



State of New Hampshire

BEAD Initial Proposal

Volume II

Broadband Equity, Access, and Deployment Program



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2.1-Volume II (Requirements 1, 2, 4, 8 – 20)

2.1.1 Text Box: Outline the long-term objectives for deploying broadband; closing the digital divide; addressing access, affordability, equity, and adoption issues; and enhancing economic growth and job creation. Eligible Entities may directly copy objectives included in their Five- Year Action Plans.

Note: There are no federally recognized tribal lands in New Hampshire.

New Hampshire possesses an impressive level of broadband availability, with 93 percent of broadband serviceable locations in the state having access to broadband services of at least 100 Mbps downstream and 20 Mbps up. While that accomplishment is considerable, it only tells part of the story, as significant broadband access and adoption challenges remain.

New Hampshire (Eligible Entity) established the Office of Broadband Initiatives as part of Economic Development, which is a division of the Department of Business and Economic Affairs (BEA). In addition to the Office of Broadband Initiatives, BEA also includes the Division of Travel and Tourism, InvestNH, Office of Planning and Development, and Office of Workforce Opportunity. This governance structure creates the optimum location for efficient coordination with key partners to ensure at every level that the Broadband Equity, Access and Deployment (BEAD) investment will be a success in the state. The Office of Broadband Initiative conducts the following activities:

- Conducts research and data collection to build the Statewide Broadband Map in collaboration with ISPs.
- Administers grant applications, accepting applications from all broadband providers and communities to provide service to unserved and underserved locations.
- Monitors projects on an ongoing basis to ensure that subrecipients are compliant with the use of grant funds and all pass-through requirements.
- Seeks community participation throughout the development of programs and the application review processes.
- Ensures alignment and coordination with common goals and strategies with the BEAD Digital Equity requirements.

According to the FCC definition for broadband (2023 data sources), approximately 36,276 locations in the state of New Hampshire remain either unserved or underserved with fast, reliable, and affordable broadband. Closing the digital divide and providing opportunity for Digital Equity is of the highest priority to the state. Access to high-speed internet is not a luxury, it is essential for individuals and communities to have the information technology capacity needed for full participation in our digital society, democracy, and economy.

Securing fast, reliable, affordable broadband to all locations in New Hampshire will allow residents the ability to improve their lives through increased opportunities for employment, better

and more diverse access to healthcare services, government services, education, public safety, and information. As we saw throughout the COVID-19 pandemic, the lack of high-speed broadband became a significant barrier to Granite Staters' participation in classrooms and the workplace, the ramifications of which were felt immediately and are still being felt today. Those still without access to fast, reliable, affordable broadband, have been asking the question of "when will reliable, affordable, high-speed internet be available in my area?" for far too long.

Through the Infrastructure, Investment and Jobs Act (IIJA) federal grant programs funding, New Hampshire will receive \$196.5 million and will be given the opportunity to finally close the digital gap for the entire state, finishing the task undertaken with previous state and federal programs. Through the Broadband, Equity, Access, and Deployment (BEAD) program there will be an unparalleled investment in broadband infrastructure over the next five years. The impact of this investment by the federal government on this generation and future generations is unprecedented.

"New Hampshire has been leading the way when it comes to bringing high-speed broadband to all regions of the state and working towards 100 percent accessibility as quickly as possible," said New Hampshire Commissioner of Business and Economic Affairs (BEA) Taylor Caswell.

"Ensuring (New Hampshire) residents and businesses, regardless of location, can access the digital economy is a top priority for (BEA's) team." The state is incredibly proud of the work that has established New Hampshire as a national leader in this historic broadband expansion effort.

Commissioner Caswell noted that New Hampshire "knows how critical access to reliable high-speed broadband is not only to New Hampshire small businesses today, but to support the jobs of tomorrow."¹ New Hampshire will now have the fiscal capability to be able to overcome the obstacles that have prevented offering high-speed internet to every resident. The main reason that locations remain unserved and underserved is that an economic business case cannot be made by most internet service providers. While there may be other contributing factors, we know that the cost of deploying fast, reliable, affordable broadband in the furthest and deepest niches of this geographically challenging state has always been a financial challenge. New Hampshire utilizes the most current information about services, locations, and costs to create a strategic, fiscally responsible, path forward that will allow for every resident to have the opportunity to be connected to reliable, affordable, high-speed internet, and finally close the digital divide in our state.

The unserved and underserved locations have been identified using the latest available data, the FCC Broadband Data Maps published December 31, 2022, updated November 7, 2023. Focus areas are categorized as follows:

- Served: 481,308 - locations with speeds equal to or greater than 100/20 Mbps
- Underserved: 10,153 - locations less than 100/20 Mbps and greater than or equal to 25/3 Mbps
- Unserved: 26,123 - locations with speeds less than 25/3 Mbps

New Hampshire has 517,584 total locations with 481,308, or 93 percent, served with speeds of at least 100/20 Mbps.

There are currently 36,276 locations, or 7 percent, that are underserved or unserved.

These numbers consider that locations covered by RDOF, CAF II, NTIA BIP, RUS, and ReConnect are subject to enforceable funding commitments per the BEAD NOFO.

Recognizing that deployment of last-mile broadband infrastructure in rural communities comes with a variety of resource challenges including much higher costs, BEA's Office of Broadband Initiatives will prudently use the BEAD funding for the best viable solution for each community of unserved BSLs. As the nation's 5th smallest of the 50 states, with a land area of 8,954 square miles and the 10th least populous, New Hampshire has an average population density of 154 people per square mile.² The topography of the state's three distinct geographic regions (White Mountains, Eastern New England Upland, and Coastal Lowlands) drives the state's connectivity challenges.³

The Broadband office ensures alignment and coordination with common goals and strategies with the Digital Equity requirements of BEAD. This includes strengthening or initiating programs to assist residents in obtaining broadband access.

Ongoing responsible fiscal management of allocated BEAD funding will be a top priority, to ensure deployment assets are utilized effectively. BEA will follow NTIA guidelines throughout the process of awarding broadband deployment sub-awards.

Tracking processes will be developed to monitor the key performance indicators (KPI) progression of agreed-upon deliverables of subgrantees to include allocated funding, make ready, installation standards, technology, bandwidths, Broadband Service Location coverage, and timeline.

Broadband Access

Goals:

- Build out broadband infrastructure to 100 percent of the state's broadband serviceable locations by 2029, ensuring all residents have access to Broadband speeds of greater than 100/20Mbps with a stretch goal of all residents to have service of at least 100/100Mbps
- Eliminate unserved locations
- Eliminate underserved locations
- Ensure CAIs have access to 1 Gbps symmetrical (depending on available funding).

New Hampshire's top priority for broadband deployment is to connect all unserved Broadband Service Locations (BSLs) and to connect all underserved BSLs. As referenced in BEA's Five-Year Plan, the strategic goal is to bring broadband service to 100 percent of New Hampshire residents, businesses, and, if funding is available, CAIs. This requires delivering broadband deployment solutions into difficult-to-serve areas where geography and low population density result in higher costs and other challenges. According to the latest available data per the FCC Broadband Data Maps published December 31, 2022, updated November 7, 2023, New Hampshire has 26,123 unserved and 10,153 underserved BSLs.

To meet this goal of 100 percent coverage to New Hampshire residents, businesses, and CAIs (as funding allows), BEA will utilize a competitive subgrantee selection process. Potential subgrantees will include private company service providers, public-private partnerships, cooperatives, community-based organizations, and other potential providers and solutions. This process will include a challenge process as further defined in the Initial Proposal Volume I and will be open to

supportive technologies to reach the goal of 100 percent coverage.

Once the access needs of unserved and underserved BSLs are addressed, the focus will then move to ensuring that Community Anchor Institutions (CAIs) will have access to service of 1 Gbps symmetrical or greater. New Hampshire has identified CAIs in Section 3.4 as defined in 47 USC 1702 (a)(2)(E). BEA applied the definition to mean a school, library, health hospital or other medical provider, public safety entity, institution of higher education, public housing organization (including any public housing agency, HUD-assisted housing organization, or Tribal housing organization), or community support organization that facilitates greater use of broadband service by vulnerable populations, including, but not limited to, low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals. There are no federally recognized tribal lands in New Hampshire.

KPI	Baseline	Goal
Percent of BSLs unserved (FCC data) ⁴	7%	0% (as required by NOFO)
Percent of BSLs underserved (FCC data) ⁵	> 1%	0% (as required by NOFO)
Ensure CAIs have access	TBD	TBD (as Funding is Available)

Figure 1-Broadband Access Goals and Objectives

Broadband Adoption

Goal:

- Increase household adoption (broadband subscription) rates.

Concurrent with ensuring that all BSLs obtain access to reliable broadband services, an important component of New Hampshire’s Digital Equity effort involves increasing broadband adoption throughout the state. The subgrantee selection process will include requirements for an outreach plan to help potential subscribers understand available broadband services, options, and how to use them. BEA’s ongoing Digital Equity efforts include ongoing public outreach, education, assistance, and adoption efforts that encompass all geographical areas of the state and Covered Populations. New Hampshire is one of five states with a broadband subscription rate higher than 90 percent. The state is not requiring end users to purchase internet services but rather encouraging the adoption of internet services and its inherent benefits. As a result of higher adoption rates, Granite Staters will have access to resources such as education, telehealth, government programs, jobs, etc.

KPI	Baseline	Goal
Household adoption rate	90.1%	91.3% (Current highest state adoption rate in U.S.) ⁶

Figure 2-Broadband adoption goals and objectives

By continually monitoring deployment activities, end user subscriptions, ACP signups, and participation in Digital Equity efforts, BEA will continue to measure success in meeting New Hampshire’s broadband goals and objectives.

Broadband Affordability

Goal:

- Increase the percentage of eligible households enrolled in the Affordable Connectivity Program (ACP) and work with subgrantees to develop and offer a Low-Priced Option for ACP-qualified and enrolled Granite Staters.

Providing affordable broadband options and enhancing awareness to all qualified residents and households is a critical component to broadband adoption. The subgrantee selection process will include a requirement to participate in the federally funded Affordable Connectivity Program (ACP). In addition, subgrantees will need to provide a plan of their ongoing outreach efforts to subscribers and potential subscribers regarding their awareness of ACP and to direct these residents to assistance, as needed, to enroll in ACP.

BEA’s Digital Equity work also aligns with this goal and their ongoing planned efforts to help eligible residents understand what financial assistance is available and how to access it. This effort will also include regional education outreach to assist individuals and families sign up for ACP. Statistics on ACP enrollment will be monitored by BEA to determine the success of these efforts and how they may need to be adapted to increase the use of ACP.

KPI	Baseline	Goal
Percent of eligible households enrolled in ACP	19%	Expand ACP enrollment by 25% by 2030

Figure 3-Broadband affordability goals and objectives

Digital Equity

Digital equity is defined as a condition in which all individuals and communities have the information technology capacity needed for full participation in our digital society, democracy, and economy.

Closing the Digital Equity gap is a critical step in partnership with the other goals of deployment, access, adoption, and affordability. Initial and ongoing education with supportive tools is a key component to helping address the disparities and achieve true Digital Equity. Many covered population sectors would benefit from training in technological literacy and cybersecurity. BEA’s effort through the subgrantee process and Digital Equity work is the basis for helping solve the Digital Equity issues and gaps in understanding the benefits of, and how to use, internet services. New Hampshire will make great strides in closing the Digital gap, building out the broadband infrastructure, providing access to all residents and businesses, furthering adoption, and affordability, and providing digital literacy and cybersecurity education.

By continually monitoring deployment activities, end-user subscriptions, ACP enrollment, and participation in Digital Equity efforts, BEA will continue to measure success in meeting New Hampshire’s broadband goals and objectives.

Economic Growth and Job Creation

All the objectives described above support the goal of improving economic growth by increasing employment opportunities and creating jobs.⁷

BEA is working with state agencies, education institutions, and workforce development organizations to understand their current programs and identify opportunities in which the state can assist, coordinate, and amplify their efforts to prepare, train, and retrain Granite Staters for employment in a rapidly changing marketplace. BEA is particularly focused on the participation of underrepresented communities and Covered Populations defined by BEAD in the workforce.

New Hampshire’s plan will ensure access to reliable, affordable broadband service to all unserved and underserved locations in the state. In addition, the adoption and use of broadband services will expand through robust digital equity efforts. These include outreach and education regarding affordability options and conducting digital literacy and cyber safety training designed to reach all New Hampshire residents.

According to the World Bank, it is estimated that for every 10 percent of broadband penetration, the state could realize an economic benefit of 1.2 percent per capita GDP growth.⁸ In 2022, the GDP was \$105,414,400,000 for New Hampshire.⁹ This was an increase of approximately \$5,741,100,000 or 5.76 percent from 2021.¹⁰ If you consider this report’s finding and look at potential based on previous economic growth, New Hampshire could realize theoretical growth of

somewhere between \$250M to \$1B in GDP by offering access to the 7 percent of locations that do not currently have access to broadband.

Fueled by BEAD funding, New Hampshire will be able for the first time to support ubiquitous broadband deployment, last mile connections, and Digital Equity initiatives to ensure that every location in the state has the ability to connect, and every resident has the ability and skills needed to utilize the essential service of high-speed internet as defined by the FCC.

2.2-Local, Tribal, and Regional Broadband Planning Processes (Requirement 2)

2.2.1 Text Box: Identify and outline steps that the Eligible Entity will take to support local, Tribal, and regional broadband planning processes or ongoing efforts to deploy broadband or close the digital divide. In the description, include how the Eligible Entity will coordinate its own planning efforts with the broadband planning processes of local and Tribal Governments, and other local, Tribal, and regional entities. Eligible Entities may directly copy descriptions in their Five-Year Action Plans.

Note: New Hampshire has no federally recognized Tribes.

New Hampshire (Eligible Entity) established the Office of Broadband Initiatives as part of Economic Development, which is a division of the Department of Business and Economic Affairs (BEA). In addition to the Office of Broadband Initiatives, BEA also includes the Division of Travel and Tourism, InvestNH, Office of Planning and Development, and Office of Workforce Opportunity. This governance structure creates the optimum location for efficient coordination with key partners to ensure at every level that the Broadband Equity, Access, and Deployment (BEAD) investment will be a success in the state.

Through the Infrastructure, Investment and Jobs Act (IIJA) federal grant programs funding, New Hampshire will receive \$196.5 million and will be given the opportunity to finally close the digital gap for the entire state. This investment will augment and bring to fruition the task undertaken with previous state and federal programs. Through the Broadband, Equity, Access, and Deployment (BEAD) program there will be an unparalleled investment in broadband infrastructure over the next five years. The impact of this investment by the federal government on this generation and future generations is unprecedented.

BEA is building a broadband program that will reach unserved and underserved Broadband Serviceable Locations (BSLs) and narrow the digital divide, giving all New Hampshire residents the information technology capacity needed for full participation in the digital society, democracy, and economy.

New Hampshire will increase broadband access and adoption with a focused effort on broadband deployment and Digital Equity. Given the potentially high cost associated with deploying fiber infrastructure to remote areas of the state, BEA will explore all technology options to achieve its internet connectivity goals. Such options may include drawing on a flexible combination of fiber optic cable, traditional cable, hybrid fiber coaxial (HFC), fixed wireless, and satellite deployment (only where necessary and approved) to reach homes, businesses, and CAIs such as schools, libraries, shelters, and hospitals.

As a result of BEA's increasing engagement with local, regional, and other stakeholders across the state to coordinate and plan the implementation efforts resulting from these federal funding activities, BEA has substantially bolstered its implementation capabilities to administer New Hampshire BEAD efforts. These efforts include the growing experience and knowledge of our core BEA staff and close efforts with other stakeholders such as Gov. Chris Sununu's administration,

the New Hampshire Municipal Association, New Hampshire Planning Association (NHPA), University System of New Hampshire (Digital Equity), New Hampshire Department of Education, state legislators, numerous nonprofit organizations, seasoned contractor resources with capabilities in GIS modeling and data management and internet service providers. According to the U.S Department of the Interior, Indian Affairs, New Hampshire has no federally recognized tribe, though through further research several Tribal groups were identified. These entities were added to the stakeholder list to be included in outreach activities.

BEA has also strengthened its broadband deployment cost modeling, strategic planning, and federal grant program planning and reporting. This will allow consistency throughout the entire process from planning to implementation.

BEA will monitor progress of deployment and continually update unserved and underserved maps to ensure broadband is being delivered to all identified BSLs. As a matter of Digital Equity, BEA will be communicating with Covered Populations to ensure their needs are being met throughout project deployment and will continue Digital Equity efforts, post deployment.

The following table identifies existing and previous broadband plans, programs, and goals within the state of New Hampshire to bring broadband to the unserved and underserved BSLs within the state. This table also represents the vast experience that BEA has in implementing, administering, and awarding broadband deployment grants. Aligned with the data in “Figure 4-Current Activities that the Broadband Program/Office Conducts”, BEA has worked with local and regional planning groups such as COOS County, Carroll County, Monadnock Broadband, etc. to help deploy broadband as these local initiatives see best fit their specific regional areas. The plans, programs, and goals support these local and regional initiatives by providing funding opportunities for locally owned and operated projects or assist in developing public-private partnerships. Communities are involved as mentioned throughout these activities, providing outreach to local and regional broadband planning activities, directly and indirectly with local and regional broadband planners.

