



PA BEAD Overbuild Challenge Process

Overview:

The Pennsylvania Broadband Development Authority (PBDA or the Authority) conducts this overbuild challenge process for the BEAD program in accordance with Pennsylvania Act 96 of 2021 (“Act 96”). A copy of Act 96 is available at: [Act No. 96 of 2021 - The Official Website of the Pennsylvania General Assembly](#).

Under Section 6124(d) of Act 96, before awarding infrastructure grant funds PBDA is required to ensure a transparent, evidence-based, and expeditious challenge process under which an entity eligible to be an applicant may challenge a proposed project on the grounds that awarding a grant to the applicant will result in an overbuild. Act 96 defines a ‘Project’ as a high-speed broadband service infrastructure project or other broadband project allowable under Federal law or guidance. Moreover, under Section 6123(d) of Act 96, 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 or are to be managed or operated by federal or state entity shall be ineligible to receive BEAD grants.

A map of proposed projects is linked below at “Process” and is available here: [Pennsylvania Broadband Map](#)

In the context of projects allowable under Federal law and guidance and the requirements of Act 96, the following information shall be included when submitting an overbuild challenge:

- (1) A declaration disputing the eligibility of the proposed project, including whether a particular location is in an unserved area or underserved area. And,
- (2) An affidavit from the broadband service provider of the provider’s existing or planned provision of high-speed broadband service within the proposed project area.

The required overbuild challenge documents must be received by PBDA by 5 pm ET on August 18, 2025 and must be supported by credible, evidence-based documentation.

PBDA will not attempt to cure incomplete or insufficient documentation. PBDA reserves the right to determine the sufficiency, credibility, and quality of information submitted.

For questions, please contact PBDA at the ra-dcpbda_bead@pa.gov.



Timeline:

1. Overbuild challenge **begins August 12, 2025.**
2. Eligible challengers will have **7 calendar days** to submit Overbuild challenges.

The last day to submit challenges is **August 18, 2025**. PBDA will not accept any evidence or documentation after **5:00 pm ET on August 18, 2025**.

Process:

Submitting an Overbuild Challenge

1. **View the map of proposed projects:** [Pennsylvania Broadband Map](#)
2. **Complete and Submit the Declaration:**

[Overbuild Challenge Declaration](#)

3. **Attach all Supporting Evidence to the Declaration.**
You must attach all supporting documents to the Declaration.
4. **Complete and Submit an Affidavit:**

[Broadband Provider Overbuild Affidavit](#)

The affidavit is to be submitted by the broadband service provider of the provider's existing or planned provision of high-speed broadband service within the proposed project area.