



pennsylvania  
DEPARTMENT OF COMMUNITY  
& ECONOMIC DEVELOPMENT

# CAPITAL PROJECTS FUND – BROADBAND INFRASTRUCTURE PROGRAM FEEDBACK

March 2023



## CAPITAL PROJECTS FUND – BROADBAND INFRASTRUCTURE PROGRAM FEEDBACK



**The Capital Projects Fund – Broadband Infrastructure Program (BIP)** is funded pursuant to the Coronavirus Capital Projects Fund (Capital Projects Fund) established under The American Rescue Plan Act of 2021. BIP is a \$200 million competitive grant program which will target locations that do not currently have access to 25/3 Mbps reliable service. Eligible applicants include local units of government, non-profits, cooperatives, and private entities. The Program will fund extensions of existing last-mile cable modem and fiber-to-the-premise broadband networks, and large-scale regional projects that can transform broadband availability by serving large numbers of eligible addresses.

Recently, the Pennsylvania Broadband Development Authority requested feedback on several items where U.S. Treasury has provided some flexibility: definition of affordability, award amounts, match requirements, and the length of the challenge period. Public comments received can be found below.

- **Question 1:** U.S. Treasury guidelines require that the Authority consider whether the broadband service options offered by applicants will be affordable to target markets in proposed service areas. However, Treasury does not set a definition for “affordable” in its program guidelines. The Authority seeks feedback on how affordability should be assessed. Please consider factors including, but not limited to socioeconomic factors (income, education, age, etc.), geographic disparities, price, and competition.
- **Question 2:** U.S. Treasury guidelines do not set requirements for minimum or maximum grant award amounts for this program. The Authority seeks feedback on the following: For this \$200 million grant program, what are the minimum number of awards you think the Authority should issue and what is an ideal range for award amounts?
- **Question 3:** The Authority seeks feedback on what an appropriate level of matching funds may be for program applicants. For further context, the Authority must require a 25 percent match for the Broadband Equity, Access, and Deployment (BEAD) program that will be administered at a later date.
- **Question 4:** Act 96 of 2021 includes specific instructions for how the Authority should manage the applicant challenge period (see Act 96 § 6124 (d)). However, the Authority has flexibility to determine the timeframe of the challenge period. Is 30 days a reasonable amount of time for potential challengers to review proposed project areas and submit challenges?

**Name:** Todd Eachus

**Organization:** Broadband Communications Association of Pennsylvania

**Affiliation:** Advocacy Organization

**Q1 Affordability Definition:**

Understanding adoption of broadband goes far deeper than affordability. NTIA's 2021 study found that only 18% of households without internet cited cost as a reason. Considering ACP benefit, affordability should be considered as a factor, but not the only factor. Therefore, affordability considerations should be calculated in such a way as to consider a provider's total offerings at speeds that meet broadband standards and must be applied to areas receiving funds only. Cost of construction is high cost, less dense areas must also be a factor when understanding affordability.

**Q2 Minimum and Maximum Award amounts:**

The number of awards should be determined by volume of QUALIFIED applications. Maximum grant amount should be no more than \$4.5 million. Minimum grant amounts for long drops/line extensions should be not less than \$5,000

**Q3 Matching Funds:**

For large project, a 25% matching fund should be required, with no waivers for any entity. For line-extensions, long drops, a different formula for Aid to construction should be considered as 25% will not sufficiently capture all situations.

**Q4 Challenge Process Period:**

No, there must be a minimum of 45-60 days permitted for the challenge process. In addition there must be Force Majeure considerations for Supply Chain and Labor Shortages. Finally, challenges must include a valid legal commitment to build. No back of the napkin claims should be upheld.

**Name:** Jim Skjeveland

**Organization:** Rolka Loube

**Affiliation:** Advocacy Organization

**Q1 Affordability Definition:**

Affordability should be assessed at the average household income level and for low-income households. One possible measure for average household affordability is the average household income times the percent of income that the average household spends on Internet services. The best metric for determining the average income is the median household income. This measure is the income at the middle of the income distribution. The standard average should not be used because that average can be biased upward if there is a small number of households with extremely large income levels. The median Pennsylvania household income in 2021 was \$67,587. The percent of income that the average household spends on internet is 0.97% as determined by the weight for Internet services in the U.S. consumer price index. Multiplying the median income by the budget percentages generates an average annual budget for Internet services of \$656. Dividing that number by twelve months establishes a reasonable state-wide affordable rate of \$55 per month. While the \$55 per month amount is reasonable for the entire state it is not a reasonable rate for the target markets because it includes the major metropolitan areas of the state that are served by two dominant providers of high-speed broadband services and, therefore, those high population density metropolitan areas would probably not include areas where U.S. Treasury funds will be expended. To focus on areas where U.S. Treasury funds will be expended, the state should be divided between high and low population density areas using 500 persons per square mile as the dividing line between the two groups. This division creates a low-density group of 56 counties and a high-density group of 11 counties. The median household income of the low-density counties is approximately \$57,000. Multiplying this income by the consumer price index (CPI) weight of 0.97% and dividing by twelve months establishes a reasonable rate for the target area of \$46 per month. The affordable rate for low-income households can be determine as the reasonable rate for average households less the Affordable Connectivity Program (ACP) \$30 subsidy, or \$16 (\$46-\$30). There is a concern, however, that the funding for the ACP will run out in the near future. There may be some alternative funding in the Digital Equity section of the federal Infrastructure Investment and Jobs Act. But it is unknown how much of that additional funding will be received by Pennsylvania and that funding is also not a long-term solution. This analysis directly takes into consideration income and geography because it is based on the income levels in the target geographic areas. Other social economic factors such housing prices, age and education are usually closely related with income. The data sources used in this analysis are Table 2. Consumer Price Index for All Urban Consumers (CPI-U): U. S. city average, by detailed expenditure category - 2023 M01 Results (bls.gov) and U.S. Census Bureau QuickFacts: Pennsylvania. The data has been complied in the attached spreadsheet, PA Median Income by County.

**Q2 Minimum and Maximum Award amounts:**

The Authority should first determine whether it wishes to reserve part of the grants to be used to support the matching requirements of the BEAD program. Using U.S. Treasury funds for that purpose is allowed under Section 60102(h)(3)(B) of the federal Infrastructure Investment and Jobs Act (IIJA). Second, we recommend that the Authority prioritize projects that provide service in those areas that currently have the worst broadband access service levels in the state rather than establishing a particular dollar amount of grant award or a number of projects to receive grant awards.

**Q3 Matching Funds:**

The Authority should have an award system that provides an incentive for grant applicants to use their own funds to partially finance the projects. The award system would work through the grant scoring system where higher matches would receive higher scores. Higher scores should also be awarded to those grant applicants that agree to use their funds in the first six months of the construction period, ensuring that the grant applicants have "skin-in-the-game" before the majority of the Authority's funds are spent. The Authority should recognize in-kind matches. Such matches could include waiving of pole attachment fees by applicants that own utility poles. Finally, the matching fund requirement should be held to a minimum or waived altogether in high-cost areas.

**Q4 Challenge Process Period:**

Yes. Under the Act 96 § 6124(d) and the federal IIJA Sec. 60102(h)(2) (47 U.S.C. § 1702(h)(2)(A)&(B), 35 Stat. 1197 (2021)) statutory requirements, the Authority must “ensure a transparent, evidence-based, and expeditious challenge process.” The Authority’s procedure for expeditiously resolving challenges to grant applications should be structured to provide appropriate due process to interested parties and timely resolve potentially complex issues. The scope of such issues may include matters that go beyond whether a particular location or community anchor institution is eligible for the grant funds. If the Authority provides appropriate notice of the grant applications that i the information designated by the Authority under Act 96 § 6124(b) (e.g., timely publication of the grant applications in the Pennsylvania Bulletin), the Authority can utilize a twenty (20) day period for the submission of challenges in a form designed by the Authority, and a subsequent ten (10) day period for the submission of appropriate replies to such challenges. The Authority’s grant application procedure must clarify whether existing Pennsylvania law (e.g., the municipal broadband prohibition under 66 Pa. C.S. § 3014(h)), affects the eligibility of municipal entities to apply for the contemplated broadband deployment grants under Act 96 and the federal IIJA. In other words, the Authority needs to determine whether municipal entities wishing to receive broadband deployment grants must first resolve any 66 Pa. C.S. § 3014(h) issues before the Pennsylvania Public Utility Commission prior to their applications for such grants. Alternatively, the Authority needs to determine whether 66 Pa. C.S. § 3014(h) continues to be applicable for municipal entities seeking broadband grants in view of the statutory language in the federal IIJA and Act 96. Advance Authority determinations in this regard can potentially avoid challenges that may include complex issues not currently contemplated by the statutory language in Act 96.

**Name:** Michael J. Covin

**Organization:** CALCO Consulting Group

**Affiliation:** Advocacy Organization

**Q1 Affordability Definition:**

While defining "affordability" we believe the Authority should consider the average wages in the county/region in addition to the average payments currently for minor household utilities. The minimum wage is also something to consider in reference to the local municipalities

**Q2 Minimum and Maximum Award amounts:**

It is our opinion that the minimum award should be 500k.

**Q3 Matching Funds:**

We believe that 25% match for the program is appropriate amount and should be able to be an in kind matching.

**Q4 Challenge Process Period:**

It is our belief that 45 days is a reasonable amount of time for potential challengers to review proposals.

**Name:** Bruce Shearer

**Organization:** Presbyterian Sr. Living

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Our market is seniors 55 and over, who qualify for low income housing tax credits or HOME funding. Education and geographic diversity is not a factor in our definition.

**Q2 Minimum and Maximum Award amounts:**

We would propose 2,000 awards with a range of \$25,000 to \$100,000

**Q3 Matching Funds:**

We would propose a 10% match since this is for Affordable Housing which operates on tight budgets

**Q4 Challenge Process Period:**

We propose a 60 day window for challenge reviews

**Name:** John Sechrist

**Organization:** Douglas Education Center

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Income

**Q2 Minimum and Maximum Award amounts:**

Not knowing the broadband needs in certain areas of the county, for example rural areas, I would suggest the maximum award amount.

**Q3 Matching Funds:**

Not knowing the scope of the project, I cannot put a figure or percent on matching funds.

**Q4 Challenge Process Period:**

Yes



**Name:** Ty Yost

**Organization:** constituent

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

While the Affordable Connectivity Program (ACP) sets guidelines with household income at or below 200% of Federal Poverty Guidelines, that only serves as a guidepost for making determinations. One of the major factors we continue to struggle with is the lack of options on connectivity and the prices of comparable service in captive vs competitive market. Costs of service need to be weighted in calculations of affordable, in addition to household income.

**Q2 Minimum and Maximum Award amounts:**

The authority should focus on getting access to as many underserved Pennsylvanians as possible. Personal preference would be seeing multiple smaller grants focused on immediate projects that get results quickly.

**Q3 Matching Funds:**

I understand the importance of the match to ensure overall project success, and feel it is fair to include in all project submissions. I would suggest matches in proportional value to the project no greater than 25% or the single year projected revenue from the work, whichever is less.

**Q4 Challenge Process Period:**

Yes, but advertising of the project areas should be widely advertised to stakeholders, not simply hid on a website.

**Name:** Tracy Trotter

**Organization:** Adams Memorial Library

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Count the number of library cardholders. Our large number of library users is one metric of how many people in a community need our technology services either as their main connection or as a supplemental service, because ours is so much faster plus we have print capabilities.

**Q2 Minimum and Maximum Award amounts:**

When determining how to split up the pot, make sure some of the funding goes to libraries who will continue to serve as ongoing support providers AFTER you install high speed access to underserved areas. Libraries meet the technology needs of the community beyond connectivity. We offer one-on-one tech support and guidance to those who have very limited experience with devices, we have print capabilities and we have access to helpful resources that enhance any digital experience (for example, we have mobile wifi hotspots for vacations)

**Q3 Matching Funds:**

Non-profits like libraries operate on razor-thin margins. The public expects us to add every new service, resource or technology device, but they also expect us to maintain every traditional library service we've ever provided. The struggle to balance the two is already overwhelming and to underwrite a matching requirement would simply be beyond us.

**Q4 Challenge Process Period:**

It should be adequate, provided that you include our library professionals in the information dissemination process, since that is our field of expertise.

**Name:** Dr. Ken Williams

**Organization:** Belle Vernon Area School District

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

SES status, underserved populations, free and reduced price breakfast/lunch, Title I designation in schools

**Q2 Minimum and Maximum Award amounts:**

Minimum 250 awards - \$250,000 - \$800,000 if we are talking community infrastructure.

**Q3 Matching Funds:**

25%

**Q4 Challenge Process Period:**

No. 45-60 days would be more beneficial given the cycle of school board governance and meetings.

**Name:** Jesse Sprajcar

**Organization:** United Way of Southwestern Pennsylvania

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Of the 353,000 people living in Westmoreland County, over 11% are living in poverty. Aside from the more densely populated areas of the county, like Jeannette City, Greensburg, New Kensington and Latrobe, most of the county is very rural. Many of these rural communities, especially those along the mountains in the eastern part of the county do not have access to affordable and high quality broadband. If those living in rural Westmoreland County do have access it is likely only to one provider. This becomes a challenge for our community members living in poverty due to the lack of competition. If someone defaulted on payments for one service provider in the past, they likely will not be able to access the internet at home due to challenges in the past. For our learners attending one of the county's 17 school districts, the remoteness of some of these communities and the lack of options make completing school work very difficult resulting in poorer grades and inevitably frustration for the learner.

**Q2 Minimum and Maximum Award amounts:**

20 awards based on region would be the minimum, but ideally an award for all 67 counties would allow the decisions to remain local and could be managed by local government and local NGOs. Awards should be based on need and population size ideally. For those more rural communities it will cost more to gain access for less people. However, the need should be driving the decision and not just the population size of the area.

**Q3 Matching Funds:**

The 25% match requirement will hopefully make the funds more attainable for smaller counties or less populated regions. Higher match numbers are going to deter some of our more under-resourced counties and regions from applying.

**Q4 Challenge Process Period:**

30-45 days should be enough time to challenge.

**Name:** Larry George

**Organization:** Derry SD

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

disability, income, age

**Q2 Minimum and Maximum Award amounts:**

25 million

**Q3 Matching Funds:**

50

**Q4 Challenge Process Period:**

yes

**Name:** Debra Kozar

**Organization:** Monessen City School District

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

income poverty level for our district

**Q2 Minimum and Maximum Award amounts:**

Erate % is 85% to 90% rebate of our cost

**Q3 Matching Funds:**

25% match

**Q4 Challenge Process Period:**

45 days

**Name:** Chris Niklaus

**Organization:** Kane Area School District

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Affordability needs defined based on several factors including the National School Lunch Program percentage within a defined geographic area. School Districts already have a defined area in Pennsylvania. This is just one factor that should be considered. Another factor that should be considered is mean income for the defined school district area. Many times this has a direct correlation with the National School Lunch Program percentage within the defined area. The final affordable definition should be based on competition in the market within the defined area. Many times no competition drives the price of services up and therefore becomes unaffordable within a lower income area where there aren't many services to choose from or none at all.

**Q2 Minimum and Maximum Award amounts:**

The authority must use awards to build where 25/3 uncapped and unthrottled internet services are not available. Funding must not be used where there is service available and ample competition. With that being said, the number of awards is contingent on the number of applicants meeting those specifications. Each award should be on a case by case basis for TRUE INFRASTRUCTURE improvements.

**Q3 Matching Funds:**

As a public school district, we do not have discretionary funds to build off our campus, yet our students are falling behind due to not having adequate internet service available in their homes (25/3, uncapped, and unthrottled). A matching fund or even 25% match is not something a public K-12 school can do. State funding should kick in to provide this match for any K-12 schools who have a project plan in place. KASD has such a plan, but falls short on the funding end. The ECF grant was pushed very fast and took a long time to get approval for. Even though KASD was approved, the hoops to jump through are proving very challenging and even at this date after approved for a project, it may prove too much and the project may not happen.

**Q4 Challenge Process Period:**

Absolutely not. The FCC broadband map allowed a very short time frame to challenge and this wasn't even enough time to get the word out to families. We are talking folks WITHOUT the services to begin with. How do we contact them and ask them to complete a challenge of broadband service in an unfunded mandate to challenge within a time frame? Taking that one example to this potential project, doing any amount of a large build infrastructure project takes 6 months to a year to plan, vet out and design. A 30 day challenge simply isn't enough time to provide feedback on a denial for a project that could take a year or more to design and put into place.

**Name:** Gary Honabach

**Organization:** Bloomsburg Area School District

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Free/reduced Lunch (economic disadvantaged), price

**Q2 Minimum and Maximum Award amounts:**

Minimum amount 10,000

**Q3 Matching Funds:**

25% match

**Q4 Challenge Process Period:**

Yes



**Name:** Peter Geipel

**Organization:** Mifflinburg Area School District

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

income, Free/Reduced Lunch

**Q2 Minimum and Maximum Award amounts:**

Ideal range should be \$500K

**Q3 Matching Funds:**

10 percent

**Q4 Challenge Process Period:**

yes

**Name:** Gregory Koons

**Organization:** Schuylkill Intermediate Unit 29

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Affordability should be assessed not only on socioeconomic factors, but also scaled to geographic dInternet Service Providerarities.

**Q2 Minimum and Maximum Award amounts:**

I think the opportunity should be spread amongst a higher number to positively impact more residences across the Commonwealth. If I had to choose a range, I would choose \$100,000-\$200,000/award.

**Q3 Matching Funds:**

A 25% match for this opportunity as well.

**Q4 Challenge Process Period:**

I would recommend a minimum of 60 days to challenge.

**Name:** Mike Williams

**Organization:** Lancaster-Lebanon IU13

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Not answered

**Q2 Minimum and Maximum Award amounts:**

minimum 100 awards at 500K-2M.

**Q3 Matching Funds:**

25-50% match

**Q4 Challenge Process Period:**

60-90 days

**Name:** David Russell

**Organization:** Carbon Lehigh Intermediate Unit 21

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Geographic dInternet Service Providerarities and income. Locations with limited to no competition allow providers to increase costs compared to more urban areas. Prices should be relatively the same for all.

**Q2 Minimum and Maximum Award amounts:**

Minimum \$20,000 - \$100,000. Until all funds are awarded.

**Q3 Matching Funds:**

Calculation based on their USAC NSLP discount or the minimum requirement.

**Q4 Challenge Process Period:**

No

**Name:** Bob Alonge

**Organization:** Volunteers in Medicine in Schuylkill and Carbon Counties, PA

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Not answered

**Q2 Minimum and Maximum Award amounts:**

Not answered

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Not answered

**Name:** Jeremy Long

**Organization:** Lewisburg Area School District

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Availability, Competition, Price, and geographic area.

**Q2 Minimum and Maximum Award amounts:**

\$500k at 400 awards based on affordability assessment as above

**Q3 Matching Funds:**

50% - Puts enough stake on the project for both parties to strive for success

**Q4 Challenge Process Period:**

60 days allows enough time to gather info for challenges without postponing the process too much

**Name:** Kate Ulreich

**Organization:** Pitt Information Technology, University of Pittsburgh

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

All last-mile providers should offer a standard plan at \$60/month (according to a study by the Center for Rural PA, charging more than \$60/month does not increase adoption) and a low-income plan at no more than \$30 to enable low-income residents to leverage the Affordable Connectivity Program. However, given the ACP's uncertain future, if/when that subsidy runs out, providers should be prepared to offer a plan at \$10/month. According to a study done in Philadelphia, 12% of low-income families said \$10/month for service would be unaffordable. I will follow up via email with two research studies supporting this information. Bottom line – affordability needs to stand on its own and not be defined by the ACP.

**Q2 Minimum and Maximum Award amounts:**

This is unknowable without fully understanding the RFP. We'd suggest that the awards consider interconnectivity, open access, and ways to ensure there is competition in any given area. Awards should be based on the ability to connect several communities sustainably. One award may be able to connect multiple communities, and this should be given more weight than a single application that connects one community or one small area.

**Q3 Matching Funds:**

If matching funds are not required at the federal level, we do not see a reason to require it for this program. Match could be considered a discriminatory method for eliminating local and community projects that may be able to better serve areas more sustainably.

**Q4 Challenge Process Period:**

This is a difficult question to answer without knowing the full extent of what is required in a project proposal or what is being challenged.

**Name:** Jessica Sahl

**Organization:** Chester County Intermediate Unit

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Affordability should be assessed by socioeconomic factors. Competition is not a fair measure since many geographical areas do not have enough service providers to keep prices low.

