

CALIFORNIA BEAD CHALLENGE PROCESS RESOURCE GUIDE

VERSION 1.0 | JUNE 2024



**California Public
Utilities Commission**

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Introduction

As required by statute, the initial determinations for funding eligibility under the Broadband Equity, Access, and Deployment (BEAD) Program are based on the Federal Communication Commission's (FCC) [National Broadband Map](#).

The California BEAD Challenge Process is designed to provide stakeholders in California with an opportunity to participate in the process of challenging the eligibility of locations for BEAD funding. Based on the process approved by the National Telecommunications and Information Administration (NTIA), challengers can dispute the data sourced from the National Broadband Map by using relevant and allowable evidence as outlined in Initial Proposal Volume I.

Questions related to policy or procedural items should be directed to BEAD@cpuc.ca.gov. Questions related to technical assistance with the CPUC's Challenge Portal should be directed to cahelpdesk@ready.net.

I. Permissible (Eligible) Challengers

A. Who can submit a challenge?

Under the federal policy for the BEAD Program, only the following entities are eligible to submit formal challenges during the BEAD Challenge Process:¹

- Units of local governments
- Units of Tribal governments
- Nonprofit organizations
- Broadband service providers

B. Role for individuals and other non-challenger entities

While individuals and entities that are not permissible challengers (including some businesses or CAIs that are not nonprofits or broadband service providers) are not allowed to submit challenges directly to the state, they are an essential part of the Challenge Process. For many types of BEAD Eligibility Determination challenges, the data submitted by the permissible challengers will be gathered directly from individuals and/or businesses that cannot access the level of broadband service that is reportedly available to them. Accordingly, individuals' and businesses' successful participation in the submission of BEAD challenges may require coordination with permissible challengers. Participation is strongly encouraged and the process can be started by visiting the [BEAD Consumer Challenge Website](#).

The "California BEAD Consumer Challenge Website Guide" is a step-by-step guide for individuals.

¹ Eligible challengers are defined in NTIA's Challenge Process Policy Notice (https://broadbandusa.ntia.doc.gov/sites/default/files/2024-02/BEAD_Challenge_Process_Policy_Notice_v1.3.pdf) as permissible challengers.

II. Allowable Challenges

A. What can be challenged?

The BEAD Challenge Process is designed to accommodate different challenges that are necessary to develop a more accurate list of BEAD eligible locations.

There are different challenge types within each class, but generally, eligible challengers can only challenge on the following grounds:

- BEAD eligibility determinations for Broadband Serviceable Locations (BSL) included in the FCC's National Broadband Map² – these include challenges to reported availability, speed, data cap, latency, technology, and residential/business service
- Enforceable commitments for existing BSLs (i.e., locations with existing funding)
- Planned or existing service for existing BSLs
- The identification of eligible Community Anchor Institutions (CAI), as defined in California's Initial Proposal Volume I
- CAI BEAD eligibility determinations

B. Area and MDU challenges

The CPUC will administer Area and multiple dwelling unit (MDU) challenges for Availability, Technology, Latency, and Data Cap challenge types. An area challenge is triggered if six (6) or more BSLs within a census block group³ are challenged under the same challenge type and technology for a particular provider.

An MDU challenge requires challenges to at least three (3) units or 10 percent of the unit count listed in the Fabric within the same broadband serviceable location, whichever is larger. An MDU challenge counts towards an area challenge (i.e., six (6) or more MDUs challenges in a census block group may trigger an Area challenge).

The provider receiving an Area challenge or MDU challenge must demonstrate that they are indeed meeting the availability/technology, latency, and data cap requirement, respectively, for all locations within the area or all units within an MDU. The provider can use any of the permissible rebuttals described in this document for the respective challenge type.

² The CPUC will use Version 4 of the Broadband Serviceable Locations Fabric, released on May 14, 2024, which shows the National Broadband Map Availability Data as of December 31, 2023.

³ Area challenge determinations will be determined based on 2020 Census Block Groups

Area challenges for Availability need to be rebutted with evidence that service is available for all BSLs within the census block group. For wireline providers this should include network diagrams that show fiber or Hybrid fiber-coaxial (HFC) infrastructure and/or customer subscribers. For fixed wireless service, the challenge system will offer a representative random sample of the area in contention, but no fewer than 10 examples where the provider has to demonstrate service availability and speed (e.g., with a mobile test unit).⁴

For a Speed Area challenge, the challenged provider will be required to submit a rebuttal for at least 10 percent of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule, i.e. 80 percent of these locations must experience a speed that equals or exceeds 80 percent of the speed threshold. Only speed tests conducted by the provider between the hours of 7:00 pm and 11:00 pm Pacific time will be considered as evidence for a challenge rebuttal.

For a Latency Area challenge, the challenged provider will be required to submit a rebuttal for at least 10 percent of the customers in the challenged area. The customers must be randomly selected and 80 percent of these locations must record a latency that does not exceed 100 milliseconds.

In the event of a representative random sample being used for a rebuttal, such as with a Latency Area challenge or a fixed wireless provider, the rebuttals against the original challenged locations will not count toward the minimum number of locations required for the area challenge rebuttal.

⁴ A mobile test unit is a testing apparatus that can be easily moved, which simulates the equipment and installation (antenna, antenna mast, subscriber equipment, etc.) that would be used in a typical deployment of fixed wireless access service by the provider.

III. Structure and Timing

The BEAD Challenge Process must be completed and approved by NTIA before the CPUC can close the BEAD subgrant application window. This process ensures that any subgrants made under the program are based on the final list of eligible locations.

A. The Challenge Process Phases

Timeline

Publication of Eligible Locations	June 17, 2024
Challenge Phase	July 8, 2024 – August 6, 2024
Evidentiary Review	August 7, 2024 – August 20, 2024
Rebuttal Phase	August 21, 2024 – September 19, 2024
Final Determination Phase	September 20, 2024 – October 19, 2024

1. Publication of Eligible Locations

Prior to the Challenge Process, the CPUC will post the list of eligible locations on a public map and make the list available through the Challenge Portal.

2. Challenge Phase

The Challenge Phase will run for 30 calendar days. During this phase, eligible challengers will be able to submit challenges using the Challenge Portal. After a challenge is successfully submitted, the CPUC team will review the evidence and determine if it meets NTIA's evidentiary requirements. If a challenge is determined to meet the minimum level of evidence, it will be considered a valid challenge.

After all the challenges have been reviewed, the valid challenges (identified through Evidentiary Review) will be processed collectively to determine which challenges require a rebuttal and identify any Area and MDU challenges.

Because the intention of the Challenge Process is to update the BEAD eligible locations list to ensure it is accurate, rebuttals will only be required for locations where a successful challenge would result in a modification of the eligibility status for the affected location. For example, if there are two providers reporting coverage at 100/20 Mbps and only one of those providers is challenged, the challenged provider will not be required to submit a

rebuttal for that location. However, that challenge will still be considered for the purposes of reaching the Area or MDU challenge threshold.

Tip: Submit your challenges early. If there are errors in your submission, you can re-submit with corrections, but ONLY until the Challenge Phase ends. You will not be allowed to fix errors or omissions in your challenge after the 30-day submission window closes.

3. Rebuttal Phase

After the Challenge Phase closes and a 14-day evidentiary review period during which challenges are processed, the Rebuttal Phase will run for 30 calendar days. At the beginning of the Rebuttal Phase, all challenges that require a rebuttal will be posted in the Challenge Portal. For challenges directed against providers, only the challenged provider may submit a rebuttal. For other challenge types, any eligible challenger may submit a rebuttal.

Broadband service providers will be notified via email of any challenges directed against them and provided with the details necessary to respond during the Rebuttal Phase. The challenged provider will have 30 days to agree with the challenge or dispute the challenge. If no rebuttal is filed in the allotted time, the challenge will be sustained.

Units of local and Tribal governments, and nonprofit organizations, will receive an email notification that the Rebuttal Phase has opened for all challenges. However, they will not receive notifications for specific challenges if they are not either the challenger or rebutter in a particular challenge. Accordingly, these challenges will remain open to rebuttal for the entirety of the 30-day period for the Rebuttal Phase. Unlike the provider challenges, other challenge types are still subject to the final review and determination by the CPUC team.

After a rebuttal is submitted, the CPUC team will review the evidence on a rolling basis to determine if it meets the evidentiary requirements. If a rebuttal submission is determined to meet the minimum level of evidence, it will be considered a “valid rebuttal.” At the end of the Rebuttal Phase, all challenges with valid rebuttals submitted will be marked as “disputed” and proceed to the Final Determination Phase.

4. Final Determination Phase

Within 30 days of the close of the Rebuttal Phase, the CPUC team will review the evidence for each challenge, including the evidence from any rebuttals, and will make a final determination to “sustain” or “reject” each challenge. The reviewers will fully review the relevant information included in each challenge and rebuttal prior to making any final determinations.

The CPUC reserves the right to request additional information or evidence from the challenger or submitter of the rebuttal at any time during the Final Determination Phase.

