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Sent: 9/10/2024, 5:38 PM

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Subject: Public Comment: Draft BEAD Alternative Broadband Technology Policy

Dear NTIA Team,

Leveraging LEO and ULFW technology for extremely high cost locations for BEAD is a great way to ensure efficient use of resources while working to ensure universal access. The draft rule in its current state does pose 2 issues though.

1.

The wording is confusing in Sections 1 & 3

\*

Page 4 states that LEO and ULFW may be considered where the cost to deploy Reliable Broadband Service exceeds the Extremely High Cost Per Location Threshold (EHCPLT) and where the use of an alternative technology would be less expensive."

\*

Section 3 on page 6 indicates that eligible entities could consider LEO and ULFW after deploying the strategies described in the BEAD Selecting the Most Robust, Affordable, Scalable Technology Policy Notice.

This makes it seem like the intention is to only consider deploying LEO and ULFW to meet BEAD obligations when serving a location exceeds the EHCPLT and when the more reliable technologies (fiber, licensed fixed wireless, etc.) has been considered.

\*

Case 3.2 about existing LEO and UFLW services however states, "If Alternative Technology service is already meeting BEAD program requirements, then BEAD funds are not necessary for those locations and will not be allowed."

This has led to many questioning whether the rule would remove all broadband serviceable locations (BSLs) from BEAD eligibility if they are currently being served by LEO and ULFW that meets BEAD requirements. An example of this interpretation is found in the quote by an ULFW industry professional in this article: <https://www.fierce-network.com/broadband/satellite-broadband-joins-party-bead-what-you-need-know>.

Please clarify your intent around whether BSLs would be removed from eligibility even before BEAD proposals for fiber, fixed wireless, or another more reliable technology has been

submitted or reviewed if they are being served by LEO or ULFW currently that meets BEAD requirements.

1.

The draft rule neglects to include Tribal consent for approving locations as being served by LEO or ULFW.

Please add addition requirements for eligible entities to consult with and gain consent from applicable Tribal nations to consider any locations on their Tribal lands as served by LEO or ULFW.

Thank you for your consideration.

Best regards,  
Kate

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