**Q2 Minimum and Maximum Award amounts:**

The minimum amount should be at least \$5 million dollars to build in rural areas. Smaller awards will result in patchwork building to specific areas and will not cover the range needed.

**Q3 Matching Funds:**

Matching should be 10-15 percent. The investment to build broadband is high and many communities cannot afford to match a high cost up front. Communities will be dedicating a high volume of in kind hours of time planning and executing these projects. The funding will help with the build costs, but communities will need to invest time and money continuously to maintain the networks over time.

**Q4 Challenge Process Period:**

My recommendation is 45 days since these projects will be complex.



**Name:** Jared P. Mader

**Organization:** Lincoln Intermediate Unit 12

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Affordability metrics may differ from region to region, but, consistency in determining a family's ability to pay is already measured by participation in the NSLP (National School Lunch Program). This measure could be used to evaluate the discount that a family may receive. Beyond the families ability to pay for the serve is the reasonableness of the cost of the commodity. I would ask, how is this currently regulated for services like electricity, water, sewer, gas, etc. Internet is no different as a required and necessary utility in today's modern marketplace.

**Q2 Minimum and Maximum Award amounts:**

More than anything, this seems to be a capacity question of the Authority. As Governor Shapiro has already identified, many application processes at the state have been mired in the internal processes that may not be staffed to support. Perhaps there would be lower thresholds for application that don't have as many or any regulatory reviews as those over a certain dollar figure. This would allow for state and local agencies to apply on behalf of a region, expecting regulatory review by the authority, while other local applications may follow a more streamlined process. The key here is that there needs to be enough funds available to incentivize potential telecom providers to invest in the buildout to underserved or unserved regions. If the grant is limited to small-cap projects, widespread buildout and infrastructure improvements may never occur.

**Q3 Matching Funds:**

I agree that the match requirements often strengthen the commitment by the applicants to invest in real improvements. The only caution would be to ensure that the match does not cause an entry barrier to viable applicants of, especially, already unserved or underserved areas, thus perpetuating the existing problems of inequity of access in theses regions.

**Q4 Challenge Process Period:**

This may need to be a sliding scale, based upon the size of the proposed project and the extent of the challenges. If a telecom provider needs to be able to provide updated or alternate site survey information, it may be unreasonable to do so for a regional or statewide project when compared to a local one.

**Name:** John Plesnicher

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Rural

**Q2 Minimum and Maximum Award amounts:**

Not answered

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Not answered

**Name:** Ruth Crusan

**Organization:** Home owener

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Less then what I pay now 70.88 slower like dial up!

**Q2 Minimum and Maximum Award amounts:**

Not answered

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Not answered

**Name:** Tim Richards

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Geographic dInternet Service Providerarities, is not available in sparsely populated area

**Q2 Minimum and Maximum Award amounts:**

No input

**Q3 Matching Funds:**

No input

**Q4 Challenge Process Period:**

No comment, I just know there is high speed internet just down the street from me, funding should go to Verizon and force them to provide to my house.

**Name:** Diane Shinberg

**Organization:** constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Internet subscription service prices should be regulated. Monthly charges (inclusive of taxes and fees) should be less than \$60/month. Residential (not commercial) should be levied on a sliding scale proportional to income. (Counties could adjust the scale downward based on median household income.) Additional discounts could be offered for preK-12 & postsecondary school enrollment.

**Q2 Minimum and Maximum Award amounts:**

unsure

**Q3 Matching Funds:**

25 to 50% match

**Q4 Challenge Process Period:**

Given that rural governments and rural providers may face resource constraints, the timeframe should be slightly longer, 45 days.

**Name:** Beatrice Heck

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Rural household with minimal affordable access. No high speed internet availability. Cable company has not provided access.

**Q2 Minimum and Maximum Award amounts:**

NA

**Q3 Matching Funds:**

Contact local government officials.

**Q4 Challenge Process Period:**

60 - 90 days.

**Name:** Ryan Renninger

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Ensuring market competition

**Q2 Minimum and Maximum Award amounts:**

5000 to 10000 awards, \$25000 to \$50000 range

**Q3 Matching Funds:**

10-25%

**Q4 Challenge Process Period:**

30d to 60d

Name: Daphne A. Kretz

Organization: Constituent

Affiliation: Constituent

Q1 Affordability Definition:

I've a fatal genetic neurodegenerative illness (CADASIL) & am now impoverished, every bill is sky high & no help

Q2 Minimum and Maximum Award amounts:

The number of disabled & elderly expected to complete tasks on COMPASS & online should = # of grants!

Q3 Matching Funds:

The disabled & elderly can't afford healthy food, elec. gas. trans. wtr. gbg. swr. taxes. repairs, meds, tech & internet

Q4 Challenge Process Period:

30 days is the maximum; the disabled & elderly could miss imp. info. or lose programs if 'dragges out longer"!



**Name:** Douglas Carney

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Income and need competition

**Q2 Minimum and Maximum Award amounts:**

Minimum of 3 awards with contract to tie increases with proven need for increase ( not greed )

**Q3 Matching Funds:**

Match based on their wealth ( ie. larger companies should have higher matching funds )

**Q4 Challenge Process Period:**

Yes. Most probably have all the market intelligence they need or would have already expanded.

**Name:** eric seggi

**Organization:** constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

\$40 per month

**Q2 Minimum and Maximum Award amounts:**

unknown

**Q3 Matching Funds:**

unknown

**Q4 Challenge Process Period:**

no

**Name:** Susan Jennings

**Organization:** Southwest Pennsylvania for Safe Technology

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Wireless infrastructure should not be deployed until the FCC complies with the DC Circuit Court's ruling in Environmental Health Trust (EHT), et al. v. FCC on August 13, 2021 ([https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf)). Wireless can no longer be considered safe per the Court as this decision, in effect, renders the FCC guidelines suspect at best. FCC and industry assurances of safety are also now questionable. There are 26 volumes of evidence of harm and hundreds of testimonies that the FCC ignored in this case. Massive, overwhelming scientific evidence demonstrates that this microwave radiation is harmful – not only to humans, but to animals and the environment as well. It is a dereliction of your duty to ignore this amount of evidence which proves harm. (<https://childrenshealthdefense.org/wp-content/uploads/Volume-27.pdf>)

**Q2 Minimum and Maximum Award amounts:**

Wireless technology is already causing health effects, some severe including death, in Pennsylvania. I urge you to exercise due diligence to protect the people of Pennsylvania. Innumerable Pennsylvanians are suffering harm from exposure to radiofrequency electromagnetic microwave radiation (RF-EMR). Some do not make the connection. Constituents who have been severely harmed were prohibited from making comments at three broadband "public" hearings which violated the Pennsylvania Sunshine Act, 65, Pa.C.S. §§ 701-716. However, industry representatives, who are in favor of wireless infrastructure deployment, were permitted to present, giving our legislators a one-sided view of this technology. You owe it to yourselves and to the people of Pennsylvania, whom you are serving, to hear the other side of this issue. It is a dereliction of your duty to ignore the testimonies of those who have been harmed.

**Q3 Matching Funds:**

Broadband is actually not wireless, but wired. Pennsylvanians paid for fiberoptic technology in their phone bills to the tune of \$18 billion. (For more info see <http://irregulators.org/verizonparesources/>) The Commonwealth of Pennsylvania can actually collect this \$18 billion and give the people fiberoptic to the premises, which was promised by Verizon, and is faster, safer and more secure than wireless. It is a dereliction of your duty to provide the people of Pennsylvania with slower, unsafe and less secure service.

**Q4 Challenge Process Period:**

NO!! Much more needs to be considered as is outlined in my answers. This is not a decision that should be decided on terms of socioeconomic factors, geographic dInternet Service Providerarities, price or competition. This decision should take into consideration the public's safety of life (as discussed above) and fire hazards. There are far too many instances of cell tower fires, collapsing towers, worker deaths, and much more which put people and their property in the path of danger. (<https://ehtrust.org/cell-tower-safety-risks-fires-and-collapse/>) It is a dereliction of your duty to ignore the dangers that could take lives of Pennsylvanians.

**Name:** Jim Mercante

**Organization:** constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Suggestion: The state should consider setting. Guidelines for eligibility for total subsidization of Internet connectivity costs (such as Adjusted Median Income levels). And any Internet Service Providers bidding to provide service in areas where this exists, or already providing services in these areas, should be required to contribute annually to a fund to subsidize cost of Internet service in order to "qualify" to provide Internet connectivity services. Also, the service should be at least 100/25; ideally a symmetrical 100/100.

**Q2 Minimum and Maximum Award amounts:**

Suggestion: Consider prioritizing requests to those areas in which the unserved and underserved are highest as a percentage of overall population. And those areas in which providers have committed to providing fiber-based fixed wired services to ALL areas of a municipality. Rather than just those areas that are of highest density and revenue potential ("cherry-picking" not allowed and disqualifies a provider from receiving any CPF funds).

**Q3 Matching Funds:**

Suggestion: Regardless of the level of matching funds, any application should include matching contributions from both public firms and private firms. No one entity should be held accountable for total support of any broadband build out.

**Q4 Challenge Process Period:**

Suggestion: 60 days may be a more reasonable time for the submission of challenges. Additionally, what information would be provided to applicants with regards to current state of maps defining unserved and underserved? Not just FCC Fabric Maps, but also any additional information that has been gathered since the FCC Jan 13th deadline. And, additional information regarding availability of "public use" middle mile infrastructure that would facilitate last mile connectivity to rural and high-cost pockets of unserved and underserved locations.

**Name:** Gerald Strait

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

\$47.00 for 7/.98 internet speed on a good day. a month

**Q2 Minimum and Maximum Award amounts:**

Not answered

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Not answered

**Name:** Jason Shady

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Live in Hesston, Pa and we have no internet provider period.. It would be nice for people in this area to just have access to The Internet.. This is a low income area.. So \$60/month??...

**Q2 Minimum and Maximum Award amounts:**

This area should get enough \$ to provide Internet to I can't say exactly because of need to know what it costs to provide Internet service to a certain number of homes..

**Q3 Matching Funds:**

Without a cost evaluation to install I can't comment.

**Q4 Challenge Process Period:**

No.. More like 60 to 90

**Name:** Theresa Pinsent

**Organization:** constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Affordable should equal federal minimum wage for tipped employees, end user to pay \$2.35 per month for broadband..

**Q2 Minimum and Maximum Award amounts:**

More than 3 awards, to encourage competitive bidding, with penalty for overruns. Range of award amounts would be tied to area, square miles, to be serviced..

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Not answered

**Name:** MARK PROUDFOOT

**Organization:** CONSTITUENT

**Affiliation:** Constituent

**Q1 Affordability Definition:**

relative cost to minimum wage - should not be more than 1 hour paid work per week at that wage

**Q2 Minimum and Maximum Award amounts:**

1 award per county and split based on number of counties needing internet

**Q3 Matching Funds:**

1/10 match of government funding to applicants funding for those using wireless technology and 1/1 match for fiber or wire based technology. Ensure the best (highest data flow, least error) technology with least negative health effects is encouraged

**Q4 Challenge Process Period:**

No, finished proposals should be advertised for review and 6 months review period allowed before any approvals of a projectfunding



**Name:** Matthew Baran

**Organization:** constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

As the day and age we live in it is hard to engage without access to the internet. I would say the focus would be on expanding the networks to rural areas where there is currently no service. To extend service from my neighbors to our house it cost us 5600.00 I do not think that is affordable.

**Q2 Minimum and Maximum Award amounts:**

It should be on a case by case basis to move the reach of providers. each case is different, it should cover the costs associated with extending the service territory.

**Q3 Matching Funds:**

10-20% would be acceptable, but there should be an income threshold where if people are below the poverty line that should be waved.

**Q4 Challenge Process Period:**

Yes I feel a month is more than enough time as long as those affected have been given notice.

**Name:** Jeff Whitman

**Organization:** Constituent of Albert is, PA

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Dear Pennsylvania Broadband Authority, I hope this letter finds you well. As a citizen of Pennsylvania am writing to express my strong support for the proposed grant rules for the capital project funds grant that are outlined below. I believe that adopting these rules would be a critical step towards solving the broadband divide in Pennsylvania. The proposed rules provide a clear and comprehensive framework for expanding fiber-to-the-x (FTTx) connectivity to unserved individual demand points as defined by the FCC. The gap analysis will enable Pennsylvania to efficiently analyze and prioritize geographic areas and projects, optimizing the use of public grant dollars. By requiring applicants to prepare a detailed High-Level Design with and Bill of Materials, only considering FCC unserved demand points (which can be provided by Pennsylvania) these rules ensure that the funds are used in a transparent and accountable manner. The requirement of a minimum 25% match, with a minimum project size of \$1,000,000 and a maximum of \$10,000,000, ensures that the funds are used efficiently, while also providing an opportunity for public-private partnerships. The grants should not go to those entities who can not provide broadband service to end users, as Pennsylvania Statute does not allow governmental entities to operate a Internet Service Provider. Furthermore, the requirement for applicants to demonstrate financial stability helps to ensure that the projects will be completed and sustained in the long term. This, in turn, will result in a more significant impact on the communities that are in need of improved broadband access. In conclusion, I strongly encourage the Pennsylvania Broadband Authority to adopt these proposed grant rules for the capital project funds grant. I believe that they will provide a strong foundation for expanding broadband access in the state and will help to address the digital divide. Thank you for your time and consideration. I look forward to hearing back from you.

**Q2 Minimum and Maximum Award amounts:**

See above

**Q3 Matching Funds:**

See above

**Q4 Challenge Process Period:**

See above

**Name:** Susan Jennings

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

The PA Broadband Development Authority (PBDA) should cease and desist deploying any further infrastructure for at least 3 important reasons: 1 – Environmental Health Trust, et al. v. FCC proved that the FCC's guidelines are now defunct as the FCC ignored approximately 11,000 pages of evidence of harm and the DC Circuit Court ruled against the FCC calling their actions "arbitrary and capricious." Safety is now up in the air. 2 - The week of May 23, 2022, the National Telecommunications and Information Administration (NTIA), which is overseeing the expenditure of \$42.5 billion in federal funds to increase broadband availability, announced that "priority funding" will be given to projects that provide fiber optic connections from end to end - all the way to the user's premises! Read the official announcement at this link: <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>. This demonstrates that even the U. S. government recognizes that fixed wireless broadband is old, slow, unreliable, and expensive technology that is not the solution to the digital divide or our rural broadband access problem. Fiber optic is faster, safer and more secure than wireless. We the People have already paid for fiber optic to the premises (FTTP) connections to and through the premises in our phone bills through the 1990's. We the People demand that the PBDA provide us with what we have already paid for in our phone bills. 3 - The 1996 Telecommunications Act's primary purpose is to "promote the safety of life and property." This applies to any infrastructure the PBDA will deploy. Since the FCC's guidelines are meaningless now, safety cannot be assured. Safety of life and property should be the main concern, not socioeconomic factors. Using safety, everyone, regardless of our situations, will be protected!

**Q2 Minimum and Maximum Award amounts:**

My son has several conditions that affect his neurological system – his brain. I have seen wireless radiofrequency electromagnetic microwave radiation (RF-EMR) affect him while doing physical therapy in close proximity to a "small" cell tower on top of the hospital. He did not improve with PT and he regressed to the point of not being able to walk. Over the next week or two, he continued to regress even further until he could not stop seizing. We had to rush him to the ER and he was admitted to the hospital for almost two weeks. If you can even imagine hospitals having this harmful infrastructure right on top of their buildings! My husband has stage 4 colon cancer and is doing very well at the moment after 11 years. We do not want the wireless RF-EMR to affect his condition and there is research showing it does. I myself have Multiple Sclerosis and Hashimoto's thyroiditis. I have brain fog, extreme fatigue, eye issues, and much more from living 24/7/365 with 14 cell towers and 57 antennas around our property within a 3-mile radius. All of our conditions can be exacerbated by this technology. All of our conditions are recognized disabilities by the Americans with Disabilities Act. I am asking you to protect the safety of life of the Pennsylvanians that you serve as board members of the PBDA. There is necessity of adhering to federal guidelines in giving out money. Long-term monitoring of the PBDA's decisions is warranted to make sure their guidelines comply with federal guidelines. The law, if followed, requires FTTP. The problem is that the law does not handle the RF-EMR generated once the cable comes to the building. Health impacts are covered if wired connectivity continues from the building to the devices. In order to protect individuals with electromagnetic sensitivity, FTTP to and through the building (to the devices) is a must. Again, this is what we paid for in our telephone bills.

**Q3 Matching Funds:**

Every board member should watch or read this information to learn more about the harm of wireless RF-EMR to see how this technology is affecting many people. • Court Judgement, United States Court of Appeals for the District of Columbia Circuit, Environmental Health Trust, et al. v. FCC, [https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFD7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFD7/$file/20-1025-1910111.pdf). • 26 Volumes of Evidence of Harm ignored by the FCC: [Childrenshealthdefense.org](https://childrenshealthdefense.org). 2022. [online] Available at: <https://childrenshealthdefense.org/wp-content/uploads/Volume-27.pdf>. • Smart Meter Legal Action - Alexia McKnight, from Chadds Ford, PA, shares her testimony. After experiencing unexpected and unidentifiable symptoms, Alexia began to wonder what was the root cause. What she

discovered about this invisible toxin that exists in and around our own homes will shock you!  
<https://live.childrenshealthdefense.org/chd-tv/shows/the-peoples-testaments/smart-meter-legal-action/>  
 • What We ALL Need to Know to Protect our Health, Dr. Rob Brown, Diagnostic Radiologist, has authored many peer-reviewed articles as well as several book chapters in the radiology literature. Over the past few years, Dr. Brown has furthered his research and understanding of the health effects from electromagnetic radiation, and in particular, radiofrequency radiation.  
[https://www.youtube.com/watch?v=Tyj5eTBuEas&list=PLPpm0ZH41oVcIKK\\_fQrtI2wN\\_fHiVzJlW&index=16](https://www.youtube.com/watch?v=Tyj5eTBuEas&list=PLPpm0ZH41oVcIKK_fQrtI2wN_fHiVzJlW&index=16)  
 • A Tale of Two Meters, Children's Health Defense PA Chapter, several Pennsylvanians who are suffering harm are discussed and more, <https://pa.childrenshealthdefense.org/uncategorized/a-tale-of-two-cities/>  
 • Massachusetts Association of Health Boards, Letter of Amicus Curiae, Courtney Gilardi, et al v. Linda Tyer et al, Docket No. 2276-CV-00127, establish that wireless radiation is a threat to every community. MAHB Executive Director Cheryl Sbarra, J.D., and her Senior Staff Attorney indicate the Emergency Order to Verizon "was rescinded as a result of coercion or other over-reach by the Mayor and City Council."  
<https://static1.squarespace.com/static/5ed0007ce169954eea17b10b/t/63eaedf7591d4b6208e3999e/1676340728040/Amicus+Letter+MAHB+021223+.pdf>  
 • Pittsfield Board of Health – Emergency order – filled with much information on the wireless issue, including letters and testimony from experts, testimony and research on cell towers and radiofrequency, video resources, and public testimony to the Board of Health. See this info at: <https://ehtrust.org/wp-content/uploads/Pittsfield-Health-Board-Cell-Tower-Order-to-Verizon-April-11-2022-FINAL-REDACTED.pdf>  
 • State of New Hampshire Final Report on Commission to Study the Environmental and Health Effects of Evolving 5G Technology, recommendations, pp. 1-21.  
<https://www.gencourt.state.nh.us/statstudcomm/committees/1474/reports/5G%20final%20report.pdf>  
 • Take-Aways from the New Hampshire HB522 Commission on 5G Final Report, Slides by Dr. Kent Chamberlin, <https://wireamerica.org/wp-content/uploads/2021/07/2021-0705-Chamberlin-Slides-for-Pittsfield-MA.pdf>  
 • Letter from Dr. Kent Chamberlin to Psychology Today, <https://www.emfacts.com/wp-content/uploads/2022/09/Kaja-Perina-Psychology-Today-Chamberlin.pdf>

#### **Q4 Challenge Process Period:**

Absolutely not! The PBDA should cease and desist deploying wireless broadband since the FCC's guidelines are no longer applicable. The PBDA board members should thoroughly educate themselves on the safety issues at the links I have provided in question 9. Do the board members have children? Do they have grandchildren? They, too, are exposed to wireless RF-EMR 24/7/365. Please protect ALL Pennsylvanians, including your families by halting the deployment of wireless broadband until the FCC complies with the DC Circuit Court!

