

**Before the  
National Telecommunications and Information Administration  
Washington, D.C. 20230**

In the Matter of	)
	)
Proposed BEAD Alternative Broadband	)
Technology Guidance	)
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	)

**COMMENTS OF  
THE PEW CHARITABLE TRUSTS**

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**I. Background**

We appreciate the opportunity to comment on the National Telecommunications and Information Administration’s (NTIA) proposed guidance regarding the potential selection of alternative technology subgrants under the Broadband Equity Access and Deployment (BEAD) program.

The Pew Charitable Trusts has a long history of researching the effectiveness of broadband programs in states, and we continue to work with broadband offices in states and territories to implement their BEAD programs and navigate the federal policy landscape. Additionally, we work with stakeholders across the broadband and digital equity spectrum – from scholars to housing providers and industry associations – on research, advocacy, and more.

**Responses and Recommendations**

*1. Funding Alternative Technologies*

While funding alternative technologies is not the ideal use of BEAD funds given the long-term return on investment and proven reliability of wired technologies, we understand the reality of serving some of the most remote locations across the country necessitate these technologies as a piece to the puzzle. Further, we welcome many of the guardrails offered in these rules.

*2. Expedited Issuance of BEAD Guidance and Resources*

Beyond the precise details proposed in this guidance, Pew recommends that the Department of Commerce, National Telecommunications and Information Administration, Office of Management and Budget, as well as any other relevant partners within the administration, work to expedite review and approval of all pending guidance and resources for BEAD.

We understand the gravity and the complexity of the task at hand and appreciate the necessary due diligence required before guidance can be released. Nonetheless, through our work with states, we consistently hear concerns from state officials about guidance being released well after states have submitted their program designs for approval. Many states have already begun launching their BEAD

subgrantee selection processes and more are likely to launch in the coming weeks. The process for considering and potentially selecting alternative technologies has a material impact on the final distribution of funding. States – not to mention potential subrecipients – should have absolute clarity regarding how the entity administering and approving these dollars will assess commitments and enforce obligations. If additional guidance or resources regarding subgrantee selection, submission of the final proposal, and subgrant agreements are pending review, they should be expedited and released as quickly as possible.

Any delay on this guidance will harm implementation and achievement of the goals we all share: ensuring affordable, reliable access for all. In addition to expediting review of all pending guidance, Pew encourages NTIA to implement consistent guidance across all 56 states and territories. At this crucial juncture in the implementation of each state's subgrantee selection, consistency will benefit program performance, minimize friction with states and other stakeholders, support states in adhering to requirements, and reduce future burdens during any monitoring and evaluation efforts.

### *3. Future Capacity and Equipment Needs*

Pew supports the overall direction of these rules, including the overarching objective to apply the same requirements across all technologies. During any revision process as a result of this comment period, we strongly encourage NTIA to maintain that standard, holding alternative technologies to the same level of scrutiny on performance, quality, and capacity as other technologies. In particular, this standard should be applied to planning for future capacity and equipment needs.

As a point of clarification, we request that NTIA further elucidate if the references to the federal interest in BEAD-funded equipment, as defined under 2 CFR 200. 313, applies to the location-specific terminals and devices that are needed to access an LEO service. In short, if these components are considered BEAD eligible expenses, must the provider ensure that it remains affixed (or reattached upon request) and functional at the broadband serviceable location, regardless of the individual customer? Without this clarification, we are concerned the current industry practice to allow customers to move with these terminals will either undo the federal investment to make service available or require repeated payments for the same equipment at the same location at the taxpayers' expense.

### *4. Reviewing Capacity Claims*

Finally, we support the requirement for state and territory broadband offices to consider the feasibility for the proposed provider to achieve the capacity and technological capabilities to reach any proposed areas. However, given the likelihood that LEOs will submit applications in multiple states and considering recent issues stemming from verifying LEO capabilities with other federal broadband programs, Pew encourages NTIA to consider whether it should conduct an additional review of these capacity claims, accounting for the commitments proposed across all states and territories in their final proposals.