IV. How to Participate in the Challenge Process

A. Account Registration

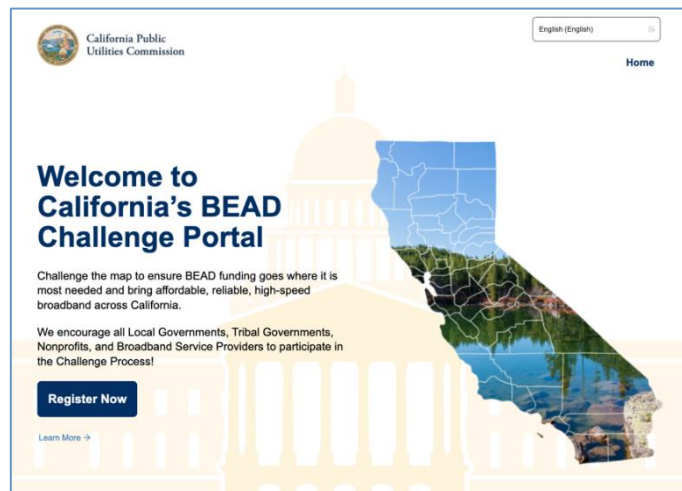
Before eligible challengers can participate in the Challenge Process, they must register for an account in the Challenge Portal, ensuring that only eligible parties submit challenges.

B. Registration Steps

1. **Visit the Registration Page** (<https://register.challenge.cpuc.ca.gov/>) – The registration page provides a brief overview of the challenge process and helpful links.

2. **Click the “Register” button** – The “Register” button will open an intake form to provide the necessary information.

3. **Complete the intake form** – The intake form will ask you for the information needed to verify your account as an eligible challenger.



- a. **General information** – Every registrant for the challenge process will be asked to provide the following information:

- i. Entity name
- ii. Entity website
- iii. Primary contact name
- iv. Primary contact email (please use domain affiliated with entity)
- v. Primary contact phone number
- vi. Category of entity (select from dropdown)

- b. Broadband Provider Information**
 - i. Provider name (select from dropdown)
 - ii. EIN
 - iii. FRN
 - iv. Physical address
 - v. Additional documentation to verify identity
 - c. Unit of Local Government Information**
 - i. EIN
 - ii. Physical address
 - iii. Additional documentation to verify identity
 - d. Unit of Tribal Government Information**
 - i. EIN
 - ii. Tribe's name as listed by Bureau of Indian Affairs (BIA)
 - iii. Physical address
 - iv. Additional documentation to verify identity
 - e. Nonprofit Organization Information**
 - i. EIN
 - ii. Physical address
 - iii. Additional documentation to verify (501(c)3) Registration
 - iv. Additional documentation to verify identity
4. **Select “Finish” and submit the form** – After you submit the form, you will receive an email confirmation. **You do not need to do anything at this point.**
5. **Wait for account approval** – After submitting your account request, each registration will be manually reviewed by the CPUC before it is approved. As a result, there will be a slight delay between registration and account setup. If your registration lacks necessary details, you will be notified by email to update your account request with the necessary information.
6. **Complete setting up your account** – Once approved, you will receive an email with a link to complete the setup of your account, where you will be asked to set a password.

V. How to Submit Challenges and Rebuttals

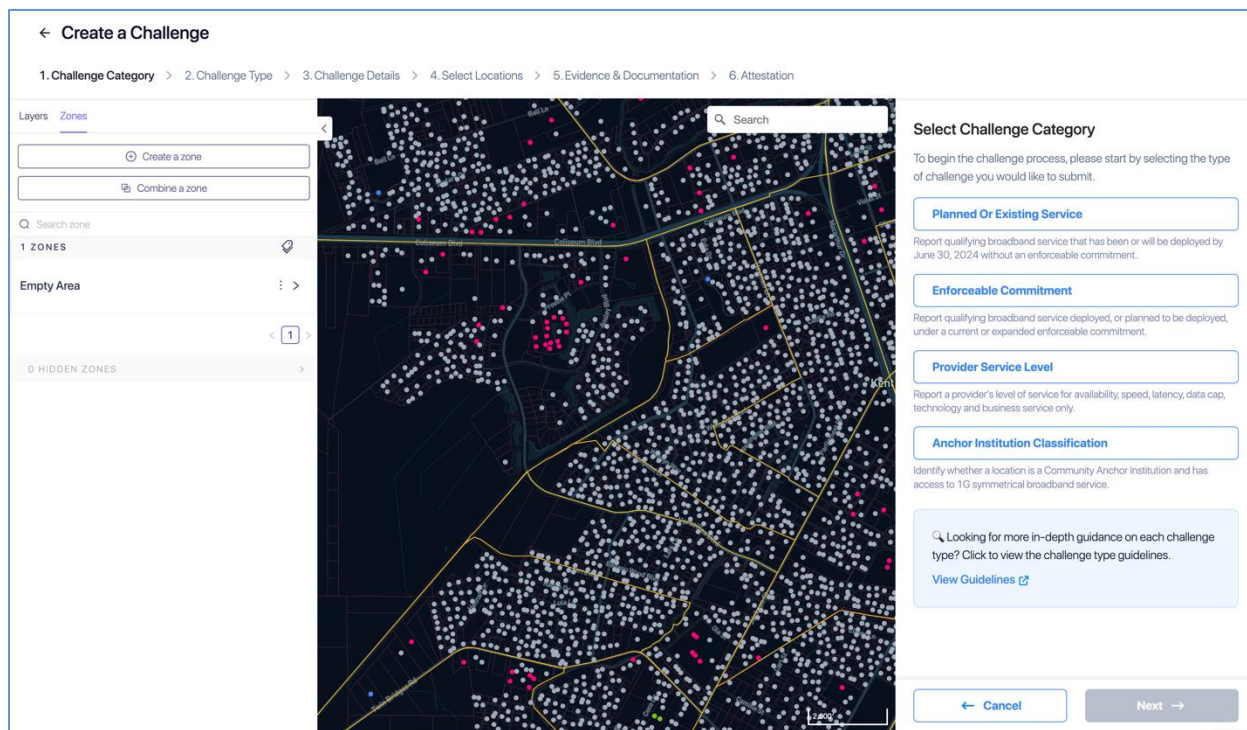
Once your registration has been approved and your account has been set up, you will be able to file challenges and rebuttals while the respective phases are open.

A. Submitting Challenges

In general, all eligible challengers may submit challenges of any type. The primary exception is that a “Planned Service” or “Existing Service” challenge will require an agreement between the provider and the CPUC. The challenge steps are as follows:

1. **Log in to the Challenge Portal (<https://challenge.cpuc.ca.gov>)** – Users can log in using email/password combo or use a “Magic Link” which sends an email with a link to log-in directly without a password.
2. **Expand “Challenge” Item in the navigation menu** – There are a range of options in the sidebar navigation menu. When clicking on the Challenge menu item, the sub-menu will expand to display two options: “Dashboard” and “Challenge Map.”
3. **Click on either “Dashboard” or “Challenge Map”** – Both options provide different functionality, but each of them will allow you to open a challenge submission window. The Challenge Map provides a geospatial representation of the eligibility designations under BEAD, while the Dashboard is your portal to review the challenges that you have submitted. If you’re a provider, you will eventually see challenges submitted on your reported service in your Dashboard.
4. **Click on “Add Challenge” button** – The “Add Challenge” button is found on the top right of the “Submitted Challenges” panel of the Challenge Map page or on the top-right of the challenges table on the Dashboard page. This will open up the “Create a Challenge” page, which includes the Challenge Map with a challenge flow panel on the right and layers that can be used to filter the map based on a range of parameters.

5. Create a challenge – Creating a challenge in the Challenge Portal includes several steps:



a. Select challenge class and type – Each challenge category includes multiple challenge types to select from:

i. Planned or existing service

- A. Planned service
- B. Existing service

ii. Enforceable commitments

- A. Covered by Enforceable Commitment
- B. Not Covered by Enforceable Commitment

iii. Provider service level

- A. Availability
- B. Speed
- C. Latency
- D. Data Cap
- E. Technology
- F. Business Service Only