**Name:** Mark Poepping

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

I think it would be better to consider affordability as a hybrid concept to include a target base price for minimum adequate service (100/20), acknowledging that there should be subsidy programs for those unable to pay. Since (as I read them) existing legal mandates preclude the state from mandating retail service offerings below cost, some notions for cost-leveling need to be part of an overall design for universal, equitable broadband to include fees for low-cost construction areas to subsidize high-cost areas to balance the costs for baseline service - premium services in high-cost areas need not be subsidized.

**Q2 Minimum and Maximum Award amounts:**

Raw numbers aren't useful. The guidelines for this program should be considered in conjunction with BEAD guidelines and a view on all other resources that may be brought to bear in hopes of maximizing TOTAL value for PA. With that perspective, a comprehensive vision of the target capability and its components has a chance to be efficient and sustainably evolve with our own demand and maturity. This aspiration would be a complicated economic and technical model to construct and explain to a constituency, but avoiding the question may lead to ignoring significant transformational possibilities for PA.

**Q3 Matching Funds:**

Does Title66 not preclude the imposition of requirements beyond the terms of the federal grants? I don't think the federal grants include any specific capitalization or investment requirement. Even when matching funds are requested, there are generally options for waiver. Perhaps it's my misunderstanding or perhaps there's a conflict between the two documents, but that should be clarified. -- I think it is sensible to consider matching funds in proposals, but it must be carefully done and with full awareness of the possibility for highly capitalized firms to overwhelm such a process only to gain subsidies for work they'd otherwise plan to do. This is tricky business and one which leads me to wonder about alternate models for segmenting the market - perhaps as has been done in the electric utility market - might at least some of the transport be viewed as shareable infrastructure (like roads and transmission lines) instead of proprietary assets, and might that open the market to innovation and price competition as has occurred in the electric generation market. Current capabilities could remain proprietary but new infrastructure could be more comprehensively designed and leverage existing gov't resources (esp rights-of-way) to benefit all instead of the ad hoc patchwork that we have today.

**Q4 Challenge Process Period:**

While always important, I think this question could be less critical if there was less for an individual actor to gain by 'winning a bid'. How about if Pennsylvania wins with every bid, and we're happy for somebody to take the responsibility to ensure success without gaining (potentially unfair) competitive advantage for years to come.

**Name:** Susan Jennings

**Organization:** Constituent

**Affiliation:** Constituent

**Q1 Affordability Definition:**

Since I commented the last couple of days, two more interesting pieces on radiofrequency electromagnetic microwave radiation were published. The PBDA should take time to listen to Dr. Alexia McKnight's testimony of the harm she has experienced with the "smart" meter that was deployed on her home. She proved harm! Also, more evidence of harm. The PBDA should read the article on 5G harm as this is what you will be deploying on every Pennsylvanian. It seems you should want to protect the safety of We the People of Pennsylvania and not harm us. Dr. Alexia McKnight, from Chadds Ford, PA, shares her testimony on CHD.TV. After experiencing unexpected and unidentifiable symptoms, Alexia began to wonder what was the root cause. What she discovered about this invisible toxin that exists in and around our own homes will shock you! <https://childrenshealthdefense.org/defender/5g-cell-towers-microwave-syndrome/> 5G Towers Can Make Healthy People Sick, Two Case Reports Show A new case report on two previously healthy men who developed "microwave syndrome" symptoms after a 5G cell tower was installed on the roof of their office, and a similar report published last month, show that non-ionizing 5G radiation can cause health problems in people with no prior history of electromagnetic sensitivity. <https://childrenshealthdefense.org/defender/5g-cell-towers-microwave-syndrome>

**Q2 Minimum and Maximum Award amounts:**

Not answered

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Not answered

**Name:** Matt Hoppes

**Organization:** River Valley Internet

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

I feel like neither income nor education nor competition should set price. I feel like, regardless of the situation, a base intro package of \$50 should be offered. This is a good starting price that almost anyone can afford, and with the ACP it's only \$20/month.

**Q2 Minimum and Maximum Award amounts:**

If the goal is to get broadband everywhere, I feel like there shouldn't be ranges. It should be given out in such a fashion that internet is provided everywhere it is needed.

**Q3 Matching Funds:**

In many cases, a match may make the project prohibitive and prevent it from happening. For example, an entity requesting 25 million is 6.2 million. An Internet Service Provider may never have a return on this if the area is very rural.

**Q4 Challenge Process Period:**

Yes

**Name:** Matt Wiertel

**Organization:** Velocity Network

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Providers should be required to be enrolled in ACP and offer a \$30.00 plan that would net to no cost to subscriber in areas they are using CPF funds. Also looking at the current cost of the incumbent versus any new entrant could be used if there is only (1) provider in the area.

**Q2 Minimum and Maximum Award amounts:**

I would think \$500,000 or \$1,000,000 as the minimum. Depending on size, awards should range from \$1 Million to \$10 Million. However, if the awards have to fall within PA's Prevailing Wage guidelines (as current broadband lineman rates are much higher than other states), then the awards might need to be increased to accommodate for the cost issue.

**Q3 Matching Funds:**

10 % to 25 % would seem to be a good amount of matching requirement.

**Q4 Challenge Process Period:**

30 - 45 days would seem to be adequate time for a challenge.



**Name:** Chad Carrick

**Organization:** REA Energy Cooperative, Inc. and In The Stix Broadband

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Funding and affordability should be directly tied to the amount of a build subsidy for an area. For example, if income and educational levels are very low in an area, then the subsidy may be as high as 100% versus an area with higher income and education may have a subsidy of 50% and require a 50% match. In return, there can be a matrix that requires the provider to offer a good basic service for a 5-year fixed price. For instance, if a provider gets 100% subsidy, then they would have to offer a good basic service for lower 5-year fixed price than a 50% subsidy.

**Q2 Minimum and Maximum Award amounts:**

Grants should be no larger than \$2,000,000 increments. Entities can propose more than one block and preference given to entities that connect the build areas with 100% coverage. Effort should be made so that no entity can "cherry pick" areas.

**Q3 Matching Funds:**

20 - 25% of direct or in-kind match requirement should be required. Having a match will make entities have personal or business interest, which will make the builds more successful.

**Q4 Challenge Process Period:**

yes - no more than 45 days.

**Name:** Nick Weakland

**Organization:** In The Stix Broadband

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

I do not a recommendation on this. PLEASE focus on awarding grants to 100% coverage builds.

**Q2 Minimum and Maximum Award amounts:**

I firmly believe the awards should be made in smaller amounts to many different providers. Something in the range of \$2,000,000 each with one provider able to receive no more than 5 awards (something like that). PLEASE focus on awarding grants to 100% coverage builds.

**Q3 Matching Funds:**

This is highly location dependent. Some areas are simply impossible to built to without 100% subsidy. On a related note, some areas are getting harder and harder to justify fiber buildouts when a cable provider gets funding in an area and only goes 3/4 of the way down a rural road. Or a Wireless Internet Service Provider deploying a tower and that only serves 40% of the area due to propagation issues. This only alienates those very rural last few and exacerbates the problem for them. PLEASE focus on awarding grants to 100% coverage builds.

**Q4 Challenge Process Period:**

yes - 30 is adequate.

**Name:** David Gibbons

**Organization:** Centre WInternet Service Provider and Black Bear Fiber

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

The FCC and USAC has already set standard upper limits for its high-cost program participants such as RDOF awardees. Those should be the basis so that we do not have more than one metric to keep track of. Participation in the ACP, and offering of a package that fits within the cost boundaries of the ACP should be required.

**Q2 Minimum and Maximum Award amounts:**

Minimum \$2M, maximum \$10M provides enough meat on the bone to really get some big projects done, while not using up all of the money in one location.

**Q3 Matching Funds:**

25%

**Q4 Challenge Process Period:**

Yes, as long as they are well-advertised.

**Name:** Rob Troxell

**Organization:** Upward Broadband

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Price, ACP participation, affordability based on sufficient speeds for users (not everyone needs 1 gig)

**Q2 Minimum and Maximum Award amounts:**

At least 20 awards, \$500k-10m award amount, not project size

**Q3 Matching Funds:**

Encourage but not require a match. Make clear the scoring for match (for example 5 points for 10%, 10 points for 25%, 50 points for 25%)

**Q4 Challenge Process Period:**

yes with reasonable documentation

**Name:** Bonnie Gray

**Organization:** Beaver Valley Cable Co. Inc

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Affordability is all in the eye of the beholder. If a product or service is worth having most of the time you find a way to have it. The current broadband market trend is faster for less money once you go fiber. If you look at Internet Service Provider websites and the cost per speeds these days it is shocking at how affordable high speed internet is, ALL except satellite internet pricing eek.

**Q2 Minimum and Maximum Award amounts:**

as long as the grant is asking for funds to service eligible locations they are in need what does the the dollar amount matter. All it does is discriminate against the little guys still in this business that care.

**Q3 Matching Funds:**

25% sounds fine

**Q4 Challenge Process Period:**

sure

**Name:** BRANDON BECK

**Organization:** RURAL BROADBAND COOPERATIVE

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Affordability should be assessed on service levels. There should be minimum service levels such as 25/3, and prices should be competitive with what you would pay for this service in metro areas.

**Q2 Minimum and Maximum Award amounts:**

I would like to see more smaller grants given out to smaller organizations. Small Internet Service Providers are usually more motivated to make the best use of the money and the benefit is directly seen in the community. \$500k would be a good size for smaller organizations to be able to utilize to really impact rural communities.

**Q3 Matching Funds:**

This requirement makes it difficult for smaller non-profit or low revenue organizations to participate. Matching should possibly be based on net revenue, realizing that organizations with more revenue generally spend less efficiently

**Q4 Challenge Process Period:**

120 days would be more reasonable, there are a lot of unknowns to the challenge process and it would give more time for the process to be understood

**Name:** John Thoma

**Organization:** Armstrong

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Price or cost of service. Internet Service Provider's should offer several levels of service to accommodate all needs. Customer will then have a low cost option but can choose to upgrade if the service is considered a priority.

**Q2 Minimum and Maximum Award amounts:**

Award totals should be predicated on the number of homes/businesses being served. The Internet Service Provider's that are located in close proximity would be the best choice logistically and for future service/maintenance support.

**Q3 Matching Funds:**

I feel a minimum of a 50% contribution should be granted to the Internet Service Provider to build out their fiber networks. Primary because the underserved areas have a poor return on investment and are usually remotely located.

**Q4 Challenge Process Period:**

30 or 45 days is a reasonable time to challenge.

**Name:** Bill Risse

**Organization:** We are a design-build technology integration firm working with more than 6 rural PA Counties

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Pricing should be 'honest' and not bundled with phone or TV packages. State can do a lot to keep prices low by helping to fund tower leases, and consumer premise gear. In areas where broadband adoption has been low, any monthly fee seems prohibitive to new users.

**Q2 Minimum and Maximum Award amounts:**

Plan on an award to improve service in each county where underserved population meets a valid application. This might be 50 grant projects of \$4M each depending on severity of underserved population. Knowing the specifics of procurement regulations, bidding requirements, foreign steel restrictions, eligible expenses, prevailing wage, letters of credit, and local government cooperation greatly impact project cost and timeline - and project viability and sustainability.

**Q3 Matching Funds:**

In the case where a municipal entity is the applicant and owner of the funded project there should be every attempt to satisfy match via in-kind resources. The authority could impose a lien on network assets in favor of the local municipality to help fund a smaller Internet Service Provider as requiring a cash match makes start up and operations more fragile when trying to serve an underserved population. A 25% match might be viable for a major telco that will also offer phone, cell phone and/or cable TV via the expanded infrastructure. .

**Q4 Challenge Process Period:**

30 days is reasonable. Keep in mind that the FCC has published new coverage maps and already provided a challenge process that should be considered valid. The Authority should not extend unwarranted challenge courtesy to providers who didn't participate in the FCC process.



**Name:** Andrew Heaton

**Organization:** Tekniam, Inc.

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

[Apparently there is a word limit, so we are submitting our response to #7 in two parts. Following is Part 1]

The U.S. Treasury Department "Guidance for the Coronavirus Capital Projects Fund for States, Territories & Freely Associated States" (hereafter cited as "Treasury Department Guidance"), available at GUIDANCE FOR THE CORONAVIRUS CAPITAL PROJECTS FUND (treasury.gov), at p. 4 makes clear that: "Recipients are encouraged to address affordability as a barrier to full use of the internet when developing their Program Plans for Broadband Infrastructure Projects. Affordability of broadband is necessary to directly enable its use by all Americans. Therefore, when selecting Broadband Infrastructure Projects for Capital Projects Fund grant funding, Recipients are required to consider whether the broadband service options offered by recipients of Capital Projects Fund grant funding will be affordable to their target markets in the proposed service area." Thus, the Pennsylvania Broadband Development Authority correctly focuses on affordability as a critical factor in selecting broadband deployment grantees. And the best way to achieve affordability is to ensure that in selecting grantees, the State or County selects the most efficient option. The Pennsylvania Capital Projects fund is a finite amount of money. Spending more than necessary on any one project means that fewer presently unserved or underserved households will be able to get reliable, high-quality broadband internet that is necessary for full participation in school, healthcare, employment, social services, government programs, and civic life. Thus, the Pennsylvania Broadband Development Authority should avoid making "the best the enemy of the good." (MCI Telecommunications Corporation v. FCC, 27 F.2d 322, 341-42 (D.C. Cir. 1980) ("The best must not become the enemy of the good, as it does when the FCC delays making any determination while pursuing the perfect tariff.")). Tekniam recognizes that fiber-to-the-home technologies can provide multi-gigabit speeds. And the Treasury Department Guidance at p. 3 indicates that "Recipients are encouraged to prioritize investments in fiber-optic infrastructure." But it is not an unqualified recommendation – use of fiber is recommended "where feasible." And for many of the unserved and underserved locations in Pennsylvania, using the limited Capital Projects fund to deploy fiber-to-the-home technology in low-density situations would be very expensive, thus dramatically limiting the number of homes that would gain robust, reliable broadband service. Tekniam thus urges the Broadband Development Authority to allow efficient wireless technologies, like that provided by Tekniam, to be eligible for the Capital Project fund. Tekniam's innovative technology meets the eligibility criteria specified in the Treasury Department Guidance (p. 3): "The construction and deployment of broadband infrastructure projects ("Broadband Infrastructure Projects") are eligible for funding under the Capital Projects Fund program if the infrastructure is designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical download and upload speeds of 100 Mbps. If it would be impracticable, because of geography, topography, or excessive cost, for a Broadband Infrastructure Project to be designed to deliver services at such a speed, the Project must be designed so that it reliably meets or exceeds 100 Mbps download speeds and between 20 Mbps and 100 Mbps upload speeds and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds." Tekniam's technology can provide 100/20 Mbps service initially, with the capability of subsequent upgrades to permit symmetric upload and download speeds. But even with the initial

**Q2 Minimum and Maximum Award amounts:**

Tekniam urges the Pennsylvania Broadband Development Authority set a maximum amount of \$5 million for a grant award under this Capital Projects Fund program. Such a limit should allow more areas across the state to benefit from this program, thus helping to "spread the wealth." In addition, such moderately-sized projects should allow for faster deployment. Tekniam also suggests that the Pennsylvania Broadband Development Authority give great weight to county officials in determining which projects to fund, because they have a better sense of their communities' needs. Indeed, reliance on the Counties to assess needs is consistent with the Treasury Department Guidance (p. 2), which provides: "Capital Projects Fund Recipients may award funds to Subrecipients, such as other levels or units of government (e.g., municipalities or counties), non-profits, or private entities."

**Q3 Matching Funds:**

Tekniam believes that it would be appropriate for the Pennsylvania Broadband Development Authority to require a 25% match for the Capital Projects Fund program. Such a matching requirement would be consistent with the BEAD program, and it would ensure that the grant recipients had “skin in the game.” On the other hand, given the high-costs and low-density that caused these still unserved and underserved areas despite years of FCC broadband subsidy programs (including the high-cost fund, the Connect America Fund and the Rural Digital Opportunity Fund), requiring a greater than 25% match would discourage participation in the program.

**Q4 Challenge Process Period:**

Tekniam believes that a 30-day challenge period is a reasonable amount of time. Assuming the Pennsylvania Broadband Development Authority adopts our suggested \$5 million limit, the projects will be moderate in size. Moreover, it is critical to avoid any unnecessary delays in getting broadband service to these unserved and underserved households.

**Name:** Andrew Heaton

**Organization:** Tekniam, Inc.

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

[Apparently there is a word limit, so we are submitting our response to #7 in two parts. Following is Part 2] deployment of 100/20 Mbps service, customers in multi-person households can simultaneously utilize multiple applications such as videoconferencing to support remote learning, telehealth and work-from home. According to the FCC's Broadband Speed Guide (<https://www.fcc.gov/consumers/guides/broadband-speed-guide>), the necessary speeds for common activities are:

Activity	Minimum Download Speed (Mbps)
General Browsing and Email	1
VoIP Calls	1
Less than 0.5 Student	5 - 25
Telecommuting	5 - 25
File Downloading	10
Social Media	1
Streaming Standard Definition Video	3 - 4
Streaming High Definition (HD) Video	5 - 8
Streaming Ultra HD 4K Video	25

Moreover, Tekniam's technology can be deployed very rapidly, thus accelerating the unserved and underserved households' ability to meet the Treasury Department Guidance (p. 1): "Investing in broadband for communities sensitive to or that have historically experienced these inequities will be critical for improving digital equity and opportunity, especially in the case of communities that currently lack access to the affordable, reliable, high-quality broadband internet that is necessary for full participation in school, healthcare, employment, social services, government programs, and civic life." The pandemic has reinforced the need to end the digital divide as quickly as possible. Finally, it is particularly important for advancing affordability to allow efficient, other than fiber-to-the-home technologies, because the Treasury Department Guidance (p. 11) specifies that the Capital Project Fund grants may not be used to subsidize operating expenses. Thus, the burden of operating costs, including depreciation, will be borne by subscribers. Although there are currently two federal programs that directly subsidize individual households' purchase of broadband service, the Lifeline Program only provides \$9.25 per month. And while the Affordable Connectivity Program provides a higher benefit of \$30 per month, that program is projected to run out of funding by mid-2024 (<https://www.vernonburggroup.com/blog/when-will-affordable-connectivity-program-funding-run-out>). Thus, spending money on the best technology – fiber optics – would not lead to affordable broadband service in low-density, high-cost areas.

**Q2 Minimum and Maximum Award amounts:**

Tekniam urges the Pennsylvania Broadband Development Authority set a maximum amount of \$5 million for a grant award under this Capital Projects Fund program. Such a limit should allow more areas across the state to benefit from this program, thus helping to "spread the wealth." In addition, such moderately-sized projects should allow for faster deployment. Tekniam also suggests that the Pennsylvania Broadband Development Authority give great weight to county officials in determining which projects to fund, because they have a better sense of their communities' needs. Indeed, reliance on the Counties to assess needs is consistent with the Treasury Department Guidance (p. 2), which provides: "Capital Projects Fund Recipients may award funds to Subrecipients, such as other levels or units of government (e.g., municipalities or counties), non-profits, or private entities."

**Q3 Matching Funds:**

Tekniam believes that it would be appropriate for the Pennsylvania Broadband Development Authority to require a 25% match for the Capital Projects Fund program. Such a matching requirement would be consistent with the BEAD program, and it would ensure that the grant recipients had "skin in the game." On the other hand, given the high-costs and low-density that caused these still unserved and underserved areas despite years of FCC broadband subsidy programs (including the high-cost fund, the Connect America Fund and the Rural Digital Opportunity Fund), requiring a greater than 25% match would discourage participation in the program.

**Q4 Challenge Process Period:**

Tekniam believes that a 30-day challenge period is a reasonable amount of time. Assuming the Pennsylvania Broadband Development Authority adopts our suggested \$5 million limit, the projects will be

moderate in size. Moreover, it is critical to avoid any unnecessary delays in getting broadband service to these unserved and underserved households.

