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ALERT

FCC Announces Upcoming Release of National Broadband Map; BEAD Program Allocations to Follow

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November 11, 2022

On November 10, 2022, the Federal Communications Commission (FCC) announced that it will release a preliminary "pre-production" draft of its national broadband map on November 18, 2022. This will begin the challenge process under the Broadband DATA Act during which individuals, state and local governments, and other entities are permitted to submit challenges to the accuracy of the data.

Concurrently with the FCC's announcement, the National Telecommunications and Information Administration (NTIA) issued a press release stating that it "expects to" announce the allocations from the $42.5 billion Broadband Equity, Access, and Deployment Program (BEAD) by June 30, 2023.

Background of the BEAD Program

As previously covered, the BEAD Program was established by the Infrastructure Investment and Job Act (Infrastructure Act) passed in 2021. The BEAD Program is the single largest broadband investment in United States history and lays the groundwork for widespread access, affordability, equity, and adoption of broadband services. The Infrastructure Act directed NTIA to administer $42.5 billion in funding through formula-based grants to the states. The states in turn must competitively award grants to support broadband infrastructure deployment, mapping, and adoption. In fulfilling its obligations under the Infrastructure Act, earlier this year NTIA released the BEAD NOFO, which outlines the state/territory submission process, the types of projects that will qualify, the way subgrantees (vendors/carriers) will be selected, and the timing of awards and deployments.

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Practice Areas

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Broadband
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A summary further outlining the BEAD Program is available here.

Key Dates

The following are the key upcoming dates related to the FCC's national broadband map and NTIA's administration of the BEAD Program:

- November 18, 2022: FCC to release a preliminary draft of the national broadband map.
- November 30, 2022: FCC workshop on bulk challenges to the preliminary national broadband map.
- January 13, 2023: Deadline to submit challenges to the FCC's preliminary broadband map.
- June 30, 2023: Date by which NTIA expects to announce funding allocations for the BEAD Program using the most up-to-date version of the FCC's national broadband map. Until June 30, 2023, NTIA will "engage in a comprehensive outreach effort to support the FCC in its efforts to ensure that every state that wishes to file a challenge can do so."

The National Broadband Map and the Challenge Process

The FCC's preliminary national broadband map will be based on data submitted by providers during the initial Broadband Data Collection filing window and will reflect services available as of June 30, 2022. To generate this initial version of the map, providers' availability data has been matched to the location information contained in the Broadband Serviceable Location Fabric (Fabric). The Fabric is a common dataset of all locations in the United States where fixed broadband internet access service is or can be installed. The map will show location level information on broadband availability throughout the country. To improve the accuracy of the national broadband map, the FCC began accepting challenges to Fabric information from providers, states, and local and Tribal governments starting in September.

Once the draft maps launch, individuals will also be able to submit challenges, or request corrections, to Fabric locations directly through the map interface. Specifically, individuals will be allowed to search for their location and potentially dispute the availability of services reported by providers at their location. In addition to individual challenges, the FCC will also accept bulk challenges to the reported availability data from state and Tribal governments, as well as other entities.

Wiley's Telecom, Media, and Technology Team has helped entities of all with issues relating to broadband infrastructure deployment and funding opportunities. Our experts regularly handle federal and state issues relating to such funding opportunities.