iv. **Anchor institution classification**

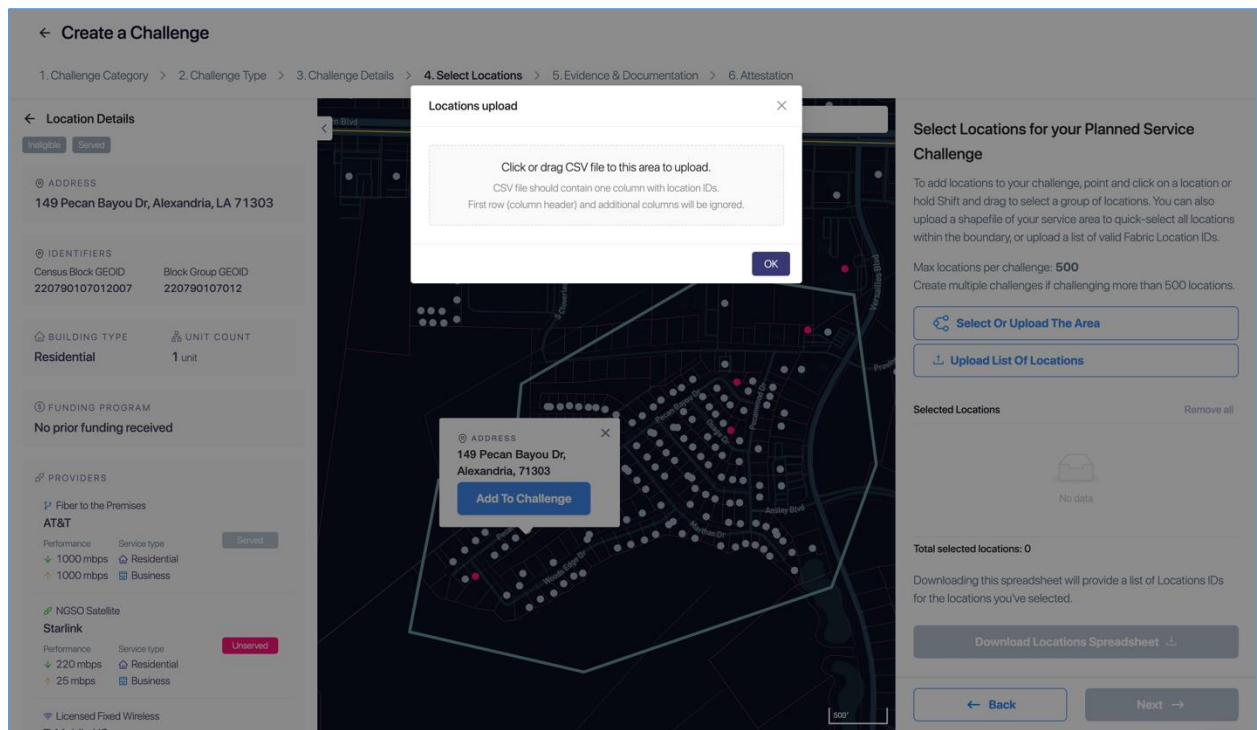
- A. Location is a CAI
- B. Location is not a CAI
- C. CAI: Qualifying broadband unavailable
- D. CAI: Qualifying broadband available

- 6. Select challenge details** – After selecting the Challenge Type, the data in the map will be filtered to display only those locations that are eligible for the selected challenge type. For example, if an area is already unserved, you will not be able to file an Availability challenge. From the locations eligible for the selected challenge type, you will be prompted to provide the challenge details that will further filter the locations, based on the options you select. The required challenge details will vary by challenge type, as described further throughout this document.
- 7. Select locations** – After providing challenge details, only the locations eligible for the challenge type and details provided will be displayed. From the remaining locations, you will be prompted to select the location(s) that you want to challenge. You can add locations one-by-one or select a group of locations.
- a. Adding individual locations** – To add an individual location, click on the location on the map, which will then provide a pop-up of the address of that location and an “Add to Challenge” button. If the address aligns with the location you intend to add to the challenge, click “Add to Challenge” and then click “Confirm” in the following prompt. You can multiple locations to the same challenge submission using this method.
 - b. Add locations in bulk** – When filing bulk challenge submissions, you can add locations in groups, rather than adding each location individually. The methods for adding multiple locations are described below.

Please note: The only allowed bulk challenges are for “Planned service,” “Not enforceable commitment,” “Availability,” “Data Cap,” “Business service only,” “Technology,” and “CAI Qualifying Broadband” challenges.

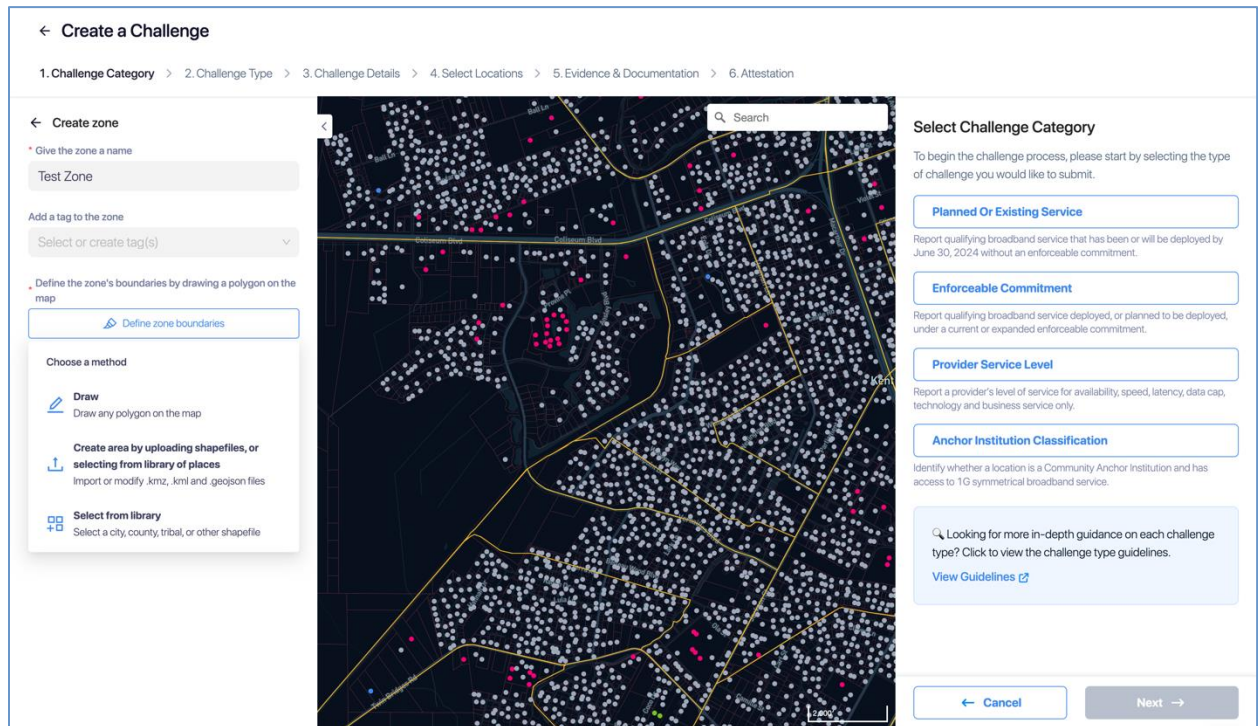
Bulk challenges cannot exceed 250 locations.

- i. **Upload list of locations** - This method allows you to upload a list of valid Fabric Location IDs in a .csv format. The .csv must be a single column with the header: `location_id`.



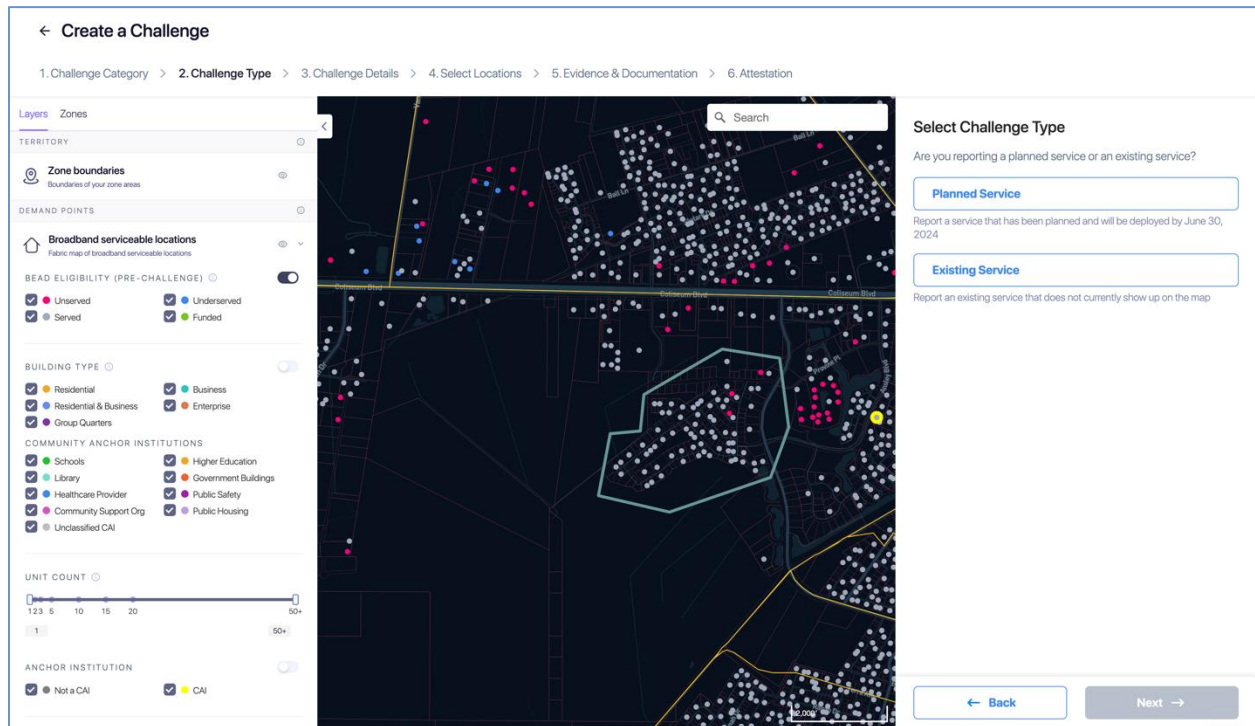
- ii. **Select or upload area by creating a “zone”** – This method allows you to define a zone by drawing a polygon, uploading a shapefile, or selecting from a library, which includes defined geographies such as cities, counties, and Tribal areas. To add a zone, click on the Zones

tab in the left panel to define a new zone by drawing, uploading a shapefile or selecting from a library of official boundaries.



