

The Arkansas State Broadband Office
Broadband Equity, Access, and Deployment Program
Guidance on the Benefit of the Bargain Round

On June 6, 2025, the National Telecommunications and Information Administration (NTIA) published the [BEAD Restructuring Policy Notice](#) (PN). This PN outlined new requirements for Eligible Entities to follow when implementing the Broadband Equity, Access, and Deployment (BEAD) Program. The Arkansas State Broadband Office (ARConnect) will comply with this PN. As required by the PN, ARConnect rescinds all preliminary selections under its previous subgrantee selection process. Additionally, ARConnect will conduct at least one additional subgrantee selection round for every BEAD-eligible location (the “Benefit of the Bargain Round”).

Benefit of the Bargain Round Logistics:

The Arkansas BEAD Program's Benefit of the Bargain (BB) Round is tentatively scheduled to open for 7 calendar days, from **Monday, July 7 to Monday, July 14**. The schedule below outlines the targeted timeline for the BB Round. All dates are in 2025.

Activity/Milestone	Target Date(s)
“Benefit of the Bargain” (BB) Round TA Session	June 25
Project Area Footprints (PAFs) Released	June 30
BB Round Portal Demo	July 2
Credential Registration for the Grantor Portal	July 6
BB Round Pre-Registration	July 7 – July 14
BB Round	July 7 – July 14
Publication of BB Round Results	July 28
Negotiations (if needed)	July 29 – August 1
Final Proposal Public Comment Window	August 11 – August 25
Submission of Final Proposal to NTIA	August 29

Per the PN, pre-registration for the BB Round will be reopened to all interested applicants. Existing pre-registered applicants do not need to resubmit pre-registration documentation. If an applicant previously failed the pre-registration process, it may choose to update its materials and seek pre-registration again.

Pre-registration will run concurrently with the BB Round window, tentatively scheduled from Monday, July 7 to Monday, July 14. Pre-registration is required only for new applicants who have not yet successfully pre-registered for the Arkansas BEAD Program.

Technology Neutrality:

Per the PN, ARConnect adopts a technology neutral approach for its subgrantee selection process. This means that all broadband technologies that meet the performance requirements of the Infrastructure Investment and Jobs Act (IIJA) and the Notice of Funding Opportunity (NOFO) are eligible to participate in the BEAD Program. ARConnect will adopt the definition of Priority Broadband Projects found in the PN (please see the “Priority Broadband Projects” section of this document for more details).

Optimizing BEAD Locations:

Per the PN, ARConnect is not required to re-run the challenge process. ARConnect will implement the following measures as required by the PN:

- ARConnect must change the BEAD eligibility status of locations no longer served due to a default or change in service area on a Federal enforceable commitment where the Federal entity has notified NTIA and the Eligible Entity of the default by the release of the PN. NTIA did not receive notice of any defaults or change in service area for Federal enforceable commitments in Arkansas.
- ARConnect will investigate and account for locations that do not require BEAD funding using the reason code process as detailed in the Final Proposal Guidance.
- ARConnect will account for Broadband Serviceable Locations (BSLs) with access to existing Unlicensed Fixed Wireless (ULFW) networks to prevent overbuilding. ARConnect reviewed the FCC’s National Broadband Map to determine whether such an ULFW provider (technology code 70) currently offers service to any BEAD-eligible BSLs in its jurisdiction. ARConnect notified the ULFW providers, via public posting on June 11, 2025, that they had seven calendar days (June 18, 2025, deadline) to respond that they intended to submit evidence that BEAD funding is not required for the locations they serve. Upon receiving responses, ARConnect allowed providers seven calendar days (June 25, 2025, deadline) to submit documentation supporting the claim that the existing ULFW services meet the same technical and service standards required for an ULFW application for a BEAD subgrant and the provider is reasonably capable of delivering the service for at least four years after the date of Final Proposal submission. If an ULFW service provider demonstrated that it meets the requirements specified by the PN, the served locations will be ineligible for BEAD Program funding. If the provider did not respond or failed to meet the requirements specified by the PN, the locations in question remained BEAD eligible.
- ARConnect will revise its list of eligible Community Anchor Institutions (CAIs) to ensure their designations conform with the statutory definition of a CAI as established by the IIJA.

To facilitate the timeline required by the PN, all BEAD-eligible locations are available for bidding in the BB Round. Any additional updates to the BEAD-eligible locations in the State, per the measure described above and detailed in Section 4 of the PN, will occur after the BB Round and prior to Final Proposal submission.

Project Areas:

For the BB Round, project areas will be discrete "Project Area Footprints" (PAFs) consisting of groups of CBGs. PAFs were determined based on a variety of factors, such as levels of competition and interest in the previous subgrantee selection process and geographical considerations. A roster of PAFs will be published prior to opening the BB Round, with a target release date of June 30, 2025. Per the PN, ARConnect will allow applicants to propose to exclude select BSLs that the applicant determines are excessively high-cost locations from the PAF (or would otherwise make the project economically unviable for the technology being used). ARConnect will solicit bids during the BB Round from other potential applicants for any such eliminated BSL.

