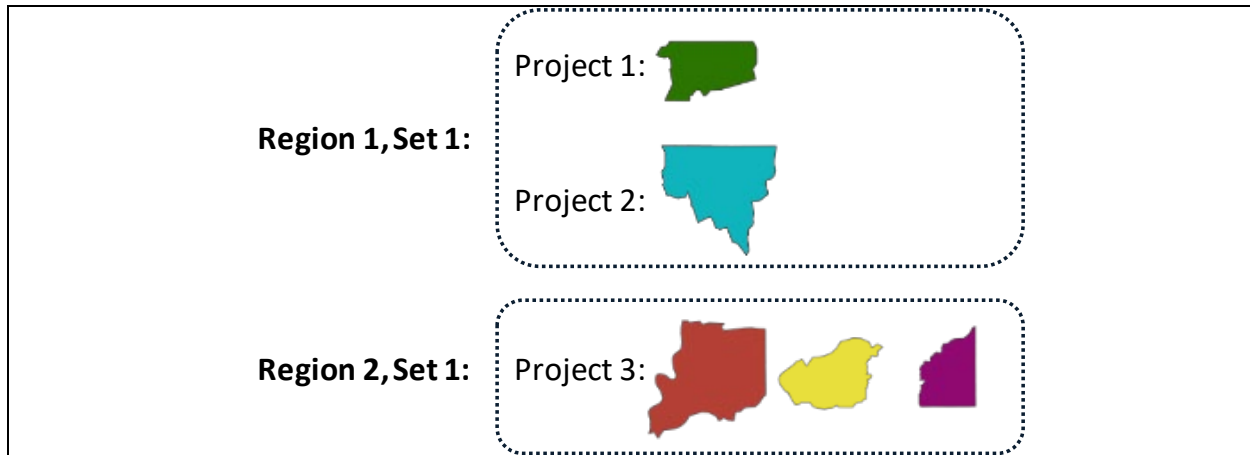> ✖ Submitting only one 1 Application or 1 set for Region
> ☐ This Application will be part of set 1 of multiple sets for this Region
> ☐ This Application will be part of set 2 of multiple sets for this Region
> ☐ This Application will be part of set 3 of multiple sets for this Region
> ☐ This Application will be part of set 4 of multiple sets for this Region
> ☐ There will be more than 4 of multiple sets for this Region

Scenario 3:

In this scenario, the applicant intends to submit three Projects constituting two separate but complete sets for a single Region. Accordingly, it would need to complete three Introductions for projects in that Region to later complete the required three applications.

Set 1:
Project 1:

Project 2:

Set 2:
Project 3:

The applicant would mark the following for Question #3 both in the Introduction for Project 1 and in the introduction for Project 2, as they are both part of **Set 1**:

> **3. If submitting multiple complete project sets for a Region, please indicate set number (e.g., #1 of 2, #2 of 2). A "set" is 1 or more Applications that together contain all of the Target Areas in a Region.**
>
> *Please indicate if this Application will be the only Application, or part of the only set of Applications that will be submitted for this Region. If you will be submitting multiple sets of Applications for the Region, please indicate which set.*
>
> ☐ Submitting only one 1 Application or 1 set for Region
> ✖ This Application will be part of set 1 of multiple sets for this Region
> ☐ This Application will be part of set 2 of multiple sets for this Region
> ☐ This Application will be part of set 3 of multiple sets for this Region
> ☐ This Application will be part of set 4 of multiple sets for this Region
> ☐ There will be more than 4 of multiple sets for this Region

The applicant would mark the following for Question #3 in the Introduction for Project 3, which is the only application that is part of **Set 2**:

> **3. If submitting multiple complete project sets for a Region, please indicate set number (e.g., #1 of 2, #2 of 2). A "set" is 1 or more Applications that together contain all of the Target Areas in a Region.**
>
> *Please indicate if this Application will be the only Application, or part of the only set of Applications that will be submitted for this Region. If you will be submitting multiple sets of Applications for the Region, please indicate which set.*
>
> ☐ Submitting only one 1 Application or 1 set for Region
> ☐ This Application will be part of set 1 of multiple sets for this Region
> ✖ This Application will be part of set 2 of multiple sets for this Region
> ☐ This Application will be part of set 3 of multiple sets for this Region
> ☐ This Application will be part of set 4 of multiple sets for this Region
> ☐ There will be more than 4 of multiple sets for this Region

Scenario 4:

For one more example, consider a situation in which an applicant intends on applying for two Target Regions: Example Region 1, which contains two Target Areas, and Example Region 2, which contains three Target Areas.

Example Region 1   Example Region 2

In this scenario, the applicant intends to submit three Projects covering two Regions, entailing two Project sets. Accordingly, it would need to complete three Introductions to later complete the required three applications.

The applicant would mark the following for Question #3 both in the Introduction for Project 1 and in the introduction for Project 2, as they are both part of **Set 1 in Region 1**:

The applicant would mark the following for Question #3 in the Introduction for Project 3, which is the only application that is part of **Set 1 in Region 2**:

In this Scenario, both applications in both sets are marked as part of the only set and neither as part of a second set because each set is in a separate Region.

Subject: Full Application Workbook	Topic: Project Creation
2.10 Can an applicant propose a project that excludes certain Target Locations in a Target Area?	
No, projects must include all of the Target Locations in the proposed Target Areas. Following the Full Application deadline, WVDED will provide applicants additional flexibility, including for high-cost locations, for projects submitted during the West Virginia BEAD Program Application Extension (see Section 4.1 of the Extension Program Procedures available on broadband.wv.gov). During the Extension, applicants may divide a Target Area into paired projects to accommodate different technologies, build-out schedules, or different levels of match for certain locations. Applicants can also seek non-construction matching funds and, if necessary, request a match waiver from NTIA for the proposed project. While this will not eliminate the requirement to propose projects that cover all Target Areas within proposed Target Areas, it will extend flexibility to applicants to tailor grant requests to differences in the costs to serve parts of those Target Areas. Note this flexibility is only available for the subset of remaining Target Areas included in the Extension. Applicants interested in a Target Area should prioritize submitting viable projects during the Full Application, if possible.	

Subject: Network Design	Topic: Existing Network
2.11 If an applicant intends on reaching Target Location(s) via a drop from its existing network, should it include this existing network in its network design submission?	
Applicants can <u>optionally</u> include existing network in their network design submissions. This is not required for a complete schema. WVDED will provide applicants with an additional schema layer called "Existing Routes" to optionally add to their existing schema. The "Existing Routes" layer can be exported directly into the network design database for each project. Only existing network should be included in this additional schema layer, and <u>no existing network should be included in either the "New Build Routes" layer or the "Leased Routes" layer</u>.	

Subject: Network Design	Topic: Existing POPs
2.12 In the GIS Schema Feature Layers, WVDED asks for "Existing POP(s) that the new design will originate from." Should applicants show where proposed POPs are to be located? If so, where?	
Yes, applicants should include new/proposed POP(s) when these are active equipment sites. Applicants should not include new/proposed POPs that do not meet this criterion. WVDED will provide a new schema layer called "Applicant (Structures)" to add to their existing schema if new active equipment sites are included in a proposed project.	

Subject: Network Design	**Topic**: Complex Permits

2.13 The GIS Schema for 5-Complex Permits is labeled as:

"Locations that pose a high risk of long-lead and/or costly permitting requirements. (i.e., Major Bridge Crossings, Major Highway Crossings, Complex Railroads, etc.)"

What is meant by a "major permit?"

Major permits are those that have a significant risk of permitting or licensing timelines that would be substantially longer than other permits or licenses that would be commonly encountered on a project similar to the one proposed. Major permits are **likely** to include bridge crossings, controlled highway crossings, and railroad crossings, but are not necessarily limited to these locations. Applicants should use their best judgment at the application stage in making this determination and should expect to provide additional information related to these categories during the pre-award review and post-award stages.

Applicants should demonstrate that they have considered the potential impact of these types of locations, including impacts on the proposed timeline.

Subject: Full Application Workbook	**Topic**: Alternative Projects

2.14 Section 4.2.3 of the Deployment Program Procedures states:

"If a Proposed Project contains more than 80% unserved locations, then the applicant will only be required to submit one budget and set of high-level designs. However, if the Project contains any other mix of unserved and underserved locations, two sets of application materials are required: one for all locations and an alternative one for solely the unserved locations."