- iii. **Shift+Click+Drag cursor** – This method allows you to quickly select multiple locations directly on the map. This is the quickest method of selecting multiple locations (but less precise), because the selection boundaries are in a rectangular shape. Once you have selected locations using this method, you will be prompted to

confirm that you want to add these locations to your challenge. The prompt will include the number of locations that you have selected.



iv. Removing locations from selection – If you inadvertently added locations you do not wish to challenge, you can remove the locations by clicking the trash icon next to the location in the right panel, or remove all of the selected locations by clicking “Remove All”

8. Upload evidence and documentation – Once you have finalized the location(s) that you want to challenge you will be asked to provide any evidence and documentation that you want included in the review of your challenge.

9. Attestation – After you have uploaded your evidence, you will be required to accept and complete an attestation that, to the best of your knowledge and belief, the challenge is true, complete, and accurate, subject to potential civil or administrative penalties.

B. Submitting Rebuttals

1. Notifications of Rebuttal Phase sent – When the Rebuttal Phase opens, notifications will be sent to all registered eligible challengers to provide formal notice that the challenges are open for rebuttal. All eligible challengers will be notified of the opportunity to submit rebuttals to open challenges, which includes

any challenge not submitted directly against a provider. In addition to the standard notification, the notification to each broadband service provider will include a notification of whether challenges were received against them.

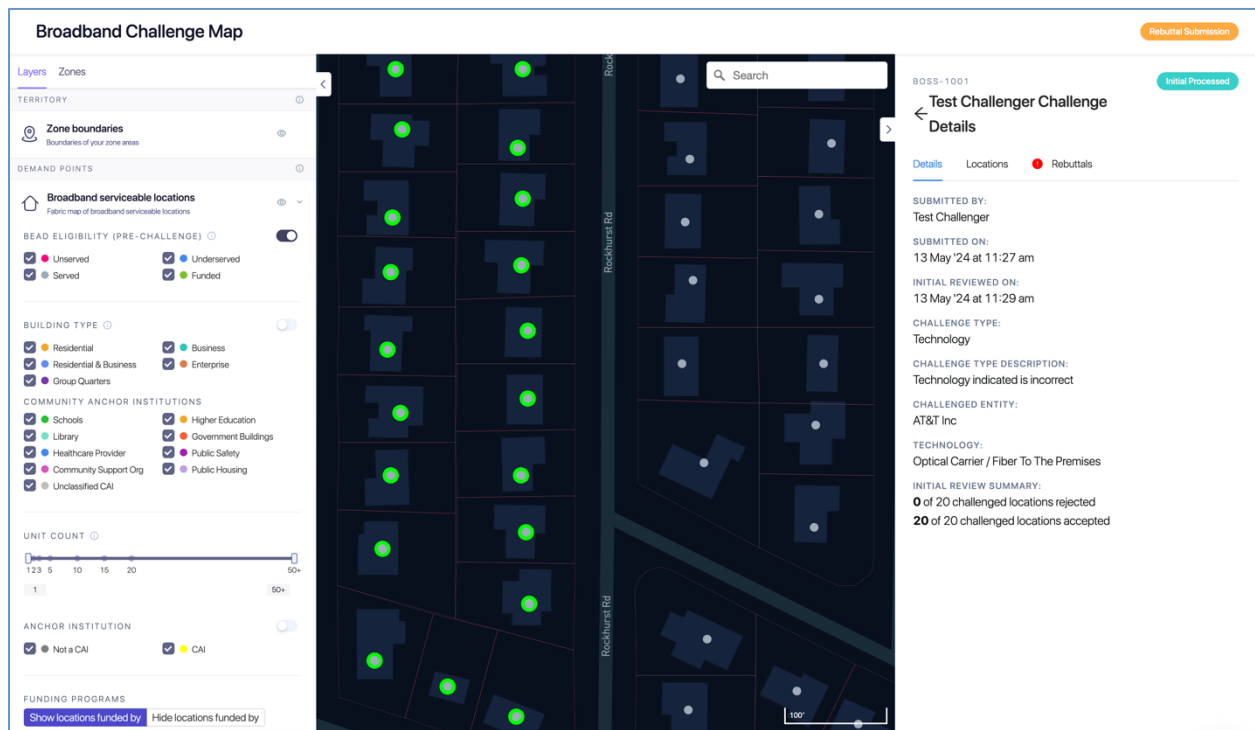
2. **Log in to the Challenge Portal** – Users can log in using an email/password combo or a “Magic Link” that sends an email with a link to log in directly without a password.
3. **Expand “Challenge” item in the navigation menu** – There are a range of options in the sidebar navigation menu. When clicking on the Challenge menu item, the sub-menu will expand to display two options: “Dashboard” and “Challenge Map.” To view the challenges available for rebuttal, click on the “Dashboard.”
4. **Go to “Dashboard”** – During the Rebuttal Phase, the Dashboard is your portal to review the challenges for which you are eligible to submit rebuttals. In the dashboard, you will have two tabs available to review challenges: “Challenges Received” (providers only) and “Open for Rebuttal.”

Challenged By	Challenged Entity	Challenge Type	Locations	Rebuttals	Date Submitted	Status	Details
Test Challenger BOSS-1003	-	Location is a CAI	1	1 Passed	13 May '24 at 11:28 am	Initial Processed	View Details
Test Challenger BOSS-1002	-	Planned Service	13	13 Passed	13 May '24 at 11:27 am	Initial Processed	View Details
Test MS BOSS-1000	AT&T Inc	Speed	1	1 Passed	08 May '24 at 2:15 pm	Initial Processed	View Details

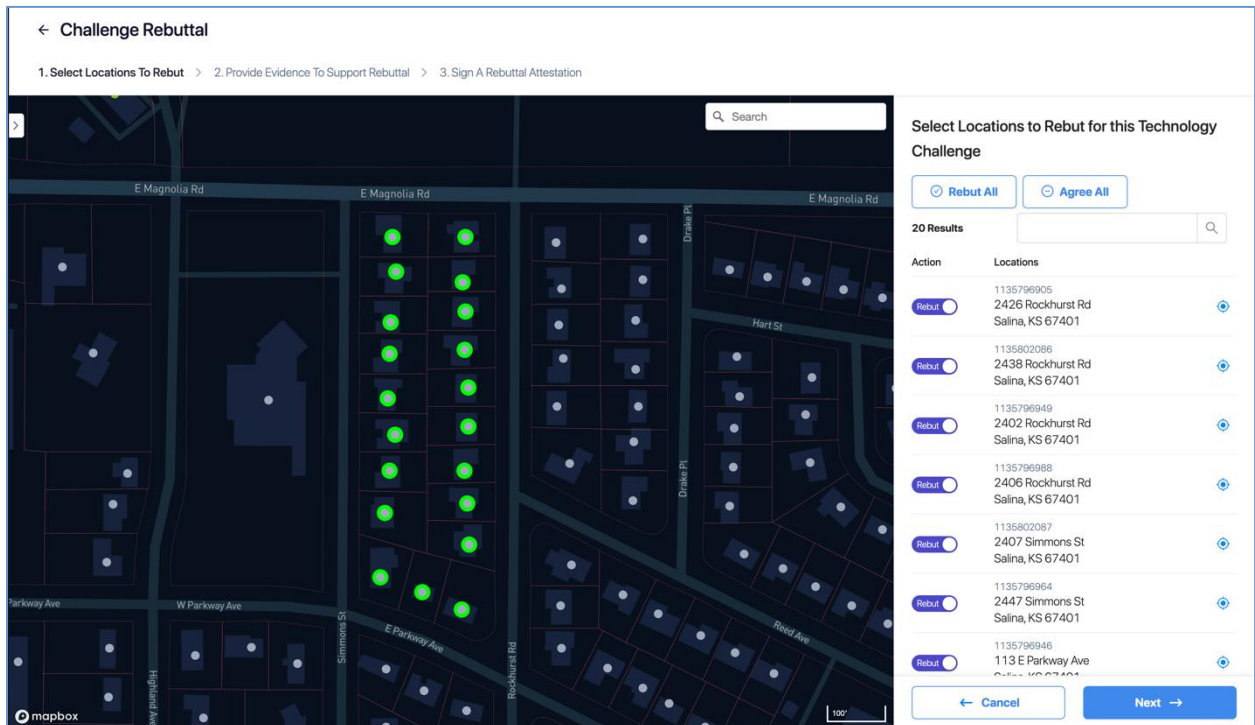
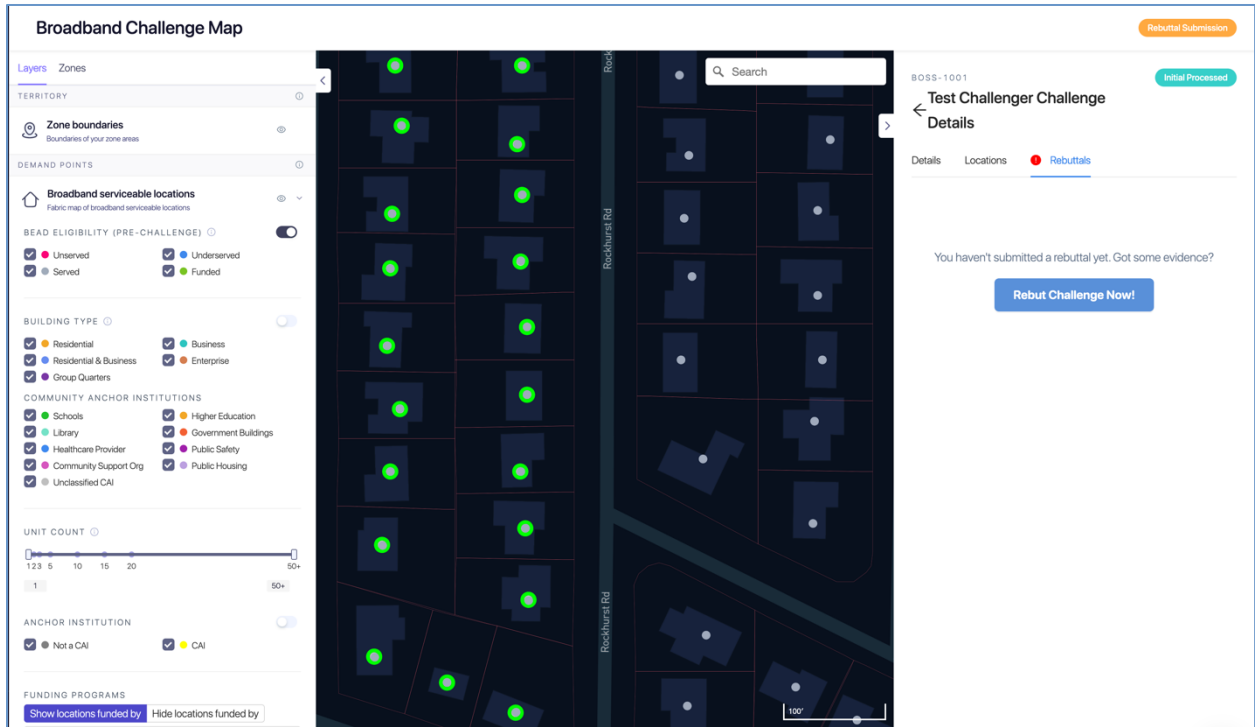
- a. **Challenges received (providers only)** – The “Challenges Received” tab will display the challenges that you have received against your reported service. The challenges will be grouped by submission and include details, including the challenging entity, challenge type, number of challenged locations, and other details.
- b. **Open for rebuttal** – The “Open for Rebuttal” tab will display all the challenges that are not directed at a specific broadband provider, such as Planned Service, Enforceable Commitment, or CAI challenges. The challenges will be grouped by submission and include details, including the

