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## Michigan BEAD Challenge Process: Additional Guidance About Evidence

**DATE:** April 3, 2024

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In the first nine days of Michigan's BEAD State Challenge Process, MIHI has received many questions regarding what evidence is required to support a challenge. We are reaching out to share additional guidance that we hope will assist you in filing challenges.

- The evidence requirements specific to each type of challenge were established in Michigan's [BEAD Initial Proposal Volume 1](#), and a significant amount of additional detail, (including a non-exhaustive list of examples of potential evidence), is available in the [User Guide](#). Individuals participating in the State Challenge Process should become familiar with these documents as critical references.
- Evidence to support any challenge or rebuttal must clearly identify the location(s) that are being challenged or rebutted. In addition, it must satisfy the specific requirements for the particular type of challenge or rebuttal. Challenge and rebuttal reviewers must be able to directly connect the challenged locations identified in the portal to the evidence based on information that appears within the evidence itself.
- At the conclusion of Michigan's State Challenge Process administered by MIHI, NTIA, the federal agency administering BEAD, must review the challenges and rebuttals, and only once NTIA has approved the results of our state's Challenge Process can the BEAD subgrant application process move forward. Therefore, we encourage each eligible challenger submitting challenges or rebuttals to keep in mind the following question when deciding what evidence to submit: *Could a person with no knowledge of my community/organization/company clearly understand how this evidence shows that my challenge or rebuttal meets the standards set out in Michigan's BEAD Initial Proposal Volume 1?*
- Challenges can include up to five separate evidence files. If a single file does not provide all the necessary evidence for the challenge, include additional evidence to ensure completeness and compliance with the requirements of the particular challenge type you are filing. Acceptable file types include PDF, JPEG, Word, BMP, and PNG.

- Maps must contain a legend describing the various elements included on the map (e.g. fiber routes, drops, cabinets, etc.). Roads should also be labeled, and locations included in the challenge that are on the map should be labeled with their street address. Map elements and labels should be at a scale that are easily readable. Map legends and labels can also be included in supplemental evidence files if needed (see Example 1 below).

### **Availability – Service is Available Challenges**

We have received several inquiries about using FCC BDC Version 4 data for the Challenge Process. This data is not available to MIHI. Michigan’s BEAD Challenge Process uses, as its foundation, the FCC BDC Version 3 which represents reported service availability as of June 30, 2023, and which includes updates published by the FCC on February 7, 2024. If an ISP expanded service between filing BDC Version 3 and Version 4, the ISP must file “Availability – Service is Available” challenges using the BEAD Challenge Portal to ensure this availability is represented on the map, (detailed evidence for these challenges can be found on page 23 of the [User Guide](#)). In most situations, these are best filed as bulk challenges using the portal’s draw tool (see page 16 of the [User Guide](#)). Keep the general guidance presented previously in mind as you gather information of “Availability – Service is Available” challenges.

#### *Example 1:*

1. An ISP expanded fiber to a neighborhood late last year. This availability is not shown on the Michigan BEAD Challenge Portal because service became available after June 30, 2023, and the ISP wants to be sure this availability is included on the map.
2. The ISP takes a screenshot from their internal geospatial network software showing the location of their fiber network in relation to the locations they’ve selected as part of the bulk challenge (see page 16 of the [User Guide](#)).
3. It is difficult to add a legend and labels to this map given the limitations of the ISP’s internal software, and the map doesn’t include the other required information for the challenge.
4. In addition to the map, the ISP creates a letter in Word or as a PDF on company letterhead stating all of the other required information pertaining to this bulk challenge;
  - a. Map legend;
  - b. A list of locations by address that are part of the bulk challenge being submitted and that are represented on the accompanying map;
  - c. The technology delivering service to the locations;
  - d. The maximum advertised download and upload speeds being delivered; and
  - e. The average latency for the service being delivered.
5. The letter is then signed by an authorized representative of the company and attests to the accuracy of the data being submitted.
6. The ISP representative then attaches both the map file and the letter to the bulk challenge and submits the challenge to MIHI for review.

Example 2:

1. An ISP expanded licensed or LBR fixed wireless service to a neighborhood late last year. This availability is not shown on the Michigan BEAD Challenge Portal because service became available after June 30, 2023, and the ISP wants to be sure this availability is included on the map.
2. The ISP has compiled screenshots from a mobile test unit that demonstrates the required service availability and speed at the locations included in the bulk challenge (see page 16 of the [User Guide](#) for bulk challenge instructions and page 23 for evidence standards for this type of challenge). Each screen shot shows the address or BSL ID of the location being challenged, the download and upload speeds calculated during the speed test, and the calculated latency.
3. The ISP representative compiles these screenshots into a single PDF document.
4. The ISP representative then attaches the PDF to the bulk challenge and submits the challenge to MIHI for review.

The requirements are strict, and MIHI is being strict in our enforcement, for several reasons:

- NTIA will review Michigan's BEAD Challenge Process results and must approve the results before the BEAD Subgrantee Selection process begins. Challenges with evidence that do not meet the standards outlined in Michigan's NTIA approved [BEAD Initial Proposal Volume 1](#), and in more detail in the [User Guide](#), could be rejected and cause delays in Michigan's BEAD Program.
- The BEAD Challenge Process is the only opportunity state's have to ensure accurate availability data prior to the allocation of BEAD funding. Close review of each challenge and rebuttal, along with the evidence submitted to support it, is key to map accuracy. States do not have another opportunity to "true-up" the map with FCC BDC data prior to starting the BEAD Subgrantee Selection process.
- "Availability – Service is Available" challenges do not have a direct rebutter for valid challenges. MIHI needs to ensure that such challenges provide substantial evidence supporting their validity.

As you may be aware, since the Challenge Process began, MIHI has been providing detailed feedback regarding the reasons that challenges have been rejected. We will continue to provide feedback regarding potentially incomplete evidence for all challenges submitted in the first 25 days of the Challenge Process and for rebuttals submitted in the first 25 days after notification. Challenges or rebuttals submitted after that time, but before the deadline, will not receive this feedback due to the anticipated volume of challenge and rebuttal evidence that will need to be reviewed.