By meeting with local and regional partners and helping them understand different broadband owner/operational models, BEA has provided the necessary education and understanding for these local and regional partners to work on solving broadband access and Digital Equity in their geographic areas throughout the state.

Figure 4-Current Activities that the Broadband Program/Office Conducts

Activity Name	Description	Intended Outcome(s)
The New Hampshire Broadband Mapping Initiative	BEA, using Capital Project Fund, hired UNH to map broadband, Served, Underserved, and unserved addresses throughout the state.	Mapping broadband coverage, speeds, and service availability to identify areas of limited or no connectivity.
The Broadband Contract Program, Round One	Program designed to offer an ISP a financial incentive to bring service to the unserved and underserved BSLs of the state - BSLs where it may be financially challenging for an ISP to attempt to expand.	Provide reliable high-speed broadband services to 23,259 BSLs throughout New Hampshire currently unserved or underserved.
The Broadband Contract Program, Round Two	Program designed to offer an ISP a financial incentive to bring service to the unserved and underserved BSLs of the state - areas/ BSLs where it may be financially challenging for an ISP to attempt to expand.	Provide reliable high-speed broadband services to 24,757 BSLs throughout New Hampshire currently unserved or underserved.
Broadband Matching Grant Initiative (BMGI)	Program subsidizing 75 percent of project costs for broadband infrastructure projects that bring service to unserved or underserved BSLs.	Provide reliable high-speed broadband services to an estimated 3,000-4,000 BSLs. This number is based on \$6,400-\$8,500 per BSL.
Broadband Planning and Coordination	The BEA worked to facilitate broadband planning and coordination efforts across the state. This involved collaborating with various stakeholders, including state agencies, local governments, internet service providers (ISPs), and community organizations.	Develop strategies for expanding broadband access and improving digital connectivity.
Grant Programs and Funding Assistance	The BEA administered grant programs and provided funding assistance to support broadband infrastructure projects. These programs sought to incentivize ISPs and communities to invest in expanding broadband networks in underserved areas.	Identify funding opportunities, assist in the application process, and support the implementation of broadband projects.
Policy and Advocacy	The BEA engages in policy discussions and advocacy efforts related to broadband access and expansion. This involves working with state legislators, regulatory bodies, and other stakeholders	Promote policies and initiatives to foster broadband development, address barriers, and encourage investment in underserved areas.

Activity Name	Description	Intended Outcome(s)
Technical Assistance and Resources	The BEA provides technical assistance, resources, and guidance to communities, businesses, and ISPs seeking to improve broadband access.	Provide information on best practices, connect stakeholders with relevant expertise, and assist in the development of broadband deployment plans.
Coronavirus Aid, Relief, and Economic Security (CARES) Act	Investments in broadband expansion, with prioritization of broadband infrastructure both during and beyond COVID-19.	The state invested \$13 million from CARES Act funds into sixteen (16) projects that benefited over 4,500 households.
NH Senate Bill 170	An Act relative to the authority of towns to issue bonds for the expansion of broadband infrastructure.	NH Senate Bill 170 allows municipal governments to issue bonds for building broadband infrastructure in areas not served by a commercial provider.
New Hampshire Broadband Mapping and Planning Program (NHBMPP)	NHBMPP is a comprehensive program that seeks to understand where broadband is currently available in New Hampshire.	Identify strategies to increase availability, adoption, and usage of broadband.
Broadband Expansion in Rural Areas	New Hampshire recognizes the need to specifically address broadband access challenges in rural areas.	Implemented strategies to bridge the digital divide by extending broadband infrastructure to these underserved regions and fostering partnerships between ISPs and communities.
Public-Private Partnerships	New Hampshire emphasizes the importance of public-private partnerships in expanding broadband availability. The state encourages collaboration between government entities, ISPs, and community organizations.	Leverage resources, expertise, and funding to accelerate broadband deployment and address gaps in coverage.
Digital Equity and Adoption	Alongside infrastructure expansion, New Hampshire recognizes the significance of digital equity and adoption resources to fully participate in the digital economy.	Promote digital literacy, provide access to affordable devices, and offer training and support programs to ensure that all residents have the necessary skills and resources to fully participate in the digital economy.

Activity Name	Description	Intended Outcome(s)
FCC's USF High-Cost Program	The FCC's USF High-Cost Program provides financial support to eligible telecommunications carriers to help them offer and maintain voice and broadband services in high-cost areas. This funding helps bridge the gap in deploying broadband infrastructure in rural and remote regions.	Bridge the gap in deploying and maintaining broadband infrastructure in rural and remote regions.
Lifeline Program	The FCC's USF Lifeline Program provides a monthly discount on voice or broadband services for eligible low-income households.	Ensure that economically disadvantaged individuals have access to essential communication services.
Federal Resources	The BEA utilizes federal resources related to broadband and digital inclusion. This includes accessing information, reports, and guidance from agencies such as the Federal Communications Commission (FCC), the National Telecommunications and Information Administration (NTIA), and the United States Department of Agriculture (USDA).	Best practices, funding opportunities, and policy guidance.
Broadband Mapping and Data Resources	The BEA utilizes broadband mapping data and resources available at the federal and state levels. This includes national broadband maps, datasets, and tools provided by organizations like the FCC and the NTIA.	Identify underserved areas and inform planning.
Partnerships with Internet Service Providers (ISPs)	The BEA fosters relationships and partnerships with ISPs operating in New Hampshire. Collaborating with ISPs allows for knowledge sharing, coordination, and leveraging private sector expertise.	Address broadband deployment challenges and promote digital inclusion initiatives.
Collaboration with Local and Regional Organizations	The BEA has established relationships with local and regional organizations working on broadband and digital inclusion issues. This includes engaging with nonprofit organizations, and community groups.	Leverage local knowledge, identify specific community needs, and implement targeted initiatives.
Nonprofit and Advocacy Organizations	The BEA collaborates with nonprofit organizations and advocacy groups focused on broadband and digital inclusion. These organizations often have expertise, resources, and community networks that will support the BEA's efforts.	Guidance, training programs, and advocate for policies that promote broadband access and digital equity.

Activity Name	Description	Intended Outcome(s)
Research Institutions and Universities	Collaborating with research institutions and universities will provide the BEA with access to academic expertise, studies, and research on broadband deployment and digital inclusion.	Evidence-based decision-making and innovative approaches.
Affordable Connectivity Program (ACP)	The FCC's Affordable Connectivity Program offers a discount on broadband internet service of \$30 per month to residents who qualify.	Provides financial assistance to qualified households and promotes overall affordability of broadband.
Rural Digital Opportunity Fund (RDOF)	The FCC's Rural Digital Opportunity Fund (RDOF) is a program geared towards deploying broadband in rural communities that would not otherwise be served if not for this program.	The funding from this program sought to increase broadband access to unserved locations.
E-Rate	This program, administered by the FCC's USF, provides discounts of up to 90% to registered schools and libraries to obtain affordable telecommunications and internet access.	To ensure that schools and libraries have affordable access to high-speed internet.
Northern Border Regional Commission (NBRC)	The Northern Border Regional Commission (NBRC) is a multi-state cooperative that provides grants for special projects for towns in northern regions of the states.	In 2021 and 2022, there were four broadband projects that were designed to build networks in municipalities lacking access.

Current Broadband in New Hampshire

The following table shows the existing efforts funded by the federal government within New Hampshire to deploy broadband and close the digital divide. Amounts that appear as “Available” in the table below for any last-mile deployment project refer to funding that has yet to be expended but may have already been allocated. Locations covered by this funding have either already been accounted for in FCC maps as benefiting from an enforceable funding commitment and thus not eligible for BEAD funding; or will be accounted for in subsequent updates of eligible BSLs.

By coordinating efforts with previous and existing broadband funding, identified in Figure 5-Existing Broadband Funding, Partnerships listed in Figure 6-Broadband Partnerships, available state resources in Figure 7-Broadband Assets, examples of access in Figure 8-Broadband Access, and some Digital assets in Figure 10-Digital Equity Assets, BEA has assisted local and regional broadband efforts throughout the state. Through consistent communication with local and regional partners as well as all potential broadband project community leaders, BEA has established a path for information distribution, educational opportunities, available funding sources, and available state resources. BEA is an available resource for all broadband projects throughout the state. This work will remain consistent throughout the BEAD subgrantee selection process, allowing all potential broadband partners to establish their local or regional broadband projects. As broadband projects are deployed, BEA continues to be the state resource for ongoing support with available assets, digital equity initiatives and programs, deployment challenges, and reporting requirements. BEA coordinates with local and regional partners on all aspects of broadband projects from deployment through completion.

BEA has had meetings with the nine regional planning commissions, the International Brotherhood of Electrical Workers (IBEW), multiple local and regional broadband committees (as mentioned above), and other organizations, as well as presented at the New Hampshire Municipal Association trade show. These direct efforts provided an opportunity for these local and regional groups to understand how BEA is their broadband resource for local and regional projects.

Figure 5-Existing Broadband Funding

Source	Purpose	Total	Expended	Available
Capital Projects Fund ¹¹	To build broadband infrastructure connecting unserved and underserved locations that will deliver at least 100/100 Mbps service	\$122,066,151	\$122,066,151	\$0
Coronavirus Aid, Relief and Economic Security (CARES Act)	To build broadband infrastructure to unserved locations that will deliver at least 25/3 Mbps service by Dec. 15, 2020.	\$13,000,000	\$13,000,000	\$0
Broadband Equity, Access, and Deployment (BEAD)	Planning Grant ¹² to support development of the BEAD program, conduct research & data collection, provide technical assistance to subgrantees, etc.	\$5,000,000	\$2,080,000	\$2,920,000
Digital Equity Planning Grant ¹³	Planning Grant to support the development of a plan to identify covered populations, their digital equity challenges, and develop strategies to address those challenged.	\$525,033	\$525,033	\$0
Digital Equity Capacity Grant	Funding to carry out planned activities to promote digital equity and inclusion	TBD	N/A	N/A
BEAD Grant ¹⁴	BEAD Grant to deploy or upgrade broadband networks to ensure that served and unserved locations have access to reliable, affordable, high-speed Internet service with speeds of at least, or scalable to, 100/100 Mbps	\$191,560,278	\$0	\$191,560,278
Affordable Connectivity Program ¹⁵	Funding that helps ensure that households can afford broadband connectivity by providing a discount of up to \$30/month towards internet service, or up to \$100 for a device.	\$51,136,560	\$12,606,120	\$38,530,440
Schools and Libraries Fund (E-rate) 2016 - 2022 ¹⁶	Funding that provides discounts for telecommunications, Internet access, and internal connections to eligible schools and libraries.	\$23,737,940	\$23,737,940	\$0

Source	Purpose	Total	Expended	Available
Emergency Broadband Benefit Program ¹⁷	Predecessor to the Affordable Connectivity Program, eligible participants received discounts of up to \$50/month towards Internet access services.	\$2,391,423	\$2,391,423	\$0
Enabling Middle Mile Broadband Infrastructure Program ¹⁸	Provided funding for the construction, improvement, or acquisition of middle mile infrastructure to reduce the cost of connecting areas that are unserved or underserved to the internet backbone	\$11,969,000	\$0	\$11,969,000
State and Local Fiscal Recovery Funds ¹⁹	Program to support state & local governments respond to and recover from the COVID-19 public health emergency.	\$1,321,200	\$659,734	\$661,466
Alternative Connect America Cost Model (A-CAM) ²⁰	A-CAM (2015 – 2022) provided funding to rate-of-return carriers that adopted a new Cost model for High-Cost support in exchange for meeting defined broadband build-out obligations (10/1 or 25/3 Mbps)	\$14,985,791	\$14,985,791	\$0
ACP Outreach Program ²¹	Funding to support efforts to inform ACP-eligible households about the program in their local communities through outreach and community engagement.	\$316,200	\$0	\$316,200
Alternative Connect America Cost Model II (A-CAM II) ²²	A-CAM II (2019 – 2022) provided funding to rate-of-return carriers that adopted a new cost model for High-Cost support in exchange for meeting defined broadband build-out obligations (usually 25/3 Mbps)	\$615,089	\$615,089	\$0
Connect America Fund II (CAF II) ²³	CAF II (2015 – 2022) auctioned High-Cost universal service support in speed tiers ranging from 10/1 Mbps to 1 Gbps/500 Mbps	\$29,806,022	\$29,806,022	\$0
Connect America Fund – Broadband Loop Support (CAF-BLS) ²⁴	CAF-BLS (2016 – 2022) reformed the High-Cost Interstate Common Line Support fund to support 10/1, and later 25/3 Mbps, service levels	\$9,743,817	\$9,743,817	\$0

Source	Purpose	Total	Expended	Available
Rural Digital Opportunity Fund (RDOF) ²⁵	RDOF auctioned High-Cost funds to support speed tiers ranging from 25/3 Mbps through 1 Gbps/500 Mbps.	\$15,247,989	\$1,389,168	\$13,858,821
Northern Border Regional Commission State Economic & Infrastructure Development Investment Program	Funding awarded in 2021 ²⁶ to provide last-mile broadband service in Haverhill. Funding was in 2022 ²⁷ to allow Hebron to connect to Bristol and the University of New Hampshire; and to fund a public-private fiber partnership in Sandwich.	\$3,335,603	TBD	TBD

Partnerships

Figure 6 below identifies BEA’s current partners with which it collaborates and coordinates on a regular basis and supports BEA’s local and regional broadband planning efforts. These partners have helped shape the information contained in this plan and will continue, through their agency activities, to support the implementation and outreach of this plan.

Figure 6-Broadband Partnerships

Partners	
Carroll County Communications District	BEA coordinates with Carroll County Communications District as it represents the interests of locally owned, community-based broadband providers, to understand their needs and concerns and partner with their member ISPs in broadband deployment.
CostQuest Associates	BEA collaborates with CostQuest Associates for access to a common data set of all residential and business locations (or structures) in New Hampshire where fixed broadband internet access service is or can be installed and is the foundational location database that supports the latest available data per the FCC Broadband Data Maps published December 31, 2022.
Digital Equity Research Center (DERC)	BEA coordinates with the Digital Equity Research Center (DERC) on community-based and participatory research to inform Digital Equity practice and policy at the local, state, and national levels.
Labor unions and workforce development organizations	BEA has begun to engage labor unions and workforce development organizations during the stakeholder engagement process and plans to further engage such groups during development of a workforce strategy that will help ensure an available and highly skilled workforce for broadband deployment.
Local Governments	BEA coordinates with local governments to increase local stakeholder participation and outreach. Local governments publicize broadband efforts, including opportunities for public input, so that the community is informed and can participate in the process.
National Collaborative for Digital Equity (NCDE)	BEA collaborates with the National Collaborative for Digital Equity (NCDE) to foster significant gains in access to digital tools and in educational and economic opportunity for low-and moderate-income learners of all ages.
New Hampshire Asset Advisory Council	BEA coordinates with Digital Equity’s Asset Advisory Council to identify Digital Equity related services/resources/programs. The Asset Advisory Council represents stakeholders who support the Covered Population.
New Hampshire Department of Corrections	BEA partners with the Department to understand and improve the state of broadband and/or device access for incarcerated individuals.

Partners	
New Hampshire Department of Environmental Services	BEA coordinates with the Department to ensure that broadband deployment supports the Department's mandate to regulate air, water, and ground resources in line with New Hampshire's environmental laws
New Hampshire Department of Health and Human Services	BEA partners with the New Hampshire Department of Health and Human Services to understand the impact of broadband access for public health programs and health facilities, as well as the impact of broadband access for the health of Covered Populations.
New Hampshire Department of Information Technology	BEA coordinates with the New Hampshire Department of Information Technology for information technology services, including enterprise services, technical, operational, infrastructure, security, web, and software development.
New Hampshire Department of Labor	BEA collaborates with the Department to understand how broadband deployment and digital opportunity can have an impact on the state's current workforce development plans, goals, and strategies.
New Hampshire Department of Transportation	BEA collaborates with the Department to streamline upcoming broadband deployment opportunities, including by working to establish right-of-way and dig-once policies.
New Hampshire Digital Equity Advisory Council	BEA collaborates with the New Hampshire Digital Equity Advisory Council to connect residents state-wide with access to high-speed internet, digital devices, training, services, and resources made possible through digital technology (e.g., telehealth, online educational resources, mobile banking, assistive technologies, on-line employment resources)
New Hampshire Electric Cooperative (NHEC)	BEA collaborates with the New Hampshire Electric Cooperative to bring broadband to their communities. NHEC is a member-owned electric distribution cooperative serving 85,000 homes and businesses in 115 New Hampshire communities.
New Hampshire Granit	BEA partners with New Hampshire Granit for access to New Hampshire's geospatial data and resources for broadband mapping.
New Hampshire Natural Resources Conservation Services	BEA coordinates with the Department to ensure that broadband deployment supports Natural Resources Conservation Services mandate to administer New Hampshire's land and water resources.
New Hampshire Public Utilities Commission	BEA partners with the Commission to better understand the public assets that could support broadband deployment.
New Hampshire State Library	BEA partners with the library system to develop digital equity initiatives including digital training for Covered Populations.
Consolidated Communications, Inc.	CCI was awarded ARPA funding to build out unserved locations.