How is this calculated and do applicants need to calculate it themselves?

This is calculated based on the percentage unserved locations divided by the total number of unserved, underserved, and CAIs in the proposed project.

Applicants do not need to calculate this themselves. It will be calculated automatically for them in the Project Selection Workbook and the alternative project will be marked according to whether it needs to be completed.

Subject: Full Application	**Topic**: Materials

2.15 Where are the Full Application presentations, workbooks, and other materials located?

The Full Application presentations, the Deployment Program Procedures, and FAQ are available at broadband.wv.gov. All other materials, including workbooks, are available via the ZoomGrants portal in the applicable sections.

Subject: Full Application	**Topic**: Workshop

2.16 Can applicants access the Full Application in-person seminar recording?

The in-person seminar was not recorded; however, WVDED may distribute the presentation slides if an entity that is eligible to participate in the Full Application phase requests them.

Subject: Full Application	**Topic**: Deadline
2.17 Will the Full Application deadline be extended?	
No. Applicants should not count on the Full Application deadline being extended.	

Subject: Network Design	**Topic**: GIS Schema
2.18 An applicant is proposing a Project in which it will pass one or more Target Locations through separate, non-BEAD-funded activities by the time the BEAD Project in question is complete. What GIS schema layers should the applicant use for these Target Locations and the related facilities?	
The applicant should include the Target Locations planned to be served via non-BEAD-funded activities in the "Address Locations" layer. The routes and facilities used to serve these locations should be included in the "Existing Network" or Applicant Structures" layer, respectively. Additionally, the applicant should provide any information required to illustrate the nature of this planned non-BEAD-funded build in its ZoomGrants portal answers, including noting that some of the Target Locations will be served by non-BEAD-funded activities.	

Subject: Full Application Workbook	**Topic**: Proposed Projects Workbook
2.19 An applicant is proposing a Project in which it will pass one or more Target Locations through separate, non-BEAD-funded activities by the time the BEAD Project in question is complete. Should the cost of any of these facilities be included in the Proposed Project Workbook?	
The applicant should only include in the Proposed Project Workbook costs that are eligible expenses and *for which it is seeking BEAD funding*. Applicants should not include costs of activities or facilities not to be funded with BEAD dollars.	

Subject: Full Application Workbook	**Topic**: Proposed Projects Workbook
2.20 An applicant is proposing multiple Projects and potentially multiple sets to cover a given Region, and it has an eligible fixed cost that will be required no matter which combination of Projects may be awarded, such as a fixed amount of leased fiber. What would be the result if the applicant were to: a. include the fixed cost as in all of the Proposed Projects, or b. include the fixed cost in only some or one of the Proposed Projects?	
a. Including the fixed cost in all Proposed Projects for the Region ensures that grant funding will be available for this cost across any combination of awarded Projects. However, as each Project includes a portion of the fixed cost, each individual Project's scoring evaluation may reflect this and be less favorable. If the applicant allocates more than necessary for the fixed cost, such as in an instance where it receives more Projects than necessary to cover the expense of the fixed cost, it will not claim the same reimbursement amount across multiple projects. b. If the applicant were to include the fixed cost in only some or one of the Proposed Projects, it runs the risk of not having enough or even any of the fixed cost accounted for in its eligible costs and therefore cannot be reimbursed for that missing amount. However, the applicant may have an improved cost assessment during Project evaluation because the proposed costs for some or all the Projects are lower.	

Subject: Creating Projects	**Topic**: Upgrade Costs
2.21 How should upgrades to infrastructure, such as central offices, be accounted for in the Full Application? What about in situations where the upgrades apply to only a portion of the required infrastructure as opposed to all instances in all Projects?	
Applicants should use the Universal and Cost Factor workbook to account for upgrades to some or all infrastructure. Applicants may account for this in the manner that is most appropriate to their situation. For instance, upgrades to some but not all central offices can be averaged out on a per mile basis using the "Other" cells in the C.1 Fiber, HFC, and DSL Costs tab.	

Subject: Network Design	**Topic**: GIS Schema
2.22 Regarding the Network Design, are applicants required to populate the Placement Type attribute field with either "Aerial" or "Underground" where it appears in the GIS Schema? What if the applicant is not able to generate these Placement Type attributes due to limitations of its software tooling?	

Yes, applicants are required to populate this attribute with either "Aerial" or "Underground" where it is noted in the GIS Schema.
 	
If an applicant cannot generate the Placement Type attributes or "Aerial" or "Underground" due to limitations of its software tooling, the applicant must address, at a minimum, the following additional details in Question #5 in the ZoomGrants application portal.
• The percentage of the network design that utilizes Aerial placement.
   o A description of where the Aerial placements will be located in the Network Design.
   o A description to support the Aerial placement approach for either Road Accessible or Inaccessible Routes proposed in the Network Design.
• The percentage of the network design that utilizes Underground placement.
   o A description of where the Underground placements will be located in the Network Design.
   o A description to support the Rock, Plowing, and Boring methods proposed for Underground placement in the Network Design.	

Subject: Network Design	**Topic**: GIS Files
2.23 What file types are accepted for the Full Application network design?	
A geodatabase file is preferred. Layers included in the template geodatabase file should Not be renamed. Although less preferred, applicants may submit shapefiles instead. Applicants submitting shapefiles should do so in the following manner: • Include all shapefiles in a folder named: "[Project Application ID]_[Applicant Name]" • Each shapefile within this folder should be named according to the corresponding schema layer, such as "Address Locations", "New Build Routes", and "Leased Routes".	

3. Relevant to Both Pre- and Full Application

Subject: Joint/Consortium Applications	**Topic**: Permissibility

3.1 Are joint/consortium applications from two or more entities permitted? As an example, consider a scenario where Entity A intends on applying to the program to deploy fiber-optic broadband service and it plans on working with Entity B, which will provide the mobile wireless service portion of the network to earn points toward the Scalability and Resiliency criterion. Should Entity A and B submit a joint application, individual application(s), etc.?

Only a single application is permitted for a given Proposed Project(s). Put differently, only one application may be associated with a Proposed Project. Thus, in the example provided, only one application should be submitted.

Applicants that intend on having a relationship with another entity have two options for submitting this singular application:

1. <u>The application is associated with a single lead entity</u>. With this option, a single entity submits the application and lists any partners or other entities with which it will have a relationship in the same manner it would any other vendor, contractor, or subcontractor. Using the scenario from the question, Entity A would submit the application and list Entity B as a vendor, contractor, or subcontractor for specific services within the relevant sections of the application. **WVDED strongly recommends that entities pursue this option first**.
2. <u>The entities establish a separate entity that will have responsibility for the Proposed Project and that will submit a single application</u>. Entities pursuing this option must establish this separate entity for the purpose of carrying out any and all activities related to this program. It is incumbent upon the entities establishing this entity that they address the following considerations in forming the entity: Corporate form, ownership and control, profits and losses, responsibility for liabilities, capitalization, conflicts of interest, and the potential lack of audited financial records for the period and in the form required by the program. The separate entity will be the sole applicant and will be responsible for the Proposed Project.

In all cases, applicants should consult with their legal counsel and must comply with WVDED's Anti-Collusion and Prohibited Communications Policy and Certification.

Subject: Joint/Consortium Bids	**Topic**: Multiple Applications

3.2 Can an entity be included as a vendor, contractor, or subcontractor on one or more applications in which they are not the lead applicant?

Communications to third parties supporting development of a prospective subgrantee's proposal, including communications to contractors, service providers, professional advisors, legal counsel, financial advisers, lenders, and consultants are permissible, provided that the prospective subgrantee takes steps necessary to prevent the third party from becoming a conduit for communicating bid and application information or bid and application strategies to other prospective subgrantees. For example, BEAD-related communications to third-party contractors and consultants are permissible to the extent such third parties enter into agreements with the prospective subgrantee that include protections consistent with WVDED's Anti-Collusion and Prohibited Communications Policy, such as non-disclosure and firewall provisions that will protect the integrity of the competitive bidding and selection process.

Please refer to WVDED's Anti-Collusion and Prohibited Communications Policy for more detail.

