



June 21, 2021

Dear Mayors, County Judges and ISPs:

The purpose of this letter is to let you know that the standards for our program have changed for those desiring a grant funded under the American Rescue Plan Act (ARP). Projects funded with ARP funds must be fiber and able to deliver speeds of 100Mbps download and 100Mbps upload. These speeds can be higher and must be available to both residential homes and businesses. These funds will go to unserved and underserved areas of Arkansas. According to the federal guidelines, an unserved or underserved area is a location where a user does not have access to a reliable wireline connection of at least 25Mbps/3Mbps.

We are encouraging everyone who have previously submitted a project to the Commerce Broadband Office to amend and resubmit their project so to meet the federal qualifications. This is the same for new application submissions. Please include a consumer pricing list that details the speeds that will be offered to residences and businesses in your application. Mayors and County Judges are requested to submit a letter acknowledging their review of the consumer pricing list.

As I have stated before, in a previous letter, it is permissible for Mayors and County Judges to negotiate with ISPs, as to the rate of broadband services for their communities, prior to the submission of an ARC application or the signing of the ARC grant agreement. However, the Commerce Broadband Office will have no enforcement authority over such agreements, but fully encourage them.

Finally, if you have a wireless project that you feel is necessary for a location, due to its geographic make-up, please submit that project along with a letter explaining why a fixed wireless project is better for that community than a fiber project. Supplement that letter with another letter from the Mayor or County Judge explaining why fixed wireless is better than fiber for that area. When we receive State funds, we may be able to fund that project.

We are currently in the process of filing rules to comply with the new federal guidelines. So please get started quickly.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Porch", is written over a blue horizontal line.

Steven Porch

Chief Legal Counsel and

Executive Broadband Manager for ARC Broadband Program

Arkansas Department of Commerce