Asset Inventory

In an effort to augment and not duplicate services, the state of New Hampshire, and public and private entities, have made concerted efforts to bridge the digital divide. These efforts have helped New Hampshire maximize investment and outreach to close the digital divide within the state. It has also bolstered the served, Broadband Service Location (BSL) as defined by NTIA, in New Hampshire to an impressive 93 percent. To maximize the effects of the investment being made by the federal government through the IIJA, New Hampshire will leverage previous and existing funding, as well as assets and inventory to maximize the benefit to its residents.

To create a snapshot of where the state currently is in its efforts to provide high-speed broadband to every location, New Hampshire has conducted a detailed review of available assets used to advance broadband adoption, both through online research and through interviews with multiple state agency leaders.

Broadband Deployment

Figure 7 below identifies assets that promote broadband *deployment*, including state-owned infrastructure, such as land, rights-of-way, utility poles, fiber, and other assets. These resources are made available to local and regional broadband planning efforts.

Figure 7-Broadband Assets

Asset Name	Description
Land managed by New Hampshire Department of Environmental Services (DES)	Tracts of public land belonging to the Department of Environmental Services may be available for deployment via right-of-way laws.
Land managed by New Hampshire Department of Natural & Cultural Resources (DNCR)	Tracts of public land belonging to the New Hampshire Department of Natural Resources & Conservation may be available for deployment via right-of-way laws.
Advanced Traffic Management Systems, Rights-of-Way, Light poles managed by Department of Transportation	<ul style="list-style-type: none"> • NHDOT has fiber connecting Advanced Traffic Management Systems throughout the state. • NHDOT grants use of longitudinal right-of-way along interstate highways to eligible projects. • LED light poles belonging to the Department of Transportation may be available for deployment of 5G nodes, which could support New Hampshire’s broader broadband goals beyond the BEAD program.
University System of New Hampshire (USNH)	iBeamNH provides gigabit and multi-gigabit service to all USNH institutions and to a number of Community Anchor Institution partners across New Hampshire, in support of education, research, healthcare, public safety, government, and the public good.

Broadband Access

This section includes assets that currently promote *access* to broadband and will be the foundation for access in New Hampshire. Local and regional broadband planning efforts have helped create these assets as well as have access to utilize these assets in their projects.

Figure 8-Broadband Access

Organization Name	Asset Name	Description	Covered Populations
Libraries ²⁸	Library Wi-Fi locations throughout New Hampshire	222 Public Libraries	Available to all
Dovernet Public Wireless ²⁹	Community Wi-Fi	Provides access at all their Community Wi-Fi hotspot locations.	All
Network New Hampshire Now (NNHN) ³⁰	Public/Private sector collaboration	A collaboration between state and local governments, non-profits, and private entities to bring a mix of wire line and wireless next-generation broadband services to community anchor institutions in all ten counties of New Hampshire.	All
New Hampshire Electric Cooperative (NHEC) ³¹	Co-op broadband	NH Broadband powered by NHEC has partnered with Conexon, a company specializing in electric cooperative fiber-to-the-home.	Rural Residential Business
University System of New Hampshire (USNH) ³²	iBeamNH is owned and operated by the University System of New Hampshire (USNH) ³³	iBeamNH provides gigabit and multi-gigabit service to all USNH institutions, and to a number of Community Anchor Institution partners across New Hampshire, in support of education, research, healthcare, public safety, government, and the public good.	iBeamNH serves over 50,000 users in New Hampshire with a variety of services to education, government, public safety, health, and other vital public-serving institutions.

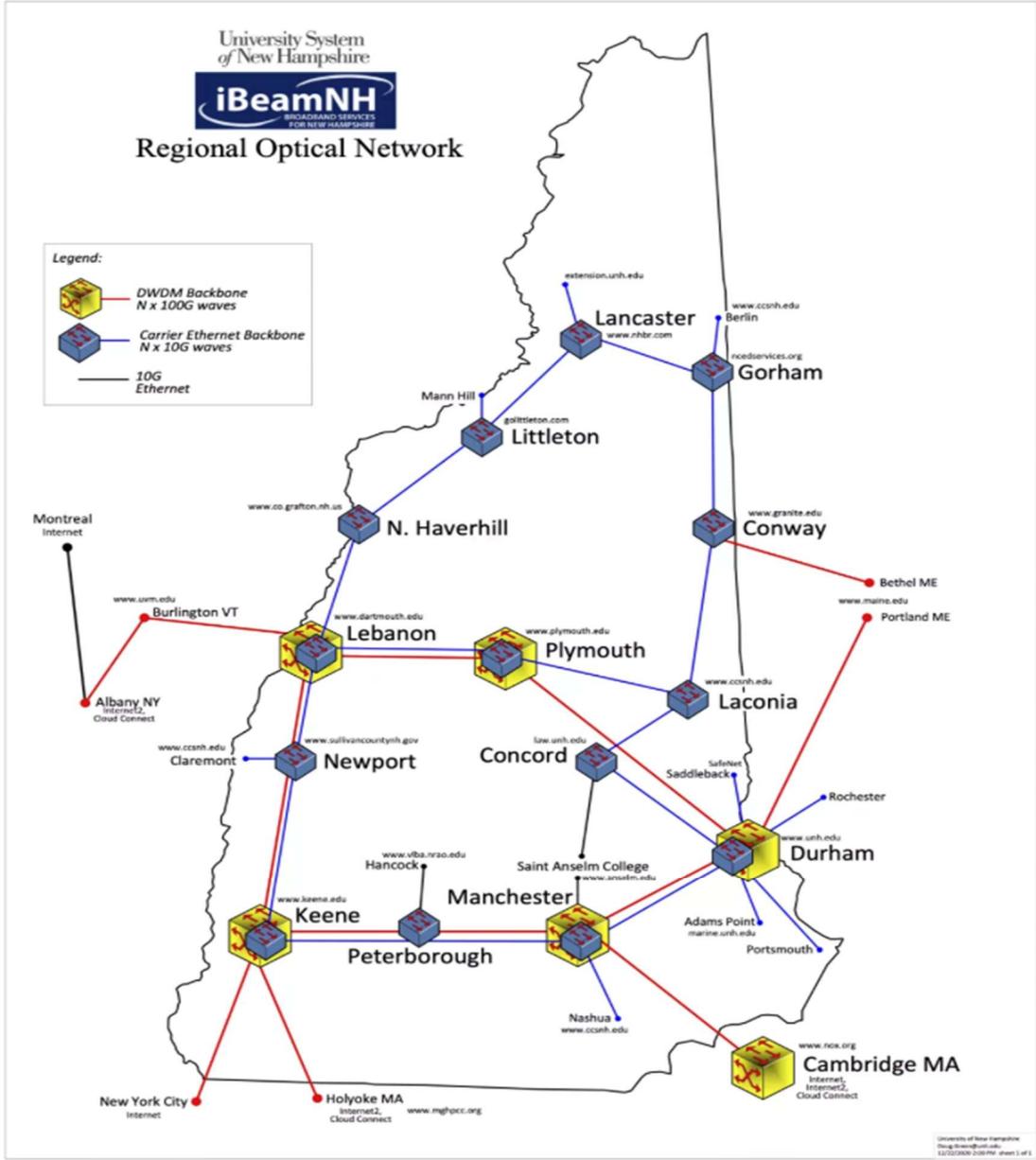


Figure 9-iBeamNH Assets

Source: <https://www.usnh.edu/ibeamnh/our-network>

Broadband Affordability

Many Internet Service Providers (ISPs) serving New Hampshire residents offer affordable plans for broadband services. While New Hampshire is home to many residents who are eligible for broadband benefits under the Affordable Connectivity Program (ACP), use of the program remains low. In an effort to bolster these numbers and create a broader awareness of their existence, New Hampshire’s BEAD program will require ISPs to market and offer affordable broadband plans and benefit program access. This coordination between the BEAD program and service providers will provide eligible households with affordable options for broadband services.

Digital Equity

Figure 10 below includes programs and plans to advance *Digital Equity* instituted by municipalities, Community Anchor Institutions (CAIs), and organizations across the state of New Hampshire. There are several strategies, resources, plans, and programs in the state specifically focused on promoting and enabling digital equity for all residents including Covered Populations. These programs highlight the importance of CAIs as key partners, such as those administered by libraries and colleges, to close the digital divide. These programs can be built upon and supplemented with additional resources to improve Digital Equity.

Figure 10-Digital Equity Assets

Organization Name	Asset Name	Description	Covered Populations
New Hampshire Public Library partners ³⁴	New Hampshire Public Library partners with internet and adaptive services	New Hampshire public libraries have expanded broadband width capacity for internet services, adaptable OPAC computers for access by New Hampshire residents with disabilities, and trained staff on the use of these products.	All; individuals with disabilities
Community College System of New Hampshire ³⁵	Senior citizen half price tuition	Program for seniors to use internet services and take classes provided by the community college.	Aging populations
Apprenticeship NH ³⁶	NH Technology Apprenticeship Programs	A workforce training program of the Community College System of NH (CCSNH) that aims to promote high-quality Registered Apprenticeship and pre-apprenticeship programs in various leading industries throughout the state.	All; veterans
Girl Scouts of the Green and White Mountains ³⁷	STEM Badge Blast	Brownies join the Xploration STEM program at the Nashua Adult Learning Center for STEM activities.	Rural
New Hampshire Electric Cooperative (NHEC) ³⁸	Co-op broadband	NH Broadband powered by NHEC has partnered with Conexon, a company specializing in electric cooperative fiber-to-the-home.	Rural

Organization Name	Asset Name	Description	Covered Populations
HUD ³⁹	HUD ConnectHome USA	ConnectHomeUSA is a movement to bridge the digital divide for HUD-assisted housing residents by getting them connected at home while providing access to digital literacy and educational content.	Public Housing
FCC	FCC Lifeline Program ⁴⁰	The Lifeline Program allows eligible consumers to receive a monthly benefit up to \$9.25 towards phone or internet services and up to \$34.25 for those living on Tribal and Native lands.	Low income; Tribal populations
Disability Rights New Hampshire ⁴¹	Assistive Technology	Disability Rights New Hampshire can assist people with disabilities in obtaining assistive technology devices or services.	Individuals with disabilities
ICanConnect ⁴²	Assistive Technology	Help individuals identify and acquire technology necessary to help students access their curriculum, assist individuals who want to work become employable and successful in the job market, and help people with disabilities enjoy life and stay engaged with their communities.	Individuals with disabilities
University of New Hampshire ⁴³	Assistive Technology New Hampshire (ATinNH)	ATinNH serves any New Hampshire residents with a disability by loaning devices and equipment and teaching people how to use them.	All; individuals with disabilities
For Inspiration and Recognition of Science and Technology (FIRST) ⁴⁴	STEM	A global K-12 not-for-profit organization to inspire young people's interest in science, technology, engineering, and math (STEM), has collaborated with the New Hampshire Department of Education to make state grant funding available to robotics program via the New Hampshire Robotics Education Fund.	All
NH Career Academy ⁴⁵	Training services	The nonprofit provides employment and training services, such as computer skills training, for low-income individuals.	Low-income; all
New Hampshire Department of Education ⁴⁶	K-12 Digital Literacy and Computer Science (DLCS) Guidelines	The purpose of the DLCS guidelines is to provide schools with a framework to prepare students for success in college and careers.	All

BEA plans to leverage the community engagement strategies already in place to increase the impact of the investment being made by the Infrastructure, Investment, and Jobs Act (IIJA) federal grant program funding. After project implementation, BEA plans to perform adoption audits for properties that have chosen not to subscribe to services and set out to understand the barriers to using service once infrastructure is in place. Finally, BEA intends to support ISPs, municipalities, and Local/Regional broadband efforts in promoting the use of the broadband subsidy programs in the communities where work is being done to increase the adoption of the service when it becomes available. The community partnership established between the broadband stakeholders (State, ISPs, and end users) will serve as an invaluable resource during project standup, implementation, and closeout of grant activities.

2.3-Local Coordination (Requirement 4)

2.3.1 Text Box: Describe the coordination conducted, summarize the impact such impact has on the content of the Initial Proposal, and detail ongoing coordination efforts. Set forth the plan for how the Eligible Entity will fulfil the coordination associated with its Final Proposal.

The state reached a large, representative group of Granite Staters through its engagement process documented in the Five-Year Action Plan as well as during creation of the Initial Proposal. Continued outreach will occur during the public comment period. Post subgrantee awards, BEA will continue outreach for project completion, Digital Equity implementation, broadband adoption, ACP enrollments, and other associated activities.

New Hampshire has been engaging stakeholders since the launch of the BEAD program. The process began by first identifying stakeholders and then developing a tailored approach to incorporate them in the planning process. Together, these efforts yielded a robust stakeholder engagement process, which allowed the state to place key constituents at the center of its plans to increase broadband availability and adoption in New Hampshire and close the digital divide.

Stakeholder identification

With reference to BEAD guidance as well as input from state government contacts, BEA, through its Digital Equity, Five-Year Plan, and Initial proposal efforts, identified key external stakeholders and stakeholder groups to engage, including:

- Political and governmental representatives: state and county agencies, state senators and representatives, and city, municipal and county officials (e.g., commissioners, other elected officials).
- Community Anchor Institutions: libraries, schools, healthcare centers, community colleges, other institutions of higher education, nonprofit and community-based organizations.
- Economic and workforce actors: labor organizations and unions, entities that carry out workforce development programs, chambers of commerce, economic development organizations.
- Telecommunications providers: internet service providers.

Covered populations: BEA spoke with a variety of organizations who represent covered households, the income of which for the most recently completed year is not more than 150 percent of an amount equal to the poverty level, as determined by using criteria of poverty established by the Bureau of the Census; aging individuals; incarcerated individuals (excluding individuals incarcerated in federal facilities); veterans; individuals with disabilities; individuals with a language barrier; individuals who are members of a racial or ethnic minority group; and individuals who primarily reside in a rural area. According to the U.S Department of the Interior, Indian Affairs, <https://biamaps.geoplatform.gov/Tribal-Leaders-Directory>, New Hampshire has no federally

recognized tribes, though through further research several Tribal groups were identified. These entities were added to the stakeholder list to be included in outreach activities.

Once the list of stakeholder groups was defined, BEA identified specific individuals within each group, as well as any stakeholders relevant to this engagement process that did not belong to a predefined stakeholder group. This process was completed in coordination with the team developing the Digital Equity plan and required coordinating with public and private organizations for outreach and desk research (e.g., Google searching, cold calls, referrals) to develop a list of contacts representing the full range of stakeholders. Since New Hampshire's efforts for the BEAD program and the Digital Equity efforts are coordinated, this is a comprehensive list of stakeholders that applies to both efforts.

Engagement approach

BEA conducted stakeholder engagement sessions, with initial sessions focused on identifying challenges to internet access, adoption, and digital equity. Later sessions focused on soliciting feedback to specific preliminary elements required by the BEAD NOFO to include Digital Equity and report templates provided by NTIA. BEA's approach to stakeholder engagement was guided by the following principles, outlined in the NTIA's guidance.

Full geographic coverage of the Eligible Entity

Due to geography, health-safety concerns, and travel, most sessions were virtual, but some were able to be in person. Populations for the sessions were selected to ensure diverse geographical representation across the state from both the more populated hubs as well as the rural areas. In-person stakeholder engagement sessions were hosted in centrally located, easily accessible locations to enable maximum participation. Multiple virtual stakeholder sessions have also been conducted, open to individuals and organizations located anywhere in the state. BEA will continue to ensure that geographic coverage of the state enables a range of Granite Staters to participate.

The New Hampshire State Library and libraries across the state play a critical role as community anchor institutions in the context of broadband and digital connectivity. Conversations included multiple libraries across the state providing complete geographical coverage and support for the majority of the Covered Population. They supported BEA's plan and understand the libraries that do not currently have high-speed, reliable broadband services. As stated in this Plan, as funding is available, CAI's will have this service at the completion of the broadband deployment. The libraries were interested in reading the Five-Year Plan as well as the Initial Proposal Volumes I and II to provide feedback when available during the public comment periods for each document. They supported using their e-mail distribution lists to send the notice of the opportunity for public comment.

Meaningful engagement and outreach to diverse stakeholder groups

As a result of BEA's increasing engagement with local, regional, and other stakeholders across the state to coordinate and plan the implementation efforts resulting from federal funding activities,

BEA has substantially bolstered its implementation capabilities to administer New Hampshire BEAD efforts. These efforts include the growing experience and knowledge of our core BEA staff and close efforts with other stakeholders such as Gov. Chris Sununu's administration, the New Hampshire Municipal Association, New Hampshire Planning Association (NHPA), University System of New Hampshire (Digital Equity), New Hampshire Department of Education, state legislators, numerous nonprofit organizations, seasoned contractor resources with capabilities in GIS modeling and data management and internet service providers. According to the U.S Department of the Interior, Indian Affairs, New Hampshire has no federally recognized tribe, though through further research several Tribal groups were identified. These entities were added to the stakeholder list to be included in outreach activities.