Subject: Multiple Applications	Topic: Multiple Applications

3.3 Can an entity both be included as a vendor, contractor, or subcontractor on one or more applications in which they are not the lead applicant and a lead applicant submitting an application?

Third parties supporting development of a prospective subgrantee's proposal, including communications to contractors, service providers, professional advisors, legal counsel, financial advisers, lenders, and consultants shall not themselves be prospective subgrantees. Parties approached by prospective subgrantees must disclose if they intend to apply or have applied to the BEAD Program as prospective subgrantees.

Routine business communications do not violate WVDED's Anti-Collusion and Prohibited Communications Policy if they do not convey BEAD bid and application information or BEAD bid and application strategies.

Please refer to WVDED's Anti-Collusion and Prohibited Communications Policy for more detail.

Subject: Confidentiality	Topic: Confidentiality

3.4 Can applicants mark information contained in the application as confidential and/or proprietary?

During the Pre-Application, applicants can mark the material in their workbooks as confidential using the "Confidentiality" tab. During the Full Application, WVDED will provide a way for applicants to mark certain materials or information as confidential and/or proprietary.

Subject: Financial Statements	Topic: Financial Statements

3.5 If an applicant does not yet have the required audited financial statements for the prior year, what should it do?

If the applicant has not been audited during the ordinary course of business, in lieu of submitting audited financial statements, it must submit unaudited financial statements from the prior fiscal year and certify that it will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant before WVDED announces provisional awards.

4. Target Locations & Mapping

Subject: Target Locations	Topic: CostQuest License
4.1 Where can applicants find information related to obtaining a CostQuest Tier D license?	
Applicants can find information on obtaining a CostQuest Tier D license, which all applicants to the program need, here: https://drive.google.com/file/d/1sJo85oUnefDC0e3GlAxShgDn3fDR1s-c/view. Applicants should specifically request the December 31, 2022, updated June 13, 2023, fabric data.	

Subject: Target Locations	Topic: CostQuest License
4.2 How do applicants obtain the December 31, 2022, June 13, 2023, update fabric data?	
Applicants should request this from CostQuest during the license acquisition process.	

Subject: Target Locations	Topic: Data Set
4.3 Where can applicants download the data related to the Target Areas and Regions?	
Information on the draft Target Areas and Regions is available here: https://broadband.wv.gov/draft-target-areas-for-bead/. WVDED is accepting comments on these materials until April 5, 2024. After this, and before the Full-Application period begins, WVDED will publish the final Target Areas and Regions for applicants to use when creating Proposed Projects.	

Subject: Target Locations	Topic: Data Set
4.4 When will an updated set of Target Locations (broadband serviceable locations (BSLs)) be made available and will BSLs funded through ARPA and/or other existing programs be removed from that data set?	
WVDED will make available a new set of Target Locations after the conclusion of the Challenge Process. As a part of the deduplication process, WVDED will mark locations with enforceable commitments as served, such as those with enforceable commitments through the ARPA program.	

Subject: Target Locations	Topic: Unserviceable Locations

4.5 How will unserviceable Target Locations (broadband serviceable locations (BSLs)) be handled, such as water tanks, gas wells, barns, etc.?

The Federal Communications Commission addressed unserviceable locations during its challenge process. This is not a feature of West Virginia's Challenge Process. WVDED may consider any further guidance that NTIA provides on the matter.

Furthermore, as noted in West Virginia's Initial Proposal Volume 2, subgrantees must serve all Target Locations in their awarded Projects; however, in circumstances where they cannot provide service for reasons completely outside of their control, such as no electricity provided to the BSL or where a property owner refuses the provision of service, subgrantees will be required to compile a list of such BSLs and present it to WVDED.

Subject to NTIA approval and during the post-award process, WVDED may consider removing location(s) from an award provided the applicant submits sufficient evidence to justify this, it files the location challenge with the Federal Communications Commission as a part of its Broadband Data Collection (BDC) program, and WVDED determines such removal to be appropriate.

Subject: Target Locations	Topic: High Cost Locations

4.6 What is the difference between the high-cost areas defined by NTIA and the Extremely High Cost Threshold?

These are different and they do not correlate.

High-cost areas describe areas in which there is an opportunity for reduced match. The high-cost areas are census blocks defined by NTIA. NTIA has already selected these blocks "in which at least 80% of the locations are unserved, and in which the cost of building out broadband service is higher than the average for all such unserved areas." (See https://www.internetforall.gov/program/broadband-equity-access-and-deployment-bead-program/bead-allocation-methodology.) The match for Target Areas that contain Target Locations that fall in the high-cost areas will be reduced proportionately to the number of such Target Locations.

The Extremely High Cost Threshold describes a threshold above which proposed projects may be too expensive for the program to fund. It represents the point at which the proposed project's grant cost per Target Location is so expensive that the program may fund a less expensive competing project using a less preferred technology. WVDED will establish this threshold after it has received Proposed Projects and it will utilize the threshold as detailed in its Initial Proposal Volume 2.

Projects exceeding the "Extremely High Cost Threshold" may or may not be in "high cost areas." Similarly, projects in "high cost areas" may or may not exceed the "Extremely High Cost Threshold."

Subject: Target Locations	Topic: Eligible Locations

4.7 As far as location types, are unserved, underserved, and community anchor institutions all eligible?

Yes, Target Locations include unserved, underserved, and eligible community anchor institutions.

Subject: Target Locations	**Topic**: Explanation
4.8 What are Target Locations, Areas, and Regions?	

Target Locations are individual unserved or underserved homes, businesses, or eligible community anchor institutions (CAIs). NTIA refers to these are broadband serviceable locations (BSLs). The draft set of Target Locations are depicted as the gray points on the following map.
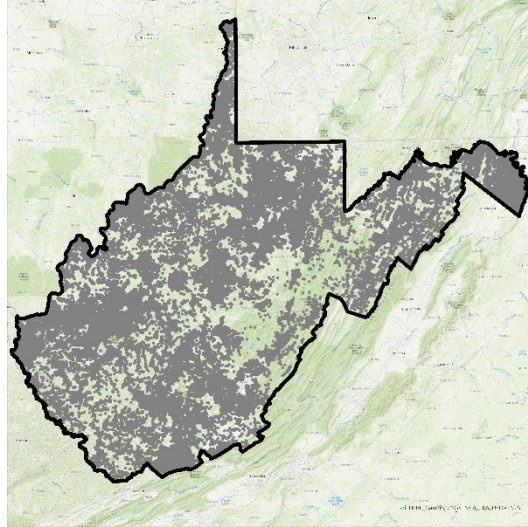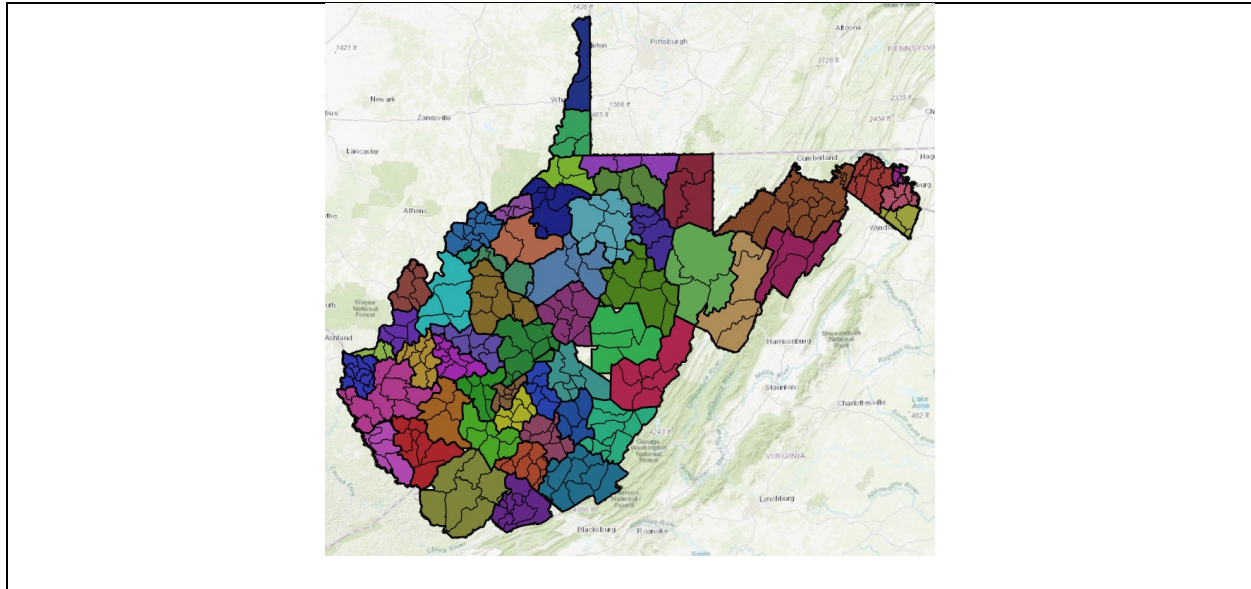