challenging entity, challenge type, number of challenged locations, and other details.

5. **Click “View Details”** – To begin the rebuttal process, click “View Details” on the challenge that you want to submit a rebuttal against. This will pull up an interface with a map displaying the locations and details on the challenged locations included in the submission. The information on the challenge submission will be available in the right panel, which has two tabs: Details and Locations.
 - a. **Details** – The challenge details will be similar to those provided in the Dashboard but will include an expanded description of the challenge type.
 - b. **Locations** – The locations tab will provide a full list of locations that were challenged under the selected submission.



6. **Rebut or accept challenges** – Using the “Locations” tab, you can choose which individual location challenges you want to rebut and which individual location challenges, if any, you want to accept. If you want to submit or accept all challenges, you can do so using the “Rebut All”/“Accept All” button. Note that accepting challenges is only an option for providers reviewing challenges against them, since they are the only ones eligible to rebut those challenges. Open challenges can be rebutted by multiple entities, so they will remain open for the entire 30-day window.



7. **Upload evidence and documentation** – Once you have finalized the location(s) that you want to rebut you will be asked to provide any evidence and documentation that you want included in the review of your rebuttal.
8. **Attestation** – After you have uploaded your evidence, you will be required to accept and complete an attestation that, to the best of your knowledge and belief, the rebuttal is true, complete, and accurate, subject to potential civil or administrative penalties.

C. Individual challenges

According to the NTIA, the only permissible challengers are local governments, Tribal governments, nonprofits, and broadband service providers. However, individuals can also identify challenges which can be submitted by a government or nonprofit.

A separate webpage is available for individuals to log their challenges. The following steps outline how an individual can log their evidence for challenges:

1. **Log in to the individual challenge website**
(<https://register.challenge.cpuc.ca.gov/map-correction>)

2. Select a location to challenge by indicating a point on the map.

The screenshot shows a web application interface for selecting a location to challenge. At the top left is the California Public Utilities Commission logo. At the top right is a language dropdown menu set to "English (English)". Below the logo is a navigation menu with five items: "1. Select Location", "2. Comment Type", "3. Comment Details", "4. Evidence & Documentation", and "5. Attestation". The "Home" link is also visible in the top right corner.

The main content area is titled "Select Location" and contains the following text:
Please search for the location you would like to comment on and then select the point on the map.
Note: If a location is already eligible for federal funding through the BEAD Program, it will not be selectable on the map and cannot be commented on. If you don't see your address, select the point that you believe nearest to your rooftop.

Below the text is a map of California showing performance categories. A search bar is located at the top of the map. The map displays various locations with colored markers: red for "Unserved", blue for "Underserved", and grey for "Served". Labels on the map include Tuolumne, Mariposa, Madera, Fresno, and Mono. A green location pin is placed near Mono. The Mapbox logo is visible in the bottom left corner of the map.

Below the map is a legend for "Performance Category" with three options: "Unserved" (red dot), "Underserved" (blue dot), and "Served" (grey dot).

At the bottom of the interface are two buttons: "Cancel" and "Next".

3. Select the type of challenge – The following types are available to individual challengers:

- a. Availability**
- b. Speed**
- c. Latency**
- d. Data Cap**
- e. Technology**
- f. Business Service Only**
- g. Other**

The screenshot displays a web application interface for the BEAD Challenge Process. At the top left is the California State Seal. At the top right, there is a language selection dropdown set to "English (English)". Below the seal is a progress bar with five steps: "1. Select Location", "2. Comment Type" (highlighted), "3. Comment Details", "4. Evidence & Documentation", and "5. Attestation". A "Home" link is also visible. The main content area shows the "Selected address:" as "11990 Millerton Rd, Clovis, CA 93619" with a "Served" status and an "Expand Details" link. The "Select Comment Type" section prompts the user to "Please select which type of comment you would like to submit." and lists seven options, each with a brief description of the challenge type:

- Availability**: The broadband services reported as available at your location on the map are not actually available.
- Speed**: The actual speeds reported at your location on the map fall below the BEAD Program's eligibility thresholds.
- Latency**: The actual round-trip latency of services available at your location exceeds 100 milliseconds.
- Data Cap**: The services available at your location have a data limit below 600 GB/month.
- Technology**: The type of technology (ex: Fiber Optic, Cable, Etc.) reported as available at your location on the map is incorrect.
- Business Service Only**: The services reported on the map are available to Businesses only, not Residents.
- Other**: Use this option to submit a general comment about the broadband options available at your location.

At the bottom of the form are "Back" and "Next" buttons.

4. Enter the information required

- a. Name
- b. Email address
- c. Broadband service provider
- d. Technology type
- e. Reason

The screenshot displays the 'Comment Details' step of the Bead Challenge process on the California Public Utilities Commission website. The page features a navigation menu with five steps: 1. Select Location, 2. Comment Type, 3. Comment Details (current step), 4. Evidence & Documentation, and 5. Attestation. A 'Home' link is also present. The selected address is 11990 Millerton Rd, Clovis, CA 93619, with a 'Served' status and an 'Expand Details' link. The 'Availability Details' section includes instructions and five required fields: 1. Enter your name, 2. Enter your email address, 3. Select the internet provider, 4. Select the technology type, and 5. Identify the option that most closely describes why service is not available. The 'Back' and 'Next' buttons are located at the bottom of the form.

- 5. Upload evidence and documentation** – Once you have finalized the location(s) that you want to challenge you will be asked to provide any evidence and documentation that you want included in the review.

The screenshot shows the 'Evidence & Documentation' step of the challenge process. At the top left is the California Public Utilities Commission logo. At the top right is a language dropdown menu set to 'English (English)'. Below the logo is a progress bar with five steps: 1. Select Location, 2. Comment Type, 3. Comment Details, 4. Evidence & Documentation (highlighted), and 5. Attestation. A 'Home' link is also visible in the top right. The main content area shows a 'Selected address:' section with the address '11990 Millerton Rd, Clovis, CA 93619', a 'Served' status, and an 'Expand Details' link. Below this is the heading 'Provide Evidence & Documentation for your Availability Comment' and the instruction 'Upload any supporting evidence or documentation you have to support your comment.' A light blue box contains the text: 'If you are unable to provide evidence, choose the "Other" comment type in Step 2'. Below that is a dashed border box with the text: 'Click or drag files to this area to upload' and 'Support for a single or bulk upload.' At the bottom are two buttons: 'Back' and 'Next'.

- 6. Attestation** – After you have uploaded your evidence, you will be required to accept and complete an attestation that, to the best of your knowledge and belief, the challenge is true, complete, and accurate, subject to potential civil or administrative penalties.

VI. Evidence and Documentation Requirements

Submission of evidence and documentation are the most important aspects of a challenge submission. If a submission does not meet the minimum level of evidence sufficient to establish a valid challenge, it will not be approved to proceed to the rebuttal phase.