**Name:** Pedro Romero

**Organization:** Verizon

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Broadband adoption by consumers in geographic markets served by one or more providers has been widespread and successful. This is particularly true in urban and suburban areas with multiple wireline and wireless providers, where Internet Service Providers compete to offer attractive pricing to consumers, and prices have continued to drop in recent years. (See, e.g., <https://ustelecom.org/wp-content/uploads/2022/06/USTelecom-Broadband-Pricing-Report2022.pdf>). Thus, pricing that is based on competitive marketplace conditions and that is comparable to or substantially consistent with pricing in already-served areas of the state should be deemed “affordable” for Treasury guideline purposes in grant-funded areas that target unserved and underserved consumers.. Further, providers who offer service without consumer data caps should earn additional points in weighting or scoring because they offer consumers more for their dollars. Relying on comparability is how other states in the region have implemented Treasury’s affordability requirements. For example, in the Delaware Broadband Infrastructure Grant Program, applicants were required to include “Description of discount, low income, and affordable service tier offerings...” Delaware BIG Program, Request for Grant Applications, at 9. Delaware also required bidders to “agree to offer services and pricing over the broadband infrastructure funded by the State that are largely consistent with those offered in more densely populated areas of Delaware.” The Authority should not separately require bidders to engage in lengthy, complicated analyses of market conditions or demographics to meet affordability requirements. As noted above, the broadband market is highly competitive, and retail offerings of providers are subject to competitive pressure. So as long as providers commit to offering their generally available products and services to the unserved customers in grant-funded areas at pricing comparable to what is offered in unfunded areas, there is no need to require separate analyses or substantiation. Additionally, bidders should be deemed to meet any obligation to offer a low-cost service by participating in the government’s Affordable Connectivity Program (ACP). Requiring bidder participation in the ACP to meet low-income affordability requirements would significantly reduce implementation costs and would help minimize customer confusion by relying on one single source -- the existing National Verifier -- to confirm household eligibility. Other neighboring states have followed the same approach. For example, in Maryland, the Connect Maryland, FY23 Network Infrastructure Grant Program included “Affordability and Service Limitations” as part of its Scoring Criteria, specifying that points will be awarded if “[t]he grantee offers a discounted plan for low/moderate income subscribers (may utilize ACP requirements for eligibility).” Connect Maryland, FY23 Network Infrastructure Grant Program at 18. In Virginia, the 2023 Guidelines for the Virginia Advanced Telecommunications Initiative Program state that “[a]pplicants are encouraged to describe digital equity efforts to ensure low to moderate income households in the proposed project area will have affordable access to speeds at or above 100/20 mbps, include information regarding the internet service provider’s participation in the Affordable Connectivity Program.” VATI 2023 Guidelines at 8. And in Connecticut, “[e]ach of the internet service providers funded by the program will participate in the FCC’s Affordable Connectivity Program (ACP) – a \$30 per month subsidy for low-income families.” See <https://home.treasury.gov/news/press-releases/jy0931>. (Note that Treasury has already approved the Capital Projects Fund programs for Connecticut, Maryland, and Virginia, clearly signaling that those programs comply with all of Treasury’s American Rescue Plan Act broadband requirements, including for affordability.)

**Q2 Minimum and Maximum Award amounts:**

The Authority should not pre-set a minimum number of awards or impose a cap on award amounts to a specific bidder. It may be that one bidder provides an attractive, competitive, and comprehensive solution for large sections of the entire Commonwealth, or that a broader set of bids, each for a specific region or area, provide the best outcome of the RFP. By permitting bidders to craft proposals that best put forth a substantial effort to address the un- and underserved locations identified based on their resources and abilities, the Authority can most efficiently seek to close the digital divide. In its bid assessment process the Authority also should recognize that there are economies of scale as well as other deployment and administrative efficiencies from awarding bids across larger areas, particularly when projects to reach those

locations can be designed to best maximize existing infrastructure. Artificially carving areas into sub-units, municipalities, counties, or portions of counties may not allow for the most economic and efficient bids overall. Larger-scale bids may also allow the Authority the ability to streamline its own award processes and contract negotiations. The Authority should also preserve its ability to work with bidders in order to revise a bid if there is a subsequent successful partial challenge in order to maximize its overall end result to the Commonwealth.

### **Q3 Matching Funds:**

The BEAD program's requirement for a minimum 25 percent match is a good template for the Authority to use for its program. Neighboring states have used a similar minimum match requirement. Delaware required a minimum of 25 percent, with larger matches viewed more favorably; Virginia required a minimum 20 percent; and Maryland required minimums of 10 to 30 percent, based on population density, with larger matches viewed more favorably. Therefore, requiring a minimum match within a range of 20 to 30 percent is appropriate, with higher percentage match contributions offered by providers eligible for additional points or preferences.

### **Q4 Challenge Process Period:**

Determining a reasonable timeframe for a challenge period is largely dependent on the completeness of address data (e.g., street number, street, city, zip code) within the submissions and standardization of data sources used. For example, if the Authority requires all bidders and challengers to use the same data source, such as the FCC's National Broadband Map, and to provide their information in the same format (e.g., in preferential order, .shp .csv, .kml with address attributes,) then a challenge process can be run efficiently. The challenge process can be more uniform across bidders if given data is provided at an address level versus a polygon level where bidders must determine addresses within the polygons. If all information is complete and is required to be from the same source and in the same format, then 30 days is a reasonable amount of time for challenges to be filed, with an additional 30 days for responses and rebuttal. But if there is no standardization of data sources and formats, then more time will be needed. Regardless of the schedule used for the challenge process, it is imperative that the Authority allow applicants to make modifications to their proposals in the event that a successful challenge renders some locations from the initially-filed proposal ineligible for funding. Significant time and effort is devoted to modeling a proposal, in terms of network design and finance, so any material change to the areas eligible for funding should result in applicants being allowed sufficient additional time to modify their proposals. In addition, once any modifications are made to proposals after successful challenges, there should be no further opportunity to file challenges, regardless of build plans or new broadband expansion from providers. The industry and market are dynamic, so the status of locations is constantly changing, yet there needs to be finality for an efficient bidding and deployment program. The set of biddable locations should be established at one specific time based on one iteration of the National Broadband Map or other data source, rather than giving providers the ability to "game" the system by subsequently building or promising to build in a location after another provider has bid on it. Further, providers who seek to challenge a location based on an existing federal or state/local award should, for their challenge to be successful, agree to build within the same time period as the bidder. Providers who challenge based on a commitment to build three or four years after the end date a bidder has offered should not be able to prevent a faster closing of the digital divide.

**Name:** Doug Friend

**Organization:** Vitalink LLC

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Replicate guidelines established with the FCC Affordable Connectivity Program.

**Q2 Minimum and Maximum Award amounts:**

Total project size minimum award \$500,000. Ideal project range \$1,000,000 to \$3,000,000.

**Q3 Matching Funds:**

25% match for a traditional build is reasonable. However, when building in more rural and less dense areas even a 25% match could render a not viable. Certain waivers need to be considered especially if the project is reasonable and efficient and servicing high cost last mile locations.

**Q4 Challenge Process Period:**

30 days is reasonable to identify and preliminarily challenge an area but additional time should be considered to permit the challenger to provide more specific supporting detail as may be requested by the Authority to render a decision.

**Name:** Ross Henzkel

**Organization:** DQE Communications LLC

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Affordability should be assessed solely for households that have limited incomes (as per federal poverty income guidelines) and/ or are receiving specific government assistance programs like the school lunch program, Medicaid, LIHEAP, SNAP, Cash Assistance, SSI disability, etc. For the remainder of the population, normal market dynamics should apply. Data caps charges for low income or the remainder should not apply.

**Q2 Minimum and Maximum Award amounts:**

A minimum \$500,000 to maximum of \$20,000,000 per award is appropriate. Less than \$500,000 per award will most likely lead to suboptimizing resources and/ or efficiencies. A \$20,000,000 upper cap on awards represents 20% of the total program allocation and avoids over concentration of one or two vendors. The minimum number of awards should be not less than five.

**Q3 Matching Funds:**

25% match is an appropriate level of match contribution for the program applicant. However, when calculating 25% match contribution it must allow credit for the applicant's in-kind services (internal labor, engineering, permitting, etc.) as well as the costs for installing laterals and service equipment to customers. Secondly there will most likely be areas that are not economically feasible when a 25% match is required. Such areas would include those with very low density of homes per mile. In these areas, the Authority should adopt a model of match contribution in the amount of \$500 - \$1,500 per addressed location.

**Q4 Challenge Process Period:**

Thirty days is an appropriate amount of time for challenges.



**Name:** Kelsey Kenney

**Organization:** Wire Tele-View Corp.

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

For a customer I believe it should be affordable but for a small business to provide cheaper service cost a lot.

**Q2 Minimum and Maximum Award amounts:**

1 million

**Q3 Matching Funds:**

We have higher speeds then 25/3

**Q4 Challenge Process Period:**

yes

**Name:** Kyle V. Lane

**Organization:** Claverack Rural Electric Cooperative/Claverack Communications

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

The program should be open to previously funded areas where awardees are now offering service at or below 25/3. Examples would be CAF and CAFII. Significant awards were provided to satellite providers in these earlier FCC funding opportunities. Unfortunately, these providers are delivering inadequate service at high cost (more than \$100 monthly for 25/3 service). Additionally, the service is high latency and often data capped, resulting in less than basic 25/3 service after monthly data limits are exceeded. By not allowing access to the \$200 million grant program in these areas, significant rural populations will be permanently disadvantaged. These populations are in the most rural areas of our state, with low population density and economic challenges. Access to high-speed internet service, better than the low-speed, high-latency service currently available in these areas, is essential for work, health, education and access to critical services. If funding is not available in these low-density rural areas to offset the high construction and operating costs, it will not be economically feasible for communications providers to build modern, high-speed networks in these areas. This will result in a rural population that is conscribed to "second class" citizenship compared to more populated areas throughout the state.

**Q2 Minimum and Maximum Award amounts:**

We believe typical awards should range between \$5 million - \$15 million with a minimum of 20 awards. One impediment to controlling construction costs and maximizing the effective reach of any grant-funded project requiring prevailing wage determination is the fact that Pennsylvania does not currently have a "communication worker" prevailing wage rate. This results in use of the Electric Lineman rate, which is substantially higher than the actual prevailing wages for a communications lineman. We believe consideration should be given to establishing a market-based prevailing wage rate for communications linemen/workers.

**Q3 Matching Funds:**

A 25% match should be the minimum to assure that bidders are committed to constructing in these rural, high-cost areas.

**Q4 Challenge Process Period:**

We believe that 30 Days is a reasonable amount of time for providers to put together an accurate challenge. Incumbent providers should be required to submit proof that the claimed level of service is currently available to 100% of the census block, not just one location within the census block. This is particularly important in rural areas where census blocks are much larger geographically and service from technologies like DSL can vary dramatically with distance across large census blocks.

**Name:** Rene Gonzalez

**Organization:** Lit Communities Broadband Inc. & Lit Fiber - York

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

By only allowing existing Internet Service Providers to participate in the last mile funding opportunity, the expectation of addressing affordability should be met with reality. In fact, part of the reason why Internet Service Provider monopolies exist across the US, and in Pennsylvania is due to the incumbents ignoring the need to invest in better technology, specifically in areas where socioeconomic conditions are poor and challenging.

**Q2 Minimum and Maximum Award amounts:**

Given that the PBDA is only allowing for existing Internet Service Providers to access the last mile funding, I would encourage a very low funding range to allow for the greatest number of awards. Because existing Internet Service Providers are the only allowed last mile applicants, then the PBDA should expect very strong financial capacity to deploy in a given market and therefore should only need a small amount or "gap" funding necessary to achieve an acceptable cost per household passed threshold. Recognizing that multi-billion dollar incumbents could potentially benefit from this program, it should be expected that those respective entities leverage their own assets and balance sheets to deploy into unserved areas on their own expense. This approach could result in a greater number of awards, spread across the entire Commonwealth of Pennsylvania vs. a few projects.

**Q3 Matching Funds:**

As mentioned previously, the majority of applications that the PBDA will likely receive will be a mix of existing incumbent providers, including private entities that have access to financial capital and the capacity to undertake expansions of their networks with their own reinvestment of profit. To fund as many project opportunities as possible, we suggest that the match be a minimum of 25% with additional points for matching above that amount.

**Q4 Challenge Process Period:**

Yes, 30 days is an acceptable timeframe for providers to review the challenge and understand the nature of the application to determine whether the basis for a challenge is warranted based on ability to serve the proposed area and/or confirm if the project location is already permitted and deployment is underway.

**Name:** Jacob Lester

**Organization:** Upward Broadband LLC

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Upward Broadband would suggest that affordability is best accounted for by considering competition available and does not believe census socioeconomic data is an accurate indicator of affordability regarding connectivity access. Likewise, Upward Broadband would encourage the Authority to not assess affordability based on geographic location. Upward Broadband offers uniform and transparent pricing across the entirety of its service area.

**Q2 Minimum and Maximum Award amounts:**

Upward Broadband would encourage the Authority to have multiple awards (upwards of 20+); and would anticipate award amounts between \$200k-10m.

**Q3 Matching Funds:**

Upward believes a match is an important component of strengthening investment and strongly supports the eligibility of in-kind match under CPF and Upward Broadband would encourage the Authority to adopt transparent scoring criteria related to match (eg: 10%-5 points; 15%-10 points; 25%-20 points)

**Q4 Challenge Process Period:**

Yes. A 30 day challenge process should be reasonable. Upward Broadband would clarify however that requiring speed test data from all individual locations challenged is not a realistic expectation for challengers.

**Name:** James M D'Innocenzo

**Organization:** Comcast

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

When assessing "affordability" in its review of applications for deployment funding, the Authority should consider several criteria, including an applicant's total price to the customer across a range of offerings (that meet or exceed 100/20 Mbps), the relative affordability of entry-level offerings, more popular tier offerings, participation in the FCC's Affordable Connectivity Program ("ACP"), and a provider's history of providing low-cost offerings. Moreover, a determination by the Authority that the applicant's offerings are consistent with offerings made available by the applicant in unsubsidized areas of the Commonwealth should also be sufficient to demonstrate the applicant's commitment to provide the most affordable total price to consumers. Comcast supports the goal of making affordable broadband available to all Pennsylvanians and offers a range of service options at different price points to meet each household's budget and usage needs. Comcast offers Internet Essentials Plus, our 100 MBPS service for only \$29.95 a month. Comcast is a proud participant in the federal Affordable Connectivity Program ("ACP"), meaning that IE+ is effectively free to low-income households after the \$30 ACP benefit is applied. The affordability criteria suggested above are reasonable and directly applicable to evaluating the relative affordability of a proposed offering in the Commonwealth. In addition, a more holistic approach to evaluating affordability – rather than solely focusing on a single tier of service – will more accurately reflect consumer preferences and practical need within the state. Importantly, the Authority should not require additional or other programs be developed, given the time constraints on the Capital Projects Fund allocations, particularly when the price is fully covered by the \$30 ACP benefit. With respect to ACP, NTIA has defined Eligible Subscriber. The Authority should not seek to expand the definition of Eligible Subscriber beyond the ACP criteria. Doing so would invite immense, unnecessary administrative burdens on the Commonwealth. Whereas the federal government has already invested millions to develop an eligibility verification system for ACP, the state would need to invest significant time and resources to replicate the same for any additional eligibility criteria in order to prevent waste, fraud, and abuse, ultimately diverting resources from the core goals of connecting unserved and underserved residents. Treasury SLFRF and CPF requirements are clear: broadband affordability is addressed through the requirement that funded service providers participate in ACP or a comparable program, which provides a benefit that offsets the cost of broadband for low-income consumers. Moreover, there will be additional funding opportunities to address affordability in the state once the deployment gaps are addressed. The Authority will be able to use a portion of the funds it receives under the Broadband Equity, Access and Deployment ("BEAD") program to further address affordability as a barrier to adoption through direct subsidies to households. Importantly, the BEAD funds can also be used to address other barriers to adoption. For many low-income families, the cost of broadband is not the only measure of affordability. Millions of low-income Americans report not having a computer or laptop at home and obtaining an affordable device can also be a significant obstacle to getting connected. Pennsylvania should consider a combination of methods, including device programs, subsidies for consumers of their fixed broadband service, or a state ACP to address affordability in the State. In addition, Pennsylvania should consider awareness campaigns, digital navigators and non-profit partners in targeted markets with higher levels of need.

**Q2 Minimum and Maximum Award amounts:**

In determining grant awards, the Authority should not constrain itself with arbitrary parameters in dollar amount or number. The Authority's focus should be on identifying a cost-effective solution for every unserved location in the state. However, this goal must be balanced with the administrative burden on the Authority as well as the providers. The Authority should administer a fair, open, and competitive process, which ensures awardees make robust, specific showings that they have the competence (technical and operational capabilities), managerial, and financial capacity to meet the program requirements, as well as the technical and operational capacity to provide the services promised. The latter is particularly important given that the CPF award applies to one-time funds for construction, with the ongoing operation, maintenance, security, and upgrade costs shifting to the grant awardee after construction is completed. The Authority's selection processes, and any associated bid scoring rubrics should facilitate broad participation

in the program by Internet Service Providers (“Internet Service Providers”) with a demonstrated track record of delivering on their broadband buildout commitments and providing high-quality broadband service, including robust cybersecurity protections, to customers. Internet Service Providers in turn will submit bids based on the ability to meet those commitments. The Authority should not limit the number of applications it awards if it receives proposals to meet the needs of unserved consumers. The Authority should also not limit the amount of a grant without first assessing the nature of the request. If an applicant provides a viable plan to serve an unserved area, or to serve otherwise economically prohibitive locations, the Authority should evaluate that application on the merits of providing the service and not whether the cost exceeds an arbitrary limit. Specifically, given that the Authority is accepting applicants under two distinct programs (line extension and development and large-scale regional infrastructure projects), it should consider the nature and scope for which it seeks solutions under these program categories. For example, in more populated areas of the Commonwealth, much of the unserved areas will be individual locations with unique construction or right of way access issues that prevent a provider from connecting the location according to standard installation practices. The NTIA, in its BEAD NOFO, specifically noted that an unserved area could be one location. If the Authority seeks to limit its administrative burden associated with individual applications, it could establish a line extension\long drop program and allow the Internet Service Provider to aggregate the unserved locations and submit a single application. Under such an application, the Authority should accept a general estimate for the total work but for the goal of transparency, and to prevent waste fraud and abuse, the Authority should reimburse the Internet Service Provider submitting an invoice based on actual costs.

### **Q3 Matching Funds:**

Comcast agrees that a critical goal of Pennsylvania’s broadband grant program should be to stretch the Commonwealth’s Capital Projects Fund (CPF) funding as far as possible, to ensure that the program reaches as many unserved Pennsylvanians as possible. One important way of achieving that goal is by maximizing the cash contributions of grant applicants by setting an appropriate minimum matching contribution and incentivizing providers whose applications exceed the minimum contribution. An additional benefit is that matching helps ensure that providers have a stake in the success of the project and can demonstrate they have the scale and access to capital markets needed to deploy broadband effectively and timely. For example, under the BEAD program, Pennsylvania will be required to consider, as a primary selection criterion, the total federal funding that will be required to complete the project, accounting for both total projected cost and the prospective Internet Service Provider subgrantee’s proposed match. Critically, States are “required to incentivize matches of greater than 25 percent from subgrantees wherever feasible . . . by focusing on minimizing the BEAD funding outlay on a particular project” and are expected to “rigorously explore ways to cover a project’s cost with contributions outside of the BEAD program funding.”[1] This is for good reason. As NTIA explains, “[m]atching contributions, including in-kind contributions that lower project costs, demonstrate commitment to a particular project and minimize BEAD funding outlay, extend the reach of the BEAD program funding and help to ensure that every unserved location and underserved location in the United States has access to reliable, affordable, high-speed internet.”[2] This same reasoning applies with equal weight to the Authority’s administration of the proposed programs under the Capital Projects Fund program. The Authority should consider flexibility in its match requirement between the two programs. The Internet Service Provider’s capital investment may lend itself to a percentage basis for large scale projects but may necessitate a different formula for single locations. The amount an Internet Service Provider is prepared to contribute should be another factor in the overall competitive weighting of the proposal. [1] NTIA, Broadband Equity, Access, and Deployment Program Notice of Funding Opportunity at 20-21 (May 13, 2022), <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf> (emphasis added) (“BEAD NOFO”). [2] Id. (emphasis added).