Target Areas are clusters, or groups, of Target Locations. These are depicted by each of the colored groupings of Target Locations in the following map. Note that the black borders represent county borders purely for orientation purposes.
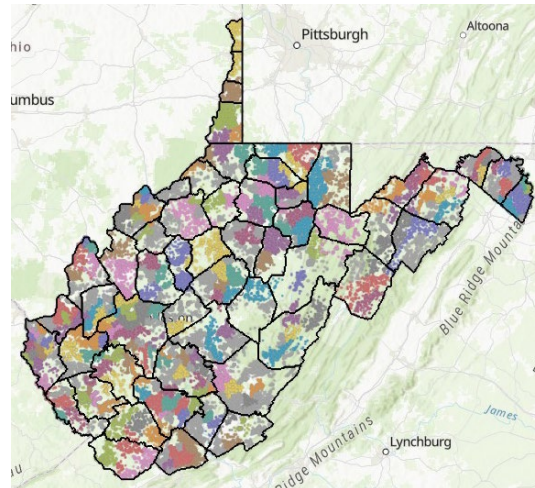
Target Regions are groups of Target Areas. These are depicted by each of the colored groupings in the following map. Again, the black borders represent county borders purely for orientation purposes.

Examined more closely, the following is a map of draft Target Region 11, the data of which can be accessed here https://broadband.wv.gov/draft-target-areas-for-bead/. The dark red dots represent Target Locations. While in practice the Target Areas only constitute the groupings of Target Locations, they are often depicted as shapes containing those Locations for simplicity: the blue-gray lines in this case. Similarly, the red border represents the Target Region as a general concept. Again, in practice only the points comprise the Areas and Regions.

Zooming out but still using these simplified shapes, the following is the abstracted full draft map of Target Areas and Regions in West Virginia—with the different colors symbolizing different Regions and the lines symbolizing the shapes of the Areas.

Subject: Challenge Process	Topic: Updates
4.9 Will WVDED provide final status updates on locations addressed during the Challenge Process?	
The Challenge Process results are still under review and pending approval by NTIA. After NTIA approves the results, WVDED will make these available online.	

Subject: Target Locations	Topic: Data Set
4.10 Are Fabric Location IDs included in the June 4 version of the draft Target Areas and Regions?	
No, these are not included in the data set as the precise eligibility status of these Locations is dependent upon the results of the Challenge Process, which is pending NTIA's review and approval by NTIA as of the publication of this revised data set.	

Subject: Target Locations	Topic: Data Set
4.11 In the June 4 version of the draft Target Areas and Regions, there is a field for Mobile Coverage, which is a binary field contained either "Y" or "N." What do these mean?	
For the Mobile Coverage field, "Y" means yes the Target Location has FCC-reported mobile coverage. A "N" means no the Target Location does not have FCC-reported mobile coverage.	

Subject: Target Locations	Topic: High Cost Block Group Data
4.12 Where can applicants access the high cost block group (HCBG) data that needs to be included as a feature in the GIS schema?	
It can be accessed directly from NTIA here: https://www.internetforall.gov/program/broadband-equity-access-and-deployment-bead-program/bead-allocation-methodology. It can then be spatially joined with the Target Location data set provided by WVDED.	

Subject: Target Locations	Topic: CAIs
4.13 What Target Areas only contain CAIs?	

The following Target Areas only contain CAIs.

Target Region	Target Area	Count of CAIs
26	WV_26A	16
45	WV_45D	6
15	WV_15C	25
33	WV_33B	4
33	WV_33C	2
5	WV_5G	2
53	WV_53I	19
37	WV_37G	10
60	WV_60E	10

5. Program Information & Requirements

Subject: Program Requirements	Topic: Reimbursements
5.1 Can subawardees (i.e., those receiving awards from WVDED) request reimbursement during the entire BEAD period of performance regardless of the "completion" of the network build as long as they still have funds in their awarded grant leftover? For instance, if a subawardee completes its general fiber network build within two years, can it continue to submit requests for reimbursement for eligible costs up through the full four years or until the grant amount is depleted?	
Yes, subawardees may request reimbursement during the entire BEAD period of performance so long as they are for the project as awarded, are eligible costs, are during the period of performance, and meet all other reimbursement requirements associated with the program, which are detailed in the Deployment Program Procedures. Please note, once a grant is closed out, no further grant funds will be available. For example, an awardee may continue to seek reimbursement for costs related to new subscriber connections at Target Locations within the scope of the awarded project after completion of a main fiber network build out through the period of performance, but not after the closeout of the grant.	

Subject: Program Requirements	Topic: Affordable Connectivity Program (ACP)
5.2 Have the requirements related to ACP changed given the sunsetting of the program?	
For the purposes of this program, the ACP-related requirements have not changed.	

Subject: Program Requirements	**Topic**: Middle-Class Affordability Plan
5.3 What is the maximum price of the middle-class affordability tier?	
As listed in West Virginia's Initial Proposal Volume 2, applicants can earn points for the Affordability criterion according to the following schedule, which depends on the type of project (priority or non-priority) that they are proposing to deploy: - Priority Project: One point for every $2 below $115 per month for plans offering 1/1 Gbps or better (max 25 points) - Non-Priority Project Scoring: One point for every $2 below $85 per month for plans offering 100/20 Mbps or better (max 25 points)	

Subject: Program Requirements	**Topic**: Proposing Projects
5.4 Do applicants need to apply for an entire Region, or can they apply for a specific Target Area?	
Yes, applicants must apply for an entire Region. Applicants may do so by proposing one or more projects using the Target Areas as minimum building blocks and must comply with the other rules established in Initial Proposal Volume 2. Note that even though applicants must apply for entire Regions, they are not guaranteed to be awarded the entire Region. Awards depend on many factors including project rank and score and applicant capacity. Regarding the latter, applicants will not be awarded more than they have the financial and relative capacity to carry out.	

Subject: Program Requirements	**Topic**: Program Participation
5.5 What if an applicant does not have the financial resources to perform on an award for an entire Region? Can the applicant still participate in the program?	
Yes. Applicants should indicate the largest set of projects that they will be able and willing to perform in the Maximum pro forma at the Pre-Application Phase. Applicants may apply for a set of proposed projects that exceed this maximum, but they will only be awarded a set of projects that is at or under their demonstrated capacity. If an applicant's capacity is less than that of a single Region, it may only be awarded projects that are less than a full Region. Applicants should take care in this case to divide a Region's Target Areas into projects during the Application Phase such that at least one would be the same size or smaller than that Applicant's Maximum pro forma at the Pre-Application Phase. A proposed project may be as small as a single Target Area.	

Subject: Program Requirements	**Topic**: Funding
5.6 Some entities have relied on the Broadband Loan Insurance Program (BLINS) to secure funding from banks for previous broadband deployment efforts. With that program in flux, how should applicants approach securing match funding?	
At the Pre-Application Phase, applicants may indicate that proposed non-grant funding sources are contingent, including a contingency related to legislative extension of BLINS to cover projects applying for BEAD. Applicants may also provide a letter of commitment from an eligible bank or credit union to provide a Letter of Credit that is contingent on BLINS loan insurance.	

Subject: Program Requirements	**Topic**: LOC/Performance Bond

5.7 In the pro formas required during the Pre-Application stage, WVDED asks that applicants include costs associated with Non-Target Locations. Does this impact the Letter of Credit or Performance Bond requirement for the program?
No, this does not impact the Letter of Credit or Performance Bond requirement. The Letter of Credit or Performance Bond is based on the grant amount. Costs exclusively for the benefit of Non-Target Locations are not eligible for grant funding. Costs and revenue associated with incidental service to Non-Target Locations are allowed to be part of the pro forma for applicants to present a complete cash flow, but do not enlarge the scope of potential projects to include these locations.