Virtual and in-person engagement sessions and surveys have been conducted with stakeholder groups. BEA will continue to prioritize outreach to diverse stakeholder groups. Input from stakeholder engagement has supported the Initial Proposals as it relates to broadband deployment. The participants understand the need for fast, reliable, and affordable broadband services to every location in New Hampshire. The Initial proposal references coverage to all unserved and underserved Broadband Serviceable Locations (BSLs) utilizing the available BEAD funding, as well as many other efforts preceding BEAD.

BEA had multiple conversations with the International Brotherhood of Electrical Workers (IBEW) Second District for the New England region. IBEW supports BEAD across the country. Specifically in the New England region, IBEW is working on an apprentice program to support the upcoming BEAD construction projects. BEA will provide communication to the Second District representatives regarding the posting of public comment periods for their distribution and input.

Through the Digital Equity effort and outlined in BEA's Digital Equity Plan, outreach included trade schools and community colleges. This provides a path for unrepresented and marginalized populations to be educated on various broadband skills, such as outside plant construction, home installations, programming and configuring electronic devices as well as other broadband-related skills.

As identified in Section 2.2.1, outreach to local and regional broadband committees, groups, towns, and counties has been part of the outreach effort. These represent geographic coverage across the state and provide a variety of potential opportunities for a diverse workforce being incorporated in broadband deployment projects at a local and regional level.

By meeting with local and regional partners and helping them understand different broadband owner/operational models, BEA has provided the necessary education and understanding for these local and regional partners to work on solving broadband access and Digital Equity in their geographic areas throughout the state.

Establishment, documentation, and adherence to clear procedures to ensure transparency

The stakeholder engagement process was shaped by an interactive discussion that ensured the moderator covered all relevant topics while also providing the ability to move naturally between issues as the conversation flowed. Additionally, New Hampshire deployed a survey to households and community leaders, capturing end user expectations such as availability, affordability, adoption, etc.

Knowledge transparency when promoting broadband expansion

Broadband thought leaders have stressed the criticality of accurate and timely mapping data for broadband expansion efforts. To address this need, BEA utilized a portion of its Capital Projects Fund (CPF) to award a contract to NH GRANIT (University of New Hampshire) to support the construction of a publicly available comprehensive map that identifies the unserved and underserved locations in New Hampshire. The NH Broadband Mapping Initiative has captured the following:

- ISP coverage data
- unserved, underserved, and served location data
- existing fiber networks across the state
- fiber development status
- accessibility and accuracy of current fiber deployed by ISPs
- speed of fiber currently deployed.

The first iteration of these maps was published in April 2023⁴⁷ and serves as a resource for Granite Staters to understand the status and breadth of this operation. Maps and dashboards are interactive and user-friendly, allowing New Hampshire to spread the word about broadband expansion and digital literacy. BEA is also utilizing the FCC's Broadband Data Map as of December 21, 2022, updated November 7, 2023.

Outreach and engagement of unserved and underserved communities, including historically underrepresented and marginalized groups and/or communities

BEA has actively engaged with representatives from low-income and moderate-income housing to discuss their plan to deploy broadband to underserved areas and promote digital equity to ensure the plan aligns with the needs of the communities it aims to serve. BEA has shared its plan to bring broadband to unserved and underserved Broadband Service Locations (BSLs) and has conducted a mapping exercise to identify housing units including multi-dwelling units (MDUs) to understand the projects impact in specific areas. Housing representatives are in favor of expanding fiber access to reach more customers including multi-family, residential, and office buildings, and prioritizing Wi-Fi access to multi-dwelling units. The Initial Proposal Volumes I and II will be posted for public comment and the housing representatives support using their e-mail distribution lists to engage a wider audience.

As an ongoing effort to direct stakeholder engagement, BEA has developed a list of stakeholders who represent populations highlighted in the NTIA requirements, including unserved, underserved, and covered populations, to understand their needs related to the access, availability, and use of broadband. To reach covered populations, the state, through the Digital Equity outreach has also held targeted interviews with stakeholders, including the Department of Military Affairs and Veterans Services, Manchester Program for the Deaf and Hard of Hearing, New Hampshire Department of Corrections, New Hampshire Department of Health and Human Services, New Hampshire Commission on Aging, etc.

BEA has worked with local and regional planning groups such as COOS County, Carroll County, Monadnock Broadband, etc. to help deploy broadband as these local initiatives see best fit their specific regional areas. The plans, programs, and goals support these local and regional initiatives by providing funding opportunities for locally owned and operated projects or assisting in developing public-private partnerships bringing broadband to the unserved and underserved BSLs.

Use of multiple awareness and participation mechanisms and different methods to convey information and outreach

New Hampshire engaged its residents through multiple modalities, including in-person and virtual sessions as well as two surveys that were distributed digitally as well as paper copies were made available. As of November 2023, BEA has provided multiple informational sessions with stakeholders. As outlined in the Local Coordination Tracker Tool, section 2.3.1.1, BEA has provided details of the outreach and engagement activities it conducted to encourage broad awareness, participation, and feedback during the public comment period, particularly among all stakeholder groups, local community organizations, unions and worker organizations, and other underrepresented groups. Examples of outreach mechanisms include, but are not limited to, local media, relevant social media channels, phone calls, and e-mail correspondence.

BEA updated its web site to include information about IJJA, specifically BEAD funding and Initial Proposal Volume I and II. Contact information was made available for questions and comments, open to all interested parties. All Broadband Office employees have their e-mails on the website, which allows direct access to these individuals.

The Keene Sentinel newspaper reported that Sen. Maggie Hassan and Jessica Rosenworcel, chairwoman of the Federal Communications Commission met with state and local officials and telecom leaders to discuss high-speed Internet. Matt Conserva, broadband program manager for BEA, described how the department used \$13 million from CARES Act funds to provide broadband access to 4,500 residents without existing connections. Additionally, Conserva stated that New Hampshire was one of the first states approved by U.S. Treasury for a plan which was \$50 million awarded to the N.H. Electric Co-op.

Digital Equity was also mentioned in a newspaper article: Researchers at University of New Hampshire Cooperative Extension are developing a five-year plan aimed at closing the state's digital divide by increasing statewide access to internet, digital literacy education, digital devices and training, among other goals.

As a result of one of the Digital Equity virtual meetings, Granite State’s News Collaborative described the availability of journalists and NH’s Radio, newspaper, and TV outlets to promote the ACP subsidy and provider’s discounted pricing plans.

In-person and virtual sessions

BEA hosted both in-person and virtual outreach sessions with the public and targeted stakeholders to better understand the state’s challenges in providing adequate broadband service to its residents. The virtual sessions helped to ensure greater accessibility to stakeholders unable to attend a physical session. For those that indicated interest in the virtual option, BEA coordinated sessions over Zoom with dial-in accessibility, consolidating as many individuals into the same stakeholder meeting as possible. Additional outreach through email and phone calls was used to connect with as many stakeholders as possible, conducting supplemental desk research and leveraging referrals given during the sessions to add to the growing list of contacts.

Sessions also included public sessions, which sought input from any interested Granite Stater, and specific stakeholder group sessions, which included representatives from targeted groups such as libraries, local governments, and ISPs.

Going forward, BEA may consider developing discussion guides covering the following topics: challenges to community internet access, technology preferences, how government funds should be used to improve internet access in the community, suggestions for state government, digital equity initiatives, grant applications support, and providing internet service (ISP) sessions only.

Topics will also include barriers to connectivity, broadband access strategies, digital opportunity strategies, strategies to further workforce development, strategies to address supply chain challenges, and strategies to develop an equitable subgrantee process.

The conversations will be structured while allowing flexibility to give participants the ability to move naturally between topics as the conversation flowed. This approach ensures participants have the opportunity to raise topics of interest, return to issues when they had additional input, and lead the conversation into the areas of greatest importance to them.

Surveys

Through the Digital Equity work, a survey with both quantitative and qualitative questions was designed and deployed to a broad, representative group of Granite Staters. As of November 2023, 3600 surveys have been completed.

- **Household surveys:** This survey was available to any Granite Stater over the age of 18 and distributed to a population representative of the state.

Topics covered included:

- Availability of internet access at home and in the community
- Type and speed of internet access at home
- Reasons for internet use
- Awareness of internet subsidy programs, such as ACP
- Reasons for lack of home internet access
- Assessment of affordable monthly price for high-speed home internet.

BEA may consider the use of a survey tool throughout deployment and post deployment to help gauge end user adoption rates as well as end user satisfaction.

Alternate outreach modalities

Ongoing outreach efforts are being discussed to engage stakeholders through email and phone calls to connect with as many stakeholders as possible. BEA will continue to connect with stakeholders following the submission and implementation of the BEAD Five-Year Action Plan and Initial Proposal Volumes I and II.

Together, these various outreach methods will allow for maximum reach and accessibility to target populations, which will help the state develop a thorough understanding of the challenges to accessing broadband service.

To reach stakeholders, New Hampshire will use several methods to raise awareness, including:

- Digital flyers
- Press releases
- Social media
- Email messaging tailored to state agencies and stakeholder populations
- Updated state website language.

To reach the general public and targeted stakeholder groups, BEA will distribute materials on engagement opportunities through a range of partner organizations including New Hampshire Municipal Association, New Hampshire Association of Counties, New Hampshire Department of Health and Human Services, New Hampshire Economic Development Association, New Hampshire State Library, New Hampshire Department of Education, Municipal Management Association of New Hampshire (MMANH), New Hampshire Chambers of Commerce, New Hampshire Division of Economic Development, ISPs, labor groups, nonprofits, and others. BEA will also use press channels (e.g., TV, radio, newspaper) to distribute marketing materials.

BEA will promote the sessions through a network of stakeholder contacts by email, state social media pages, the state website, as well as the State of New Hampshire email contact list.

The state has considered which partnerships it may pursue as it implements its plans, and several potential partnerships—including with workforce agencies and educational institutions.

Since the identification of and engagement with stakeholders, the state has maintained its commitment to stakeholder outreach. Over the months that followed, BEA has remained in contact with a broad set of stakeholders and will continue to engage them throughout the planning and implementation of the BEAD program, including during the subgrantee selection process and the preparation of the Final Proposal.

Virtual engagement

While the state has been keen to identify opportunities for in-person engagement, it has also utilized virtual channels, including both the BEA website and email, to increase the frequency of outreach.

BEA plans to send out regular email updates to specific email distribution lists to disseminate updates on meetings, trainings, and resources. In addition, the BEA website will continue to be regularly updated with specific information, including FAQs, for both providers and the public.

The state will further utilize its virtual platform to broadly engage with subgrantees by developing webinars and having materials available on the BEA website, which will provide relevant institutions with information on BEAD funding deployment. This will help subgrantees prepare well in advance of the application process. New Hampshire will also perform technical assistance in 2024 to prepare potential subgrantees for the application process. First, the state will work with prospective applicant institutions to educate and inform them on how to successfully apply.

Current Broadband Program

In July 2021, Governor Sununu signed SB85 into law establishing the Broadband Matching Grant Initiative (BMGI) funded through the Department of Business and Economic Affairs (BEA). BEA is a government body developed to oversee the funding allocated to New Hampshire under the Infrastructure Investment and Jobs Act (IIJA) and to provide recommendations on broadband funding and deployment. All decisions reached on broadband funding must be approved by BEA. BEA regularly hears from citizens, local government leaders, and providers, among others. This is a critical channel to generate productive discussions and gather feedback from stakeholders as the state develops its Initial and Final Proposals.

Conferences and events

BEA has engaged New Hampshire stakeholders, including state agencies, non-profits, and providers, by attending a wide range of conferences, panels, and events. This has allowed the state to both effectively communicate the scope and impact of BEAD-related broadband initiatives, and easily solicit relevant feedback.

For example, BEA has engaged in community feedback through attending community meetings and stakeholder interviews and administering surveys to local government. At the state level, BEA discussed broadband equity and affordability at the New Hampshire Municipal Association Conference, the Mobilizing New Hampshire for Digital Equity and Economic Inclusion Meeting, and the Affordable Broadband in NH Meeting. Prior to selecting contractors, BEA has worked with ISPs across the state to understand the nuances of large-scale broadband infrastructure builds and ensure that the parameters of the contract were feasible for targeting the broadest number of locations.

Prior to project implementation, BEA administered a survey to all towns in New Hampshire to gather information on broadband existence, current projects, and planned projects to better understand the needs for investment. On the ground level, BEA leveraged internal data-gathering

strategies to develop an initial list of unserved and underserved addresses that will be impacted by funding. BEA has utilized the feedback received from all these initiatives to formulate the state's program plan and scope of work.

New Hampshire Department of Business and Economic Affairs (BEA) hosted its 2023 EconForum on November 1, 2023, for an inside look at key objectives and strategies for advancing economic development across New Hampshire, including an opportunity to collaborate with statewide partners. Various facets of the state's economic development were discussed. The BEA team had the opportunity to discuss their BEAD deployment and Digital Equity plans with attendees.

During the construction of New Hampshire's broadband network, BEA will request the service providers work closely with each municipality identified to ensure that municipality leadership is fully apprised of where and when construction is taking place. In any community where there will be construction, BEA will request service providers host an initial meeting with the community prior to construction to describe the project and hold regular meetings with the municipality at whatever frequency the municipality prefers to discuss ongoing construction. Service Providers will also provide direct contact information for service provider leadership to ensure that the municipality has immediate access to the service provider if questions or issues arise. Upon project completion, the service provider will host a final meeting with municipal leadership to address any remaining questions and discuss plans for the network launch, marketing, and sales outreach.⁴⁸

As New Hampshire's broadband infrastructure scope is developed, BEA plans to host webinars and publish broadband resources to ensure all end users are secure and connected. BEA will continue to engage with ISP leadership teams to build effective strategies. In the following years, BEA plans to leverage the community engagement strategies in place to increase impact. After project implementation, BEA plans to perform adoption audits, and for properties that have chosen not to subscribe to services, set out to understand the barriers to using service once infrastructure is in place. Finally, BEA intends to support ISPs and municipalities in promoting the use of the broadband subsidy programs in the communities where work is being done to increase the adoption of the service when it becomes available. The community partnership established between the broadband stakeholders (State, ISPs, and end users) will serve as an invaluable resource during project standup, implementation, and closeout of grant activities.

New Hampshire Association of Regional Planning Commissions:

New Hampshire has nine regional planning commissions, which are members of an association, The New Hampshire Association of Regional Planning Commissions (NHARPC). The main mission of the NHARPC is to provide a forum to coordinate regional planning initiatives on a statewide basis and to disseminate information about RPCs to other agencies and organizations. The NHARPC maintains strategic partnerships with state agencies, develops shared planning policies, and monitors planning-related legislation. The NHARPC works on behalf of its member commissions and, by extension, the member cities and towns across New Hampshire. By working with the commission, BEA's work was represented to all communities through each of the nine commissions. BEA was invited to their monthly meeting in October to discuss the broadband deployment plan. The commission representatives supported the need for 100% broadband

coverage throughout the state. The commission representatives were interested in reading the Five-Year Plan as well as the Initial Proposal Volumes I and II to provide feedback during the public comment periods for the Initial Proposal documents. They supported using their e-mail distribution lists to send the notice of public comment to all towns and cities.

As part of the Digital Equity listening session with New Hampshire educators, BEA discussed the Five-Year Plan as well as Initial Proposal Volume I and II. The group was very interested in having 100% broadband coverage for all residents and for students in all grade levels to include universities/colleges and community colleges. They stated a critical need for equitable broadband access for advancing education in the state of New Hampshire. BEA will provide public comment information to this group for their distribution and input.

2.3.1.1 Local Coordination Tracker Tool

Attachment: As a required attachment, submit the Local Coordination Tracker Tool to certify that the Eligible Entity has conducted coordination, including with Tribal Governments, local community organizations, unions and work organizations, and other groups.

State will upload Local coordination Tracker Tool to NTIA as required in this section.

2.3.2 Text Box: Describe the formal tribal consultation process conducted with federally recognized Tribes, to the extent that the Eligible Entity encompasses federally recognized Tribes. If the Eligible Entity does not encompass federally recognized Tribes, note “Not applicable.”

Not applicable. New Hampshire has no federally recognized tribes.

2.3.2.1 Optional Attachment: As a required attachment only if the Eligible Entity encompasses federally recognized Tribes, provide evidence that a formal tribal consultation process was conducted, such as meeting agendas and participation lists.

Not Applicable. New Hampshire has no federally recognized tribes.

2.4-Deployment Subgrantee Selection (Requirement 8)

Deployment Projects Subgrantee Selection Process & Scoring Approach

2.4.1 Text Box: Describe a detailed plan to competitively award subgrants to last-mile broadband deployment projects through a fair, open, and competitive process.

BEA shall establish a process in accordance with the NOFO to competitively award subgrants to last-mile broadband deployment projects in a fair, open, and competitive manner. Per the NOFO, applicants may include cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments.

BEA will undertake the deduplication process described in the NOFO to remove locations that are subject to an enforceable federal, state, or local commitment to deploy qualifying broadband from the list of eligible locations. BEA shall also complete the Challenge Process as outlined in Volume I (Requirement 7). This will establish the BSLs that may be funded by the BEAD program and will include further deduplication of BSL lists as of the date of the challenge process. BEA shall then publish the BSL lists. Potential providers shall base their applications upon these lists of unserved and underserved BSLs. Project area boundaries may be cities, towns, or contiguous groups thereof. Prospective subgrantees will need to submit an application providing service to all unserved and underserved locations within the project area boundary.

