



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET
LANSING

BROM STIBITZ
ACTING DIRECTOR

Connecting Michigan Communities 1.5 Grant Comment and Objection Instructions

Please read through the entire Connecting Michigan Communities Grant Comment and Objection Instructions document before you begin to respond to the questions. This will help ensure you understand the full scope of the process as well as the details you will need to provide to complete the form.

Submission Deadline: All grant comments and objections are due by 4:00 PM EST, on January 25, 2021.

Submission Guidelines: Completed Comment and Objection Form(s) and supporting documentation must be received by the Department of Technology, Management, and Budget (DTMB), Center for Shared Solutions by 4:00 PM EST on January 25, 2021, to be considered. Anyone interested in submitting a comment or objection is required to email their completed form and all attachments to DTMB-CMICGrant@michigan.gov. Submitters will receive an email confirmation in receipt of their submission. It is the Submitters' responsibility to ensure their submission is received by DTMB prior to the submission deadline. Submissions sent to the wrong email address or received after the deadline will be rejected. Official submission date and time will be determined by the time stamp accompanying the email. Submissions dated and time stamped in any other way will be rejected. If a confirmation receipt is not received within two business days, Submitters must contact the CMIC Grant Program Office at (517) 335-3727.

Confidentiality: Any materials submitted to DTMB as part of a comment or objection are subject to public disclosure via Freedom of Information Act requests.

Questions and Contact: If you have questions after reviewing the Comment and Objection Instructions, please see the Frequently Asked Questions (FAQ) document available on the grant website at: www.michigan.gov/CMICGrant. The FAQ will be updated throughout the comment and objection process. Questions and comments can also be submitted via email to: DTMB-CMICGrant@michigan.gov.

1. Overview

- 1.1. Preliminary grant recommendations will be made by the department following the application period.
- 1.2. Within 30 days of the preliminary recommendations being made, the department will publish on the grant website www.michigan.gov/CMICGrant the freedom of information act redacted grant applications, the proposed geographic broadband service area by census block or the areas within a census block, and the proposed broadband service speeds for each application that receives a preliminary award recommendation.
- 1.3. The department shall establish a period of at least 60 days from the date the award recommendations are published on the department's website, during which time the department will accept comments or objections concerning each application.
- 1.4. The department shall consider all comments or objections received in deciding whether an applicant is eligible for a grant. The department shall not award a grant to an applicant if verifiable information is made available that shows any of the following:
 - 1.4.1. The proposed project includes an area that is already being served by at least one provider offering broadband service.
 - 1.4.2. The proposed project includes an area where construction of a network to provide broadband service is underway, and the construction is scheduled to be completed within one year of the date of the application.
 - 1.4.3. The proposed project includes an area where the construction of a network to provide broadband service is to be completed no later than three years after the date of an application.
 - 1.4.4. The project includes an area that has been selected to receive, provisionally or otherwise, Connect America funds from the Federal Communications Commission.
- 1.5. A location is determined to be "served" if broadband service of at least 10/1 Mbps can be deployed to a location within 10 business days of a request for service being made to the provider without any additional construction cost to the customer.
- 1.6. If an objection submitted by a provider is determined to contain information that results in an investigation and the objection is found to be inaccurate, the provider shall reimburse the department for the cost of verifying the objection information.
- 1.7. If a grant award recommendation is rejected because of an objection pertaining to section 1.4.3, the internet service provider installing the broadband service in lieu of the grant award recommended applicant shall provide notice to the department when the construction of the broadband service is completed. If no notice is received, or if the completion date is later than the three years allowed for in this section, the internet service provider shall reimburse the department for the cost of verifying the status of the provider's construction.

