

Arkansas BEAD Challenge Process

Summary of Public Comments and Agency Responses

1. Commenter's Name: Joe Molinaro

Commenter's Business/Agency: Arkansas Cable Telecommunications Association (ACTA)

Summary of Comment:

Recognizing the complexity involved in the challenge process, most states have made modifications to ensure the challenge process allows sufficient time to accurately and efficiently identify unserved and underserved locations. With new information and development of activities from both the NITA and other states, the ACTA urges that you consider our suggested modifications in the development of a permanent rule for the Arkansas BEAD Challenge Process. These recommendations are:

- Providing a 45-day timeframe for the challenge process, during which all challenges must be submitted. The State should forward challenges during as soon as they are filed and verified to providers to allow them to start gathering rebuttal evidence.
- Providing a 45-day timeframe for the rebuttal process that begins after the end of the challenge process.
- Adopting an overall timeframe of 120 days for the entire challenge process, which will provide the State at least 30 days rebuttal evidence submitted earlier in the rebuttal process.
- Adopting a "Rolling Rebuttal" process that allows providers submitting rebuttal evidence to do so at any time during the rebuttal process but does not add any additional days to the rebuttal timeframe. Five states have chosen to adjudicate challenges on a rolling rebuttal basis.

Agency's response to Comment:

The Arkansas State Broadband Office (ASBO) employs a phased approach, strategically allocating its systems, processes, and staff to ensure complete focus on each stage of the challenge process. This method maximizes efficiency and minimizes the potential for errors. Implementing a rolling rebuttal system would introduce additional complexities and potentially strain our resource capacity.

ASBO is implementing a 90-day challenge process to mitigate the risk of non-compliance with the NTIA's aggressive schedule for Final Proposal submission. This schedule maximizes time allowed for grant application and award processes, and has been determined to be in the best interest of broadband stakeholders.

Were any changes made to the Proposed Rules as a result of this Comments? If so, please describe.

No