Subject to public comment feedback and NTIA approval, BEA proposes to issue a Request for Applications according to the requirements of the NOFO, to which potential providers may respond. To the extent possible, the application process will align with that established for the Broadband Matching Grant Initiative (BMGI, per RSA 12:O-62), with alternatives as necessary to comport with the NOFO. BEA will provide technical assistance to potential providers in completing the application through various means, including webinars, published materials, continuing stakeholder engagement, and other efforts as deemed necessary.

Financial information provided in applications will be treated as proprietary and confidential. Applicants seeking confidential treatment of additional information will be advised to electronically submit two versions of their application, with one redacting the information the applicant wishes to be kept confidential. The New Hampshire Department of Justice will make final determinations regarding what information may be treated as confidential under any applicable laws and regulations, including New Hampshire's "Right to Know" provisions (RSA 91, *et. al.*).

Application Eligibility and Evaluation

Upon receipt of an application, BEA will conduct an initial assessment of the application's completeness and whether it is eligible to progress to the merit scoring process. This initial assessment process will check for completeness of required information. BEA shall grant applicants up to fifteen (15) calendar days after notification to cure an incomplete application.

BEA shall review applications for completeness (including administrative items such as contact information, any relevant certifications, etc.). Applications also must cover 100 percent of the eligible BSLs within a project area in order to be considered.

The initial assessment shall also ensure that prospective subgrantees meet minimum qualifications as detailed in the NOFO. Specific categories covered by this aspect of the initial assessment include the following:

<u>Category</u>	<u>Guidance Reference</u>
Financial Capability	2.4.11
Managerial Capability	2.4.12
Technical Capability	2.4.13
Compliance w/Applicable Laws	2.4.14
Operational Capability	2.4.15
Ownership Information	2.4.16
Public Funding Information	2.4.17

BEA may provide applicants with the opportunity to correct or complete any deficient information regarding Ownership (Sec. 2.4.16) or Public Funding (Sec. 2.4.17) within fifteen (15) calendar days of notification from BEA. Determination of whether minimum qualifications are met for all of these categories are described in their appropriate subsections. BEA will inform applicants of the final results of the initial assessment.

Only applications that successfully demonstrate their eligibility by passing the initial assessment (subject to the curing period noted above) will proceed to merit scoring. Details of the subgrantee selection process are outlined in subsequent subsections (notably Section 2.4.2) regarding Requirement 8.

Ensuring a Fair Subgrantee Selection Process

Having administered the BMGI grant program, BEA has experience in ensuring a process that guards against collusion, bias, conflicts of interest, and arbitrary decisions.

Templates will be provided to the applicants whenever possible to streamline the application process. BEA will use a standardized merit scoring rubric with guidance on calculating points to facilitate an objective evaluation process. Each applicant will be required to submit a conflict-of-interest disclosure as part of the standard application package. Participation in the subgrantee process is contingent upon a review of the conflict-of-interest disclosure. In addition, the BEA will maintain records of all application evaluations, communications with applicants, and final decisions.

Merit scoring will be performed by a committee to be identified by BEA. BEA employees or other individuals evaluating the applications shall be subject to the New Hampshire state code of ethics for Executive Branch employees as well as prohibitions on receiving gifts. *See* New Hampshire Revised Statutes Annotated (RSA), Section 15-B:3 and Section 21-G:25. RSA Section 15-B:3 also prohibits the giving of gifts to public officials or their family members for the purpose of influencing or affecting official conduct. This prohibition applies to BEA officials responsible for the application merit scoring process.

The selection committee will be chosen in accordance with the following State of New Hampshire guidelines:

“The Agency will need to form an evaluation committee to evaluate and score proposals. Agencies should seek individuals with different areas of specialized knowledge who can provide different perspectives on the proposals (for example, an operations person, an IT person, a finance person). It is important that each member of the committee shares their perspective. Each member’s unique subject matter expertise will assist other evaluators in assessing the proposals. The committee should be assigned by the Commissioner or another high-level official within the Agency. There is no set number of members for an evaluation committee. However, the Agency should ensure that there are enough members to bring different perspectives and expertise to the evaluation and to diminish the influence of any one person’s personal preferences.”

As stated in the guidelines, the Commissioner, or another high-level official within the Agency, for the purposes of the BEAD grant, the Agency will be BEA. This step ensures oversight of the committee selection process by a high-level official. The selection of committee members will start with identifying available resources. The resources will be vetted for their specialized knowledge, as outlined in the State’s guidance. The committee members will be reviewed by the high-level official and assigned to the committee.

Once the committee is selected, they will go through an orientation of the overall BEAD project to gain an understanding of the scope of deployment by the potential subgrantees. This orientation will be followed by a review of the scoring matrix for clarity of scoring areas and weights. Committee members will have a description of specific project areas of their subgrantee proposals to evaluate 100% coverage. Additional information and gating will be provided as it relates to cost, high cost and extremely high cost BSLs. Once NTIA has approved Volume II, BEA will finalize the review process, so it aligns with approved Initial Proposal.

Ensuring an Open Subgrantee Selection Process

BEA has initiated a continuous and extensive stakeholder outreach and engagement effort, and continues to do so, as detailed in Sec. 2.2, “Local, Tribal, and Regional Broadband Planning Processes” (Requirement 2; note that there are no federally recognized tribes in New Hampshire) and Sec. 2.3, “Local Coordination” (Requirement 4). In addition, public comment and feedback was sought and incorporated into Volume II per Sec. 2.17.1. BEA is also coordinating an extensive Digital Equity outreach program. Among other initiatives, BEA is working with the University of New Hampshire’s Cooperative Extension, which has been conducting listening sessions (listed at <https://www.nhdigitalequity.org/>) with a wide array of various stakeholder groups throughout the

state. Further details on these outreach activities are provided in New Hampshire's Five-Year Broadband Action Plan.

As part of these ongoing outreach efforts, BEA will reach out to stakeholders, including potential subgrantees such as current service providers, municipalities, non-profits, etc., to encourage participation by a wide variety of potential applicants. In addition, BEA will provide webinars, guidance, and additional resources and clarifications as necessary. Similarly, the challenge process shall include rebuttal periods as provided for in Requirement 7 so that potential providers may assess BSLs they may be suited to serve.

Safeguards to Ensure That the Subgrantee Process Is Competitive

New Hampshire's BEAD merit scoring rubric is based upon the NOFO's requirements and NTIA guidance. As such, it is competitively neutral and designed to encourage deployment of the most robust service to all eligible New Hampshire BSLs in the most cost-effective manner possible. All potential providers that meet the NOFO's eligibility requirements will be able to apply for funding for any project area within the state. Furthermore, the public comment period allowed any potential providers to suggest improvements to the subgrantee selection process as proposed. As summarized in Section 2.17, "Volume II Public Comments," a number of these suggestions have been incorporated. BEA continues to solicit feedback from potential providers and other stakeholders through continuous outreach efforts in addition to the public comment process.

Remaining Unserved BSLs

As noted in Section 2.4.7, 93 percent of locations in New Hampshire currently have access to broadband service, leaving approximately 36,276 remaining locations in the state that are either unserved or underserved according to the FCC's definition of broadband (26,123 unserved and 10,153 underserved). The estimated average cost to serve these remaining locations combined with broadband projects currently in progress is such that New Hampshire will have sufficient BEAD funding to ensure all these remaining locations are served with fast, reliable, affordable broadband. BEA intends to require subgrantees to serve 100 percent of BSLs in each project area. To the extent BEA receives no valid applications to serve a specific project area, BEA will work with one or more prospective subgrantees that submitted applications to serve adjacent project areas to expand their applications to reach these BSLs.

If negotiations are not successful and BEA has exhausted all options for reliable technology alternatives, BEA will seek NTIA approval in its Final Proposal for a non-reliable support program to be made available to individual unserved locations. BEA will abide by NTIA's direction "to seek out the most robust, affordable, and scalable technologies achievable under the circumstances particular to that location." See NOFO, page 38-39.

Achievement of Grant Objectives

In Section 2.16.2, which addresses Sub-granting Accountability Procedures, BEA addresses more fully how BEA will disburse funding during the course of the project and other actions to ensure contract performance and the achievement of grant objectives by subgrantees.

BEA intends to establish a uniform schedule of progress payments for subgrantees on a reimbursement basis that will be memorialized in the standard subgrantee agreement. Standardized terms in all subgrantee agreements will also provide for the hold-back of grant funding pending inspection and validation by BEA (or its agents) of project completion. Subgrantee agreements will also include standardized terms to require and facilitate timely subgrantee reporting and subgrantee monitoring (in compliance with BEAD NOFO requirements). Subgrantee contracts – which will not exceed in term the four-year project deployment period – will also include standardized provisions for recouping previously disbursed funds in the event of contract breaches or other conduct that BEA determines violates or undermines grant objectives. We seek public input on how best to implement these requirements and other requirements that will protect public funding and further grant objectives.

2.4.2 Text Box: Describe how the prioritization and scoring process will be conducted and is consistent with the BEAD NOFO requirements on pages 42 – 46.

“Priority Broadband Projects” are those that will use end-to-end fiber-optic architecture, thereby ensuring the network built can easily scale speeds over time to meet the evolving connectivity needs and support the deployment of 5G, successor wireless technologies, and other advanced services (BEAD NOFO, p. 42). “Other Last Mile Broadband Projects” are those projects which are not Priority Broadband Projects. Note that last-mile deployment means to the *premises*, not to the driveway (for example).

Pursuant to the NOFO (page 42, IV.B.7.b.2), in the event there is just one proposed Priority Broadband Project in a location or set of locations, and that proposal does not exceed the BEA’s Extremely High Cost Per Location Threshold, and the applicant satisfies BEA’s initial assessment and subgrantee qualifications and gating criteria as defined in the BEAD NOFO that proposal is the default winner, unless BEA requests, and NTIA grants, a waiver allowing BEA to select an alternative project.

In cases where there are competitive applications for the same project area, BEA will assign points to each application according to the Priority Broadband Projects or Other Last Mile Broadband Projects scoring rubrics below.

Priority Broadband Projects

In accordance with NTIA guidance, BEA will use the following prioritization and scoring criteria to select subgrantees with Priority Broadband Projects. The *primary selection criteria* below will represent 75 percent of the available points to be awarded. Points may be awarded based upon a comparison of different proposals in relation to the criteria.

Figure 11-Primary Criteria, Priority Broadband Projects

Primary Criteria	Maximum Available Points	Explanation
Minimal BEAD Program Outlay	45	<p>BEA will consider the total BEAD funding that will be required to complete the project, accounting for both total projected cost and the prospective subgrantee’s proposed match (which, absent a waiver, must cover no less than 25 percent of the project cost). The specific points awarded will increase as the BEAD outlay decreases; i.e., lower BEAD outlay costs (as opposed to total project costs or the extent of the match above 25 percent) will be awarded more points, up to a maximum of 30.</p> <p>Applications for the same project area with the lowest BEAD outlay cost will be awarded all 30 points. Applications for the same project area with the second lowest BEAD outlay costs will receive 20 points. Applications with the third lowest BEAD outlay costs will receive 10 points, and applications with the fourth or subsequent lowest BEAD outlay costs will receive no points.</p> <p>In addition, points will be awarded for network designs that promote resiliency and reliability.</p> <p>(A) Resiliency: In particular, up to 10 points will be awarded to applications that demonstrate mitigation strategies as outlined in Section 2.11.1, specifically with regard to (1) flooding; (2) severe winter weather; (3) and high winds. The mitigation strategies should include a description of periodic reviews of mitigation strategies. Points will be awarded to subgrantees’ that address each of the following areas (see Section 2.11.1):</p> <ul style="list-style-type: none"> (a) describe the current and expected (20 years following deployment) weather and climate-related risks applicable to the proposed network infrastructure in the project area. (2 points); (b) describe how the subgrantee will avoid and/or mitigate the weather and/or climate related risks identified (4 points); (c) submit an emergency response plan and communication strategy to ensure timely, effective response to extreme weather events (2 points); (d) describe plans for periodically repeating (a), (b) and (c) above over the 20-year period following deployment (2 points).

Primary Criteria	Maximum Available Points	Explanation
		<p>(B) Reliability: Up to 5 points will be awarded to applications that provide a network design (consistent with that provided in Section 2.4.13), including technology specifications, that clearly indicate how purported speed and latency will be maintained; and in the case of failure for any reason, how service will be maintained or restored. Points will be awarded to subgrantees that describe:</p> <ul style="list-style-type: none"> (1) how speed and network latency will be monitored and maintained at each location in the project area (2 points); and (2) plans to restore service in the event of a service outage, including their use of network and facility redundancies (3 points). <p>In responding to (1) and (2) above, applicants may reference past indications of network performance and restoration (such key performance indicators, Performance Measure Modules, or other existing reporting metrics) as support evidence of reliability.</p>
Affordability	20	<p>Applicants should demonstrate their commitment to provide the most affordable total price to the customer for 1 Gbps/1 Gbps service in the project area. BEA will award points based upon an applicant's proposed total price, including all taxes and fees. The most affordable total price will receive the full 20 points under this criterion. Other applications will receive fewer points based on the percentage difference from the most affordable application; that is, an application that commits to a price that is 10 percent higher than that offered by the lowest-priced application will receive 10 percent fewer points (18 points, rather than 20).</p>
Fair Labor Practices	10	<p>Applicants should demonstrate their record of compliance with federal labor and employment laws, as well as the records of any other entities that will participate in the project, including contractors and subcontractors, including the certification of past compliance and written disclosure of any instances of non-compliance. New entrants without a record of compliance with federal labor and employment laws must provide a detailed, forward-looking plan describing how compliance will be achieved. Applications should include plans for ensuring compliance for this project.</p> <p>Points for this criterion will be awarded based upon the information an applicant shall submit as required by section 2.7.1, below. Specifically, applications should include a certification from an Officer/Director-level employee (or equivalent) evidencing consistent past compliance with federal labor and employment laws (including information about their contractors and subcontractors)</p>

Primary Criteria	Maximum Available Points	Explanation
		<p>shall be awarded points as follows:</p> <ul style="list-style-type: none"> • Certifications of compliance for no less than three years will receive 5 full points; • Certifications of compliance for no less than five years will receive 7 full points; • Certification of compliance for no less than ten years will receive 10 full points. <p>New entrants without a record of compliance with federal labor and employment laws will be able to instead receive points based on the completeness of their detailed, forward-looking plans describing commitments regarding how compliance will be achieved. New entrants' forward-looking plans should include a certification from an Officer/Director-level employee (or equivalent) committing to compliance with federal labor and employment laws (including information about their contractors and subcontractors). Specifically, new entrants' applications will be awarded up to a maximum total of 10 points in this criterion based on the completeness of their plan's descriptions as follows:</p> <ul style="list-style-type: none"> • Descriptions of overall plans to ensure compliance (including contractors and subcontractors) will receive 4 full points; • Descriptions of information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network will receive an additional 3 full points • Descriptions of how the applicant will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects will receive a further 3 additional full points.
TOTAL POSSIBLE POINTS	75	

The following *secondary selection criteria* for Priority Broadband Projects will represent 25 percent of the available points to be awarded:

Figure 12-Secondary Criteria, Priority Broadband Projects

Secondary Criteria	Maximum Available Points	Explanation
Speed to Deployment	5	<p>All BEAD subgrantees must deploy the planned broadband network and begin providing services to each customer that desires broadband services within the project area not later than four years after the date on which the subgrantee receives the subgrant from BEA. Subgrantees that offer a binding commitment to provide service by an earlier date certain with contractual penalties for failure to achieve the earlier date will receive more points in this category than subgrantees that commit only to the four-year deployment requirement. Points will be awarded as follows (rounded to the closest month):</p> <ul style="list-style-type: none"> ▪ 0-1 years from contract award to provision of service - 5 points ▪ > 1 but < 2 years from contract award to provision of service - 4 points ▪ > 2 but < 3 years from contract award to provision of service – 3 points ▪ > 3 but < 4 years from contract award to provision of service - 2 points ▪ 4 years from contract award to provision of service - 1 point
Local Coordination	7	<p>While the BEAD program requires BEA to invite proposals directly from broadband providers, this scoring criteria is designed to provide an opportunity for cities, towns, and unincorporated places to weigh in on the preferred provider of the locality to address the remaining gaps without broadband access. Seven points will be awarded in this category for subgrantees that demonstrate that they have coordinated with localities in their project area through a letter of support from the municipality. A municipality may support more than one application. To obtain the seven points, letters of support must be included in the application from the applicable body: for towns, the Select Board or Town Council; for cities, the Board of Aldermen or City Council; or, in the case of unincorporated places, the county Board of Commissioners. Applications without such letters will not receive any points in this category.</p>
Workforce Development	5	<p>Applicants should provide a narrative explaining their efforts to recruit and train women and other historically under-</p>

Secondary Criteria	Maximum Available Points	Explanation
		<p>represented populations for workforce development opportunities and jobs related to BEAD-funded eligible activities. This narrative should describe the applicant’s commitment and organizational structure of their workforce credentials, specifically for the project scope of work defined in their application. This will include past job experience and adherence to safety in the workplace. This will include their own direct workforce and that of subcontractors. Applications that include this information will be awarded three points. An additional two points will be awarded to applicants that demonstrate they have registered with ApprenticeshipNH (https://apprenticeshipnh.com/), a workforce training program of the Community College System of New Hampshire.</p>
Cost Per Passing	8	<p>Applications should include the average cost per passing of BEAD-eligible BSLs. The application for any given project area (i.e., cities or towns, both of which may include unincorporated areas) with the lowest average cost per passing among applications received for that project area will be awarded eight points.</p>
TOTAL POINTS	25	

Other Last Mile Broadband Projects

In accordance with NTIA guidance, BEA will use the following prioritization and scoring criteria to select subgrantees with Other Last Mile Broadband Projects (those that will not use end-to-end fiber-optic architecture). The primary selection criteria below will represent 75 percent of the available points to be awarded. Points may be awarded based on a comparison of different proposals relative to the criteria.