### **Q4 Challenge Process Period:**

Time for challenge is dependent on the quality and form of the information the Authority makes available to potential challengers. The Authority should adopt a challenge process that 1) ensures all potential challengers have reasonable notice of the application to serve a proposed area and 2) provides sufficient information to allow potential challengers to conduct a comprehensive yet expedient review. We suggest the Authority include the challenge phase in its Guidelines. The challenge phase would begin after the Authority has had sufficient time to review the applications for completeness and consistency with the minimum requirements set by the Authority. After its preliminary review, the Authority would post on its

website, information on all proposed service areas. The posting would occur on a date announced in the Guidelines. The Authority should require as part of its application a brief project narrative suitable for posting for public view, as well as a KMZ or SHP map of the project area, with address points and/or a proposed address list. The Guidelines should stipulate the Authority's intent to make these portions of the application public. If this information, in the formats suggested, were made available, a potential challenger could respond with a filing within two weeks, although 30 days may be more appropriate. Without this type of information, the response time would need to be extended. For example, a map provided by the applicant in pdf format would not be adequate for data analysis. This requires potential challengers to align a pdf view on mapping software which requires a manual effort to cut the PDF shape and layer it into the mapping software yielding inaccurate results. This analysis is not only time-consuming but risks overstating the challenge to account for questionable boundaries. Thus, the speed and accuracy of the challenge process is wholly dependent on the Authority's requirements regarding the information the applicant provides. Regarding the Authority's evaluation of challenges, Act 96, Section 6123(d) specifies that proposed projects that will result in overbuild in which less than 80 percent of broadband-serviceable locations served by the proposed project are unserved or underserved are not eligible for funding. The Authority should apply this standard recognizing an intent to avoid overbuild, with an allowance only for a portion of a project that is incidental to the overall project. It is possible that an applicant proposes a very large project, which includes an area that is fully served, but which represents less than 20% of the overall proposed project area. Funding such a project would frustrate the spirit of Act 96. It is expected that there may be limited instances where a provider may need to "build-through" an already served area to reach the unserved locations, but the "build-through" portion of the project, and associated homes passed and costs, should be incidental to the proposed project. Further, when determining whether there is 80% broadband coverage in a proposed area, the Authority should consider all providers together and not just from a particular provider. For example, Provider A may serve 70% of a project area, while Provider B serves 30% of the area. Neither could meet the 80% if applied narrowly, but consider the full broadband landscape, the area is more than 80% served. Finally, to be a valid challenge, the challenger must establish that it is offering qualifying broadband service to the area and has actual customers. Alternatively, a challenger could provide documentation that it is committed to deploy broadband infrastructure and offer service to the area under a federal, state or local program award. It is not sufficient for a provider to merely claim it plans to expand into an area without a legally-binding commitment to do so or proof that the provider has already begun the project.

**Name:** Jeanne Shearer

**Organization:** Kinetic by Windstream

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Rural costs prohibit any mandatory price. The networks must be sustainable. Any price mandate potentially inhibits an Internet Service Providers' ability to operate and maintain the network. It is for this reason that an applicant's participation in the Affordable Connectivity Program (ACP) should adequately address affordability considerations. In the event the ACP expires, states could create and support a consumer subsidy program. Local exchange carriers, like Windstream, also participate in the federal Lifeline program. Broadband is a supported service in the Lifeline program, which provides a monthly discount of up to \$9.25 for qualifying low-income consumers. Eligible consumers can receive both the Lifeline and ACP benefits at the same time. <https://www.fcc.gov/acp> <https://www.fcc.gov/general/lifeline-program-low-income-consumers>

**Q2 Minimum and Maximum Award amounts:**

By not setting a minimum or maximum grant award, the program provides maximum flexibility to applicants and facilitates maximum participation.

**Q3 Matching Funds:**

No minimum match should be required. Project scoring should be weighted to the average funding per household and highest speed. This serves as an incentive for applicants to offer higher matches to gain scoring advantage and ensures public funds go to projects that deliver the best services for consumers. In addition, providers like Windstream are investing capital into their networks to deploy fiber deeper into the Commonwealth. A match does not reflect such investments, but the investments reduce total project costs and funding per household. Requiring a minimum match could limit a provider's ability to find eligible projects under the program. If a minimum match will be required, unless in extremely high-cost areas, no higher minimum mandatory match than 25% should be established. An applicant can increase their match beyond 25% if they are able to show the financial capability to complete the project.

**Q4 Challenge Process Period:**

Yes, 30 days is a reasonable amount of time for potential challengers to review proposed project areas and submit challenges.



**Name:** Shirley Anders

**Organization:** Zito West Holdings LLC

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

We believe that the state should follow the FCC ACP Program guidelines so as not to over complicate things for interested entities.

**Q2 Minimum and Maximum Award amounts:**

We would like to see a \$1,000,000 minimum and a \$10,000,000 maximum award per application.

**Q3 Matching Funds:**

Our opinion is that a 25% private capital match from each provider would be sufficient. We also feel that each county could partner with the provider receiving the award with a 5% to 15% cash or in-kind match to demonstrate their commitment to the success of each project.

**Q4 Challenge Process Period:**

We feel that 30 days is a reasonable timeframe for applications to be reviewed and challenges filed if needed.

**Name:** Pamela Sherwood

**Organization:** Connect Holding II LLC d/b/a Brightspeed

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

In assessing whether there are affordability options offered to proposed service areas, the state broadband grant office should evaluate low-income offerings. For example, Brightspeed participates in lifeline and ACP and in addition, offers an additional discount to ACP participants to offer a \$0 service.

**Q2 Minimum and Maximum Award amounts:**

In our experience, other state programs we have participated in haven't specifically stated that it would issue a minimum number of awards. Michigan has said that a provider could be awarded up to \$30M per award and would be capped at \$60M across multiple applications. Other states, like NC, haven't limited it way and awarded Brightspeed \$95M over 30 applications. We encourage you to keep it flexible to allow Internet Service Providers to propose the best possible builds to address underserved and unserved areas.

**Q3 Matching Funds:**

In our experience, other state programs have said the maximum state match would be 25-30%. North Carolina's program rules said the maximum matching requirement is 50 percent. Some states do not set a limit or guidance and allow providers to provide the best possible proposal.

**Q4 Challenge Process Period:**

30 days is not a sufficient amount of time to review proposed projects and assess whether there is a need to challenge. 45-60 is more reasonable given the volume of applications we are seeing under various state programs.

**Name:** Carl Yastremski

**Organization:** Frontier Communications

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

Frontier recommends the Authority adopt a simple and straightforward definition to facilitate oversight and compliance. Broadband provides critical access to educational opportunities, connection to family and friends, work-at-home activities, telehealth services, and a broad range of news and entertainment (both free and subscription) outlets. Affordability is best addressed through a multitude of factors including competition, low-income support programs such as the Affordability Connectivity Program, and public internet access points such as at schools and libraries. As other states have done in setting an affordability benchmark, the Authority should utilize publicly available state-level socioeconomic data and define an affordable rate as "an annualized rate that is less than or equal to 2% of the annual median household income for the state."

**Q2 Minimum and Maximum Award amounts:**

The Authority should employ an approach that balances the number of awards and range of awards in a manner that maximizes the distribution of funding with the reaching pockets of high-cost locations across the state and the variability of community/project size. To assure small unserved/underserved pockets of residents and businesses are not over-shadowed by larger projects, 25 percent of funding should be designated for projects requiring less than \$2.0M in grant funding. Seventy-five percent of funding should be allocated for awards ranging from \$2.0M to \$10M—which would equate to 30-50 awards. This approach provides for broad distribution of funding while permitting flexibility to fund larger projects that may be more efficient (due to spreading fixed costs (e.g., middle mile) over larger project areas than multiple smaller projects.

**Q3 Matching Funds:**

For this round of funding, the Authority should set a priority for projects that provide a minimum match (provider and local support) of 50%. This will ensure that the State and providers/communities share the cost of connecting locations and will bring the highest benefit to the most households and businesses, the fastest. This would allow future funding to be dedicated to the remaining higher cost locations, which will require a higher level of support to be connected to highspeed broadband service.

**Q4 Challenge Process Period:**

Yes. A 30-day challenge window from date of publication of detailed proposed location data is reasonable and balances the interest of ensuring a timely award of funding with the need to provide sufficient time for existing (or planned) providers to issue challenges.

**Name:** Michael Burkett

**Organization:** Salsgiver

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

This is a very difficult question because as better broadband becomes available in rural areas, the hope is that the income level in these areas will increase given the ability to work remotely. If so, what we may see now as far as economic standing could be dramatically different than what to see 5 to 10 years from now. I know this doesn't help to answer the question but there is another point we should all consider. The people we switch from other providers have a much larger problem in regards to affordability than the base package cost, it is how their package price increases the longer they are a customer. I believe an important consideration is not what is just affordable now, but also in the future. There are service providers that start at one price which is affordable and then continue to raise the rates until it is not. Salsgiver's base package for fiber the home internet service is \$55 per month. Customers who signed up for this service in 2014 are still paying that same price today, it was never raised. This should be something that should be considered when looking for partner providers and may be something written into your RFPs. Just a thought.

**Q2 Minimum and Maximum Award amounts:**

I would believe the intent for these awards would be to maximize the dollars and if that is the case, I am not sure how you would set limits or ranges, I would assume this would be about "whatever it takes". For examples, our company was recently awarded a \$2.3 million contract with Indiana County for broadband expansion. That total is the sum of its parts, it is multiple segments that could have awarded individually. One segment was for roughly \$76K, this segment services an entire small town of 44 residents. Other segments were put together to service an entire region and made up about \$1.9 million dollars of the contract. If you set minimums or limits you may exclude the best solution to the problem. This money is not to connect this major city to that major city, it is to connect this road to that street to this town to that borough and so on. I know this makes for a ton of work for the Authority however if this task was an easy, the ILECs would not have given back hundreds of millions of dollars so they did not have to provide services to the areas we are now trying to get to (RDOF CAF auction).

**Q3 Matching Funds:**

From a provider partner standpoint, a 25% capital match could eliminate smaller organizations that have been good partners and are actually doing good work in solving the broadband issue because having that capital available says more about emphasis on profit. Setting guidelines that will eliminate possible good partners is a losing strategy. With this said there are ways to do match that would not eliminate good partners by recognizing the work they are already doing. For example a match could be pole rental, maintenance costs, CPE, last mile construction for the distance from the line on the street into the home, etc. Expenses seen by all providers that should be allowable match because grant funds do not pay for these items but the service provider does. Having capital available should not be considered as something that makes a company a good partner because if they have that capital already, why are not investing it into more broadband?

**Q4 Challenge Process Period:**

This would depend on the awards, if all \$200 million is awarded at the same time, 30 days would not be enough time, if it is awarded in smaller stages, then yes it would be.

**Name:** Kyle Rosner

**Organization:** All Points Broadband

**Affiliation:** Internet Service Provider

**Q1 Affordability Definition:**

All program applicants should be both required to participate in the Affordable Connectivity Program and offer a low-cost service plan. To ensure awards are prioritized in communities where economic development activity resulting from broadband is needed the most, the Authority should include a scoring category to projects that occur in localities or census tracts considered distressed. An example of Distressed Community Index is available at <https://eig.org/dci>. Finally, the Authority should provide scoring incentives to projects that include digital equity and adoption initiatives in their proposed project, such as community meetings or promotional events. In many cases, incumbent cable Internet Service Providers are able to temporarily lower their list price in order to score more points in an application or to otherwise limit the ability of challenger Internet Service Providers to offer competition. The Authority should require full transparency customer costs beyond the list price, including equipment rental fees, long drop fees, and open video service fees charged by cable Internet Service Providers.

**Q2 Minimum and Maximum Award amounts:**

The Authority's focus should not be on the number of awards or minimum award amounts but instead the quality of the awards made. The Authority's singular focus for the once-in-a-generation funding opportunities it will control, such as the Capital Projects Fund (CPF) and the Broadband, Equity, Access, and Deployment (BEAD) program, should be to ensure awarded projects achieve universal connectivity for each locality included in an application. That means once a project is built, every unserved/underserved location within that locality will have access to broadband. In the absence of universal obligations, Internet Service Providers will cherry-pick remaining pockets of unserved density which are profitable and avoid the much higher costs to serve the remaining, dInternet Service Providerarate unserved/underserved locations. Cherry-picking is typically done by incumbent providers who can edge-out their existing network and has become a common tactic nationwide for blocking competition. The BEAD program is designed to achieve universality so it is inevitable that the Authority will need to prioritize universal projects. The CPF presents an ideal opportunity for the Authority to establish best practices for the BEAD program and align the programs to ensure continuity and maximal participation among applicants. If cherry-picking is allowed during the CPF round, then the Authority will effectively be forced to pay higher per-passing subsidies to build to locations which would have otherwise been covered by universal CPF projects. Cherry-picking, or edge-out, projects are financially attractive in the short term and enables anticompetitive behavior by incumbent Internet Service Providers. The Authority should not enter the grant window with a predetermined number of awards that will be made, as the quality of applications may not warrant awards. Instead, the Authority should prioritize or require applications achieve universal coverage in the localities being applied for. In general, universal applications will range from smaller scale award amounts in suburban areas to very large award amounts in rural regions. If the Authority wishes to prioritize regional awards, the project award amount should be expected to become even larger. For reference, All Points Broadband was awarded a \$97 million state grant for a regional project across Virginia's Shenandoah Valley, a region with similar density and geography to much of central and western Pennsylvania. With an additional \$113 million private investment from All Points and \$59 million in local match, the project will connect over 40,000 unserved locations in 8 counties. Regional, universal projects can result in very large projects who enjoy significant economies of scale and are more cost-effective than funding smaller individual projects. The Authority should not shy away from larger projects. Once universal applications and their accompanying GIS shapefiles are submitted, the Authority can utilize the Federal Communication Commission (FCC) location-based broadband GIS data to ensure all the unserved/underserved locations in a project are included. Another method to ensure applications are achieving universal coverage is to prioritize locality buy-in and participation in the application development stage. The best source of knowledge on a community's connectivity is the community itself and Counties, along with other localities, can play a key role in ensure projects cover all the areas of need. Yet another benefit to encouraging large-scale universal projects is that those applications, if submitting by non-incumbents, will force the existing Internet Service Providers to report their exact service territories as part of the challenge process. The Authority will then possess more

accurate broadband serviceability data to use as a basis for the BEAD investment cycle. In sum, the Authority should prioritize or require universal applications and all applications should be scored comparatively and without pre-determination.

**Q3 Matching Funds:**

In the spirit of aligning the program rules of CPF and BEAD wherever possible, the Authority should require a minimum 25 percent match from applicants. Beyond the minimum match requirement, the Authority should incentivize greater local match through awarding additional points to projects that request less CPF funding. This can be accomplished in the scoring criteria through a sliding scale, with the application with the greatest percent of match creating the ceiling of the scoring category and the application with the minimum match creating the floor. Aside from universality, the most important metric for project applications should be cost-efficiency as determined through state cost per passing. If the Authority does award points on a sliding scale for local match, then it should also have a separate point category based on the Distressed Community Index to accommodate localities without the resources to score points in the local match category.

**Q4 Challenge Process Period:**

30 days is a reasonable period for the challengers, but the Authority should establish a 15-day period for applicants to rebuke challenged applications. Unfortunately, incumbent providers often challenge grant applications with faulty data or incomplete evidence with the aim of preventing potential competition, and it is critical that applicants have the chance to provide their own evidence as to the service status of a proposed project. Challenger information provided to the applicant for rebuttal should include specific data such as name of challenger, existing service level claimed, and existing type of service technology. It should also include point shapefiles, which should also be provided to the challenged applicant to allow a full and fair opportunity for rebuttal. More information from all Internet Service Providers will only strengthen the PBDA's understanding of connectivity in the Commonwealth and position it better to manage BEAD.

**Name:** Kris Anderson

**Organization:** International Brotherhood of Electrical Workers (IBEW)

**Affiliation:** Labor Organization

**Q1 Affordability Definition:**

We feel the comparisons should be indexed to cost of living in a given area, which can differ greatly throughout the state.

**Q2 Minimum and Maximum Award amounts:**

Working with the County Commissioners Office in Beaver County, they allocated \$18 million to assist with Broadband deployment. This seemed to be a nice figure that was able to do a great deal.

**Q3 Matching Funds:**

We agree that the Companies should have to show some level of commitment in order to qualify.

**Q4 Challenge Process Period:**

We may have to offer some variances in the case of unforeseen circumstances arise.

**Name:** W. Russell McDaid

**Organization:** PA eCommerce Association

**Affiliation:** Labor Organization

**Q1 Affordability Definition:**

Rank order 1) Price as % of avg monthly income; 2) # of providers to service location(s); 3) Access to essential services in area (education, employment, healthcare)

**Q2 Minimum and Maximum Award amounts:**

20 min awards. Range \$3-\$10 Million

**Q3 Matching Funds:**

Minimum match of 10% with preference given to applicants proposing higher matching rates if applicants planning to serve the same area.

**Q4 Challenge Process Period:**

Yes



**Name:** Whitney Hoffman

**Organization:** Kennett Township

**Affiliation:** Local Government

**Q1 Affordability Definition:**

affordability needs to be flexible- people who have been able to pay have been able to afford "fast lane service" not available to everyone, and most bandwidth speed requirements dont take into account the number of people in a household who need access- therefore faster speeds are required. so we need to take into account people/devices per household in the equation.

**Q2 Minimum and Maximum Award amounts:**

I'm not sure but in our area, we need help building out last mile to places like ag farms, but the lack of good access via cellular networks has an even bigger impact on our population in our rural/suburban area.

**Q3 Matching Funds:**

25% is reasonable however, many of these programs cover many municipalities- and not everyone always plays well together. I think this will make the match from a single municipality more difficult than say a match from a larger government, like Philadelphia or Pittsburgh. Smaller municipalitites will be at a significant disadvantage in the funding and grants unless money is set aside specifically for smaller governmental units.

**Q4 Challenge Process Period:**

I think 45 days is more reasonable

**Name:** Jean Ann Towle

**Organization:** Pottsville Free Public Library

**Affiliation:** Community Anchor Institution (i.e. school, library, hospital, etc.)

**Q1 Affordability Definition:**

Income, price, availability

**Q2 Minimum and Maximum Award amounts:**

Minimum number of awards should be 1000

**Q3 Matching Funds:**

25%

**Q4 Challenge Process Period:**

No

**Name:** Perry Stambaugh

**Organization:** Constituent

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Competition

**Q2 Minimum and Maximum Award amounts:**

1 per county, apportioned based on ranking in Penn State broadband speed tests (more for counties with slower speeds)

**Q3 Matching Funds:**

20 percent match

**Q4 Challenge Process Period:**

60 days

**Name:** John A. Timney

**Organization:** Washington County Authority

**Affiliation:** Local Government

**Q1 Affordability Definition:**

The targeted area is East Finley Twp. for approx. 900 locations. The median household income was \$39,063 and the median family income was \$43,516. The per capita income for the township was \$14,675. About 9.9% of families and 12.1% of the population were below the poverty line, including 18.6% of those under age 18 and 4.4% of those age 65 or over.00 locations.

**Q2 Minimum and Maximum Award amounts:**

In Phase I we focused on a small town in Avella, PA for 50 homes and businesses with Hickory Telephone. In Phase II we expanded on the pilot in Avella to award 5 projects 3 to DQE Communications in Beallsville, Glyde and Scenery Hill and 2 projects to Kinetic by Windstream in Bentleyville and West Finley Twp. for \$5.8M (\$2.5M by Vendors (private) \$3.3M by County (public)) for 1,100 targets (e.g., residents, municipalities, schools, small businesses, community centers, church facilities, etc.). We completed Phase I under time and under budget, we are in construction in the various projects in Phase II. ----- We also have completed a 2-month RFP Process for 10 Projects ("Polygons") in our Phase III of Washington County's Initiative for the Unserved. In Phase III we received 47 proposals with 7 different Internet Service Provider companies (i.e., Verizon, Comcast, Windstream, Hickory Telephone, Armstrong, Windstream, and DQE Communications) for 6,000 targets with \$278M of interest. There are three specific polygons East Finley Township, Donegal, and Ten Mile Creek where the govt. portion is approx. \$6.5M per polygon or \$20M. The vendor portion of those three are approx. \$8.5M, for a total of \$28M for 2,600 Targets. The current lowest bidder happens to be the same vendor for all three. Since we already completed a very competitive RFP process, our thought process would be partner with them in the Pennsylvania Broadband Infrastructure Program, leveraging the three polygons, economies of scale into super-polygon with this critical partner.

**Q3 Matching Funds:**

We have not negotiated with the vendor, however with some rounding (WashCo \$10M, PA Broadband \$10M, and Internet Service Provider Submitted RFP \$8M for \$28M) or (WashCo 36%, PA Broadband 36%, and Internet Service Provider Submitted RFP 29%) or said a different way WashCo (thru ARPA) matches PA Broadband 50/50 or \$8M each for 2,600 Targets. Win-Win across the board!

**Q4 Challenge Process Period:**

We completed an RFP so I don't expect challenges, but, 'yes'.