Subject: Program Requirements	**Topic**: Reimbursements

5.8 Is reimbursement based on actuals or the averages in the cost factor?
It is based on actuals.

Subject: Initial Proposal Volume 2	**Topic**: Initial Proposal Volume 2

5.9 On April 25, 2024, NTIA approved West Virginia's Initial Proposal Volume 2. What changes should applicants be aware of since the last publicly available version from October 2023?
WVDED published a new set of Deployment Program Procedures that have been updated to match the NTIA approved version of Initial Proposal Volume 2. Applicants should review the revised Procedures in full. That said, the following is a summary of the significant updates that have been made to Initial Proposal Volume 2 that may impact applicants at one or more stage of the application process: - Match from applicants is now required on a per-Proposed Project basis.   - The total number of points available (200) has stayed the same, but how the points are distributed among some of the criteria has changed.   - The Minimal BEAD Outlay criterion no longer includes Scalability and Resiliency credits. Scalability and Resiliency now form their own scoring criterion.   - The Minimal BEAD Outlay criterion language was updated, although the general points allocation method remains the same save for the Scalability and Resiliency credits.   - The low-cost and middle-class affordability tiers must be offered for at least ten years from service turn up instead of eight.   - As highlighted in the Pre-Application ZoomGrants portal, applicants must certify that they will comply with program requirements, including timelines.   Please see the revised Deployment Program Procedures and Initial Proposal Volume 2 for more details.

Subject: Program Requirements	**Topic**: Low-Cost Plan
5.10 To whom are awardees required to offer a low-cost service tier?	
Awardees are required to offer and provide marketing for a low-cost service tier, as proposed to and approved by WVDED during the Pre-Application stage, to all individuals who: 1. reside in Target Locations that are a part of their awarded project(s); and 2. qualify for and/or are enrolled in the Federal Communications Commission's (FCC) Affordable Connectivity Program (ACP). The specific marketing requirement and service requirements are detailed in section 2.8.1 Low-Cost Plan of the Deployment Program Procedures.	

Subject: Program Requirements	**Topic**: LOC/Performance Bond
5.11 In the webinars, WVDED noted that the letter of credit or performance bond would need to be for at least 10% of the award amount. Given this, does the commitment letter for a letter of credit or performance bond that must be submitted during the Pre-Application phase need to be for at least 10% of the Maximum pro forma award amount? For instance, if the Maximum pro forma has a Total Grant Request Amount (see the Summary Output tab) of $40,000,000, then would the commitment letter for a letter of credit or performance bond need to be for at least $4,000,000?	
Yes, that is correct.	

Subject: Program Requirements	**Topic**: LOC/Performance Bond
5.12 Are vendors, contractors, or subcontractors required to obtain a letter of credit or performance bond?	
No, WVDED only requires that applicants obtain a letter of credit or performance bond.	

Subject: Program Requirements	**Topic**: LOC/Performance Bond
5.13 If an applicant wants to make the decision of whether to use a letter of credit or performance bond after the Pre-Application phase, does it therefore need to submit a commitment letter for both?	
No, applicants only need to submit one commitment letter during the Pre-Application phase. Afterward, the applicant may choose to either use a letter of credit or performance bond pursuant to the requirements detailed in the Deployment Program Procedures.	

Subject: Program Requirements	**Topic**: LOC/Performance Bond
5.14 Can the letter of credit be governed by another state's laws other than those of West Virginia?	
WVDED strongly prefers that the letter of credit be governed by the laws of the State of West Virginia as stated in the provided Model Letter of Credit. However, and on a case-by-case basis, WVDED may work with an applicant and the bank or credit union issuing its letter of credit to allow for application of another state's law, provided it does not restrict, among other things, WVDED's ability to draw on the letter of credit within the letter's six-year duration or require venue for disputes in a state other than West Virginia. As the administrator of the BEAD program and the beneficiary of the letter of credit, WVDED's rights and remedies as a beneficiary may not be diminished through the application of another state's law. WVDED may reject, modify, or accept any proposed change to this requirement and will consider, at a minimum, the impact that the change has on itself and the program, as well as the creditworthiness of the issuing bank or credit union. WVDED will not allow for modification to any other portion of the Model Letter of Credit. In all cases, the letter of credit must meet NTIA requirements as detailed in West Virginia's Deployment Program Procedures and Initial Proposal Volume 2.	

Subject: Program Requirements	**Topic**: LOC/Performance Bond
5.15 If an applicant pursues a performance bond, what type should it acquire?	
Applicants are not required to obtain a specific type of performance bond so long as it meets all of the requirements established in the Deployment Program Procedures and Initial Proposal Volume 2.	

Subject: Program Requirements	**Topic**: LOC/Performance Bond
5.16 Can applicants keep funds available in a bank or credit union as a substitute for a letter of credit?	
No. Applicants must obtain either a letter of credit or performance bond per the Deployment Program Procedures and Initial Proposal Volume 2.	

Subject: Program Requirements	**Topic**: LOC/Performance Bond
5.17 Does the term of the performance bond need to be for the duration of the Project, or can it be renewed annually?	
The performance bond must be for the duration of the Project(s). As stated in the Deployment Program Procedures, *"The provisional subgrantee must commit to maintain the performance bond in the amount of 10% of the subaward until it has demonstrated to satisfaction of WVDED that it has completed the buildout of 100% of locations to be served by the project or until the period of performance of the subaward has ended, whichever occurs first."*	

Subject: Program Requirements	**Topic**: Line Extensions

5.18 Section 5.4 of the Deployment Program Procedures establishes that under certain circumstances, applicants may be required to accept additional funding to build line extensions. How would this work in practice?

As noted in the Deployment Program Procedures, in a situation where WVDED pursues line extensions, applicants will only be required to accept up to 20% more of grant funding for this purpose.

- That **is** 20% of an applicant's grant funding for its awarded Projects.
- That "20%" is **NOT** 20% of all awards made under the Program, 20% of what was applied for, or 20% of capacity.

Furthermore, line extensions will also be limited by the following conditions: awardees will

- only be asked to provide line extensions in Target Areas that did not receive an award (and may not necessarily be asked to provide line extensions covering the entire Target Area);
- only be asked to provide line extensions that are adjacent to the applicant's existing, awarded, or otherwise previously funded network subject to an existing state, federal, or local commitment;
- not be asked to take on additional line extensions that cause them to exceed their demonstrated financial or relative capacity, including if that has been reached during the award phase;
- have the opportunity to provide a line extension cost estimate to WVDED using the cost factors that they provided to WVDED during the Pre-Application phase; and
- not be asked to take on additional line extensions that their pro forma cash flows, submitted after provisional awards, indicate would not be financially sustainable.

Subject: Program Requirements	**Topic**: Force Majeures

5.19 Are backhoe cuts considered "force majeures" for the purpose of the network uptime requirement?

No.

Subject: Scoring	**Topic**: Community Support

5.20 How can applicants earn points for Community Support?

First, note that points for Community Support are included under the broader category of Demonstrated Community Impact and Support, as indicated in the Scoring Criteria listed in the Deployment Program Procedures. Specifically with regard to earning points related to Community Support, applicants can earn two out of 20 points in this criterion if the Project has a formal expression of support from the leadership of the proposed communities served.

To earn the full two points, an applicant will need to obtain expression(s) of support (such as letters of support) from jurisdictions covering all areas within the proposed Project Area. There are, however, different ways to accomplish this. For example, if a Project Areas contains several cities and towns within a county, the applicant may seek support at either the county level, or alternatively, from each individual city or town.

Subject: Program Procedures	**Topic**: Program Procedures
5.21 What changes have been made to the Deployment Program Procedures since WVDED published the original draft in November 2023?	
The Deployment Program Procedures have been updated to match the NTIA approved version of Initial Proposal Volume 2 as well as provide any clarifications that WVDED felt could not be sufficiently covered by these FAQs.	

Subject: Workshops & Webinars	**Topic**: Workshops & Webinars
5.22 When will the content of the in-person workshops be made available online?	
WVDED has distributed the presentation slides to attendees via email. If you did not attend the workshops but would like the slides, you can request them from WVDED.	