2. Comment or Objection Submission

- 2.1. Anyone that wishes to file a comment or objection to a preliminary grant recommendation must complete the Comment or Objection Form available on the grant website www.michigan.gov/CMICGrant.
- 2.2. All completed Comment and Objection Form(s) and supporting documentation must be submitted between 8:00 AM EST, on Monday, November 25, 2020, and no later than 4:00 PM EST, on Monday, January 25, 2021. Anyone interested in submitting a comment or objection is required to email their completed form and all attachments to DTMB-CMICGrant@michigan.gov. Submitters must complete the appropriate sections of the Comment and Objection Form and clearly label any attachments with the question/statement number from the form. Those submitting a comment or objection will receive a confirmation receipt via email. It is the Submitters' responsibility to ensure their submission is received by DTMB prior to the submission deadline. Submissions sent to the wrong email address or received after the deadline will be rejected. Official submission date and time will be determined by the time stamp accompanying the email. Submissions dated and time stamped in any other way will be rejected. If a confirmation receipt is not received within two business days, Submitters must contact the CMIC Grant Program Office at (517) 335-3727.
- 2.3. Any materials submitted to DTMB as part of a comment or objection are subject to public disclosure via Freedom of Information Act requests.
- 2.4. Format
 - 2.4.1. The comment/objection must be typed using the fillable .pdf forms available on the grant website www.michigan.gov/CMICGrant. A handwritten comment/objection will not be accepted.
 - 2.4.2. The comment/objection form must be submitted following the designated naming structure. Commenters/objectors are to include their name or the name of their organization followed by the phrase, "Comment," for those submitting a narrative comment (e.g. ABCTelecom_Comment.pdf), and "Objection" for those submitting an objection, (e.g. ABCTelecom_Objection.pdf).
 - 2.4.3. Attachments should be submitted following the designated naming structure. Commenters/objectors are to use the name of their organization followed by the attachment number and file type (e.g. ABCTelecom_Attachment_1.xlsx).
- 2.5. A commenter/objector may submit a comment or objection for more than one preliminary grant recommendation, but an individual (separate) and complete comment/objection form must be completed for each comment/objection filed.
- 2.6. If you have questions after reviewing the Comment and Objection Instructions and Form, please see the Frequently Asked Questions document available on the grant website at: www.michigan.gov/CMICGrant. The FAQ will be updated throughout the comment and objection process. Questions and comments can

also be submitted via email to: DTMB-CMICGrant@michigan.gov.

- 2.7. Comments and objections may be filed for the full extent or only a portion of a proposed service area of a preliminary grant recommendation, however, the same level of detail is required of objectors for both full and partial preliminary grant recommendation objections.
- 2.8. The department reserves the right, at its sole discretion, to reject an objection if it: 1) is received after the deadline; 2) is incomplete or missing any of the required forms, narrative, or attachments, or 3) does not follow the outlined comment/objection requirements.
- 2.10. A provider must include in its objection, 1) complete and verifiable documentation that existing service is available at or above the defined speed for unserved areas (10 Mbps download and 1 Mbps upload) in all or part of the proposed service area of a preliminary grant recommendation, or 2) complete and verifiable documentation that service at or above the defined speed for unserved areas will be available in the proposed service area of a preliminary grant recommendation on or before three years from the date of the original grant application.
- 2.11. Comment/Objection Submission Requirements
 - 2.11.1. Commenter/objector name, company and DBA (if applicable), and mailing address. Commenter/objectors are required to provide a single contact person that will be responsible for all communication for the comment/objection period. A telephone number and email address for this primary contact must also be provided.
 - 2.11.2. Identification numbers (if applicable) including but not limited to, Federal Employer Identification Number (EIN), Michigan Tax Identification Number, Michigan Vendor Identification Number (if applicable), Federal Communications Commission (FCC) registration number (FRN), and Service Provider Identification Number (SPIN). These identification numbers will be used by objection reviewers to establish the credibility of commenters/objectors.
 - 2.11.3. Name of the preliminary grant recommendation project to which the comment or objection applies.
 - 2.11.4. Those making submissions during the comment/objection period are to indicate whether they are making a narrative comment on the preliminary grant recommendation project or if they are filing an objection for one or more of the reasons stated in section 1.4 previously.
 - 2.11.5. Comments. For those making a narrative comment on the proposed project, please keep the narrative to 2000 characters or less.
 - 2.11.6. Objections. Those objecting to a preliminary grant recommendation must submit the following information to substantiate their objection.
 - 2.11.6.1. A brief description of the proposed grant service area to which the objection applies including whether the objection is for the entire

proposed service area or a portion.

2.11.6.2. Objectors should indicate which type of objection is being made, per the grant enabling legislation, from the following options:

2.11.6.2.1. The proposed project includes an area that already has broadband service (or at least 10/1 Mbps) from the objector.

2.11.6.2.2. The proposed project includes an area where construction of a network to provide broadband service is underway by the objector, and the construction is scheduled to be completed within one year of the date of the application.

2.11.6.2.3. The proposed project includes an area where the construction of a network to provide broadband service by the objector is to be completed no later than three years after the date of an application.

2.11.6.2.4. The project includes an area that has been selected to receive, provisionally or otherwise, Connect America funds from the Federal Communications Commission.

2.11.7. Proposed Service Area

2.11.7.1. Objectors must include a map of the area of the state that includes the proposed service area to which the objection applies. Objectors must attach a .pdf map of the objected area, as well as a GIS-compatible file, (i.e. .shp or .kml/kmz file type). The map of the objected area should also include place names, boundaries, buildings, road/street names, street addresses, or other features that clearly identify the location.