**Name:** carolyn matalon

**Organization:** London Britain Township, Chester County PA

**Affiliation:** Local Government

**Q1 Affordability Definition:**

geographic dInternet Service Providerarities, price and competition

**Q2 Minimum and Maximum Award amounts:**

I dont think the awards should be based on a number of awards but rather defined by local smaller communities who have a need for service

**Q3 Matching Funds:**

A 25% match is fair

**Q4 Challenge Process Period:**

yes

**Name:** Shari Kreutz

**Organization:** Worth Township

**Affiliation:** Local Government

**Q1 Affordability Definition:**

The basic package of the local internet company is affordable for the residents of Worth Township. Majority of the residents are working adults.

**Q2 Minimum and Maximum Award amounts:**

3 million per award.

**Q3 Matching Funds:**

Yes there should be a match to the funds but based on the operating budget of the municipality.

**Q4 Challenge Process Period:**

Yes

**Name:** Steven miske

**Organization:** Luzerne township

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Income,geographic dInternet Service Providerarities

**Q2 Minimum and Maximum Award amounts:**

50k and as many awards as possible

**Q3 Matching Funds:**

10 or 20% this would further help smaller municipalities

**Q4 Challenge Process Period:**

Yes that's long enough

**Name:** Debra Frawley

**Organization:** Crawford County

**Affiliation:** Local Government

**Q1 Affordability Definition:**

The Authority should consider socioeconomic factors but must do that in a way that takes into consideration the differences in geographic areas of the state. For example, average household incomes in NW PA are very different than SW PA or eastern PA. Also if population is considered, areas of lower population density (rural areas without service) should be funded before higher population areas with lower speeds.

**Q2 Minimum and Maximum Award amounts:**

Suggest that at least half should be allocated to each county. The other half can be distributed via competitive applications. Areas with larger square mileage of unserved or underserved (lower population density) must be prioritized. \$100,000 would be a minimum award.

**Q3 Matching Funds:**

Zero would be the easiest. 10% of project cost would ensure commitment but still enable participation. And requiring match would help to ensure that local ARPA funds are used for larger projects rather than "General Government Services".

**Q4 Challenge Process Period:**

7-10 days Challengers that are internet service providers must prove that they are actually offering services and speeds on the ground and not just what they are advertising.



**Name:** Anthony J. Ventello

**Organization:** Central Bradford Progress Authority

**Affiliation:** Local Government

**Q1 Affordability Definition:**

The fundamental access to affordability is access to low income rural residents. The problem stems from large out of state telecom companies who bought up small rural subsidized telephone companies and monopolized rural residents without investing in infrastructure as technology changed. To this date, many rural residents do not have reliable, basic telephone service in Bradford and Susquehanna counties. Our counties fully recognize the extreme socioeconomic disadvantages there are with lower density/income rural resident factors, such as public safety, 911, education, telehealth and all activities of daily living suffer from geographic dInternet Service Providerarities and costs. Rural residents have no less need for good connectivity than anyone else but are left behind. Many school districts provide one-on-one computers to students but cannot utilize them at their homes due to lack of connectivity. This was a massive disadvantage during the pandemic, and it continues to be a problem. High density areas are served by multiple broadband providers as they compete in favorable markets. This is precisely why Bradford and Susquehanna counties have initiated the construction of middle-mile dark fiber networks to allow last-mile providers to enter rural markets by reducing their capitalization costs. WE are building what they - telecommunication companies - do not want to. Funding is needed to make this rural model a complete success. These counties have some of the poorest broadband service in the region. Low latency technology is the only reasonable technology. Fiber optic cable service and in some cases fiber fed "stop gap" wireless is most cost effective.

**Q2 Minimum and Maximum Award amounts:**

The \$200 million should be distributed in the number of awards in the amount of \$5 million to approximately 40-40 applicants statewide. Points for creative rural solutions should allow up to \$10 million in grant-in-aid. A dollar per dollar match should be required to substantiate the seriousness of project and applicant ability to leverage and utilize funds. System maintenance plans should be utilized.

**Q3 Matching Funds:**

If an entity is qualified, serious and committed to a long-term rural, low-density solution, we believe a 50% dollar for dollar match exhibits true commitment. Evidence of the match should be provided. Applicants at this point should have initiated a fairly substantial effort in expounding local resources to initiate and analyze the broadband solution. Perhaps in-kind match considerations could be given to feasibility studies, engineering and cash expended to date in construction of useful networks, if proven. Requests for funding will be very competitive but the responsible, judicious and impactful use of funding must be proven, as many can agree on the need but few have made efforts towards a true, long-term solution.

**Q4 Challenge Process Period:**

30 days is more than adequate. Be prepared to receive numerous challenges from telecommunication companies that want to protect their substandard technological monopolies. All eyes are on the funding not the intended purpose. All uses of the funding, in what specific geographic areas, and what technologies will be constructed in a specific time frame is critical to assure highest and best use of funding.

**Name:** Christopher Tantlinger

**Organization:** Westmoreland County Department of Public Safety

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Emergency response zones and free access to emergency response agencies.

**Q2 Minimum and Maximum Award amounts:**

\$10,000.00

**Q3 Matching Funds:**

5% Local 10% State

**Q4 Challenge Process Period:**

Negative, most cycles for authority and review to relevant agencies almost always take 60 days

**Name:** Michael Strelac

**Organization:** Ligonier Township

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Not answered

**Q2 Minimum and Maximum Award amounts:**

My township has mile long roads that have one or two homes. Minimum awards should be able to capture locations where an entire project is needed for a handful of homes.

**Q3 Matching Funds:**

None. Municipalities have more important things to spend limited resources on (roads, police, fire, public safety, landslides, floods, parks), and if matches are required, broadband will not be expanded.

**Q4 Challenge Process Period:**

Yes

**Name:** Barbara Phillips

**Organization:** Derry Borough

**Affiliation:** Local Government

**Q1 Affordability Definition:**

price and competition

**Q2 Minimum and Maximum Award amounts:**

200 \$1million each

**Q3 Matching Funds:**

0

**Q4 Challenge Process Period:**

yes

**Name:** Mary Trunoz

**Organization:** Loyalhanna Township

**Affiliation:** Local Government

**Q1 Affordability Definition:**

geographic dInternet Service Providerarities and socioeconomic factors would be the major issues in our area.

**Q2 Minimum and Maximum Award amounts:**

I do not have enough information to answer at this time.

**Q3 Matching Funds:**

Depending on the size and financial situation of the local government 10 to 25% match would be appropriate.

**Q4 Challenge Process Period:**

45 - 60 days would be more reasonable.

**Name:** John Regula

**Organization:** County of Bucks

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Defined as offering current FCC guideline for broadband (100/20) for the ACP rate of \$30.00/month (inclusive of all fees).

**Q2 Minimum and Maximum Award amounts:**

\$1M-\$10M. Projects less than \$1M are probably not of sufficient scope for management under this program; Capping at \$10M allows for option of a larger project, with significant citizen outreach, is presented while also allowing for other projects to be funded as well.

**Q3 Matching Funds:**

Grants should be allowed that promote public/private partnerships. In this context, any match (25%, for continuity with BEAD should be a benchmark) can/should flow from private corporation (Telco vendor) funding.

**Q4 Challenge Process Period:**

90 days to challenge. Especially true if project is of size and scope that would require environmental review.

**Name:** Lisa Gesler

**Organization:** North Irwin Borough

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Not answered

**Q2 Minimum and Maximum Award amounts:**

Not answered

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Not answered

**Name:** Melissa Gates

**Organization:** County Commissioners Association of Pennsylvania (CCAP)

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Affordability should be assessed in some capacity and while there is no one perfect metric, affordability could be tied to eligibility standards for other governmental assistance programs. Often, homeowners bear the burden of paying for the build out (including pricing from providers that factors in matching funds/build-out expenses). These costs should not be passed down to consumers that are receiving the build out. Since the goal of the PA Broadband Infrastructure Program is to connect those without the bare minimum access to broadband (25/3 Mbps), the affordability factor should be assessed spatially. Income for these areas will be diverse and understanding what those costs are compared to income and other compounding expenses makes this calculation a bit more complicated than simply using the FCC suggestion of 5% monthly household income for affordability metrics. Additionally, there ought to be a consideration for any teaser rates/special rates for new subscribers. The promise of a certain rate for X number of years then a significant price increase is not sustainable for anyone and directly impacts perspectives surrounding affordability.

**Q2 Minimum and Maximum Award amounts:**

There shouldn't be a set minimum number of grants awarded and small to mid-size awards should be standard to allow for more entities to apply and offer localized or partnership-based solutions. In prior county experiences, \$250,000 grants have had large success in incentivizing multi-entity partnerships. Grants should be large enough though to draw larger incumbent providers to the table. With many internet service providers (Internet Service Providers) servicing broadband in multiple states or nationally, too restrictive of grant funds that are smaller in size might disincentivize Internet Service Provider participation. While not directly related to the funding amounts, counties believe there should be some level of weighted scoring for grant applications, including those with local government and providers partnership. Any incentive for joint applications would help alleviate potential challenge concerns and would demonstrate local-level buy in and investment in communities. Further, any other matrix for weighted applications (low-population density, local government partnership) should be stated out front in the NOFO to better encourage those partnerships with local governments and prioritizing rural areas without 25/3 Mbps service.

**Q3 Matching Funds:**

Looking at 25% from the BEAD program as a model, Internet Service Providers should have to provide 25% matching funds. If they have a partnership with a local government who is also contributing funds or some sort of in-kind contribution (ex. rights-of-way), that should be weighted in the grant scoring process. Counties share concerns about Internet Service Providers passing any match requirement costs down to the consumer and support prohibition of doing so. Without an ideal way to track those occurrences, counties suggest some mechanism of audit or evaluation tied to the grant, which could have some degree of repayment if the funding isn't used properly or grant awardee promises weren't carried out.

**Q4 Challenge Process Period:**

Assuming 30 days means 30 calendar days, this is consistent with many planning-related deadlines and should be manageable. Projects of this magnitude take significant time (18-24 months) and will likely face implementation delays with national competition for supplies and labor. Any further delay pushes back the timeline for those individuals to access the bare minimum broadband speed. Counties also would like to request reasonable expectations listed in the NOFO for review. Often applicants apply for a grant and are left wondering about grant awards and other timelines. Due to the amount of planning and preparation it will take to carry out these infrastructure projects, counties support transparent timelines for application review, challenge windows, challenge review and any other procedural happenings. Would it be unrealistic to ask the entire challenge process timeline to be limited to 45 days (25 days for challenges to be submitted and 20 days for review and determination)? As these 25/3 projects cover the unserved populations of Pennsylvania, there shouldn't be significant challenges filed.



**Name:** susan Bonsell

**Organization:** constituent

**Affiliation:** Local Government

**Q1 Affordability Definition:**

first , the service must be made available.

**Q2 Minimum and Maximum Award amounts:**

as needed in the areas.

**Q3 Matching Funds:**

depending on income levels, 25% to 40% they need encouragement to participate.

**Q4 Challenge Process Period:**

yes

**Name:** Melissa Cortiles

**Organization:** Upper Burrell Township

**Affiliation:** Local Government

**Q1 Affordability Definition:**

all factors should be considered

**Q2 Minimum and Maximum Award amounts:**

Issue all awards, in today's world most people cannot get by without internet service

**Q3 Matching Funds:**

75%

**Q4 Challenge Process Period:**

NO

**Name:** Matthew Peoria

**Organization:** Youngwood Borough, Westmoreland County

**Affiliation:** Local Government

**Q1 Affordability Definition:**

With competition will come lower prices, but agreeing to huge conglomerate monopolies like COMCAST within your municipality does not give residents many affordable options.

**Q2 Minimum and Maximum Award amounts:**

\$50,000 - \$200,000

**Q3 Matching Funds:**

Dollar for dollar after the first \$50,000. Initial \$50,000 must be used for professional services.

**Q4 Challenge Process Period:**

Yes

**Name:** St Clair Township

**Organization:** constituent

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Make it as affordable as possible

**Q2 Minimum and Maximum Award amounts:**

whatever it takes to get the job done

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

yes

**Name:** Carrie Tantlinger

**Organization:** Fairfield Township

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Same Price for all and not overcharge because of the area

**Q2 Minimum and Maximum Award amounts:**

Rural Areas should be more \$500,000-\$1,000,000

**Q3 Matching Funds:**

10% most townships are working with a little budget

**Q4 Challenge Process Period:**

Yes

**Name:** Debbie Rhodes

**Organization:** Cook Township

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Should be assessed on age and income

**Q2 Minimum and Maximum Award amounts:**

1000 grants

**Q3 Matching Funds:**

25%

**Q4 Challenge Process Period:**

no 60 days would be better

**Name:** Brenda A Montrose

**Organization:** Borough of Madison

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Borough of Madison is a small community consisting of a mix of seniors and middle age. We have some section 8 single family rental properties. The majority of our seniors are on fixed incomes. The majority of the middle-aged residents do not have college degrees and are working in fast food, retail, and industrial jobs. With no competition, the Borough only has one internet server, Comcast, and the price is too high for most to have internet service. This is a major issue with a lot of things going to online, including majority of doctor visits, scheduling appointments, getting rebates, coupons, and such.

**Q2 Minimum and Maximum Award amounts:**

Minimum of 100 awards. Half of the money to matching municipalities and half to non-matching municipalities.

**Q3 Matching Funds:**

Matching for a very small Borough would not be feasible.

**Q4 Challenge Process Period:**

60-90 days would be more feasible.

**Name:** Lance Grable

**Organization:** Beaver County Planning and Redevelopment

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Localized Data: Affordability needs to be assessed based on county and/or regional income and population data, rather than national or statewide data. If calculated at the local level, geographic area is accounted for. In addition, data as it pertains to education and age are key metrics for truly understanding affordability. Population is also a key metric. We are working so hard on finding funding for rural areas because they have been predominately overlooked due to less funding being applied to those area because of lower population. Areas with lower populations should have additional funding opportunities/ support due to the history of underfunding that has taken place over the past years. Eligibility Adjustment: Instead of having a hard cut-off (like 200% of poverty), the State should consider implementing a tiered level of affordability through weighted scoring criteria. For example, a region with 200% scores a 10, 175% scores an 8, 150%, scores a 5, etc... Additionally, the State should consider the poverty measurements be based on individuals and not areas. For example, there is a new development in Bridgewater, PA. this new development will take the rest of the town out of the "low income" designation. Yet there is a high level of "low income" residents in that area who are no longer available for CBDG funding, specific grants, etc.. Conflating Metrics: When it comes to measuring elderly or disabled populations, using other metrics (like unemployment rates, disabilities, etc..) may not directly impact affordability assessment as intended—"unemployment" becomes conflated with "retirement," and "disability" becomes conflated with "disease." When assessing different demographics, relying only on census data and applying a one size fits all approach won't work. Example: While statistics show the elderly have less connectivity, it may not be necessarily tied to their ability to purchase high-speed internet – they simply may not want it or know how to use it. Having an elderly population (many of whom can afford it but don't adopt) may skew the numbers. Affordable at minimum served speed: Require providers to ensure that plans that offer 100/20mbps are also affordably priced, not just the slowest or data capped plans. Backup funding: Affordability does not only refer to the monthly service cost. Installation fees, especially for high-cost or difficult to reach addresses, often get shouldered by the end-user at exorbitant rates. The State should have consideration toward an applicant's funding reserve toward installation costs to reduce fees for the end user. Extending ACP: The State should consider requesting the FCC to extend the ACP program timeline. Additionally the State should consider developing their own program that only applies to the state of Pennsylvania.

**Q2 Minimum and Maximum Award amounts:**

Equitable Distribution: The state should consider limiting the amount of each award to ensure there is an equitable distribution of funds. However, ensure that there is a process for determining equitability based on the type of entity that applies with larger awards going to local governments. Example: There should be equitable distribution between all nonprofit applicants, or between Internet Service Provider to Internet Service Provider, but the actual award amount is not the same across all entity types. Additionally, funding limits should be based by the amount of work already completed and realistic timeframes for additional work to be conducted and completed. As an example, Internet Service Provider's can get RDOF funding and have an extended period to produce results with that funding without a solidified project. This hurts the local communities that are trying to get work completed in a shorter time period. I would recommend local units of government get primary access to the funding to control the project timeline. Amount Maximum: The maximum should be around \$10M to be make an impact on project progress, which would amount to approximately 20 awards at the full amount. I would also suggest a tiered or stepped approach to funding eligibility and amounts. For example, Step 1 would be up to \$100k for preliminary studies, mapping, availability atlas, identifying current Internet Service Provider's etc... Step 2 would be up to \$500k for additional studies based off of initial findings, outreach, fieldwork, onboarding a consultant. Step 3 would be up to \$10M for the actual deployment and expansion of the network. This method would allow for a well organized, data driven result that would greatly diminish the chances of overbuild and other issue that may arise with receiving funding before creating a thoroughly completed plan of attack. I believe that this approach will Maximize Impact in terms of establishing connection to unserved and maximizing the use of



the funds. I write this response under my interpretation that the CFP funding will be used for increasing access via infrastructure expansion, and not used for equity programs (digital navigator, etc.).

**Q3 Matching Funds:**

Different eligible entities: The match amount should be dependent on the type of entity applying. Local government, nonprofits shouldn't be required to match at the same rate as private entities or cooperatives. For nonprofits, local units of government, and coops, perhaps a 25-30% match would be appropriate. This would make a larger impact in the overall infrastructure construction and would make applicants have a stake in the project. Internet Service Provider matches should be higher – say 70%. They will be the owning entity of the fiber and so are gaining assets (and future revenue from subscriptions) at 50 cents on the dollar – and 100% after the ROI period, will be free and clear. Match flexibility: Certain entities, such as local units of government, can only leverage certain funds for match, specifically ARPA SLFRF dollars. Counties are classed based on population, funding, etc.—the lower you are classed, the less that the county should be required to match. Given this restraint, it may make sense to make the match as flexible as possible, and/or allow for loans at a low interest rate (ie. 2.0%). It should be clarified in the program requirements as to which funds are eligible for match contribution and at what rate for each entity type. Perhaps the Authority, using the tiered/stepped method described above would be willing to allow local governments to utilize the match more than once – 25% match for the CPF could be considered for the BEAD match determination.

**Q4 Challenge Process Period:**

Yes, 30 days may be enough time for Internet Service Provider's because they should have all the data that they need. For local governments I do not believe 30 days is enough time for most depending where they are in their project. If following the tiered/stepped system 30 days is enough time after step 2. If they are not to step 2 yet it would take more time and potentially finding to gather the information needed. Every time an Internet Service Provider challenges the data and verification is needed funding is spent. There has to be either a way to allow funding to be in place to help those local governments responding to a challenge or a cut off date to when the Internet Service Provider's can no longer challenge.

**Name:** Corey Block

**Organization:** Westmoreland County

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Localized Data: Affordability needs to be assessed based on county and/or regional income data, rather than national or statewide data. If calculated at the local level, the geographic area is accounted for. In addition, data, as it pertains to education and age, are key metrics for truly understanding affordability. Eligibility Adjustment: Instead of having a hard cut-off (like 200% of poverty), the State should consider implementing a tiered level of affordability through weighted scoring criteria. For example, a region with 200% scores a 10, 175% scores an 8, 150%, scores a 5, etc... Conflating Metrics: When it comes to measuring elderly or disabled populations, using other metrics (like unemployment rates, disabilities, etc..) may not directly impact affordability assessment as intended – “unemployment” becomes conflated with “retirement,” and “disability” becomes conflated with “disease.” When assessing different demographics, relying only on census data and applying a one size fits all approach won’t work. Example: While statistics show the elderly have less connectivity, it may not be necessarily tied to their ability to purchase high-speed internet – they simply may not want it or know how to use it. Having an elderly population (many of whom can afford it but don’t adopt) may skew the numbers. Affordable at minimum served speed: Require providers to ensure that plans that offer 100/20mbps are also affordably priced, not just the slowest or data capped plans. Backup funding: Affordability does not only refer to the monthly service cost. Installation fees, especially for high-cost or difficult to reach addresses, often get shouldered by the end-user at exorbitant rates. The State should have consideration toward an applicant’s funding reserve toward installation costs to reduce fees for the end user. Extending ACP: The State should consider requesting the FCC to extend the ACP program timeline.