Subject: Program Requirements	**Topic**: Expenses
5.23 Are speed tests and costs associated with performing them, such as required special equipment and third-party agreements, considered eligible expenses?	
As noted in Section 2.4 (Eligible Expenses) in the Deployment Program Procedures, equipment required to perform speed tests, including "…OTDR, speed testing devices…" are **not** eligible expenses. As listed in the Pre-Application Universal and Cost Factor Workbook, speed tests are eligible expenses only as they relate to "Customer Premise Installation Labor" as listed on tabs *C.1 Fiber, HFC, and DSL* and *C3. Satellite Costs*.	

Subject: Program Requirements	**Topic**: Speed and Latency Requirements
5.24 What are the specific speed testing requirements, such as test samples, frequency, and timing?	
Per NTIA's requirements, (see BEAD NOFO p. 64), the BEAD Program uses the compliance standards and testing protocols for speed and latency established and used by the FCC in multiple contexts, including the Connect America Fund and the Rural Digital Opportunity Fund. Details on these can be found here:	

> *Connect America Fund, WC Docket No. 10-90, Order, 33 FCC Rcd 6509* (WCB/WTB/OET 2018) (Performance Measures Order); Connect America Fund, Order on Reconsideration, WC Docket No. 10-90, 34 FCC Rcd 10109 (2019) (Performance Measures Reconsideration Order). https://www.fcc.gov/document/wcb-wtb-and-oet-adopt-performance-measures-caf-recipients.

Applicants familiar with West Virginia's LEAD, MBPS, and GigReady Programs will note these are the same testing procedures as were required for those.

Subject: Program Requirements	Topic: Public Awareness

5.25 What public awareness efforts must subgrantees partake in?

Once a Project has been deployed, the relevant subgrantee must provide public notice of that fact to individuals residing in the locations to which broadband service has been provided and share the public notice with WVDED. Subgrantees will be required to provide WVDED with their plans for how they intend to notify relevant populations of the new or newly upgraded offerings available in each area. Subgrantees must utilize a variety of communications media (e.g., online, print, radio) and provide information in languages other than English when warranted based on the demographics of the community in which the network was deployed.

Awareness campaigns must include information about low-cost service plans and any federal subsidies for low-income households such as the Lifeline Program, the Affordable Connectivity Program, and any successor programs. Further, awareness campaigns must be conducted in an equitable and nondiscriminatory manner.

Subject: Program Requirements	Topic: Resiliency and Scalability

5.26 Under the OSP Design scoring criteria within Resiliency and Scalability, how can applicants demonstrate meeting the condition of "Use appropriate technologies for the specific needs of the network?"

To earn points for this condition, applicants should explain what active equipment technology will be deployed for the respective Project to support the traffic needs for data, voice, and video transmission. To accomplish this, applicants should, to the extent possible:
- provide the specific manufacturer and product type for the active equipment planned to be deployed and
- provide information on connectivity design, such as
  - multiplexing strategy and split approach,
  - maximum transceiver reach, and
  - the longest loop length planned to achieve minimum program performance standards.

Subject: Program Requirements	Topic: Proposing Projects

5.27 Can an applicant propose a project that excludes certain Target Locations in a Target Area?

No, projects must include all of the Target Locations in the proposed Target Areas.

Following the Full Application deadline, WVDED will provide applicants additional flexibility, including for high-cost locations, for projects submitted during the West Virginia BEAD Program Application Extension (see Section 4.1 of the Extension Program Procedures available on broadband.wv.gov). During the Extension, applicants may divide a Target Area into paired projects to accommodate different technologies, build-out schedules, or different levels of match for certain locations. Applicants can also seek non-construction matching funds and, if necessary, request a match waiver from NTIA for the proposed project. While this will not eliminate the requirement to propose projects that cover all Target Areas within proposed Target Areas, it will extend flexibility to applicants to tailor grant requests to differences in the costs to serve parts of those Target Areas.

Note this flexibility is only available for the subset of remaining Target Areas included in the Extension. Applicants interested in a Target Area should prioritize submitting viable projects during the Full Application, if possible.

Subject: Program Requirements	**Topic**: Expenses

5.28 Will the BEAD grants cover network that has to be built through another state to reach a targeted location in West Virginia?

With some limits and as stated in Section 2.4 of the Deployment Program Procedures, "Projects must primarily serve Target Locations." Moreover, "Costs that appear excessive and/or without justification… will not be reimbursed."

To that end, should a reasonable portion of a network need to be constructed in another state to reach Target Location(s) in West Virginia—while meeting the other eligibility criteria established in the Deployment Program Procedures—this will be considered an eligible cost. The reasonableness of such a portion of network is at the discretion of WVDED and ultimately will be reviewed by NTIA for compliance with the BEAD program rules and requirements. The applicant should provide as much information as required to assist WVDED in making this judgment.

Subject: Program Requirements	**Topic**: Expenses

5.29 The Deployment Program Procedures states that "expenses incurred prior to the start date of the period of performance" are ineligible. Has WVDED changed this requirement?

No.

Subject: Program Requirements	**Topic**: Requirement Changes

5.30 How will changes to the BEAD program promulgated by NTIA impact West Virginia's implementation of its program? For instance, NTIA only just recently published draft Proposed BEAD Alternative Broadband Technology Guidance.

When adjustments or clarifications to the program are required because of new NTIA guidance, WVDED will update program procedures or FAQs as necessary. While WVDED strives to maintain consistency with developing NTIA guidance, in the event of any discrepancy between WVDED-prepared materials and any federal funding requirements, the latter will prevail.

At this time, WVDED has not made changes to its Program Procedures for Alternative Technologies. Alternative Technology Providers may participate in the West Virginia BEAD deployment grant program under these Program Procedures. WVDED may deal with Alternative Technology projects more specifically in the future in response to proposed NTIA Guidance recently released.

Subject: Program Requirements	**Topic**: Proposing Projects

5.31 Is there a limit on the number of Non-Target Locations that can be passed if doing so is necessary to reach Target Location(s).

There is no limit on this provided that passing the Non-Targeted BSLs is demonstrably required to serve the Target Location(s).

Subject: Awarded Projects	**Topic**: Agreement

5.32 If an applicant is awarded projects via the BEAD program, will the contract between it and WVDED specifically identify the Target Locations included in the project(s)?

Yes.

Subject: Program Requirements	**Topic**: Reimbursements
5.33 Will reimbursements be performed on a pro rata basis?	
WVDED has proposed performing reimbursements on a pro rata basis to NTIA and is currently awaiting its approval.	

Subject: Program Requirements	**Topic**: Low-Cost Plan and Middle Class Affordability
5.34 Are Non-Target Locations passed as a consequence of serving Target Locations subject to the low-cost requirement and middle-class affordability option?	
No. Only Target Locations are subject to the low-cost plan requirement and are eligible for points related to the middle-class affordability option.	

Subject: Program Requirements	**Topic**: Expenses
5.35 What are the conditions under which applicants can be reimbursed for expenditures related to passing non-Target Locations in service of passing Target Locations.	
Applicants may include non-Target Locations or routes that fall outside the Target Areas included in the Proposed Project in their designs if the non-Target Locations or routes outside the Target Areas are clearly required to connect the Target Locations to a new or existing network. Customer drops, installations, and equipment at non-Target Locations are not eligible for reimbursement.	

Subject: Program Requirements	**Topic**: Match
5.36 Under what circumstances can a project qualify for less than 25% match during the Full Application phase?	
During the Full Application phase, WVDED may waive a portion of the match that is proportionate to the number of Target Locations that fall within High-Cost areas, as defined in Section 60102(a)(2)(G) of the Infrastructure Investment and Jobs Act of 2021. WVDED provides specific examples illustrating this in Section 4.2.2 of the Deployment Program Procedures. As one example, consider a Proposed Project with the following specifications: • Target Locations: 1,000 • Total proposed cost to deploy services to the Target Locations: $10,000,000 • Number of High-Cost Locations in the Project: 100 The 100 High-Cost Locations account for 10% of the total 1,000 Target Locations in the Proposed Project. As such, WVDED would require match on 10% less of the proposed total cost from the applicant of $10,000,000, equating to $9,000,000. The minimum match required of the applicant is therefore $2,250,000: $$\$9,000,000 \times 25\% = \$2,250,000$$	

Subject: Program Requirements	**Topic**: Expenses
5.37 Are the costs associated with deploying to Target Locations classified as CAIs eligible expenses?	
Yes, they are eligible expenses to the same extent as any other Target Location.	