The minimum level of evidence required varies by challenge type. The supporting evidence is typically a PDF that shows source, BSL, and date/time. Each individual challenge must have associated evidence. While PDFs may not be redacted from their original form, any personally identifiable information, such as customer name, may be blacked out (as long as location information is readable).

A. Availability Challenges

The Availability challenge type in the BEAD Challenge Process closely resembles the FCC Challenge Process. It supports challenges that have evidence that the service reported in the maps at a specific location is not actually currently available, or cannot be scheduled for activation within 10 days.

In alignment with the FCC Challenge Process, the BEAD Challenge Process requires the “Reason for the Challenge” to be documented, using the `reason_code` field from the *FCC Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsourced Data*.⁵

1. Evidence for Availability Challenges

When filing Availability challenges, you will be required to select one of the following reasons and provide evidence for each challenge. Table 1 outlines the acceptable evidence for each reason code and the maximum age of the evidence submitted to support the challenge.

If you choose to provide “Other evidence to support challenge,” instead of an explicitly stated evidence type, we cannot ensure that the evidence will meet the minimum requirements. To support the CPUC’s review, please provide a thorough explanation of any evidence classified as “Other.”

⁵ See “Broadband Data Collection: Data Specifications for Bulk Fixed Availability Challenge and Crowdsourced Data (Section 3.2),” Federal Communications Commission, January 12, 2023, <https://us-fcc.app.box.com/v/bdc-bulk-fixed-challenge-spec>. See also, “BEAD Challenge Process Policy Notice,” NTIA, Version 1.3, February 8, 2024, https://broadbandusa.ntia.doc.gov/sites/default/files/2024-02/BEAD_Challenge_Process_Policy_Notice_v1.3.pdf, at p. 31.

Table 1: Evidence for Availability Challenges

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
1	Provider failed to schedule a service installation within 10 business days of a request	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Other evidence to support challenge 	365 days
2	Provider did not install the service at the agreed-upon time	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Other evidence to support challenge 	365 days
3	Provider requested more than the standard installation fee to connect the location	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Other evidence to support challenge 	365 days

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
4	Provider denied the request for service	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Other evidence to support challenge 	180 days
5	Provider does not offer the technology entered above at this location	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Terms of service/service description ● End user contract or offer ● Infrastructure knowledge/evidence, infrastructure knowledge/evidence, including manufacturer and model number of residential gateway ● Other evidence to support challenge 	365 days
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) 	180 days

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
		<ul style="list-style-type: none"> ● Documentation of phone call or in-person interaction ● Terms of service / service description ● End-user contract or offer ● Infrastructure knowledge/evidence ● Other evidence to support challenge 	
7	Intentionally omitted ⁶ (does not constitute a formal challenge)	N/A	N/A
8	No wireless signal is available at this location (only for technology codes 70 and above)	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Infrastructure knowledge/evidence ● Other evidence to support challenge 	365 days
9	New, non-standard equipment had to be constructed at this location	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical 	365 days

⁶ The Availability challenge does not adjudicate whether the actual speeds of the service falls below the advertised speeds. The FCC Code 7 is used for consumer complaints when “Subscribed Speed Not Achievable”

Code	Reason	Acceptable Evidence Types for Challenges	Data Age
		or PDF) <ul style="list-style-type: none"> ● Documentation of phone call or in-person interaction ● Infrastructure knowledge/evidence ● Other evidence to support challenge 	

2. Evidence for Availability Rebuttals

Only the challenged provider may submit a rebuttal to an Availability challenge. This evidence must include evidence that counters the reason code and evidence provided by the challenger. The acceptable forms of evidence are provided in Table 2.

Table 2: Evidence for Availability Rebuttals

Code	Reason	Acceptable Evidence Types for Rebuttals
1	Provider failed to schedule a service installation within 10 business days of a request	Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill. If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.
2	Provider did not install the service at the agreed-upon time	Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill. If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. The screenshot must show location information for the served location. Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.

Code	Reason	Acceptable Evidence Types for Rebuttals
3	Provider requested more than the standard installation fee to connect the location	The provider submits evidence that service is now available as a standard installation, e.g., via a copy of an offer sent to the location.
4	Provider denied the request for service	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. The screenshot must show location information for the location.</p> <p>Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.</p>
5	Provider does not offer the technology entered above at this location	Provider has countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.
6	Provider does not offer the speed(s) shown on the Broadband Map for purchase at this location	<p>Provider shows that the location subscribes or has subscribed within the last 12 months, e.g. with a copy of a customer bill.</p> <p>If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. The screenshot must show location information for the served location.</p> <p>Provider provides a copy of an offer sent to the location for the service at the speeds shown on the Broadband Map.</p>
7	Intentionally Omitted ⁷ (Does not constitute a formal challenge)	N/A

⁷ The Availability challenge does not adjudicate whether the actual speeds of the service falls below the advertised speeds. The FCC uses Code 7 for consumer complaints when “Subscribed Speed Not Achievable”

Code	Reason	Acceptable Evidence Types for Rebuttals
8	No wireless signal is available at this location (only for technology codes 70 and above)	Provider has countervailing evidence to demonstrate service availability and speed (e.g., with a mobile test unit).
9	New, non-standard equipment had to be constructed at this location	The provider submits evidence that service is now available as a standard installation, e.g., via a copy of an offer sent to the location.

B. Additional Provider Service Level Challenges

In addition to the Availability challenge type in the BEAD Challenge Process, there are five additional allowable Provider Service Level Challenge Types: Latency, Speed, Data Cap, Technology, and Business Service Only.

1. Evidence for Additional Provider Service Level Challenges

The Data Cap, Technology, and Business Service Only challenge requirements are similar to those for Availability challenges. Table 3 outlines the acceptable evidence for each of these challenge types and the maximum age of the evidence submitted to support the challenge.

The Latency and Speed challenges have specific requirements that differ from the rest, as described below in the “Latency Challenges” and “Speed Challenges” sections.

If you choose to provide “Other evidence to support challenge,” instead of an explicitly stated evidence type, we cannot ensure that the evidence will meet the minimum requirements. To support our review, please provide a thorough explanation of any evidence classified as other.

Table 3: Evidence for Data Cap, Technology and Business Service Only challenges

Type	Reason	Acceptable Evidence Types for Challenges	Data Age
Data Cap	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Terms of service / service description ● End-user contract or offer ● Other evidence to support challenge 	180 days
Technology	Provider does not offer the technology entered above at this location (the technology indicated for this location is incorrect)	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Terms of service/service description ● End-user contract or offer ● Infrastructure knowledge/evidence, including manufacturer and model number of residential gateway ● Other evidence to support challenge 	365 days
Business Service	The location is residential, but the service offered is	<ul style="list-style-type: none"> ● Screenshot from provider website showing URL and date ● Email from provider 	

Type	Reason	Acceptable Evidence Types for Challenges	Data Age
Only	marketed or available only to businesses	<ul style="list-style-type: none"> ● Text message or voicemail transcript from provider showing source and date/time ● Letter from provider (physical or PDF) ● Documentation of phone call or in-person interaction ● Terms of service/service description ● End-user contract or offer ● Other evidence to support challenge 	

2. Evidence for Additional Provider Service Level Rebuttals

Only the challenged provider may submit a rebuttal to a “Provider Service Level Determination” challenge. This rebuttal must include evidence that counters the reason code and evidence provided by the challenger. The acceptable forms of evidence are provided in Table 4.

Table 4: Evidence for Additional Provider Service Level rebuttals

Type	Reason	Acceptable Evidence Types for Rebuttals
Data Cap	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer	Provider has terms of service showing that it does not impose an unreasonable data cap or offers another plan at the location without an unreasonable cap
Technology	Provider does not offer the technology entered above at this location (The technology indicated for this location is incorrect)	Provider has countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.
Business Service Only	The location is residential, but the service offered is marketed or available only to businesses	Provider documentation that the service listed in the BDC is available at the location and is marketed to residential customers.

C. Speed Challenges

The CPUC will accept speed tests as evidence for substantiating challenges and rebuttals. Each speed test consists of three measurements, taken on different days. Speed tests cannot predate the beginning of the challenge period by more than 60 days.

Speed challenges must provide evidence that the download/upload speeds of the broadband service are materially lower than 100/20 Mbps, as described below. This will require multiple speed tests by the subscriber at each challenged location, showing the excessive round-trip latency.

Each Speed challenge must consist of three measurements, taken on different days. The measurements do not need to occur on consecutive days. The median of the three tests is used to trigger the challenge.

1. Evidence for Speed Challenges

Speed tests can take four forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., DSL modem, cable modem (for HFC), ONT (for FTTH), or fixed wireless subscriber module.
2. A reading of the speed test available from within the residential gateway web interface.
3. A reading of the speed test found on the service provider's web page.
4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway, using speedtest.net or other Ookla-powered front ends, M-Lab's speed test services, Cloudflare, or Netflix, or the speed test module provided through the CPUC Challenge Portal.

Each speed test measurement must include:

1. The time and date the speed test was conducted.
2. The provider-assigned internet protocol (IP) address, either version 4 or version 6, identifying the residential gateway conducting the test.
3. Download and upload speed results

Each group of three speed tests must include:

1. The name and street address of the customer conducting the speed test.
2. A certification of the speed tier the customer subscribes to (e.g., a copy of the customer's last invoice or signed certification by the customer of the speed tier and a statement indicating the customer is subscribed to the highest service tier available). Tier must be at least 100/20 Mbps.