**Q2 Minimum and Maximum Award amounts:**

Equitable Distribution: The state should consider limiting the amount of each award to ensure there is an equitable distribution of funds. However, ensure that there is a process for determining equitability based on the type of entity that applies. Example: There should be equitable distribution between all nonprofit applicants, or between Internet Service Provider to Internet Service Provider, but the actual award amount is not the same across all entity types. Amount Maximum: The maximum should be around \$10M to make an impact on project progress, which would amount to approximately 20 awards at the full amount. Maximizing Impact: If the State’s aim with CPF is to target the most challenging areas with the slowest speeds, it will preclude some of the eligible entities from applying and will reduce low impact applications. Larger builds allow for economies of scale, and therefore, lower costs per location than numerous smaller awards spread across more areas/Internet Service Providers.

**Q3 Matching Funds:**

Different eligible entities: The match amount should be dependent on the type of entity applying. Local governments or nonprofits shouldn’t be required to match at the same rate as private entities or cooperatives. For nonprofits and local governments, perhaps a 25-30% match would be appropriate. This would make a larger impact on the overall infrastructure construction and would make applicants have a stake in the project. Internet Service Provider matches should be higher – say 50%. They will be the owning entity of the fiber and therefore are gaining assets (and future revenue from subscriptions) at 50 cents on the dollar – and 100% after the ROI period, will be free and clear. Match flexibility: Certain entities, such as local units of government, can only leverage certain funds for match, specifically ARPA SLFRF dollars. Given this restraint, it may make sense to make the match as flexible as possible, and/or allow for loans at a low interest rate (i.e., 2.0%). It should be clarified in the program requirements as to which funds are eligible for match contribution and at what rate for each entity type.

**Q4 Challenge Process Period:**

Pro 30-day period: Yes, 30 days may be enough time. In cases where that time isn’t enough and it results in some overbuild, perhaps the overbuild may be allowable for a certain percentage of the overall build – say overbuild must not exceed 15%, etc. That overbuild would encourage competition, lowering costs and

making it more affordable (question #7 above) and improve overall service. Pro period extension: No, 30 days will not be enough. Different entity types will require different time lengths to submit a challenge. The max allowable is 60 days, therefore 60 days should be the period.

**Name:** Thomas Thompson III

**Organization:** Central Bradford Progress Authority

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Affordability is obviously subjective based on a variety of factors, however if we assume that most rural households fall within a middle-class level, reliable service with maintainable speeds of 25/3 Mbps, should be in the neighborhood of \$100/mo.t exceed

**Q2 Minimum and Maximum Award amounts:**

No less than 50 awards, with a maximum award of \$5mm. Ideally, the award range would be \$1mm - \$3mm. Awards within this range would allow for the equitable distribution of funds statewide.

**Q3 Matching Funds:**

Minimum of 25% match, with additional application points being awarded up to a 50% match. In doing so, a more level playing field for most applicants would be realized.

**Q4 Challenge Process Period:**

45 days. This amount of time allows for any number of different interruptions which occur on a daily basis (holidays, vacations, sickness, etc).

**Name:** Cynthia Rupert

**Organization:** Avonmore Borough

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Small communities have zero chance of participating in these programs because of all of these factors

**Q2 Minimum and Maximum Award amounts:**

Begin with the smallest communities and award whatever it takes to accomplish the installation

**Q3 Matching Funds:**

How can small communities afford even a 25% match?

**Q4 Challenge Process Period:**

Yes

**Name:** DRITA CRAWFORD

**Organization:** NEW BEAVER BOROUGH

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Not answered

**Q2 Minimum and Maximum Award amounts:**

Not answered

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

No more time is needed

**Name:** Stephanie Clevenstine

**Organization:** Bedford County Planning

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Geographic dInternet Service Providerarities / socioeconomic

**Q2 Minimum and Maximum Award amounts:**

Small and large projects such as 500,000 - multimillion based on scale and impact of the project. Assign some funding for smaller projects

**Q3 Matching Funds:**

10-15 percent match

**Q4 Challenge Process Period:**

30-60 days

**Name:** Mark Petros

**Organization:** Constituent

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Yes

**Q2 Minimum and Maximum Award amounts:**

Depends

**Q3 Matching Funds:**

25%

**Q4 Challenge Process Period:**

30 Days



**Name:** Jennifer Detore

**Organization:** Borough of South Greensburg

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Not answered

**Q2 Minimum and Maximum Award amounts:**

Not answered

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Not answered

**Name:** Patricia Betts

**Organization:** Bolivar Borough

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Lower income rural area with all age groups (ie.) school age, small businesses, work at home parents, grand parents with lack of quality internet service or no service at all located in a rural valley surrounded by hills which stop phone and internet service per wi-fi. Only 1 cable service comcast which uses old lines with resisters and diodes that pull apart in cold weather and cause ever weaker service.

**Q2 Minimum and Maximum Award amounts:**

This figure is hard to come up with because of the lack of reliable internet and phone service currently available. Without the knowledge of the total cost of quality service it could range up to \$250 thousand or more to put into place.

**Q3 Matching Funds:**

For a small community of under 500 people a 25% match is impossible to do. It should be set that a community of under 3,000 should not have to have a cash match at all and should be fully funded. A larger town or city it seems gets all the higher funding and the smaller town or community gets hardly anything at all. There is no comparison at all.

**Q4 Challenge Process Period:**

yes

**Name:** Scott Kramer

**Organization:** SEDA Council of Governments

**Affiliation:** Local Government

**Q1 Affordability Definition:**

geographic factors and comparable market price / competition.

**Q2 Minimum and Maximum Award amounts:**

40 awards at 5M per award.

**Q3 Matching Funds:**

25% match of equity investment or in-kind.

**Q4 Challenge Process Period:**

30 is bare minimum. 60-90 would be preferable.

**Name:** Juliet Yates

**Organization:** City of Philadelphia

**Affiliation:** Local Government

**Q1 Affordability Definition:**

The Authority should look to the most recent research available in Pennsylvania to best understand how Pennsylvanians consider affordability of internet service. According to the report, "Broadband Demand: The Cost and Price of Elasticity of Broadband Internet Service in Rural Pennsylvania" in which 1,446 registered voters responded to the survey in 2020, there is a "sweet spot" in which residents who could afford services, were willing to pay up to \$60/month and a significant drop off after that price point.

<https://www.rural.pa.gov/getfile.cfm?file=Resources/PDFs/news/Broadband-Demand-Report-October-2020.pdf&view=true> The Philadelphia Household Internet Assessment Survey, a survey of over 2000 residents in a county that is largely "served" and provides a useful example of how availability of internet access alone does not close the digital divide, found that nearly three-quarters (73%) of respondents said a monthly bill over \$50 would be too expensive." Most low-income households (almost 90%) could pay \$10 for service, but beyond that, affordability would be a barrier. Among low-income subscribers, a program that asked subscribers to pay even \$10 for service would be an issue for up to 12% of low-income households, necessitating a free option. <https://www.phila.gov/documents/connecting-philadelphia-2021-household-internet-assessment-survey/> The Authority should follow the FCC's ACP guidelines around eligibility for low-income Pennsylvanians and ensure that any new broadband services provided to a region could offer a plan that was free or under the \$10/month mark if the resident was eligible for the ACP. However, the Authority should not allow Internet Service Providers to define affordability fully through the lens of the ACP, considering its uncertain future. Affordable options should be able to stand alone as affordable on their own. The ACP can help reduce the cost even more as long as it exists and provide a sustainable incentive for Internet Service Providers to continue to connect low-income residents. In the instance where the ACP is no longer available, the Authority should require that Internet Service Providers maintain the eligibility criteria of the ACP for low-income residents to ensure continuity of services and avoid unnecessary barriers for residents trying to determine which Internet Service Provider they may be eligible for.

**Q2 Minimum and Maximum Award amounts:**

Without providing any details on the types of awards that the Authority will put into RFPs, it is impossible to answer such a question with knowing what will be allowable costs in the grants. There should not be arbitrary barriers to how many awards will be funded or the cap amount. The Authority should consider multiple funding streams within the \$200 million grant program that offer both large and small grants, pilot opportunities, and enable a variety of entities, for profit, non-profit, and local governments to apply for funding. Awards should consider and prioritize interconnectivity, open access networks, and ways to ensure that there is the possibility for competition in an area. Lastly, the Treasury Capital Funds provides more flexibility than the BEAD funding and should be used to fund or leverage the BEAD funding more wisely.

**Q3 Matching Funds:**

The Authority should not introduce any match requirements where there are none mandated or required by applicable Federal or State law, as stated in Act 96, 6124(g) "regulatory obligations". Introducing a match may create barriers for local entities or local Internet Service Providers that are insurmountable and may be considered a discriminatory method of eliminating local and/or non-profit or community projects that may have a greater incentive to serve a region more sustainably than some major Internet Service Providers. Should the Authority agree to not require a match, the Authority should also not evaluate proposals based on match, as this would have the same discriminatory effect.

**Q4 Challenge Process Period:**

This is not knowable because the challenge process and guidelines have not been made available to date. Before determining if 30 days is a reasonable amount of time, the Authority must provide clear and transparent guidelines to the public for what could be considered a reasonable challenge. The Authority will also need to provide clarity on how they will disclose or make transparent any applications submitted during

the RFP to the public so that they may be challenged. Once the Authority has drafted the challenge guidelines and processes, the Authority should create a transparent method for public comment on the challenge guidelines and process and provide an updated version that directly demonstrates which comments they have decided to include in their challenge process. The Authority must make clear in the process how they will have accountability for spurious challengers or those without merit. Once the Authority has gone through these steps, they should reissue this question to determine if 30 days is enough time to make a challenge.

**Name:** Donald O'Brien

**Organization:** County Government

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Total cost of ownership as to percentage of income = Affordability

**Q2 Minimum and Maximum Award amounts:**

Minium awards 45 and \$2 to 4 million.

**Q3 Matching Funds:**

25%

**Q4 Challenge Process Period:**

YES

**Name:** Carol Duffy

**Organization:** McKean County

**Affiliation:** Local Government

**Q1 Affordability Definition:**

This is difficult to answer if it is based on income when considering demographics. It could be defined as affordable based on a % of average monthly income or possibly an area's median income could be part of a formula. How income is defined may need to be considered.

**Q2 Minimum and Maximum Award amounts:**

The maps clearly reflect remote areas of unserved and underserved areas that could be a small- scale project depending on existing service and type of build out to reach remote rural unserved areas. This is where fixed wireless may be an affordable option. It would be important to allow the grant to cover tower leases and/or land acquisitions for fixed wireless in remote areas (our most underserved). Will prevailing wages limit participation of providers and will the amount of engineering and detail required in the grant application for local government also limit participation? Will a larger grant create limitations on existing projects where smaller buildouts would be a possibility as we try to address these gaps in service?

**Q3 Matching Funds:**

Having a large grant with a significant cash match could create a barrier for local government projects unless private industry covered the cash match, if there was a private industry interest in you're the area. Local government would appreciate allowable in kind matches (a priority for the BEAD funds to favor in-kind matches for municipalities). Utilization of County or State towers and poles for buildout of fixed wireless in some areas could ultimately cut overall costs of a project which could be a consideration of match.

**Q4 Challenge Process Period:**

I believe 30 days is reasonable as there has been significant opportunity for challenges as these maps have been developed. We would want to limit delays if possible especially considering the open construction period as weather permits in NW PA.

**Name:** Andrew French

**Organization:** Redevelopment Authority of the County of Fayette, Pennsylvania

**Affiliation:** Local Government

**Q1 Affordability Definition:**

Determination of affordability should be based on regional and/or County income data rather than national or state-wide data. It should also factor basic-level affordability (say 1GB of data / month), as well as the affordability of additional data that may be necessary for tele-work and tele-education.

**Q2 Minimum and Maximum Award amounts:**

No comment on the minimum number of awards, however the Authority may want to limit the range for award amounts (2.0 - 5.0 million) in order to ensure the equitable distribution of funding throughout the Commonwealth, especially the un-served and under-served rural areas that lack adequate basic broadband infrastructure. If there is a limit, can the Authority require that each County provide a prioritization of projects being applied for in their respective municipalities?

**Q3 Matching Funds:**

The Authority should require different levels of match depending on the classification of the applicant. For instance, government agencies applying may be required to provide a nominal match, but for-profit entities may be required to provide a 50 percent (or greater) match since they will receive more long-term financial benefit. The reduced match requirement may also incentivize Internet Service Providers and other organizations to partner with municipalities rather than submitting independently.

**Q4 Challenge Process Period:**

The time frame may be reasonable as long as local municipalities are given timely notice of the applications being recommended for funding by the Authority. An alternative approach would be for the Authority to require a type of "Certification of Consistency with County Plans" for each applicant so that each County has advanced notice of which Internet Service Providers and/or organizations are applying for funding.



**Name:** Timothy Wentz

**Organization:** Northeast Equipment Dealers Association

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

Defining what charges might constitute meet the "affordable" standard will not be easy. Although "internet" and "telephone/telecommunications" don't necessarily lend themselves to an apples to apples comparison. It may pay to review the court's decision underling the "break-up of ATT/"baby bells" and attempt to build/use their logic as a foundation.

**Q2 Minimum and Maximum Award amounts:**

Rather than establishing a minimum grant amount I would much rather see a criteria established focused on installation cost per constituent serviced with particular weight given to supporting locations with the highest installation cost per constituent. The thought being that those locations are the least likely to see "independent" unsupported private investment/installation as a result of terrain, population density, economic (income), etc.

**Q3 Matching Funds:**

A 25 percent match for the Broadband Equity, Access, and Deployment (BEAD) program is reasonable.

**Q4 Challenge Process Period:**

90 - 120 days seems much more reasonable

**Name:** Mark Baylis

**Organization:** Valor Clinic Foundation EIN 45-4634922

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

Telehealth access via broadband for emotionally scarred rural veterans should be free to help reduce the epidemic veteran suicide problem

**Q2 Minimum and Maximum Award amounts:**

We can improve your outcomes with \$8M by providing a source of trained installation technicians--not a listed funding option. Nobody accomplishes anything without the people to do the work.

**Q3 Matching Funds:**

25% is Way too low for those expanding infrastructure to enable outcomes in the non profit sector to meet this emerging requirement.

**Q4 Challenge Process Period:**

can you stretch to 45? 45 is tough to do, 30 is even tougher.

**Name:** Rebecca Woods

**Organization:** Constituent

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

I think a conversation with Schuylkill Community Action and school superintendents would be insightful in the affordability assessment.

**Q2 Minimum and Maximum Award amounts:**

Previously, I lived in Eastern Kentucky where they have national recognized fiber optic internet. My suggestion is to contact Keith Gabbard at the Peoples Rural Telephone Cooperative and discuss how they achieved their success. It is a rural community much like Schuylkill County. and the majority of PA.

**Q3 Matching Funds:**

Previously, I lived in Eastern Kentucky where they have national recognized fiber optic internet. My suggestion is to contact Keith Gabbard at the Peoples Rural Telephone Cooperative and discuss how they achieved their success. It is a rural community much like Schuylkill County. and the majority of PA.

**Q4 Challenge Process Period:**

Not being in the industry, I would ask what is an appropriate time to get estimates and additional information needed for a strong proposal.

**Name:** Jennifer Wakeman

**Organization:** DRIVE

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

I think affordability should be assessed relative to the service options in the area of deployment. The Authority should have applicants provide data on similar offerings from competitors for the same speeds. If points are being given for affordability then it should be required that applicants provide their cost structure and prove that their grant will increase access for last mile customers. The Authority could also take into consideration whether the grantee or its partners participate in the Affordable Connectivity Program.

**Q2 Minimum and Maximum Award amounts:**

40 is the minimum.

**Q3 Matching Funds:**

I think particularly for non-profit entities working on providing access rather than profits, the match requirement should include allowance for in-kind match for investments already made in towers, rooftops, and other real estate. Also, purchase of last mile subscriber units should be an allowable match as that is the ultimate goal of any broadband program...connecting end users.

**Q4 Challenge Process Period:**

Yes

**Name:** Morgan Webb

**Organization:** Pennsylvania Rural Electric Association

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

The Pennsylvania Rural Electric Association (PREA) has served as the unified voice for Pennsylvania and New Jersey's 14 rural electric cooperatives since 1942. These cooperatives supply electricity to more than 230,000 rural households, businesses and industries, representing more than 600,000 consumer-members. The 13 cooperatives in Pennsylvania own and maintain about 12.5% of the electric distribution lines in the state, covering nearly one-third of the Commonwealth's land area in 42 counties. These distribution lines are an essential component of rural business and industry, and they represent one of the Commonwealth's largest non-governmental investments in rural infrastructure. As locally owned (electric cooperatives are owned by their members) and locally controlled businesses, electric cooperatives play vital roles in maintaining the economic health of their rural communities — providing hundreds of jobs and improving the overall quality of life. PREA is committed to supporting rural communities, and recognizes the significant opportunity at hand to shape the development and deployment of state and federal resources to develop broadband infrastructure throughout the Commonwealth. Electric cooperatives were founded upon a commitment to provide affordable, reliable electricity to members. Since their inception, electric cooperatives have been attuned to economic factors in their communities, and the lack of broadband in rural areas is one of the primary drivers for lagging economic development and population loss. In the era of broadband development, PREA implores the Authority to act with the future in mind by building a network to support the demands of tomorrow's communities. The discrepancy between the internet speeds that rural Pennsylvanians are paying for versus the speeds they are actually receiving has been well-documented. We remind the Authority of The Center for Rural Pennsylvania's 2019 report on Broadband Availability and Access in Rural Pennsylvania, which determined that "At the county level, the 2018 data documented that there were 0 (zero) counties in Pennsylvania where at least 50% of the populace received "broadband" connectivity, as defined by the FCC." Therefore, we recommend assessing affordability by reviewing the offerings of current internet service that is available through existing providers. Many rural Pennsylvanians are willing to pay more for faster, reliable service. The requirements around affordability should not be so restrictive as to limit the quality of service. A 2020 report authored by the Center for Rural Pennsylvania concluded "When speed and price are held stable, rural respondents have a higher willingness to pay for broadband than urban residents." In this round of funding, we strongly encourage the Authority to consider applicants from areas that received CAF and CAFII funding, as many of those communities remain unserved and underserved. Further, the impact of data caps on rural Pennsylvania's broadband consumers should be considered when assessing affordability. Data caps, a practice common among many Internet Service Providers, further limit the actual realized usage of internet service. Fast, reliable internet service is no longer a luxury, it is a requirement for daily life in communities across the Commonwealth and we request the authority to consider the realities of existing business practices when defining affordability.

**Q2 Minimum and Maximum Award amounts:**

PREA recommends the Authority prioritize projects that will deliver higher download/upload speeds, which are more expensive to construct and are more desirable among rural residents. By awarding higher grant amounts to such projects, the Authority would be taking a critical step toward a "future-proof" investment in the broadband network.

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

PREA finds 30 days to be a reasonable challenge period: however, we have a number of concerns about the challenge process. Primarily, several providers have established a pattern of unilaterally challenging every applicant during prior grant application periods. Incumbent providers have substantially more resources available for such pursuits – putting cooperatives and other applicants at a disadvantage. This practice

imposes an undue hardship on applicants and delays the grant awarding process. PREA recommends shifting the burden of proof for challenges from the applicant to the challenger.

**Name:** Bob Alonge

**Organization:** Volunteers In Medicine in Schuylkill & Carbon Counties

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

price

**Q2 Minimum and Maximum Award amounts:**

0

**Q3 Matching Funds:**

0

**Q4 Challenge Process Period:**

yes

**Name:** Rachel Papuga

**Organization:** Alleghenies Broadband, Inc.

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

Affordability should be considered using a variety of factors like those mentioned above. However, average household income, low-to-moderate income lever, and the prices of services for all service providers in the area should be primary factors for assessment.

**Q2 Minimum and Maximum Award amounts:**

The minimum number of awards should be between 5 to 8 with award amounts ranging from \$15 million to \$25 million

**Q3 Matching Funds:**

Matching fund requirements could be calculated using a sliding scale based on award amount; i.e. a smaller project with a smaller award amount would require a smaller match amount.

**Q4 Challenge Process Period:**

30 days would be reasonable but 45 days would ensure that all challenges are submitted properly and with enough care and attention to detail to ensure that a challenge is submitted legitimately.