Figure 13- Primary Criteria, Other Last Mile Broadband Projects

Primary Criteria	Maximum Available Points	Explanation
Minimal BEAD Program Outlay	45	<p>BEA will consider the total BEAD funding that will be required to complete the project, accounting for both total projected cost and the prospective subgrantee’s proposed match (which, absent a waiver, must cover no less than 25 percent of the project cost). The specific points awarded will increase as the BEAD outlay decreases; i.e., lower BEAD outlay costs (as opposed to total project costs or the extent of the match above 25 percent) will be awarded more points, up to a maximum of 30.</p> <p>Applications for the same project area with the lowest BEAD outlay cost will be awarded all 30 points. Applications for the same project area with the second lowest BEAD outlay costs will receive 20 points. Applications with the third lowest BEAD outlay costs will receive 10 points, and applications with the fourth or subsequent lowest BEAD outlay costs will receive no points. In addition, points will be awarded for network designs that promote resiliency and reliability.</p> <p>(A) Resiliency: In particular, up to 10 points will be awarded to applications that demonstrate mitigation strategies as outlined in Section 2.11.1, specifically with regard to (1) flooding; (2) severe winter weather; (3) and high winds. The mitigation strategies should include a description of periodic reviews of mitigation strategies. Points will be awarded based on subgrantees’ addressing each of the following areas (see Section 2.11.1):</p> <ul style="list-style-type: none"> (a) describe the current and expected (20 years following deployment) weather and climate-related risks applicable to the proposed network infrastructure in the project area (2 points); (b) describe how the subgrantee will avoid and/or mitigate the weather and/or climate related risks identified (4 points); (c) submit an emergency response plan and communication strategy to ensure timely, effective response to extreme weather events (2 points);

Primary Criteria	Maximum Available Points	Explanation
		<p>(d) describe plans for periodically repeating (a) and (b) above over the 20-year period following deployment (2 points).</p> <p>(B) Reliability: Up to 5 points will be awarded to applications that provide a network design (consistent with that provided in Section 2.4.13), including technology specifications, that clearly indicate how purported speed and latency will be maintained; and in the case of failure for any reason, how service will be maintained or restored. Points will be awarded based on subgrantees' addressing:</p> <ol style="list-style-type: none"> (1) how speed and network latency will be monitored and maintained at each location in the project area (2 points); and (2) plans to restore service in the event of a service outage, including their use of network and facility redundancies (3 points). <p>In responding to (1) and (2) applicants may reference past indications of network performance and restoration (such as key performance indicators, Performance Measure Modules or other existing reporting metrics) as supporting evidence of reliability.</p>
Affordability	20	<p>Applicants should demonstrate their commitment to provide the most affordable total price to the customer for 100 Mbps/20 Mbps service in the project area. BEA will award points based upon an applicant's proposed total price, including all taxes and fees. The most affordable total price will receive the full 20 points under this criterion. Other applications will receive fewer points based on the percentage difference from the most affordable application; that is, an application that commits to a price that is 10 percent higher than that offered by the lowest-priced application will receive 10 percent fewer points (18 points, rather than 20).</p>
Fair Labor Practices	10	<p>Applicants should demonstrate their record of compliance with federal labor and employment laws, as well as the records of any other entities that will participate in the project, including contractors and subcontractors, including the certification of past compliance and written disclosure of any instances of non-compliance. New entrants without a record of compliance with federal labor and employment laws must provide a detailed, forward-looking plan describing how compliance will be achieved. Applications should include plans for ensuring compliance for this project. Points for this criterion will be awarded based upon the information an applicant shall submit as required by section 2.7.1, below. Specifically, applications should include a</p>

Primary Criteria	Maximum Available Points	Explanation
		<p>certification from an Officer/Director-level employee (or equivalent) evidencing consistent past compliance with federal labor and employment laws (including information about their contractors and subcontractors) shall be awarded points as follows:</p> <ul style="list-style-type: none"> ▪ Certifications of compliance for no less than three years will receive 5 full points; ▪ Certifications of compliance for no less than five years will receive 7 full points; ▪ Certification of compliance for no less than ten years will receive 10 full points. <p>New entrants without a record of compliance with federal labor and employment laws will be able to instead receive points based on the completeness of their detailed, forward-looking plans describing commitments regarding how compliance will be achieved. New entrants' forward-looking plans should include a certification from an Officer/Director-level employee (or equivalent) committing to compliance with federal labor and employment laws (including information about their contractors and subcontractors). Specifically, new entrants' applications will be awarded up to a maximum to total of 10 points in this criterion based on the completeness of their plan's descriptions as follows:</p> <ul style="list-style-type: none"> ▪ Descriptions of overall plans to ensure compliance (including contractors and subcontractors) will receive 4 full points; ▪ Descriptions of information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network will receive an additional 3 full points ▪ Descriptions of how the applicant will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects will receive a further 3 additional full points.
TOTAL POINTS	75	

The following *secondary selection criteria* for Other Last Mile Projects will represent 25 percent of the available points to be awarded:

Figure 14-Secondary Criteria, Other Last Mile Broadband Projects

Secondary Criteria	Maximum Available Points	Explanation
Speed to Deployment	5	<p>All BEAD subgrantees must deploy the planned broadband network and begin providing services to each customer that desires broadband services within the project area not later than four years after the date on which the subgrantee receives the subgrant from BEA. Subgrantees that offer a binding commitment to provide service by an earlier date certain with contractual penalties for failure to achieve the earlier date will receive more points in this category than subgrantees that commit only to the four-year deployment requirement. Points will be awarded as follows (rounded to the closest month):</p> <ul style="list-style-type: none"> ▪ 0-1 years from contract award to provision of service:5 points ▪ > 1 but < 2 years from contract award to provision of service 4 points ▪ > 2 but < 3 years from contract award to provision of service 3 points ▪ > 3 but < 4 years from contract award to provision of service 2 points ▪ 4 years from contract award to provision of service: 1 point.
Local Coordination	5	<p>While the BEAD program requires BEA to invite proposals directly from broadband providers, this scoring criteria is designed to provide an opportunity for cities, towns, and unincorporated areas to weigh in on the preferred provider of the locality to address the remaining gaps without broadband access. Five points will be awarded in this category for subgrantees that demonstrate that they have coordinated with localities in their project area through a letter of support from the municipality. A municipality may support more than one application. To obtain the five points, letters of support must be included in the application from the applicable body: for towns, the Select Board or Town Council; for cities, the Board of Aldermen or City Council; or, in the case of unincorporated areas, the county Board of Commissioners. Applications without such letters will not receive any points in this category.</p>
Speed of Network and Other Technical Capabilities.	5	<p>BEA will weigh the speeds, latency, and other technical capabilities of the technologies proposed by prospective subgrantees. Applications proposing to use technologies that exhibit greater ease of scalability with lower future investment and whose capital assets have longer useable lives should be afforded additional weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles. Regardless of the proposed technology, maximum latency may not exceed 100</p>

Secondary Criteria	Maximum Available Points	Explanation												
		<p>milliseconds.</p> <p>Scoring (speeds based on applicant’s initial offering):</p> <table border="0"> <tr> <td>Minimum downstream/upstream speed (Mbps)</td> <td>Points awarded</td> </tr> <tr> <td>100/20</td> <td>0</td> </tr> <tr> <td>150/20</td> <td>1</td> </tr> <tr> <td>200/50</td> <td>2</td> </tr> <tr> <td>400/100</td> <td>3</td> </tr> <tr> <td>1000/250</td> <td>4</td> </tr> </table> <p>One (1) additional point may be awarded for ease of scalability with lower future investment.</p> <p>Subgrantees must demonstrate that the proposed network design has the ability to deliver the above performance levels to all eligible locations within the application area, including a reasonable assessment of how the proposed network can add incremental capacity in a cost-effective manner as new customers are added.</p>	Minimum downstream/upstream speed (Mbps)	Points awarded	100/20	0	150/20	1	200/50	2	400/100	3	1000/250	4
Minimum downstream/upstream speed (Mbps)	Points awarded													
100/20	0													
150/20	1													
200/50	2													
400/100	3													
1000/250	4													
Workforce Development	5	<p>Applicants should provide a narrative explaining their efforts to recruit and train women and other historically under-represented populations for workforce development opportunities and jobs related to BEAD-funded eligible activities. This narrative should describe the applicant’s commitment and organizational structure of their workforce credentials, specifically for the project scope of work defined in their application. This will include past job experience and adherence to safety in the workplace. This will include their own direct workforce and that of subcontractors. Applications that include this information will be awarded three points. An additional two points will be awarded to applicants that demonstrate they have registered with ApprenticeshipNH (https://apprenticeshipnh.com/), a workforce training program of the Community College System of New Hampshire.</p>												
Cost Per Passing	5	<p>Applications should include the average cost per passing of BEAD-eligible BSLs. The application for any given project area (i.e., cities or towns, both of which may include unincorporated areas) with the lowest average cost per passing among applications received for that project area will be awarded five points.</p>												
TOTAL POINTS	25													

2.4.2.1 Attachment: As a required attachment submit the scoring rubric to be in the subgrantee selection process for deployment projects. Eligible Entities may use the template provided by NTIA or use own format for the scoring rubric.

(Note)-attachment will be linked to website when upload complete.

2.4.3 Text Box: Describe how the proposed subgrantee selection process will prioritize Unserved Service Projects in a manner that ensures complete coverage of all unserved locations prior to prioritizing Underserved Service Projects followed by prioritization of eligible CAIs.

The state anticipates that BEAD funding, coupled with at least the minimum match from subgrantees, will be adequate to deploy broadband to all unserved and underserved BSLs. The state of New Hampshire believes, utilizing state and national estimated deployment costs to serve all unserved and underserved BSLs, that it is doubtful there will be sufficient funding for non-deployment activities.

New Hampshire has 517,584 total locations with 481,308, or 93 percent, served with speeds of at least 100/20 Mbps.

- Served: 481,308 locations with speeds greater than 100 Mbps download and 20 Mbps upload (100/20 Mbps).
- Underserved: 10,153 locations with speeds less than 100/20 Mbps and greater than or equal to 25/3 Mbps.
- Unserved: 26,123 locations with speeds less than 25/3 Mbps.

Note: There are no federally recognized tribal lands in New Hampshire.

New Hampshire's top priority for broadband deployment is to connect all unserved Broadband Service Locations (BSLs), that is, those without any broadband service at all or with broadband speeds below 25 Mbps download and 3 Mbps upload; as well as to connect all underserved BSLs, that is, those without broadband offered speeds of 100 Mbps down and 20 Mbps up and greater than or equal to 25/3 Mbps. The state's initial plan deploys broadband service to unserved locations and underserved locations.

While New Hampshire's top priority is to reach unserved locations first, efficient network design, use of material, and use of the workforce will likely result in underserved locations and unserved locations being grouped and funded within the same projects. The state expects potential subrecipients to propose designs to capitalize on their existing networks in multiple project areas. The state also expects multiple subgrantees to propose deployment to both unserved and underserved in the same project areas. This will ensure BSLs can be serviced in the most economical and efficient manner. All broadband deployment in New Hampshire will include safety protocols for the workforce and the public to ensure the safety of each.

As noted above, the unserved and underserved locations have been identified using the latest available data, the FCC Broadband Data Maps published December 31, 2022, updated November 7, 2023. The following figures further examine the current New Hampshire broadband landscape with a breakdown of residence and business locations.

Figure 15-Broadband Deployment Collection (BDC)

New Hampshire Broadband Deployment Collection (BDC) December 2022 (last updated November 7, 2023)				
	Total Broadband Serviceable Locations (BSL)	Unserved locations with no broadband service or speeds less than 25/3 Mbps	Underserved locations less than 100/20 Mbps and greater than or equal to 25/3 Mbps	Served locations with speeds greater than 100/20 Mbps
Total NH (BSLs)	517,584	26,123	10,153	481,308
Residential	458,549	21,286	8,490	428,773
Business	31,890	3,334	1,105	27,451
Other*	27,145	1,503	558	25,084
	*includes business and residence mixed use locations, enterprise, group quarters			

BEA shall establish a process in accordance with the NOFO to competitively award subgrants to last-mile broadband deployment projects in a fair, open, and competitive manner. Per the NOFO, applicants may include cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments.

BEA will undertake the deduplication process described in the NOFO to remove locations that are subject to an enforceable federal, state, or local commitment to deploy qualifying broadband from the list of eligible locations. BEA shall also complete the Challenge Process as outlined in Volume I (Requirement 7). This will establish the BSLs that may be funded by the BEAD program and will include further deduplication of BSL lists as of the date of the challenge process. BEA shall then publish the BSL lists. Potential providers shall base their applications upon these lists of unserved and underserved BSLs. Project area boundaries may be cities, towns, or contiguous groups thereof. Prospective subgrantees will need to submit an application providing service to all unserved and underserved locations within the project area boundary.

BEA intends to require subgrantees to serve 100 percent of BSLs in each project area. To the extent BEA receives no valid applications to serve a specific project area, BEA will work with one or more prospective subgrantees that submitted applications to serve adjacent project areas to expand their applications to reach these BSLs.

If negotiations are not successful and BEA has exhausted all options for reliable technology alternatives for 100 percent BSL coverage, BEA will seek NTIA approval in its Final Proposal for a less costly technology that does not meet the definition of Reliable Broadband Service but otherwise satisfies the Program’s technical requirements. The use of this less costly technology will be to serve individual BSL’s in a project area. BEA will abide by NTIA’s direction “to seek

out the most robust, affordable, and scalable technologies achievable under the circumstances particular to that location.” See NOFO, page 38-39.

New Hampshire will implement a subgrantee process that encompasses service to all eligible BSLs. The infrastructure deployment vision will be directed towards provisioning the unserved BSLs as the primary goal. As funding allows and through the natural implementation of engineering and last mile buildout of the unserved, underserved BSLs will also be upgraded to enhance broadband services to these residents and businesses. As directed by the Notice of Funding Opportunity (NOFO), with the remaining available funding, if any, CAIs location data will be analyzed to incorporate delivery of synchronous gigabit service to these critical community institutions. A review of high poverty areas or persistent poverty counties (percent of household income that is at or below 150 percent of Federal Poverty Line) will be the priority for funding allocation.

BEA anticipates that with deployment to every unserved and underserved BSL, the majority of qualified CAIs will have broadband available at speeds of 1 Gbps/1Gbps with a latency less than or equal to 100 milliseconds. CAI analysis is still under way in NH. BEA will analyze CAI data after Final Proposal has been approved and can determine how many CAI’s will be upgraded by the natural implementation of identified broadband deployment projects. Once this new CAI list is established, BEA will prioritize utilization of available funding if any based-on need for higher speed broadband, populations to be impacted, cost, and access to other sources of funding i.e., e-Rate.

2.4.4 Text Box: If proposing to use BEAD funds to prioritize non-deployment projects prior to, or in lieu of the deployment of services to eligible CAIs, provide a strong rationale for doing so. If not applicable to plans, note “Not applicable.”

Not applicable.

2.4.5 Text Box: The proposed subgrantee selection process is expected to demonstrate to subgrantees how to comply with all applicable Environmental and Historic Preservation (EHP) and Build America, Buy America Act (BABA) requirements for their respective project or projects. Describe how the Eligible Entity will communicate EHP and BABA requirements to prospective subgrantees, and how EHP and BABA requirements will be incorporated into the subgrantee selection process.

The BEA will place emphasis on ensuring that taxpayer dollars are spent procuring needed products and supplies built by American workers and from American businesses, thereby strengthening and growing U.S. domestic manufacturing capacity. The BEA will communicate requirements stipulated in the Build America, Buy America Act (BABA) to all applicants prior to the selection process. Key points highlighted by the BEA will be:

- Requirement that all iron, steel, manufactured products (including but not limited to fiber-optic communications facilities), and construction materials used in the project or other eligible activities are produced in the United States unless a waiver is granted.
- In determining whether a product is produced in America, subrecipients must comply with definitions included in Section 70912 of the Build America, Buy America Act, which provides that a manufactured product is considered produced in the United States if the manufactured product was manufactured in the United States and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.
- In addition to the provisions above, subgrantees may not use BEAD funding to purchase or support any covered communications equipment or service, as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608).
- The Infrastructure Act expressly prohibits subgrantees from using BEAD funding to purchase or support fiber optic cable and optical transmission equipment manufactured in the People's Republic of China unless a waiver of this requirement is received from the Assistant Secretary.