3. An agreement, using an online form provided by the CPUC, that grants access to these information elements to the CPUC, any contractors supporting the challenge process, and the service provider.

The IP address and the subscriber's name, and street address are considered personally identifiable information (PII) and thus are not disclosed to the public (e.g., as part of a challenge dashboard or open data portal).

2. Evidence for Speed Rebuttals

Only the challenged provider may submit a rebuttal to a Speed challenge. This evidence must include countervailing speed test evidence showing download/upload speeds at or above 100/20 Mbps.

Speed tests must consist of three measurements, taken on different days. The measurements do not need to occur on consecutive days but must be conducted between the hours of 7 pm and 11 pm local time to be considered as evidence for a challenge rebuttal. The median of the upload speeds and of the download speeds of the three tests is used for the rebuttal to the challenge.

Each measurement must include the following details:

- The time and date each speed test was conducted.
- The provider-assigned internet protocol (IP) address identifying the residential gateway where the test is conducted

If an area challenge is triggered for a latency challenge, the rebuttal must include evidence for at least 10 percent of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule, i.e. 80 percent of these locations must experience a speed that is equal to or greater than 80 percent of the speed threshold (i.e., 100/20 Mbps or 25/3 Mbps for served or underserved respectively).

D. Latency Challenges

Latency challenges must provide evidence that the round-trip latency of the broadband service exceeds 100 milliseconds. This will require multiple speed tests by the subscriber at each challenged location, showing the excessive round-trip latency.

Each Latency challenge must consist of three measurements, taken on different days. The measurements do not need to occur on consecutive days. The median of the three tests is used to trigger the challenge.

1. Evidence for Latency Challenges

Speed tests for Latency challenges can take four forms:

1. A reading of the physical line speed provided by the residential gateway, (i.e., DSL modem, cable modem (for HFC), ONT (for FTTH), or fixed wireless subscriber module.
2. A reading of the speed test available from within the residential gateway web interface.
3. A reading of the speed test found on the service provider's web page.
4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway.

Each group of three speed tests must include:

1. The name and street address of the customer conducting the speed test.
2. A certification of the speed tier the customer subscribes to (e.g., a copy of the customer's last invoice). Tier must be at least 100/20 Mbps.
3. An agreement, using an online form provided by the CPUC, that grants access to these information elements to the CPUC, any contractors supporting the challenge process, and the service provider.

The IP address and the subscriber's name are considered personally identifiable information (PII) and thus are not disclosed to the public (e.g., as part of a challenge dashboard or open data portal).

To be considered valid, the speed tests must be performed using one of the following options:

1. A reading of the physical line speed provided by the residential gateway, e.g. DSL modem, cable modem, ONT, or fixed wireless subscriber module.
2. A reading of the speed test available from within the residential gateway web interface.
3. A reading of the speed test found on the service provider's web page.
4. A speed test performed on a laptop or desktop computer within immediate proximity of the residential gateway, using a commonly used speed test application, such as those provided by Ookla or Measurement Lab.

2. Evidence for Latency Rebuttals

Only the challenged provider may submit a rebuttal to a Latency challenge. This evidence must include countervailing speed test evidence showing latency at or below 100 milliseconds, e.g., from their own network management system or the CAF performance measurements.

Only speed tests must consist of three measurements, taken on different days. The measurements do not need to occur on consecutive days but must be conducted between

the hours of 7 pm and 11 pm local time to be considered as evidence for a challenge rebuttal. The median of the three tests is used for the rebuttal to the challenge.

Each measurement must include the following details:

- The time and date each speed test was conducted.
- The provider-assigned internet protocol (IP) address identifying the residential gateway where the test is conducted.

If an area challenge is triggered for a latency challenge, the rebuttal must include evidence for at least 10 percent of the customers in the challenged area. The customers must be randomly selected. Providers must apply the 80/80 rule, i.e. 80 percent of these locations must experience a latency that does not exceed 100 ms.

E. Enforceable Commitment Challenges

In preparation for the deployment of the BEAD program, the CPUC is required to identify every location where an enforceable commitment exists to deploy qualifying broadband service at or above 100/20 Mbps, regardless of the current service available at the funded locations. This includes identifying the BSLs served by federal and California funding programs.

1. Evidence for Enforceable Commitment Challenges

The Enforceable Commitment Challenge allows eligible challengers to provide evidence that an unserved or underserved locations have an existing federal, California, or local funding that should make those locations ineligible for BEAD.

The following details and evidence will be required:

1. Obligation deployment download speed in Mbps
2. Obligation deployment upload speed in Mbps
3. Obligation deployment technology
4. An attestation to confirm that the round-trip latency of deployed service will be under 100 milliseconds
5. An attestation to confirm that the network will be fully deployed to the challenged locations by the dates required by the award
6. Whether the deployed service be available as residential service, business service, or both
7. Evidence should include:

- a. Evidence of award such as authorization letter and executed agreement with funding entity.
- b. List of funded locations included in award
- c. If available, methodology used to match awarded locations to Fabric IDs
- d. If any locations included in the award are on Tribal lands, you will need to attach a legally binding agreement with Tribal government, certified by Tribal Resolutions

2. Evidence for Enforceable Commitment Rebuttals

Any eligible challenger may file a rebuttal to an Enforceable Commitment challenge if they have documentation that the provider has defaulted on the commitment, is otherwise unable to meet the commitment, or that the location(s) are in an area that are subject to an enforceable commitment to less than 100 percent of locations and the location(s) are not covered by that commitment.

3. Enforceable Commitment Identification – Process and Methodology

The CPUC has deduplicated the list of BEAD-eligible locations, based on existing funding from current programs, using the following process:

Federally-Administered Grant Programs

The CPUC used the BEAD Eligible Entity Planning Toolkit to identify existing federal enforceable commitments, which includes data on funding from the following programs:

- NTIA Broadband Infrastructure Program (BIP)
- NTIA Tribal Broadband Connectivity Program (TBCP)
- FCC Rural Digital Opportunity Fund (RDOF)
- FCC Connect America Fund II (CAFII)
- USDA Rural eConnectivity Broadband Loan and Grant Program (ReConnect)
- USDA Telephone Loan Program (TLP)
- USDA Community Connect Grant Program (CCGP)

The CPUC is aware that the FCC adopted rules for the Enhanced Alternative Connect America Model (A-CAM), allowing providers to participate in the extension of the program and deploy at speeds of 100/20 Mbps or greater. As of the publication of Version 1.0 of this guide, the FCC has not made the locations funded by Enhanced A-CAM available in a usable format. However, an additional deduplication process will be run following the Challenge Process. This second round of deduplication will occur in January 2024. If you are

a provider electing to participate in Enhanced A-CAM, we encourage you to notify the CPUC proactively.

4. Evidence for Not Part of Enforceable Commitment Challenges

The Not Part of Enforceable Commitment challenge allows eligible challengers to provide evidence that a location is not covered by an Enforceable Commitment identified by the CPUC. This evidence provided for the challenge type should demonstrate on the following:

- Documentation that the provider has defaulted on the commitment or is otherwise unable to meet the commitment. This may include:
 - Public notice of default published by the funding agency
 - Default notice sent to the provider
- Documentation that the location(s) are in an area that are subject to an enforceable commitment to less than 100 percent of locations and the location(s) are not covered by that commitment.
- If locations are on Tribal lands, the Tribal Government may challenge based on a failure of the provider to obtain consent from the Tribal Council for the application and/or receiving the award.

5. Evidence for Not Part of an Enforceable Commitment Rebuttals

Only the provider with the challenged Enforceable Commitment can submit a rebuttal to a Not Part of an Enforceable Commitment challenge.

The rebuttal must produce evidence that counters the challenge and may include the following:

- Evidence that provider has not defaulted on the commitment
- Evidence that the provider is able to meet the commitment
- Evidence that 100 percent of the locations are covered by the commitment
- A Tribal Council Resolution or requisite legally binding agreement with the Tribal Government supporting the Enforceable Commitment

F. Planned Service Challenges

If a provider has deployed service or will deploy service that will be available by June 30, 2024, they can file a “Planned or Existing Service” challenge.

1. Evidence for Planned Service Challenges

If you have begun building out broadband service to unserved and/or underserved locations, you may challenge under the “Planned Service” subtype and provide evidence that service will be available to the locations by June 30, 2024.

The information and evidence required for this challenge type includes:

1. Maximum advertised download speed in Mbps
2. Maximum advertised upload speed in Mbps
3. Technology type of service
4. Confirmation that the round-trip latency will not exceed 100 milliseconds
5. An attestation to confirm that service will be deployed to the locations included in this challenge by June 30, 2024, with the technology, speeds, and latency provided.
6. Will the planned deployment, including the listed speeds, latency, and technology be deployed to the selected locations by June 30, 2024?
7. Evidence that the deployment is on track to be completed on time, which should at least include:
 - a. Planned network diagrams
 - b. Evidence of all necessary permits that were applied for or obtained
 - c. Inspection results
 - d. Construction contracts and invoices
 - e. Other evidence that may demonstrate that the deployment is in progress

For a Planned Service challenge to be successful, you will be required to enter into a binding agreement with the CPUC that the service will be deployed and available as documented in the challenge. Additional guidance will be provided on a case-by-case basis by the CPUC.