Subject: Program Requirements	**Topic**: Service
5.38 In the context of the BEAD Program, what does "serving" a Target Location mean?	
"Serving" a Target Location means deploying infrastructure such that the provider is prepared to provide service to the Target Location within a normal service interval of 10 days.	

Subject: Project Ranking and Scoring	**Topic**: Project Ranking
5.39 If two applicants each propose viable set(s) of Projects for a given Target Region, but there are no possible combinations of their Projects such that both can be awarded a portion of the Region, what happens?	
Awards will be made according to the process established in Section 5.2 of the Program Procedures, "Project Ranking." This may result in an award to one applicant for the entire Region.	

Subject: Awards	**Topic**: Provisional Awards
5.40 When will provisional awards be announced?	
Provisional awards will not be announced, but applicants proceeding to the provisional award process will be directly contacted by WVDED as soon as possible, most likely between mid-November 2024 and early February 2025. WVDED will release its Final Proposal to NTIA for a public comment period of not less than 30 days, which will happen after WVDED has completed its deployment subgrantee selection.	

Subject: Award	**Topic**: Award Agreement
5.41 When will the draft agreement language be available?	
It is estimated to be available at the end of October 2024.	

Subject: Award	**Topic**: Award Agreement
5.42 When will grant agreements be signed with awarded applicants?	
The specific date upon which grant agreements will be signed is subject to NTIA's approval of West Virginia's Final Proposal, which is required to be submitted to NTIA in April 2025.	

Subject: Program Requirements	**Topic**: Project Deadline
5.43 When does the clock begin for the project completion deadline of four years?	
Per page 18 of NTIA's Notice of Funding Opportunity for the BEAD Program, *"As established in Section 60102(h)(4)(C) of the Infrastructure Act, 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 service within the project area not later than four years after the date on which the subgrantee receives the subgrant from the Eligible Entity."*	

Subject: Program Requirements	Topic: Expenses
5.44 The Deployment Program Procedures lists the following as ineligible expenses: *"Expenses incurred prior to the start date of the period of performance or any existing inventory purchased prior to the program launch date."* Expenses incurred prior to the start date of the period of performance would appear to supersede the second half. Is this the case?	
Yes. Expenses incurred prior to the start date of the period of performance, including inventory purchased during this time, are considered ineligible.	

Subject: Scoring	Topic: Community Support
5.45 How will WVDED assess the following scoring factor: "The applicant has obtained a meaningful financial contribution, as determined by WVDED, from proposed communities to be served."	
WVDED will consider whether a community contribution is "meaningful" by considering the relative size and/or impact of the contribution.	

Subject: Pre-Award Phase	Topic: Requirements
5.46 What does the Pre-Award phase entail?	
The Pre-Award phase will entail applicants completing and/or providing a Pro Forma Workbook, the Letter of Credit, Letter of Credit Legal Opinion, Professional Engineer certification, Environmental and Historic Preservation materials, and answers to additional questions addressing requirements from the Program Procedures and NTIA's Notice of Funding Opportunity. Additional guidance will be provided closer to the phase.	

Subject: Scoring	Topic: Resiliency and Scalability
5.47 What is the meaning of "topology" within the context of the Topology portion of the Resiliency and Scalability scoring criteria?	
Topology architectures are used to provide powered (i.e., active) equipment points with redundancy to maintain network uptime. These equipment points are typically a cabinet, node, and hub-type facility, used to manage network traffic aggregation and distribution within the network design.	

Subject: Scoring	Topic: Resiliency and Scalability
5.48 Does the Topology portion of the Resiliency and Scalability scoring criteria refer to middle-mile interconnect or last-mile network, and what types of equipment points should be addressed under each scenario?	
This encompasses both middle-mile and last-mile network design. • For middle-mile, this would involve a routing strategy between central office(s) and/or headend(s) facilities. • For a last-mile strategy, this would entail a routing strategy for remote serving cabinets and/or hubs connecting to a single or multiple central office or headend serving cluster(s). The following are two examples of topology type being illustrated. Example 1 – Single Topology Type	

The Proposed Project has an active equipment PoP not connected to the Target Locations included in the Project. This PoP serves as the applicant's point of extension that the new build middle-mile facilities will be built from and extend out to the Project. Next the design includes two separate active equipment points deemed as Hub/Cabinet/Node points designated for local last-mile network coverage areas. These points serve as the traffic aggregation points for local distribution to transport back to the main PoP location using the middle-mile infrastructure. To maintain network uptime, these locations are designed using a

- RING topology type architecture, which, in this example, exhibits the following characteristics:
- RING > A single POP location is designated to aggregate all network traffic from the proposed project area.
- RING > The middle middle-mile network will consist of two separate wireline routes connecting the PoP location to each of the Hub/Cabinet/Node points designated to be built.
- RING > The two last-mile Hub/Cabinet/Node points will utilize the separate middle-mile routes to connect traffic back to the single PoP location.
- RING > The last-mile feeder routes connect local traffic back to the Hub/Cabinet/Node point via two separate paths.

Example 2 – Mixed Topology Type
The Proposed Project has two active equipment PoP not connected to the Target Locations included in the Project. One PoP (East Location) serves as the applicant's point of extension that new build middle-mile facilities will be built from and extend out to the Project. The second PoP (West Location) on the opposite side of the geographic area contained by the Proposed Project serves as the secondary serving PoP for the network design. Next the design includes three separate active equipment points deemed as Hub/Cabinet/Node points designated for local last-mile network coverage areas. These points serve as the traffic aggregation points for local distribution to transport back to the main PoP locations using the middle-mile infrastructure. To maintain network uptime, these locations are designed using a Horseshoe/Rainbow topology type architecture. This is shown in the network design with each Hub/Cabinet/Node point connecting to the middle-mile feeder route and routing traffic to both PoP locations for maximum redundancy protection. Thus, the horseshoe/rainbow and RING topology types in this example exhibit the following characteristics:

- Horseshoe/Rainbow > Two POP locations designated as primary and secondary office locations to aggregate traffic from the Proposed Project to the applicants existing network.
- Horseshoe/Rainbow > The middle middle-mile network will consist of a single wireline route connecting the two PoP locations.
- Horseshoe/Rainbow > The three last-mile Hub/Cabinet/Node points will utilize the middle-mile route to connect traffic back to both PoP locations in a primary and secondary method.
- RING > The last-mile feeder routes connect local traffic back to the Hub/Cabinet/Node point via two separate paths.

Subject: Scoring	**Topic**: Resiliency and Scalability
5.49 Under what circumstances should applicants fill in Topology Type attribute field in the GIS Schema?	
Any applicant seeking points under the Topology portion of the Resiliency and Scalability scoring criteria should complete the Topology Type attribute field in the GIS Schema layer. This includes applicants addressing this criterion using a middle-mile OR last-mile strategy.	

Subject: Scoring	**Topic**: Resiliency and Scalability
5.50 How and where do applicants provide the information relevant to the Topology portion of the Resiliency and Scalability scoring criteria?	
Information on how this criterion is scored can be found in section 5.2.4 of the Deployment Program Procedures and the June Webinar. A walkthrough of the relevant sections of the Proposed Project Workbook and ZoomGrants application portal can be found in the June 6, 2024, workshop presentation.	

Subject: Program Requirements	**Topic**: Funding
5.51 As amended in October 2024, what is the West Virginia Broadband Loan Insurance (BLINS) Program and its relation to the BEAD Program?	
The BLINS Program assists businesses gain access to credit from West Virginia financial institutions and is administered by the West Virginia Economic Development Authority (WVEDA). It aims to encourage lenders to undertake credit risk that will allow for the extension or expansion of broadband service in West Virginia. In October 2025, the State Legislature passed Senate Bill 2035, which provides additional funding for loan insurance and other incentives to broadband service providers participating in West Virginia's BEAD Program. Those interested in learning more about BLINS should contact the WVEDA (https://eda.wv.gov/about/contact-us/). Interested entities must apply to the BLINS Program through WVEDA, not WVDED. However, applicants should notify WVDED if they intend to seek BLINS assistance in connection with the BEAD Program. See FAQ 5.52 for more details on this notification process.	