The BEA will incorporate the requirements of the Build America, Buy America Act into the subgrantee selection process by conducting webinars featuring information on regulatory requirements, posting a list of regulations on the BEA website, and including the requirements in grant applications/instructions, as well as grant agreement terms/conditions, and subgrantee grant monitoring program requirements.

Any application that does not show intent to abide by BABA or explicitly violates the requirements will not receive BEAD funding.

Furthermore, the BEA acknowledges that, at the time of drafting this Initial Proposal, NTIA is considering amendments to existing BABA guidance. To account for this uncertainty, the BEA will

adopt the final guidance as published by NTIA and convey any updates to potential subgrantees and other Granite State stakeholders.

The BEA will adhere to the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.) and National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) requirements to analyze the potential environmental impacts of awardee projects and other eligible activities that are seeking to utilize BEAD funding. Communication between the BEA and applicants prior to and throughout the selection process will ensure entities seeking to capitalize on BEAD funding comply with NEPA and NHPA. The points below will be specifically highlighted:

- Projects or other eligible activities containing construction and/or ground-disturbing activities are required to submit all required environmental documentation to NTIA with their Final Proposals, which also must describe how they will comply with applicable environmental and national historical preservation requirements.
- It is the BEA's and subgrantee's responsibility to obtain all necessary federal, state, and local governmental permits and approvals necessary for the proposed work to be conducted.
- Projects and other eligible activities are expected to be designed so that they minimize the potential for adverse impacts on the environment.

The BEA will incorporate the NEPA and NHPA requirements into the subgrantee selection process by conducting webinars featuring information on regulations, posting a list of regulations on the BEA website, and including the requirements in grant applications/instructions as well as contract negotiation records, grant agreement terms/conditions and subrecipient grant monitoring program requirements.

Projects that fail to comply with EHP regulations will not receive BEAD funding.

Last-Mile Broadband Deployment Project Areas

2.4.6 Text Box: Describe how the Eligible Entity will define project areas from which they will solicit proposals from prospective subgrantees. If prospective subgrantees will be given the option to define alternative proposed project areas, describe the mechanism for de-conflicting overlapping proposals to allow for like-to-like comparisons of competing proposals.

Project area boundaries shall be cities, towns, or unincorporated places. In New Hampshire cities, towns, and unincorporated places each have their own distinct boundary lines i.e., an unincorporated place is not part of any city or town, the unincorporated place has its own distinct boundary line. Boundary lines for each city, town and unincorporated place will define a project area so no overlap will occur.

Prospective subgrantees will need to submit an application providing service to all unserved and underserved BSL locations within the project area boundary.

Prospective subgrantees cannot define alternative project areas.

Prospective subgrantees may not combine project areas but must submit one application per project area, and therefore a deconfliction process is not required.

New Hampshire's Statewide GIS Clearinghouse at NH GRANIT provides political boundaries.

[New Hampshire Political Boundaries | New Hampshire Political Boundaries | New Hampshire Geodata Portal \(unh.edu\)](#)

2.4.7 Text Box: If no proposals to serve a location or group of locations that are unserved, underserved, or a combination of both are received, describe how the Eligible Entity will engage with prospective subgrantees in subsequent funding rounds to find providers willing to expand their existing or proposed service areas or other actions that the Eligible Entity will take to ensure universal coverage.

According to the FCC's definition of broadband (2023 data sources), currently, 93 percent of locations in New Hampshire have access to broadband service, leaving approximately 36,276 remaining locations in the state that are either unserved or underserved (26,123 unserved and 10,153 underserved). The estimated average cost to serve these remaining locations combined with projects currently in progress is such that New Hampshire will have sufficient BEAD funding to ensure all these remaining locations are served with fast, reliable, affordable broadband.

BEA will require subgrantees to provide service to 100% of all underserved and unserved BSLs within the project area. To the extent BEA receives no qualified applications to serve a specific project area, BEA will work with one or more internet service providers (ISP) in close proximity thereto and/or prospective subgrantees that submitted applications to serve adjacent project areas to expand their applications to reach these BSLs.

Negotiations with ISPs and prospective subgrantees will include assessment of which variables, be it speed, funding match, or other programmatic requirement, were barriers to the prospective subgrantee and a review of ways BEA could modify requirements to ensure the locations are served.

If necessary, BEA will use incentives to encourage an ISP(s) or prospective subgrantee(s) to serve an adjacent project area. For example, if BEAD funds are available, BEA may consider reducing the 25% match requirement, provided that the NTIA will grant a waiver if the area is not a High-Cost Area.

If negotiations are not successful and BEA has exhausted all options for reliable technology alternatives, BEA will seek NTIA approval in its Final Proposal for a non-reliable support program, such as for unlicensed fixed wireless if directly available in an area or options such as low-earth orbit satellite service, each provided at a minimum of 100 Mbps down and 20 Mbps up, to be made available to individual unserved locations. BEA will abide by NTIA's direction "to seek out the most robust, affordable, and scalable technologies achievable under the circumstances particular to that location." See NOFO, page 38-39.

2.4.8 Text Box: Describe how the Eligible Entity intends to submit proof of Tribal Governments' consent to deployment if planned projects include any locations on Tribal Lands.

According to the U.S Department of the Interior, Indian Affairs, New Hampshire has no federally recognized tribe.

However, several Native American organizations have been identified with geographical/cultural interests in New Hampshire. These groups have been included in New Hampshire's BEAD stakeholder outreach activities.

Extremely High Cost Per Location Threshold

2.4.9 Text Box: Identify or outline a detailed process for identifying an Extremely High Cost Per Location Threshold to be utilized during the subgrantee selection process. The explanation must include a description of any cost models used and the parameters of those cost models, including whether they consider only capital expenditures or include the operational costs for the lifespan of the network.

The State's use of BEAD funding will be directed by fair market value based on technology options to solve for the occurrence of an Extremely High Cost BSL in our state. Once this analysis is complete, an EHCPL will be determined. The State will submit an EHCPL as part of their Final Proposal.

New Hampshire estimates today that allocated BEAD funding coupled with at least minimum match from eligible subgrantees will be sufficient to reach all unserved and underserved locations. This expectation is based upon current FCC mapping data and detailed estimates of the costs of ongoing and future deployment identified, as well as projected per-BSL costs to deploy in New Hampshire. The state has a precise count of unserved and underserved locations to be served. Subgrantee responses will be analyzed and compared with nationally available data including the Extremely High-Cost Threshold tool, recently completed deployment costs in New Hampshire, especially the data gathered in the ongoing Broadband Matching Grant Initiative (BMGI) costs. New Hampshire recognizes that while the data sources will provide guidance, the locations identified for a BEAD funded solution will be the most difficult and therefore the costliest to serve. New Hampshire also recognizes that the expected subgrantee responses will rely on extending existing networks rather than creating entirely new networks, an additional important data point that will be used in the analysis.

While the state anticipates that the combined subgrantees will achieve 100 percent coverage, in the event this does not occur, BEA will work with one or more prospective subgrantees to achieve that goal. To the extent BEA receives no valid applications to serve a specific project area, BEA will work with one or more prospective subgrantees that submitted applications to serve adjacent project areas to expand their applications to reach these BSLs.

If negotiations are not successful and BEA has exhausted all options for reliable technology alternatives for 100 percent BSL Coverage, BEA will seek NTIA approval in its Final Proposal for a less costly technology that does not meet the definition of Reliable Broadband Service but otherwise satisfies the Programs technical requirements. This less costly technology will be used to serve individual BSL's in a project area. BEA will abide by NTIA's direction "to seek out the most robust, affordable, and scalable technologies achievable under the circumstances particular to that location." See NOFO, page 38-39.

2.4.10 Text Box: Outline a plan for how the Extremely High Cost Per Location Threshold will be utilized in the subgrantee selection process to maximize the use of the best available technology while ensuring that the program can meet the prioritization and scoring requirements set forth in Section IV.B.6.b of the BEAD NOFO. The response must describe:

- a. The process for declining a subgrantee proposal that exceeds the threshold where an alternative technology is less expensive.
 - b. The plan for engaging subgrantees to revise their proposals and ensure locations do not require a subsidy.
 - c. The process for selecting a proposal that involves a less costly technology and may not meet the definition of Reliable Broadband.
- a) Applicants will be required to submit separate applications for each project area. Responses will be scored, ranked, and assessed, also with the use of set project areas there will be no deconfliction. Applications will be required to cover 100 percent of the BSLs within their project area(s). If any gaps in deployment to BSLs are found, BEA will engage with potential subgrantees to ensure 100 percent coverage. Subgrantee responses will be analyzed and compared with nationally available data including the Extremely High-Cost Threshold tool, and recently completed deployment costs in New Hampshire, especially the data gathered in the ongoing Broadband Matching Grant Initiative (BMGI) costs. The analysis will also consider locations identified in proposals as the most difficult and therefore the costliest BSL's to serve. Most subgrantee responses will rely on extending existing networks rather than creating entirely new networks, another important data point that will impact costs.

The following steps will determine declining a proposal that exceeds the threshold:

Proposal evaluation based on provided scoring rubric and the above listed review will identify proposals with select BSL's exceeding the threshold.

An understanding of proposed technology and where available, alternative Reliable Broadband Services below the threshold which could be used instead of the proposed solution.

Subgrantees selected will be contacted to review overall costs, alternative technologies, modification of their proposal, etc., to help BEA and subgrantee potential options.

As modifications are made to subgrantee proposal, the review committee will discuss updated proposal and rescore as needed.

After further discussion, if the proposal is deemed not acceptable and BEA can investigate alternatives by NTIA direction "to seek out the most robust, affordable, and scalable technologies achievable under the circumstances particular to that location." See NOFO, page 38-39.", the subgrantee proposal will be declined.

- b) As described above and in Section 2.4.7, BEA expects 100 percent of BSLs to be covered by BEAD funding. In the event this does not occur after all applications have been received, one or more subgrantees will be engaged to revise, extend, or otherwise improve their proposal(s). The subgrantee's proposals will be evaluated to determine most effective use of BEAD funding

while providing the best technology solution for BSL's not covered in the internet service provider's initial proposal. A selection of subgrantees will be contacted for engagement into their proposal and discussions will focus on market pricing applicable to technology being proposed. Service Provider and State will partner on a cost effect solution which could utilize a less costly technology to serve individual BSL's in a project area.

- c) As described in Section 2.4.7, in the event all BSLs are not covered, BEA will engage in negotiations with prospective subgrantees to expand or otherwise adjust proposals to ensure 100 percent of BSLs are covered with reliable broadband. If negotiations are not successful and BEA has exhausted all options for reliable technology alternatives for 100 percent BSL coverage, BEA will seek NTIA approval in its Final Proposal for a less costly technology that does not meet the definition of Reliable Broadband Service but otherwise satisfies the Program's technical requirements. The less costly technology will be used to serve individual BSL's in a project area. BEA will abide by NTIA's direction "to seek out the most robust, affordable, and scalable technologies achievable under the circumstances particular to that location." See NOFO, page 38-39.

Deployment Subgrantee Qualifications

2.4.11 Text Box: Describe how the Eligible Entity will ensure prospective subgrantees deploying network facilities meet the minimum qualifications for financial capability as outlined on pages 72-73 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to certify that they are qualified to meet the obligations associated with a Project, that prospective subgrantees will have available funds for all project costs that exceed the amount of the grant, and that prospective subgrantees will comply with all Program requirements, including service milestones. To the extent the Eligible Entity disburses funding to subgrantees only upon completion of the associated tasks, the Eligible Entity will require each prospective subgrantee to certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the Project until such time as the Eligible Entity authorizes additional disbursements.
 - b. Detail how the Eligible Entity plans to establish a model letter of credit substantially similar to the model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF).
 - c. Detail how the Eligible Entity will require prospective subgrantees to submit audited financial statements.
 - d. Detail how the Eligible Entity will require prospective subgrantees to submit business plans and related analyses that substantiate the sustainability of the proposed project.
- a) The BEA will require prospective subgrantees to certify that they are financially qualified to meet the obligations associated with a project, that they will have available funds for all project costs that exceed the amount of the grant, and that they will comply with all program requirements, including service milestones. The BEA will disburse funding to subgrantees only upon completion of the associated tasks, and each prospective subgrantee must also certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the project, until such time as the BEA authorizes additional disbursements.
 - b) BEA will establish a model letter of credit substantially similar to the model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF). This model will be subject to adjustments based on the [Programmatic Waiver](https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver) (<https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>) issued by NTIA on November 1, 2023. The Programmatic Waiver also provides an option for subgrantees to use performance bonds, discussed below. Subgrantee applicants may account for the costs of letters of credit or performance bonds in their applications.

Letters of Credit

Prospective subgrantees using letters of credit will be required to submit a letter from a bank that meets eligibility requirements consistent with those outlined in 47 C.F.R. § 54.804(c)(2). Per the Programmatic Waiver, subgrantees may alternatively submit a letter from any United States credit union that is insured by the National Credit Union Administration and that has a credit union safety rating issued by Weiss of B- or better.

If a Letter of Credit is utilized, the issuing bank or credit union will commit to issuing an irrevocable standby letter of credit, in the required form, to the prospective subgrantee. The letter shall at a minimum provide the dollar amount of the letter of credit and the issuing bank's agreement to follow the terms and conditions of the FCC's RDOF model letter of credit. Per section 2.4 of the Programmatic Waiver, the initial amount of the letter of credit may be as low as 10 percent of the sub-award amount during the entire period of performance, provided that New Hampshire award the funding to subgrantees on a reimbursable basis for periods of no more than six months each, and otherwise consistent with the Programmatic Waiver and Section IV.C.1.b of the NOFO.

Subgrantees utilizing a Letter of Credit must, prior to entering into any subgrantee agreement, obtain an irrevocable standby letter of credit, which shall be acceptable in all respects to the BEA and in a value equal to the Letter of Credit amount. When entering into a subgrantee agreement, the subgrantee must obtain an actual letter of credit in place of the issuer's commitment to issue a letter of credit, which is required during the application process. As explained further below, BEA, as provided for in the BEAD NOFO, will adopt rules under which, upon verification that the subgrantee has met optional or required service milestones, and did not avail itself of the lower initial letter of credit percentage permitted by section 2.4 of the Programmatic waiver, a subgrantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at a lesser amount than originally required.

Letters of credit may be reduced upon completion of certain milestones. Specifically:

- Upon demonstrating to the satisfaction of BEA that it has completed the buildout of 40 percent of locations to be served by the project, a subgrantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 20 percent of the award amount.
- Upon demonstrating to the satisfaction of BEA that it has completed the buildout of 60 percent of locations to be served by the project, a subgrantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 15 percent of the award amount.
- Upon demonstrating to the satisfaction of BEA that it has completed the buildout of 80 percent of locations to be served by the project, a subgrantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 10 percent of the award amount.
- Upon demonstrating to the satisfaction of BEA that it has completed the buildout of 100 percent of locations to be served by the project, a subgrantee may terminate its letter of credit under the terms set forth therein.

Prospective sub-grantees submitting a letter of credit are also required to provide an opinion letter from legal counsel clearly stating—subject only to customary assumptions, limitations, and qualifications—that in a proceeding under Title 11 of the United States Code, 11 U.S.C. § 101 et seq. (the “Bankruptcy Code”), the bankruptcy court would not treat the letter of credit or proceeds of the letter of credit as property of the winning subgrantee’s bankruptcy estate under Section 541 of the Bankruptcy Code.

Performance Bonds

Another alternative offered by the Programmatic Waiver permits a subgrantee to provide a performance bond equal to 100 percent of the BEAD sub-award amount in lieu of a letter of credit, provided that the bond is issued by a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570.

While the Programmatic Waiver includes optional provisions for reducing the amounts of performance bonds (either the initial amount or allowing reductions as milestones are reached) in sections 2.3 and 2.4, New Hampshire requires that if bonds are used, the amount of a project covered by BEAD funding must be bonded at 100 percent (N Rev Stat Section 447:16).

- c) BEA will require that each prospective subgrantee submit financial statements from the prior fiscal year that are audited by an independent certified public accountant. If the prospective subgrantee has not been audited during the ordinary course of business, in lieu of submitting audited financial statements, it must submit unaudited financial statements from the prior fiscal year and certify that it will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant. BEA will not approve any grant for the deployment or upgrading of network facilities unless it is determined that the documents submitted to it demonstrate the prospective financial capability with respect to the proposed project.
- d) BEA shall require prospective subgrantees to submit business plans and related analyses that substantiate the sustainability of the proposed project. This can be provided in the form of pro forma statements or analyses, inclusive of cash flow and balance sheet projections and must include at least three years of operating cost and cash flow projections past the project's anticipated completion date.

2.4.11.1 Optional Attachment: As an optional attachment, submit application materials related to the BEAD subgrantee selection process, such as drafts of the Requests for Proposals for deployment projects, and narrative to crosswalk against requirements in the Deployment Subgrantee Qualifications section.

Not applicable.