2.11.7.2. All objectors must attach a spreadsheet file that includes the addresses included in the proposed service area that either; 1) already have service available from the objector with a speed of at least 10/1 Mbps; 2) are included in finalized network construction plans where service will be available within 3 years; or 3) have received funding from the FCC Connect America Fund, provisionally or otherwise. The spreadsheet must contain columns with the following headings: number, street name, address, city, state, and zip code, as well as the download/upload speed that is or will be available to the address in Megabits per second (Mbps). See example spreadsheet below. Incomplete, incorrect addresses, and P.O. Boxes will be discarded from the protest list.

Number	Street	Address	City	State	Zip Code	Speed (Mbps)
123	Sample St.	123 Sample St.	Testtown	MI	48888	25/3
456	Sample St.	456 Sample St.	Testtown	MI	48888	25/3

2.11.8. Evidence of Existing Availability

- 2.11.8.1.1. For objectors claiming that service is already available in the full or partial proposed service area of a preliminary grant application, the objection must include the spreadsheet of addresses described in section 2.11.7.2 previously.
- 2.11.8.1.2. For fixed and mobile wireless providers filing an objection claiming existing service, objections must also include wireless service propagation diagrams showing availability in the proposed service area.
- 2.11.8.1.3. Objectors claiming that service is already available in the proposed service area are required to provide complete and verifiable evidence of existing service. This evidence may include, but is not limited to, tower lease agreements, pole attachment agreements, as-built engineering diagrams of the network in the proposed service area, or similar.
- 2.11.8.1.4. Objectors claiming that service is already available in the proposed service area must also include random speed tests demonstrating the ability to deliver 10/1 Mbps service. Each test should have an associated address and date/time the test was conducted.

2.11.9. Evidence of Planned Deployment

- 2.11.9.1.1. For objectors with network construction underway or where network construction will be completed no later than three years from the date of the original grant application the objection must include the spreadsheet of addresses described in section 2.11.7.2 previously.
 - 2.11.9.1.1.1. The objection must include an affidavit of commitment to build the network as stated in the objected area within three years of the date of the original grant application.
 - 2.11.9.1.1.2. Objectors are required to provide complete and verifiable evidence of planned service in the proposed grant area. This evidence may include, but is not limited to, examples of financial commitment to the project such as letters of credit (or similar), engineering designs of the network in the proposed service area (or similar), tower lease agreements, pole attachment agreements, feasibility studies, consumer surveys, bills of lading for project materials or other ordering documentation (or similar), description of any local, county, state, environmental, historic, architectural, or

archeological permits (or similar) that are needed and have been obtained for the network in the objected area.

2.11.9.1.1.3. For wireless providers, objections must also include the proposed wireless service propagation diagrams.

2.11.9.2. Evidence of Connect America Fund Inclusion

2.11.9.2.1. For objections based on awarded or provisional inclusion in the Federal Communications Commission Connect America Fund (CAF), objections must include; 1) the name of the provider receiving CAF funding; 2) the portion of the CAF program applicable to the indicated addresses; and 3) web links to FCC resources where the claim may be verified. FCC resources may include, but are not limited to, press releases, data tables, maps, dockets, orders, or similar.

2.11.9.2.2. Objectors must also include a spreadsheet of the census blocks in the proposed grant area that are part of the stated CAF program. This spreadsheet should include the census block ID number as well as the provider receiving CAF funds for the block and the specific CAF program applicable to the census block.

3. Comment and Objection Review

- 3.1. Following the comment and objection period, the department shall review and verify each comment and objection for validity and determine if the objection meets the standards outlined in the grant enabling legislation, (section 1.4, previously). This review shall include, but is not limited to, desktop data verification research, on-sight field validation, interviews with interested parties, and discussions with the Michigan Public Service Commission and the Federal Communications Commission.
- 3.2. For objections based on mobile broadband service, all areas represented as served, (both outdoor and indoor) in the objectors submission must meet at least 10 Mbps download and 1 Mbps upload at the network's edge, measured from stationary user equipment at three feet from ground level with a 95 percent confidence margin for the network area with a uniform network load of 50 percent for the download and upload.
- 3.3. The department will determine whether an objection is credible. If an objection is found to be credible for the entire project area, no funding will be awarded to that project. If an objection is found to be credible for only a portion of a project, the rest of the project may continue through the review process for possible grant award.
- 3.4. Where an objection has been found to be credible, the department will notify the provider and the original grant applicant.

3.5. For each objection based on a network construction plan that is found to be credible, the objecting provider must submit documentation no later than three years from the date of the original grant application to the department substantiating that it has fulfilled its commitment to deploy broadband service to the objected area at the speeds identified in its objection. If no notice is received, or if the completion date is later than the three years allowed for in this section, the internet service provider shall reimburse the department for the cost of verifying the status of the provider's construction.

SAMPLE COMMENT AND OBJECTION FORM

Comment/Objection Check List

This checklist is part of your comment/objection and is to be returned along with your completed comment/objection form and attachments.