Subject: Program Requirements	Topic: Funding

5.52 Should and how can BEAD applicants notify WVDED that they intend to seek West Virginia Broadband Loan Insurance (BLINS) Program assistance in connection with a BEAD application?
Applicants that intend to seek assistance from the BLINS Program in connection with an application to West Virginia's BEAD Program—including the Application Extension to that program—need to fill out the Broadband Loan Insurance and Incentives - Intent to Participate Form.

The Form and information on how to complete it is available at https://broadband.wv.gov/submit-west-virginia-blins-program-intent-to-participate-form-by-november-1/.

This information will help WVDED to understand which BLINS loan insurance and other incentives may be available to the applicant and facilitate coordination between the West Virginia Economic Development Authority (WVEDA), which administers the BLINS Program, and WVDED. To allow timely consideration, interested Applicants are strongly encouraged to submit the Intent to Participate Form by November 1, 2024. Applicants submitting proposed projects to the Application Extension may submit this form at the same time as submitting a proposal to the Extension but are encouraged to do so at the soonest possible date.

Note that the form is not an application to BLINS. Applicants must apply to WVEDA for BLINS assistance. Those interested in learning more about BLINS should contact the WVEDA at eda.wv.gov/programs/broadband-loan-insurance/.

Subject: Anti-Collusion	Topic: Letter of Support

5.53 Is it a violation of the BEAD Anti-Collusion and Prohibited Communications Policy for an applicant to seek a formal expression of support from the leadership of any proposed communities to be served? What about in cases where the community leadership discusses or otherwise discloses the request or result of such a request in a public forum?
The act of seeking a formal expression of support from the leadership of any proposed communities to be served is <u>not</u> a violation of the Policy. Cases where the community leadership discusses or otherwise discloses the request or result in a public forum do not violate the Policy provided the applicant does <u>not</u> engage in sharing this information and it is done solely by the community leadership and without being prompted to do so by the applicant.

Subject: Anti-Collusion	Topic: LOC/Performance Bond

5.54 Do the third-party communications requirements (see quoted text below) of the BEAD Anti-Collusion and Prohibited Communications Policy apply to communications during the Pre-Award phase with banks, credit unions, or bond issuers?

"Communications to third-parties supporting development of a prospective subgrantee's proposal, including communications to contractors, service providers, professional advisors, legal counsel, financial advisers, lenders, and consultants are permissible, provided that the prospective subgrantee takes steps necessary to prevent the third party from becoming a conduit for communicating bid and application information or bid and application strategies to other prospective subgrantees. For example, BEAD-related communications to third-party contractors and consultants are permissible to the extent such third parties enter into agreements with the prospective subgrantee that include protections consistent with this Policy, such as non-disclosure and firewall provisions that will protect the integrity of the competitive bidding and selection process. Such third parties shall not themselves be prospective subgrantees. Parties approached by prospective subgrantees must disclose if they intend to apply or have applied to the BEAD Program as prospective subgrantees."

Yes, these requirements apply to communications during the Pre-Award phase with banks, credit unions, or bond issuers.

6. Extension

Subject: Program Procedures	Topic: Application Extension Program Procedures
6.1 Where can applicants view details on the Extension?	
For an overview of the Extension, see the Application Extension Program Procedures. These procedures align with the complete BEAD Deployment Program Procedures to outline adjustments to the Program in the Extension and relevant changes for applicants who seek ARC/CPF/SLFRF funding in addition to BEAD funds.	

Subject: Target Locations	Topic: Viable Projects
6.2 The Application Extension Program Procedures note that applicants may submit proposed projects for Target Areas that "remain without viable projects" following receipt of full applications. What is a "viable project," and how will the remaining Target Areas lists be created?	
A "viable project" is a proposed project suitable for WVDED to fund with its BEAD allocation. WVDED may make a determination that certain Target Areas have a lack of viable projects in some circumstances even if it has received proposed projects in those areas. WVDED may determine that certain proposed projects are not viable if they do not or are likely not to meet eligibility requirements or if they exceed the Extremely High Cost Threshold. WVDED may determine that certain Target Areas lack viable projects if there is insufficient applicant Financial or Relative Capacity, or BEAD program budget to make awards in those Target Areas in addition to all other Target Areas. In the event that there are viable projects in all or most Target Areas, WVDED may identify Target Areas for the Extension by considering those Target Areas in which there is no viable project with a Reliable Broadband Service technology. In the event that there are viable projects in all or most Target Areas with a Reliable Broadband Service technology, WVDED may identify Target Areas for the Extension by considering those Target Areas in which there is no viable project with end-to-end fiber technology. Please see Section 1.4 of the Application Extension Program Procedures for more details on the remaining Target Areas lists.	

Subject: Target Locations	Topic: Remaining Target Areas
6.3 If a Target Area is included in a remaining Target Areas list, does that mean a proposed project already submitted for that Area will not be awarded?	
No, proposed projects received during the Full Application and in the Extension may be awarded after the Extension has closed for all Target Areas. WVDED will make final award determinations based on the entire pool of applications received by both the original and extended application deadline.	

Subject: Program Requirements	Topic: Proposing Projects
6.4 In the Extension, can applicants apply for a specific Target Area?	
Yes, during the Extension, not all of the original Target Areas in a Target Region may be available or may not all be available for projects using either ARC or CPF/SLFRF funding. In these cases, applicants are not required to include all Target Areas in a Target Region in a Proposed Project. Applicants may propose projects for one or more remaining Target Areas within a Target Region.	

Subject: Program Requirements	**Topic**: CPF/SLFRF Projects
6.5 Will CPF/SLFRF project requirements be the same as those for BEAD projects?	
Subgrantees awarded CPF/SLFRF funding must comply with all requirements set forth by the U.S. Department of the Treasury and the State of West Virginia. Section 2 of the Application Extension Program Procedures outlines which CPF/SLFRF requirements differ from BEAD requirements.	

Subject: Program Requirements	**Topic**: LOC/Performance Bond
6.6 Is a Letter of Credit or Performance Bond required for projects proposed with CPF/SLFRF funding?	
No, applicants seeking CPF/SLFRF funding are not required to provide a letter of credit or performance bond to propose projects for CPF/SLFRF project areas.	

Subject: Extension Application	**Topic**: Previous Projects
6.7 If an applicant previously submitted a Proposed Project for a Target Area, will WVDED accept a new project in the Target Area proposed by the same applicant during the Extension?	
Yes. WVDED will consider new projects proposed during the Extension, though a new Proposed Project during the Extension does not supersede the original proposed project, and WVDED may consider funding either proposal.	

Subject: Extension Application	**Topic**: Eligible Applicants
6.8 Can potential applicants who have not completed a Pre-Application propose projects?	
Yes, applicants participating in the Extension who have not completed a Pre-Application may do so during the Extension. These applicants will be limited to proposing projects within the Target Areas announced for the Extension.	

Subject: Creating Projects	**Topic**: Rules
6.9 During the Extension, do applicants still need to follow the following rule when creating Proposed Projects? "If an applicant proposes to include any Target Area within a Target Region in a Proposed Project, it must include all Target Areas in that Target Region in a Proposed Project. The applicant may, however, choose to propose that the Target Areas within the Target Region be in one Proposed Project or distributed among multiple Proposed Projects."	
Yes, except if not all of the Target Areas in the Target Region are available during the Extension. This is noted in Section 4.1 of the BEAD Application Extension Program Procedures available on broadband.wv.gov.	

Subject: Extension Application	**Topic**: Target Areas
6.10 What Target Areas will be eligible for the Extension?	
This is defined in Section 1.4 of the BEAD Application Extension Program Procedures, available on broadband.wv.gov, and will be announced after the closing of the BEAD Full Application deadline on October 24, 2024.	

Subject: Extension Application	**Topic**: Project Ranking
6.11 Will Projects submitted during the Extension be ranked against those from the Full Application phase?	
Yes. As noted in the BEAD Application Extension Program Procedures, *"Projects proposed during the Extension will be ranked at the same time as projects proposed by the original Full Application deadline. When selecting projects, WVDED will generally rank projects against each other notwithstanding their proposed use of different funding sources. WVDED reserves the right, however, to manage available funding sources by prioritizing awards that can use one or another of the funding source."*	

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