**Name:** Ria Pereira

**Organization:** Pennsylvania Utility Law Project

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

To address the well-documented difficulty in access to broadband services faced by low income households, any assessment of affordability must consider whether low income households can reasonably afford to connect to services, in addition to considering system-wide affordability. First, applicants for this program should offer access to low-income broadband assistance programs to their customers. At minimum, applicants should commit to participating in the federal Affordable Connectivity Program (ACP), and should be required to offer a rate for broadband that does not exceed the \$30/month ACP benefit provided through the program. Applicants should, in turn, be required to propose a robust plan for consumer education, outreach, and screening so that households which qualify for the ACP are informed of and assisted with enrollment in the program. Consideration should be given to language access to ensure outreach and education materials are available in languages spoken by households within the providers' service territory. Applicants should also have adequate staff and resources to assist customers with questions related to assistance programs, or to apply assistance program benefits. We recommend that applicants work in coordination with local service agencies and community-based organizations to determine the best methods of outreach related to these assistance programs for specific low income communities. In turn, applicants should engage with community groups that service diverse and historically underserved communities to ensure equitable access to information and benefits related to assistance programs. Affordability must be assessed based on full transparency assessment of broadband costs offered by applicants, including all additional monthly fees and charges. In this regard, providers receiving public funds to support broadband infrastructure deployment should be prohibited from levying fees and charges that serve as a barrier to broadband adoption by low income families. This includes, but is not limited to, security deposits, termination or reconnection fees, customer service charges, paper billing charges, and other fees that can unnecessarily inflate the cost of service. Late fees should also be subject to strict limitations, and should not be permitted to compound over time. Applicants should, in turn, have a clear system for disclosing any additional fee or charge above the base monthly price of broadband services. Additional fees should be clearly and individually delineated by fee on customer's monthly bills, and representatives should be trained and empowered to answer customer questions related to customer bill charges. For customer with Limited English Proficiency, translated bills and communications related to these additional fees should be developed and offered. Finally, we recommend that a component of an affordability assessment include whether applicants are periodically assessing solutions to reduce the overall costs of broadband services for low income consumers. This assessment should include a review of the current levels of affordability within applicant's geographic region, based on Federal Poverty Level (FPL), as well as Area Median Income (AMI). This assessment should rely both on pooled data resources, including U.S. Census data, as well as more targeted data collection methods that are aimed at capturing underserved communities that may be less represented in larger data sets. After undertaking these periodic assessments, applicants should be assessed on whether they have achieved measurable outcomes and improvements in affordability as a result of their assessments.

**Q2 Minimum and Maximum Award amounts:**

Not answered

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

We do not generally object to a 30 day period for potential challengers to review proposed project areas and submit challenges. However, we note that, during this period, potential challengers -- including consumers -- should have access to clear information about the proposals and applicants in order to assess whether to lodge challenge. Prior to the deadline for submitting proposals, we recommend that an initial outreach campaign is conducted to explain the grant proposal process and the importance of providing

feedback. We recommend that this outreach campaign specifically target communities that have historically struggled to afford broadband services – specifically including low income communities. We also recommend that this outreach campaign include a language access component so that consumers with Limited English Proficiency can learn about and participate in the process. We further recommend that the process for challenging proposals be streamlined. Proposal challenges should be able to be provided via phone and internet. Clear instructions about the process of challenging proposals should be published on the relevant governmental website, and the Authority should provide information and training related to the challenge process to local governments, municipalities, service providers, faith-based organizations, and other community-based groups. Information and instructions regarding the challenge process should include the timeline that the Authority anticipates responding to submitted challenges. We also recommend that the Authority develop methods of providing translation and interpretation services for consumers who seek to challenge proposals and who have Limited English Proficiency.

**Name:** Kevin Sunday

**Organization:** Pennsylvania Chamber of Business and Industry

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

We recommend assessing affordability on the basis of twice the federal poverty limit per household, or if the household is receiving assistance such as LIHEAP, SSI disability or SNAP benefits. For the remainder of the population, normal market conditions should apply.

**Q2 Minimum and Maximum Award amounts:**

The US Treasury has provided guidance as to auditing and reporting requirements. Some requirements, such as the application of the Davis-Bacon Act, are triggered by the size of the grant award. For Capital Projects Fund awards, the trigger is \$5 million. The Authority can ensure funding is awarded to those applicants who establish good employment practices without imposing the onerous reporting requirements under Davis-Bacon, which may result in increased costs and affect the timeline to deploy broadband infrastructure projects. In order to ensure maximum effectiveness of the use of these funds, we recommend the Authority cap its awards under this program at \$4.5M.

**Q3 Matching Funds:**

We agree a 25 percent match is generally appropriate, and recommend the Authority request clarification from US Treasury if resources committed by the applicant, such as internal labor, contracted engineering fees or legal counsel associated with permitting reviews, can be considered as in-kind services contributing towards the 25% match. If so, we recommend the Authority allow such in-kind services to contribute towards the 25% match. We also recommend the Authority provide for the option of waiving the 25% match in low-density, rural population zones where factors, such as the lack of subscribers and cost of pole attachment fees, render the project to be uneconomic long-term.

**Q4 Challenge Process Period:**

30 days is a reasonable time for challengers to submit challenges. We recommend that the Authority delineate very narrow circumstances in which it may toll the 30 days for the challenger to provide additional information in a challenge the Authority may find incomplete or technically inadequate. The legislature's instructions were that this process is to be "expeditious," and it is reasonable in keeping with the plain language of the statute to establish a challenge process that expects submitted challenges to be complete upon initial filing. Tolling should be authorized only in circumstances where a challenger can establish the system accepting the attempted filing did not accept the entire submission.

**Name:** Kate Rivera

**Organization:** Technology Learning Collaborative

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

Affordability should look at both the standard price the Internet Service Provider sets for service and include discounted service for individuals who qualify. The Authority should look to the most recent research available in Pennsylvania to best understand how Pennsylvanians consider affordability of internet service. According to the report, "Broadband Demand: The Cost and Price of Elasticity of Broadband Internet Service in Rural Pennsylvania" in which 1,446 registered voters responded to the survey in 2020, there is a "sweet spot" in which residents who could afford services, were willing to pay up to \$60/month and a significant drop off after that price point.

<https://www.rural.pa.gov/getfile.cfm?file=Resources/PDFs/news/Broadband-Demand-Report-October-2020.pdf&view=true>. The Philadelphia Household Internet Assessment Survey, a survey of over 2000 residents in a county that is largely "served" and provides a useful example of how availability of internet access alone does not close the digital divide, found that nearly three-quarters (73%) of respondents said a monthly bill over \$50 would be too expensive." Most low-income households (almost 90%) could pay \$10 for service, but beyond that, affordability would be a barrier. Among low-income subscribers, a program that asked subscribers to pay even \$10 for service would be an issue for up to 12% of low-income households, necessitating a free option. <https://www.phila.gov/documents/connecting-philadelphia-2021-household-internet-assessment-survey/>. The Authority should follow the FCC's ACP guidelines around eligibility for low-income Pennsylvanians and ensure that any new broadband services provided to a region could offer a plan that was free or under the \$10/month mark if the resident was eligible for the ACP. However, the Authority should not allow Internet Service Providers to define affordability fully through the lens of the ACP, considering its uncertain future. Affordable options should be able to stand alone as affordable on their own. The ACP can help reduce the cost even more as long as it exists and provide a sustainable incentive for Internet Service Providers to continue to connect low-income residents. In the instance where the ACP is no longer available, the Authority should require that Internet Service Providers maintain the eligibility criteria of the ACP for low-income residents to ensure continuity of services and avoid unnecessary barriers for residents trying to determine which Internet Service Provider they may be eligible for. Individuals who qualify for discounted service should not have to sacrifice quality (speed and reliability) for affordability--the service should be at least 100/25; ideally a symmetrical 100/100

**Q2 Minimum and Maximum Award amounts:**

Without providing any details on the types of awards that the Authority will put into RFPs, it is impossible to answer such a question with knowing what will be allowable costs in the grants. There should not be arbitrary barriers to how many awards will be funded or the cap amount. The Authority should consider multiple funding streams within the \$200 million grant program that offer both large and small grants, pilot opportunities, and enable a variety of entities, for profit, non-profit, and local governments to apply for funding. Awards should consider and prioritize interconnectivity, open access networks, and ways to ensure that there is the possibility for competition in an area. Lastly, the Treasury Capital Funds provides more flexibility than the BEAD funding and should be used to fund or leverage the BEAD funding more wisely.

**Q3 Matching Funds:**

The Authority should not introduce any match requirements where there are none mandated or required by applicable Federal or State law, as stated in Act 96, 6124(g) "regulatory obligations". Introducing a match may create barriers for local entities or local Internet Service Providers that are insurmountable and may be considered a discriminatory method of eliminating local and/or non-profit or community projects that may have a greater incentive to serve a region more sustainably than some major Internet Service Providers. Should the Authority agree to not require a match, the Authority should also not evaluate proposals based on match, as this would have the same discriminatory effect.

**Q4 Challenge Process Period:**

This is not knowable because the challenge process and guidelines have not been made available to date. Before determining if 30 days is a reasonable amount of time, the Authority must provide clear and transparent guidelines to the public for what could be considered a reasonable challenge. The Authority will also need to provide clarity on how they will disclose or make transparent any applications submitted during the RFP to the public so that they may be challenged. Once the Authority has drafted the challenge guidelines and processes, the Authority should create a transparent method for public comment on the challenge guidelines and process and provide an updated version that directly demonstrates which comments they have decided to include in their challenge process.

**Name:** Aaron Young

**Organization:** Tri-County Rural Electric Cooperative/Tri-Co Connections

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

Providers should be allowed to use this program in unserved and underserved areas where they were already the recipient of CAFII and RDOF funds. With high inflation, increased labor costs, and increased material pricing, additional funding in these areas would allow rural providers to continue to effectively deploy networks and keep overall costs to the consumer low. Community-focused, not-for-profit organizations like cooperatives, owned by the members that we serve, have experience in the rural areas that lends itself to an understanding of what it takes to deliver a reliable broadband product to the consumer at the lowest cost possible. Affordability needs to be addressed much differently in rural Pennsylvania than it is in more populated cities and towns. With 3 or less serviceable locations per mile in many parts of rural Pennsylvania, sufficient grants are essential to keep costs as low as possible to the consumer.

**Q2 Minimum and Maximum Award amounts:**

Max awards should be \$20M with a minimum of 20 awards. The ability to utilize existing contractor relationships at a fair wage determination as well as an assigned Pennsylvania wage rate for telecommunications positions will ensure maximum value for the grant program, while also ensuring appropriate labor rates.

**Q3 Matching Funds:**

10% match should be required for established terrestrial facility owners and Internet Service Providers with a history of sound financials. While a match from the applicant is important, a higher match requirement on the part of the provider could translate to higher long-term costs for the consumer. Keeping match costs low would assist in reaching the most rural pockets in Pennsylvania where the build costs far outweigh the ROI from serviceable locations passed.

**Q4 Challenge Process Period:**

30 days is a reasonable amount of time. An acceptable challenge should require proof that the claimed service offering is available to all locations within the census block being challenged. Anything less than 100% of census block coverage does a disservice to the remaining unserved locations.

**Name:** Bailey Thumm

**Organization:** Pennsylvania Farm Bureau

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

American Farm Bureau Federation (AFBF) has the following policy: 419/Fiscal Policy, page 160, #9.10, "We believe equal rights should be exercised in the distribution of state and federal aid to any entity and oppose the distribution of aid based on race, gender or religious belief." Pennsylvania Farm Bureau (PFB) supports this policy. Affordability is an economic term and it should be based on price relative to income. It is discrimination to set precedent that affordability is based on education, age, and sex. To address geographic disparities, PFB is well aware that rural communities are not as connected to broadband as urban communities. As a result, rural communities often pay more for broadband. This is an access problem. Where you live should not determine whether entities are able to operate their businesses efficiently and effectively. Therefore, rural communities must have priority in the guidelines for the \$200 million program. The main message here is affordability must be looked in terms of income and price, and rural communities must be at priority.

**Q2 Minimum and Maximum Award amounts:**

Since the eligible applicants for the program are fairly sizable operations, PBDA should be realistic with limitations. Meaning, bigger operations are going to need a large sum of money to make an effective change with broadband infrastructure. Also, this program is not the only opportunity for entities to receive broadband funding. For these reasons, PBDA needs to be strategic in their decision on the minimum number of awards issued and the amount given to each entity. Since this program is directed more towards entities rather than individuals, PBDA should consider grant amounts based on previous grants awarded, number of employees, and their contribution to the community. PFB recommends PBDA waits to Q2 of 2023 to determine the minimum number of awards and the ideal range for award amounts. NTIA plans to announce BEAD allocations, using the most up-to-date version of the FCC maps a guide, by June 30th. Hopefully, the FCC's maps will be more accurate and granular by then, and PBDA will have a better idea on the number of allotments necessary for this grant program.

**Q3 Matching Funds:**

The \$42.5 billion BEAD program is the single, largest investment for broadband in history. While PFB looks forward to the investment of the Pennsylvania Broadband Infrastructure Program, determining match requirements for a \$200 million program cannot be compared to a \$42.5 billion program. Therefore, match requirements for the Pennsylvania Broadband Infrastructure Program need to be set at the applicants' economic need and their ability to match. We would encourage match requirements for the reasons stated in the question, but it needs to accommodate the sum of money the applicant is receiving.

**Q4 Challenge Process Period:**

30 days is not a reasonable time frame for potential challengers to review proposed project areas and submit challenges. AFBF has the following policy: "110/Regulatory Review and Reform, page 8, #12.11, "We support the policy that the comment period for federal rules and significant actions be no less than 60 days". PFB supports this policy and even though the program is administered by the Commonwealth, it is funded by federal legislation. It is irresponsible for PBDA to propose a 30-day challenge period for a \$200 million grant program. A 30-day challenge period suppresses entities' voices from being heard. We understand that a longer challenge period would delay the distribution of funds. However, a large sum of money is at stake, and applicants deserve a reasonable period of time to digest what is being proposed by PBDA. Thus, a 60-day challenge period would allow for applicants to review PBDA's proposed project areas and submit challenges.

**Name:** Donna DeSanto Ott

**Organization:** Pennsylvanians for Safe Technology

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

Affordability must also consider the costs that will be incurred by people who are, and will be harmed by wireless infrastructure, especially those harmed into disability. Typical cost of remediating a home ranges from \$25,000 to 100,000. This is out of the reach of most Pennsylvanians, and does not include medical costs or lost income as a result of microwave sickness or electromagnetic sensitivity (disability recognized by the US Access Board. A group of physicians from the PA Chapter of the AMA submitted a resolution to the full AMA - outlining the harms of this. Further the Massachusetts Association of State Health Boards recent amicus letter in support of the people harmed in Pittsfield MA by a cell tower is another document that deserves your attention. In this case, like in Pennsylvania people sickened could not live in their homes. This is a preventable cause of disability and must be considered by the Broadband Authority.

**Q2 Minimum and Maximum Award amounts:**

We need wired broadband as it is future proof and will not contribute to the increasing number of cases of microwave sickness.

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

No, 90 days would provide more time. Again, use of wired broadband, which is faster, safer and more secure is a future proof way to provide broadband. When wireless is used, 30 days is not enough time to review.



**Name:** Donna DeSanto Ott

**Organization:** Pennsylvanians for Safe Technology

**Affiliation:** Non-Profit Organization

**Q1 Affordability Definition:**

We were unable to comment properly in the short time of notice we had for this. We appreciate the preference for wired cable and fiber service. It is important to note that children, those with chronic illnesses and people who are older are more likely to suffer from the biological effects of radio frequency microwave radiation. This includes diabetes. The lawmakers, especially the consumer affairs committee where much legislation related to this originated, was briefed on this topic by an industry paid consultant who has no training in health, medicine, epidemiology, etc, and has been discredited, most recently by the Massachusetts Association of State Boards of Health (MAHB). Independent, unpaid medical doctors and scientists with training in health were not permitted to testify in PA Hearings. MAHB wrote in their amicus letter, in part: II. THE RECORD UPON WHICH THE BOARD OF HEALTH RENDERED ITS ORIGINAL EMERGENCY ORDER WAS A SUFFICIENT RECORD TO SUSTAIN ITS RULING UNDER THE CASES CITED ABOVE The PBOH considered credible, independent, and peer-reviewed scientific and medical studies and reports that provide convincing evidence that pulsed and modulated RF radiation is bio-active and affects all living things over the long term. The body of science supports that radiofrequency/ electromagnetic frequency (RF/EMF) – even if emitted at levels within the FCC emissions guidelines – can be injurious to health or cause common injury to that significant portion of the public who are electromagnetic sensitive. Stated differently, pulsed, and modulated RF can constitute a “public nuisance” or a “cause of sickness,” and can constitute a trade which may result in a nuisance or be dangerous to the public health for purposes of G.L. c. 111 §§ 122- 125.... In fact, the Centers for Disease Control’s 2022 Classification of Diseases Codes Clinical Modification and Procedural Classification System, which implements the International Classification of Diseases, 10th Revision, Clinical Modification (ICD-10-CM) recognizes radiation sickness and has assigned a diagnosis code for 8 Said charter provision would take the form of a piece of special state legislation and would therefore be an additional state law. Date Filed 2/13/2023 12:00 AM Superior Court – Berkshire Docket Number 2276CV00127 Berkshire Superior Court Re: Gilardi, et al v. Tyer, et al February 12, 2023 Page 11 of 18 \_ it, “T66.” The “injury” code for “Exposure to Other Nonionizing Radiation” is “W90.”<sup>6</sup> These codes cover electro-sensitivity along with other RF exposure-related injuries and maladies.<sup>9</sup> During the investigation by the PBOH, the board received over 11,000 pages of evidence of studies, reports, and scientific and medical experts’ opinion about the dangers to human health and the environment caused by exposure to wireless radiation.<sup>10</sup> The Board also heard testimony from medical professionals who directly treat patients injured by RF/EMF as well as testimony from scientific experts. The Board received personal testimony from many of the City of Pittsfield residents who have been personally harmed by pulsed and modulated RF radiation transmitted from the Verizon wireless facility. The PBOH based its conclusions, findings, and actions on all the scientific, medical, and personal evidence that has been submitted, including: • Well over one thousand peer-reviewed scientific and medical studies which consistently find that pulsed and modulated RFR has bio- effects and can lead to short- and long-term adverse health effects in humans, either directly or by aggravating other existing medical conditions. o Credible, independent peer-reviewed scientific and medical studies demonstrated to the Board that there were profoundly deleterious effects 92022 ICD-10-CM Diagnosis Code T66: Radiation sickness, unspecified. Found at <https://www.icd10data.com/ICD10CM/Codes/S00-T88/T66-T78/T66-/T66>. 10 Environmental Health Trust et al. v. FCC Key Documents Volumes 1, 3, 5- 15.

**Q2 Minimum and Maximum Award amounts:**

7. Continued - This questionnaire should have more focus on public safety. These areas where there is currently little or no service are where people with radiation sickness have fled their homes to live. It is the last 'refuge' for them, the last area where they can more safely live. "More safely" because they are suffering from the effects of the mandate for wireless utility meters in PA. Their symptoms and disabilities are very similar to those mentioned in the Pittsfield case but the health department here has not investigated the PA problems. We strongly urge you to focus on the public safety side of broadband and make it easier for those working to protect public health and safety to participate. There are lessons from the problems experienced by those who developed radiation sickness from the utility meters. This problem will continue to worsen if

people are not helped and safer choices for broadband are not made. Switch mode power supplies in the wireless utility meters and for fiber need to be chosen carefully, ideally, if possible, not used, as that is a second problem in addition to the radio frequency and microwave radiation. Here is the link for complete letter mentioned in question 7:  
<https://static1.squarespace.com/static/5ed0007ce169954eea17b10b/t/63eaedf7591d4b6208e3999e/1676340728040/Amicus+Letter+MAHB+021223+.pdf>

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Not answered

**Name:** Scott Major

**Organization:** Berks County Intermediate Unit 14

**Affiliation:**

**Q1 Affordability Definition:**

Like telephone services, broadband should be considered a public utility and the monopolization of territories currently in place be open to competition. That will increase the take rate, lower costs, and encourage investment by the public sector. Geographic dInternet Service Providerarities, lack of competition, lack of digital literacy, and current high prices are barriers not only to the low-income demographic, but the middle class as well.

**Q2 Minimum and Maximum Award amounts:**

Applicants should have to contribute 15 percent of the total requested funding in cash or in-kind contribution to insure their commitment to complete the project. There are many rural communities that will not have the cash to fund 15%, but they may be able to contribute equipment, training for broadband implementers, equipment, buildings, towers, etc.

**Q3 Matching Funds:**

Not answered

**Q4 Challenge Process Period:**

Because many entities that will be submitting challenges have primary jobs in addition to managing overseeing broadband needs in their respective regions, a reasonable amount of time for challenges should be 120 days. In many cases, there are multiple areas that are truly underserved or unserved that need to be surveyed and artifacts collected. The past practice of using census blocks as a means of presenting broadband coverage has made this process very tedious and consuming.