Comment/Objection Submission Checklist:

- Read the entire comment/objection information package.
- Comment/objection form is complete and file name meets the standards.
- Attachments have been gathered and file names meet the standards.
 - Attachment 1: Map of proposed service area to which the objection applies in .pdf and GIS compatible files.
 - Attachment 2: Spreadsheet in .xlsx format of addresses in the proposed service area to which the objection applies.
 - Attachment 3: Wireless propagation diagrams (required for fixed and mobile wireless objections).
 - Attachment 4: Affidavit of providing existing service, or commitment to offer the proposed service, in the grant funded service area.
 - Attachment(s) 5: Additional evidence of existing service (if applicable).
 - Attachment(s) 6: Additional evidence of planned deployment (if applicable).
 - Attachment 7: Spreadsheet of census blocks included in CAF program (if applicable).

Attachments must be submitted following the designated naming structure. Applicants are to use the name of their organization followed by the attachment number and file type (e.g. ABCTelecom_Attachment_1.xlsx).

Commenter/Objector Information:

- 1) Primary Contact Name: _____
Company/Organization (if applicable): _____
Mailing Address: _____
Primary Contact Phone Number: _____
Primary Contact Email Address: _____

- 2) Commenter/Objector Identification Numbers: Please provide the following identification numbers (if applicable):

Federal Employer Identification Number (EIN): _____
Michigan Tax Identification Number: _____
Michigan Vendor Identification Number: _____
Federal Communications Commission Registration Number (FRN): _____
Service Provider Identification Number (SPIN): _____

- 3) Project Name to which this Comment or Objection is Related:

- 4) Is this submission a narrative comment or an objection?

- Narrative Comment
 Objection

Complete Only Section 6 and Signature Page for Narrative Comments:

- 5) Please provide your narrative comment in the space provided below (2000 characters max.).

Complete Sections 6 - 15 and Signature Page for Objections:

- 6) Please indicate the type of objection being filed:

- The proposed project includes an area that already has broadband service (of at least 10/1 Mbps) from the objector.
 The proposed project includes an area where the construction of a network to provide broadband service by the objector is to be completed no later than 3 years after the date of an application.

- The project includes an area that has been selected to receive, provisionally or otherwise, Connect America funds from the Federal Communications Commission.

7) Does this objection apply to the entire proposed service area of the preliminary grant recommendation named above or a portion of the proposed service area?

- Entire Proposed Service Area
- Portion of the Proposed Service Area

8) Provide a brief description of the proposed grant service area to which the objection applies, (2000 characters max.):

*Attachment 1: Map of proposed service area to which the objection applies in .pdf and GIS compatible formats.
Attachment 2: Spreadsheet of addresses in the proposed service area to which the objection applies.*

9) Provide a brief narrative to accompany the map and spreadsheet of addresses you have attached to this objection, (2000 characters max.):

Only complete this section for objections claiming service is already available in the proposed service area:

Attachment 3: Affidavit of providing existing service in the grant funded service area.

Attachment 4: Wireless propagation diagrams (required for fixed and mobile wireless objections)

Attachment(s) 5: Additional evidence of existing service, including random speed tests demonstrating the ability to deliver 10/1 Mbps service.

10) Provide a description to accompany attached evidence of existing service and wireless propagation diagrams (if applicable), (4000 characters max.):

Only complete this section for objections claiming service will be constructed in the proposed service area within three years:

Attachment 3: Affidavit of commitment to offer the proposed service in the grant funded service area.

Attachment 4: Wireless propagation diagrams (required for fixed and mobile wireless objections)

Attachment(s) 6: Additional evidence of planned deployment

11) Provide a description to accompany the attached additional evidence of planned deployment supplied, (4000 characters max.):

Only complete this section for objections claiming the proposed service area of the preliminary grant recommendation is included in the FCC Connect America Fund program:

Attachment 7: Spreadsheet of census blocks included in CAF

12) Name of the Provider awarded funding from CAF: _____

13) Name of the Specific CAF Program in which the Provider was awarded funding:

14) Links to FCC Resources Verifying the Claim: _____

Signature Page:

I acknowledge:

1. Any materials submitted to DTMB as part of a comment or objection are subject to public disclosure via Freedom of Information Act requests.
2. If an objection submitted is determined to contain information that results in an investigation and the objection is found to be inaccurate, the objector shall reimburse the department for the cost of verifying the objection information.
3. If a grant award recommendation is rejected because the proposed project includes an area where the construction of a network to provide broadband service by the objector is to be completed no later than three years from the date of the original grant application, the internet service provider installing the broadband service in lieu of the grant award recommended applicant shall provide notice to the department when the construction of the broadband service is completed. If no notice is received, or if the completion date is later than the three years, the internet service provider shall reimburse the department for the cost of verifying the status of the provider's construction.