Applicants may bid on exactly one PAF per bid and PAFs may not be combined. Applicants may submit a maximum of two bids per PAF. Due to utilization of PAFs, all participating applicants must submit new bids.

Application Updates:

In compliance with the PN issued by NTIA on June 6, certain non-statutory requirements have been eliminated from ARConnect's BEAD application process for the BB Round.

Per the PN, ARConnect has **eliminated** the following non-statutory requirements from BEAD application scoring, subgrantee agreements, and subgrantee reporting requirements:

- Labor, Employment, and Workforce Development Requirements
- Climate Change Requirements
- Open Access/Net Neutrality
- Local Coordination and Stakeholder Engagement
- Non-Traditional Broadband Providers
- Middle Class Affordability Plan
- Low-Cost Service Option
 - Note: Applicants must still comply with the statutory provisions to offer at least one low-cost service option, but ARConnect will not be using a formula to explicitly or implicitly set a low-cost service rate a subgrantee must offer.

ARConnect will release an updated application user guide further detailing application questions and requirements prior to opening the BB Round.

Priority Broadband Projects:

ARConnect adopts the updated definition of a Priority Broadband Project, as described in the PN:

Priority Broadband Project—The term “Priority Broadband Project” means a project that provides broadband service at speeds of no less than 100 megabits per second for downloads and 20 megabits per second for uploads, has a latency less than or equal to 100 milliseconds, and can easily scale speeds over time to meet the evolving connectivity needs of households and businesses and support the deployment of 5G, successor wireless technologies, and other advanced services.

Any applicant may seek to have ARConnect treat its application as a Priority Broadband Project regardless of the technology used. This means that Fiber-optic technology, cable modem/hybrid fiber-coaxial technology, Low Earth Orbit (LEO) satellite services, and terrestrial fixed wireless technology utilizing entirely licensed spectrum, entirely unlicensed spectrum, or a hybrid of licensed and unlicensed spectrum, may be used in applications for Priority Broadband Projects so long as the technologies employed in the project proposal meet the technical performance requirements set forth in the statute and the NOFO and demonstrate that it meets the additional statutory criteria, including that the project can easily scale speeds over time to support evolving connectivity needs and the deployment of 5G, successor wireless technologies, and other advanced services.

Applicants will be required to provide supporting documentation sufficient for ARConnect to assess the network application and determine that the proposed network architecture for each specific project area meets this standard. To assist with this determination, ARConnect will require all applicants seeking Priority status to provide a Professional Engineer certification attesting to the accuracy of the scalability claims made in its application.

ARConnect will not categorically exclude any given technology and will only reject treatment of an application as a Priority Broadband Project if the project could not meet the statutory definition for a specific project area.

Subgrantee Selection:

The following evaluation criteria supersede all prior ARConnect BEAD criteria and will be utilized to analyze competing Priority Broadband Project applications, as well as competing non-Priority Broadband Project applications if no such Priority project was submitted for consideration for that respective project area or location.

Per the NTIA's June 6th PN, ARConnect adopts the following subgrantee selection criteria:

Primary Criteria:

In deciding among competing applications covering the same general project area, ARConnect will choose the option with the lowest cost based on minimal BEAD Program outlay, in compliance with the PN.

ARConnect will select the combination of project proposals with the lowest overall cost to the Program. When comparing competing proposals, ARConnect shall assess total BEAD funding required to complete the project and the cost to the Program per location.

ARConnect will only evaluate secondary criteria if an application to serve the same general project area proposes a project cost within 15% of the lowest-cost proposal received for that same general project area on a per-location basis.

Secondary Criteria:

If an application to serve the same general project area proposes a project cost within 15% of the lowest-cost proposal received for that same general project area on a per BSL basis, ARConnect will evaluate such competing applications based on the following three criteria:

1. Preliminary Subgrantees

- For locations where ARConnect has already identified preliminarily selected subgrantees, ARConnect will select those applications in the BB Round.
- If no applicant for locations was previously preliminarily selected, ARConnect will evaluate the second criterion.

2. Speed of Network and Other Technical Capabilities

- ARConnect will evaluate the speed, latency, and other technical capabilities of the technologies proposed by prospective subgrantees and select the application with the highest technical capabilities.
- If all applications have equal capabilities, ARConnect will evaluate the third criterion.

3. Speed of Deployment

- ARConnect will evaluate the prospective subgrantee's binding commitment to provision service by a date certain that is earlier than four years after the date on which the subgrantee will receive the subgrant from ARConnect subject to contractual penalties and will select the application with the fastest speed to deployment
- If all applications have equal deployment timelines, ARConnect will select the lowest-cost proposal received for that same general project area.

ARConnect will prioritize Priority Broadband Projects over non-Priority Broadband Projects. If ARConnect determines that selecting any Priority Broadband Project would incur excessive costs, it shall select a lower cost non-Priority Broadband Project. Additionally, if ARConnect determines that no proposal meets the definition of a Priority Broadband Project, then it may select a non-priority broadband project that meets the speed and latency requirements of the statute and NOFO.