2. Evidence for Planned Service Rebuttals

Any eligible challenger may submit a rebuttal for Planned Service challenges. The rebuttal must include countering evidence that demonstrates that the planned service cannot be deployed by June 30, 2024.

It is anticipated that the primary rebuttals will be submitted by units of Local or Tribal government that have knowledge and evidence that necessary permits, reviews, or other pre-construction requirements have not been met.

G. CAI Challenges

There are two categories of Community Anchor Institutions (CAI) challenges:

- Identification of CAIs
- Eligibility based on broadband need

The identification of CAIs for the purposes of BEAD is based on the definition outlined in California's Initial Proposal Vol. I, which includes:

- **Schools:** K-12 schools include all K-12 schools participating in the FCC E-Rate program or that have an NCES (National Center for Education Statistics) ID in the categories “public schools” or “private schools.”
- **Libraries:** Including all libraries participating in the FCC E-Rate program as well as all member libraries, and their branches, of the American Library Association (ALA).
- **Health clinic, health center, hospital, or other medical providers:** The list of health clinics, health centers, hospitals and other medical providers includes all institutions that have a Centers for Medicare and Medicaid Services (CMS) identifier.
- **Public safety entity:** The list includes entities such as fire houses, emergency medical service stations, police stations, sheriff and constable offices, and public safety answering points (PSAP), based on records maintained by the CPUC and units of local government. The list includes PSAPs in the FCC’s PSAP registry.
- **Institutions of higher education:** Institutions of higher education include all institutions that have an NCES ID in the category “college,” including junior colleges, community colleges, minority serving institutions, historically black colleges and universities, other universities, or other educational institutions.
- **Public housing organizations:** Public housing organizations were identified by contacting the Public Housing Agencies (PHAs) for California enumerated by the U.S. Department of Housing and Urban Development. The nonprofit organizations Public and Affordable Housing Research Corporation (PAHRC) and National Low-Income Housing Coalition maintain a database of nationwide public housing units at the National Housing Preservation Database (NHPD).
- **Community support organizations:** The list included organizations identified by the CPUC, in the context of its multi-year broadband engagement work, that facilitate greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals. These included community support organizations, such as headstart locations, family services, and community action agencies, identified through agency related data, that support vulnerable populations. Such community support organizations facilitate broadband availability for vulnerable populations, including low-income individuals, through Wi-Fi, technology outreach, technology skills and assistance with wrap around services that include those accessed through technology portals.

1. Identification of CAI

All eligible challengers can challenge the designation of the location as a CAI, based on the categories described above.

a. Evidence for Location is a CAI challenge

If you believe that a location is incorrectly identified as a non-CAI, you may challenge to have that location included as a CAI. To submit a successful challenge, you will need to submit the following information and evidence:

- i. Official entity name of the institution
- ii. The type of CAI, selecting from the categories defined above
 - a. Depending on the entity type, you will be asked to provide different types of identification numbers, e.g. CMS Certification Number (CCN) for hospitals
 - b. If a Community Support Organization, explanation of how organizations facilitate greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals.
- iii. Evidence to support the challenge, which may include:
 - a. Registration documents
 - b. Contact information to confirm
 - c. Other evidence that demonstrates that the organization meets the requirements of the selected category of CAI.

When challenging to add a location as a CAI, you will be given an opportunity to indicate whether the institution has unmet broadband needs based on the standard of 1/1 Gbps.

If the location for a CAI is missing entirely from the map, please reach out to the Federal Communications Commission's Fabric Challenge Process (see <https://www.fcc.gov/sites/default/files/bdc-fabric-challenge-overview.pdf>).

b. Evidence for Location is a CAI Rebuttal

Any eligible challenger may submit a rebuttal for a Location is a CAI challenge. The information and evidence must include:

- a. Identify the basis for the challenge that claims the locations is not a CAI:
 - i. Location is a residence
 - ii. Location is a non-CAI business
 - iii. Institution does not fall under listed category
 1. Identify the institution type that the location should be listed as
 - iv. CAI has ceased operations
 1. Date CAI ceased operations
- b. Evidence to support rebuttal

c. Evidence for Location is Not a CAI Challenge

If you believe a location is incorrectly identified as a CAI, you may challenge to have that location removed from the list. Please note that the CPUC is not allowed to add BSLs to the map, so a successful challenge will remove this location from BEAD eligibility altogether.

To submit a successful challenge, you will need to submit the following information and evidence:

- a. Identify the basis for the challenge that claims the location is not a CAI:
 - i. Location is a residence
 - ii. Location is a non-CAI business
 - iii. Institution does not fall under listed category
 1. Identify the institution type the location should be listed as
 - iv. CAI has ceased operations
 1. Date CAI ceased operations
 2. Is there another CAI currently operating at this location? If so, provide the following information:
 - a. Official entity name of the institution
 - b. The type of CAI, selecting from the categories defined above
 - c. Depending on the entity type, you will be asked to provide different types of identification numbers, e.g. CMS Certification Number (CCN) for hospitals
 - d. If a Community Support Organization, explanation of how organizations facilitate greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals.
 - e. Other evidence that demonstrates that the organization meets the requirements of the selected category of CAI.
- b. Evidence that demonstrates that the location is a non-CAI or is no longer in operation

d. Evidence for Location is Not a CAI Rebuttal

Any Eligible Challenge may submit a rebuttal for a Location is a CAI challenge. The information and evidence must include evidence that the location falls within the definitions of CAIs set by the CPUC or is still operational.

2. CAI BEAD Eligibility Based on Broadband Availability

a. Evidence for CAI: Qualifying Broadband Unavailable challenge

If a CAI that is reported to have 1 Gbps symmetrical service, but you have countering evidence, submit a “CAI Does Not Receive 1 Gbps Service” challenge. To submit this challenge type, you must provide the following information and evidence.

1. Attest that this location does not currently receive 1 Gbps/1 Gbps broadband service and does not have a connection that is readily scalable to 1 Gbps speeds at a higher tier of service over the existing infrastructure.
2. If there is an available Internet connection at the location, you will be asked to provide the following information:
 - i. Who is the current provider?
 - ii. What technology is delivering the current services?
 - iii. What are the speeds of your current plan?
 - iv. Upload evidence of recent bill/invoice, photo of the provider gateway, or other evidence to support the challenge
 - v. Signed attestation or upload evidence

d. Evidence for CAI: Qualifying Broadband Unavailable Rebuttal

Any eligible challenger may submit a rebuttal for a “CAI Does Not Receive 1 Gbps Service” challenge. The information and evidence must include evidence that the CAI Location has an existing connection capable of delivering 1 Gbps/1 Gbps speeds or a connection that is readily scalable 1 Gbps symmetrical speeds at a higher tier of service over the existing infrastructure.

e. Evidence for CAI: Qualifying Broadband Available Challenge

1. I confirm that selected CAI Location(s) have an existing connection capable of delivering 1 Gbps/1 Gbps symmetrical speeds or a connection that is readily scalable to these speeds at a higher tier of service over the existing infrastructure.
2. (Optional) If available please provide the following information:
 1. Who is the current provider? (Do not use dropdown of providers, as it may not include the network delivering enterprise ISPs)
 2. What technology is delivering the current services? (Dropdown from the Technologies used in other challenges)
 3. What are the speeds of your current plan?
3. Upload evidence of recent bill/invoice, photo of the provider gateway, or other evidence to support the challenge
4. Signed attestation or upload evidence

f. Evidence for CAI: Qualifying Broadband Available Rebuttal

Any eligible challenger may submit a rebuttal for a CAI Qualifying Broadband Available challenge. The information and evidence must include evidence that the CAI Location does not have an existing connection capable of delivering 1 Gbps/1 Gbps speeds or a connection that is readily scalable 1 Gbps symmetrical speeds at a higher tier of service over the existing infrastructure.

VII. Obtaining CostQuest BSL Fabric Licenses

To administer the BEAD program, the CPUC is required to use as a baseline the FCC's National Broadband Map, which provides reported broadband availability data at the location level and relies on a proprietary dataset to provide the location data.

The CPUC was required to enter into a license agreement with CostQuest Associates, the owner of the dataset, to access the data for the purposes of the BEAD program including the challenge process. The terms of this license agreement restrict the CPUC from making the data fully available to stakeholders participating in the Challenge Process.

While the CPUC cannot make the data fully available to stakeholders, the participants in the Challenge Process are eligible to apply for their own licenses with CostQuest. The NTIA entered into a contract with CostQuest to cover the cost of these licenses, so there is no expense to the licensees.

A CostQuest License is not required to file challenges directly through the challenge portal. However, if you are considering submitting bulk challenges (challenges to more than one location in the same submission), we highly recommend you obtain a license from CostQuest.

There are two tiers of licenses relevant for the BEAD Program:

- **Tier D License** – The Tier D License is available to all qualified, or presumptively qualified, recipients and subrecipients of federal broadband grants. This license is available to broadband providers, including co-ops. [Request license.](#)
- **Tier E License** – The Tier E license is intended for units of local government, Tribal governments, nonprofits, and other organizations that have signed an FCC Tier 4 license. [Request license.](#)