2.4.12 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for managerial capability as outlined on pages 73 – 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to submit resumes for key management personnel.
 - b. Detail how it will require prospective subgrantees to provide a narrative describing their readiness to manage their proposed project and ongoing services provided.
- a) Applications must fulfill the necessary qualifications for management ability as set out in pages 73-74 of the BEAD NOFO to receive funding.

The BEA will require applicants to present resumes for all key management staff, as well as an organizational chart and descriptions of corporate relationships, that clearly explain any parent company, subsidiary, or affiliate. This information will be reviewed by BEA to ensure that the prospective grantee has the managerial capability to manage the projects for which they are proposing.

- b) Each applicant shall include a narrative about the applicant's readiness to design, construct, and manage a broadband service network. This narrative shall include the experience and qualifications of its key management and their experience undertaking projects of comparable size and scope. Specifically, applicants should outline the relevant experience of both the organization and key management, including the number of years providing services as an ISP, experience designing, constructing, and managing networks that provide internet service to customer locations, and experience providing services in New Hampshire. The narrative should describe the applicant's technical and managerial qualifications related to the design, construction, and sustainable operation of the project(s) proposed in the application.

If the BEA deems that the documents received do not adequately demonstrate the applicant's managerial qualifications with regard to the proposed project(s), the application will not proceed to the scoring process. New Hampshire may require a prospective subgrantee to agree to special grant conditions relating to maintaining the validity of representations a prospective subgrantee has made regarding its organizational structure and key personnel.

2.4.13 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for technical capability as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to certify that they are technically qualified to complete and operate the Project and that they are capable of carrying out the funded activities in a competent manner, including that they will use an appropriately skilled and credentialed workforce.
- b. Detail how the Eligible Entity will require prospective subgrantees to submit a network design, diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the entity receives the subgrant, all certified by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project.

- a) The BEA is committed to ensuring that prospective subgrantees deploying network facilities meet the minimum qualifications for technical capability, as outlined in the BEAD NOFO.

BEA will require prospective subgrantees to submit certification during the application process that they are technically qualified to complete and operate the project and are capable of carrying out the funded activities competently, to include using an appropriately skilled and credentialed workforce (per Section IV.C.1.e of the BEAD NOFO).

Applications lacking such certifications will not proceed to the scoring process.

- b) BEA will require prospective subgrantees to submit network designs, diagrams, project costs, build-out timelines, and milestones for project implementation. Applicants must also submit capital investment schedules showing a complete build-out and the initiation of service within four years of the date on which they received the subgrant—all certified by a professional engineer licensed in the state of New Hampshire—stating that the proposed network can deliver broadband service that meets the performance requirements of all locations served by the project.

The state will not approve any grant for deploying or upgrading network facilities unless the materials submitted demonstrate the prospective subgrantee’s technical capability for the proposed project. BEA will incorporate these requirements into the subgrantee selection process by including them in contract negotiation records, grant agreement terms and conditions, and grant-monitoring program requirements. Webinars and programming that offer information about subgrantee qualifications will also be conducted.

Any application that does not meet the minimum qualifications for financial capability as outlined on page 74 of the BEAD NOFO will not be considered for BEAD funding.

2.4.14 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for compliance with applicable laws as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to demonstrate that they are capable of carrying out funded activities in a competent manner in compliance with all applicable federal, state, territorial, and local laws.
 - b. Detail how the Eligible Entity will require prospective subgrantees to permit workers to create worker-led health and safety committees that management will meet with upon reasonable request.
- a) The BEA is committed to ensuring prior to the scoring process that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications regarding compliance with applicable laws as outlined in the BEAD NOFO.

BEA will require applicants to demonstrate that they can carry out funded activities in a competent manner in compliance with all applicable Federal, State, and local laws and regulations. Applicants must submit a narrative that demonstrates their experience with compliance at all jurisdictional levels and outline how they plan to ensure compliance with regard to the proposed project. The narrative must also detail any past violations or pending court or regulatory proceedings. Applicants may choose to include a legal opinion, provided by an attorney in good standing licensed to practice law in New Hampshire, that fulfills these requirements.

The BEA may disqualify applicants that have committed past violations or who have pending court proceedings, or that do not adequately demonstrate the ability to comply with all applicable laws and regulations.

- b) Applicants must certify that they will permit workers to create worker-led health and safety committees with which management will meet upon reasonable request. Applicants should also upload any documentation demonstrating that they have communicated these rights to workers. The BEA may provide a model policy that the subgrantee can elect to adopt to satisfy this requirement. If the applicant fails to guarantee that it will permit its workers to create worker-led health and safety committees, the applicant will be disqualified.

2.4.15 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for operational capability as outlined on pages 74 – 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

The BEA will ensure that subgrantee applicants meet or exceed the minimum qualifications as provided on pages 74-75 of the BEAD NOFO. Subgrantee applicants will be required to demonstrate that they possess the operational capability to complete and operate the project by providing the information detailed below.

- a. Detail how the Eligible Entity will require prospective subgrantees to certify that they possess the operational capability to qualify to complete and operate the Project.
 - b. Detail how the Eligible Entity will require prospective subgrantees to submit a certification that have provided a voice, broadband, and/or electric transmission or distribution service for at least two (2) consecutive years prior to the date of its application submission or that it is a wholly owned subsidiary of such an entity, attests to and specify the number of years the prospective subgrantee or its parent company has been operating.
 - c. Detail how the Eligible Entity will require prospective subgrantees that have provided a voice and/or broadband service, to certify that it has timely filed Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this time period, and otherwise has complied with the Commission’s rules and regulations.
 - d. Detail how the Eligible Entity will require prospective subgrantees that have operated only an electric transmission or distribution service, to submit qualified operating or financial reports, that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.
 - e. In reference to new entrants to the broadband market, detail how the Eligible Entity will require prospective subgrantees to provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities.
- a) BEA will require prospective subgrantees to certify that they possess the operational capability to qualify to complete and operate the proposed project. Further specific information will also be required to demonstrate operational capabilities, such as:
- Letter of Good Standing signed by the Secretary of State of New Hampshire
 - Years providing internet service
 - Service offerings, including pricing, upload and download speeds, latency, and any applicable data caps
 - Current households, businesses, and community anchor institutions subscribing to

internet service

- Network monitoring and restoration capabilities
- Operational systems redundancy and back up capabilities
- Quality-of-service metrics and/or reports
- Deployment projects completed or underway that are funded by federal or state programs, including status, timelines and completion dates or targets
- Details of any federal, state, or local penalties, settlements, fines, forfeitures etc. due to any legal or regulatory proceeding or enforcement action.

- b) BEA will require prospective subgrantees, or their wholly owned subsidiaries or parent companies, as applicable, to submit certification that they have provided a voice, broadband, and/or electric transmission or distribution service for at least two years prior to the date of its application submission. The certification must be signed by an officer of the prospective subgrantee, such as the President, CEO, etc. Certifications may be supported with ancillary evidence such as a Commission Form 477 or other FCC or state filings, financial statements, or similar documentation. If the applicant has operated only an electric transmission or distribution service, it may submit qualified operating, regulatory, or financial reports that it has filed with the relevant regulatory body or financial institution as supporting documentation.
- c) BEA will require prospective subgrantees that have provided a voice and/or broadband service to certify that it has timely filed Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during the two years prior to the date of its application submission, and otherwise has complied with the Commission's rules and regulations. The certification must be signed by an officer of the prospective subgrantee, such as President, CEO, etc. Evidence supporting the certification may include acknowledgements from the FCC regarding timely submission of Form 477 and BDC filings.

Prospective subgrantee must disclose any Form 477, BDC omissions or other actions requested by the FCC of the prospective subgrantee including data irregularities, missed filings, and any other inquiry. A prospective subgrantee must disclose any pending or completed enforcement action, civil litigation, or other matter in which it failed to comply or was alleged to have failed to comply with Commission rules or regulations.

- d) BEA will require prospective subgrantees that have operated only an electric transmission or distribution service to submit qualified operating, regulatory, or financial reports it has filed with the relevant regulatory or financial institutions during the two years prior to the date of its application submission, along with a certification that the documents submitted are accurate copies of the filings as presented. The certification must be signed by an officer of the prospective subgrantee, such as President, CEO, etc. Acceptable submissions for this purpose will be the Rural Utilities Service (RUS) Form 7, Financial and Operating Report Electric Distribution; the RUS Form 12, Financial and Operating Report Electric Power Supply; the National Rural Utilities Cooperative Finance Corporation (CFC) Form

7, Financial and Statistical Report; the CFC Form 12, Operating Report; the CoBank Form 7; or the functional replacement of one of these reports (see Rural Digital Opportunity Fund Order, 35 FCC Rcd at 719, n. 202). Audited financial statements, including the auditor's opinion, may also be included.

- e) BEA will require prospective subgrantees who are new entrants to provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities. Any evidence provided must be certified and signed by an officer of the prospective subgrantee, such as President, CEO, etc. Sufficient evidence may include resumes from key personnel, project descriptions, financial analyses and projections, and narratives from contractors, subcontractors, or other partners with relevant operational experience, or other comparable evidence. Operational capabilities must demonstrate adequate experience in designing, building, and sustainably operating a broadband network.

Applications that do not fulfill these requirements demonstrating the operational capacity for the proposed project will not progress to the scoring process and will not be eligible for funding.

2.4.16 Text Box: Describe how the Eligible Entity will ensure that any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on ownership as outlined on page 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to provide ownership information consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7).

The BEA shall ensure that applicants seeking to deploy network facilities submit information on ownership as outlined in the BEAD NOFO, consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7), specifically:

- (a) Each application to participate in competitive bidding (i.e., short-form application (see 47 CFR 1.2105)), or for a license, authorization, assignment, or transfer of control shall fully disclose the following:
 1. List the real party or parties in interest in the applicant or application, including a complete disclosure of the identity and relationship of those persons or entities directly or indirectly owning or controlling (or both) the applicant;
 2. List the name, address, and citizenship of any party holding 10 percent or more of stock in the applicant, whether voting or nonvoting, common, or preferred, including the specific amount of the interest or percentage held;
 3. List, in the case of a limited partnership, the name, address and citizenship of each limited partner whose interest in the applicant is 10 percent or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses);
 4. List, in the case of a general partnership, the name, address and citizenship of each partner, and the share or interest participation in the partnership;
 5. List, in the case of a limited liability company, the name, address, and citizenship of each of its members whose interest in the applicant is 10 percent or greater;
 6. List all parties holding indirect ownership interests in the applicant as determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain, that equals 10 percent or more of the applicant, except that if the ownership percentage for an interest in any link in the chain exceeds 50 percent or represents actual control, it shall be treated and reported as if it were a 100 percent interest; and
 7. List any FCC-regulated entity or applicant for an FCC license, in which the applicant or any of the parties identified in paragraphs (a)(1) through (a)(5) of this section, owns 10 percent or more of stock, whether voting or nonvoting, common or preferred. This list must include a description of each such entity's principal

business and a description of each such entity's relationship to the applicant (e.g., Company A owns 10 percent of Company B (the applicant) and 10 percent of Company C, then Companies A and C must be listed on Company B's application, where C is an FCC licensee and/or license applicant).

Applications that do not fulfill these requirements will not progress to the scoring process and will not be eligible for funding.

2.4.17 Text Box: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on other public funding as outlined on pages 75 – 76 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how it will require prospective subgrantees to disclose for itself and for its affiliates, any application the subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds.
- b. At a minimum, the Eligible Entity shall require the disclosure, for each broadband deployment project, of: (a) the speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules), (b) the geographic area to be covered, (c) the number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage), (d) the amount of public funding to be used, (e) the cost of service to the consumer, and (f) the matching commitment, if any, provided by the subgrantee or its affiliates.

The BEA shall ensure that prospective subgrantees deploying network facilities meet or exceed the minimum qualifications for providing information on other public funding as outlined in the BEAD NOFO.

- a) The BEA will require each prospective subgrantee to disclose, for itself and for its affiliates, any application the subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds, including but not limited to programs such as any Federal Communications Commission federal Universal Service Fund high-cost program (such as RDOF, CAF, A-CAM, etc.); the United States Department of Agriculture’s Rural eConnectivity Program (ReConnect); or other funds provided under the Families First Coronavirus Response Act (Public Law 116-127; 134 Stat. 178); the CARES Act (Public Law 116-136; 134 Stat. 281); the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182); the American Rescue Plan of 2021 (Public Law 117-2; 135 Stat. 4, including the Capital Projects Fund (such as New Hampshire’s Broadband Matching Grant Initiative (BMGI) or State and Local Fiscal Recovery Fund); or any federal, state, or local universal service or broadband deployment funding program.
- b) BEA shall require the disclosure, at a minimum, for each broadband deployment project, of the following:
 - I. The speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules);

- II. The geographic area to be covered (including the location IDs of covered BSLs);
- III. The number of unserved and underserved locations to be served (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage);
- IV. The amount of public funding to be used;
- V. The cost of service to the consumer; and
- VI. The matching commitment, if any, provided by the subgrantee or its affiliates.

The BEA will incorporate these requirements into the subgrantee selection process by including them in grant application and agreement terms, as well as grant monitoring program requirements. BEA will also ensure that applicants comply with these requirements by utilizing federal resources such as the [FCC Broadband Funding Map](#), BEA's own knowledge of state-run and local funding programs, and continued coordination and outreach with localities, providers, and other stakeholders.

Any applicants that do not adequately provide information on other public funding for broadband deployment will not receive approval from BEA.

2.5-Non-Deployment Subgrantee Selection (Requirement 9)

2.5.1 Text Box: Describe a fair, open, and competitive subgrantee selection process for eligible non-deployment activities. Responses must include the objective means, or process by which objective means will be developed, for selecting subgrantees for eligible non-deployment activities. If the Eligible Entity does not intend to subgrant for non-deployment activities, indicate such.

The State of New Hampshire does not anticipate having any available BEAD funding for non-deployment activities. The State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved and CAIs.

2.5.2 Text Box: Describe the Eligible Entity’s plan for the following:

- a. How the Eligible Entity will employ preferences in selecting the type of non-deployment initiatives it intends to support using BEAD Program funds;
- b. How the non-deployment initiatives will address the needs of residents within the jurisdiction;
- c. The ways in which engagement with localities and stakeholders will inform the selection of eligible non-deployment activities;
- d. How the Eligible Entity will determine whether other uses of the funds might be more effective in achieving the BEAD Program’s equity, access, and deployment goals.

The State of New Hampshire does not anticipate having any available BEAD funding for non-deployment activities. The State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved and CAIs.

2.5.3 Text Box: Describe the Eligible Entity’s plan to ensure coverage to all unserved and underserved locations prior to allocating funding to non-deployment activities.

The State of New Hampshire does not anticipate having any available BEAD funding for non-deployment activities. The State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved and CAIs.

As described in other sections of this document, the State of New Hampshire will implement a subgrantee process that encompasses service to all eligible BSLs. The infrastructure deployment vision will be directed towards provisioning the unserved BSLs as the primary goal. As funding allows and through the natural implementation of engineering and last mile buildout of the unserved, underserved BSLs will also be upgraded to enhance broadband services to these residents and businesses. As directed by the Notice of Funding Opportunity (NOFO), with the remaining available funding, if any, CAIs location data will be analyzed to incorporate delivery of synchronous gigabit service to these critical community institutions.

We estimate that there is sufficient BEAD funding, with subgrantee matching funding, to connect all unserved and underserved locations spread across the state with fast, reliable, and affordable broadband, when taking into account all known future deployment projects, some currently under construction.

Initial analysis of the estimated cost to serve at a location level show:

1. New Hampshire estimates the cost to deploy fast, reliable, and affordable broadband to all unserved and underserved BSLs in the state including the locations that are known to be addressed in future projects will range from approximately \$232,000,000 to \$363,000,000. In addition to known future projects already funded, available BEAD funding includes \$191,000,000, plus approximately \$48,000,000 in subrecipient match.
2. The average cost to deploy fast, reliable, and affordable service is estimated to range from \$6,400 to \$10,000 per unserved and underserved location, with an average estimated at \$8,000 per location.

2.5.4 Text Box: Describe how the Eligible Entity will ensure prospective subgrantees meet the general qualifications outlined on pages 71 – 72 of the NOFO.

The State of New Hampshire does not anticipate having any available BEAD funding for non-deployment activities. The State will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved and CAIs.

Service to all unserved and underserved BSLs and, if funding is available, symmetrical 1 Gig service to CAIs, is projected to allocate all available BEAD deployment funding resources. If after Final Proposal is executed and the state realizes available funding for non-deployment activities, the BEA office of Broadband Initiatives will analyze options for fair and objective non-deployment activities focused on equity, access, and deployment goals outlined in the NOFO.

The non-deployment subgrantee process would include ensuring the prospective subgrantees meet the NOFO qualifications:

1. Can carry out activities funded by the subgrant in a competent manner in compliance with all applicable federal, Eligible Entity, and local laws.
2. Have the financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the Program and such other requirements as have been prescribed by the Assistant Secretary or the Eligible Entity; and
3. Have the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award.

2.6-Eligible Entity Implementation Activities (Requirement 10)

2.6.1 Text Box: Describe any initiatives the Eligible Entity proposes to implement as the recipient without making a subgrant, and why it proposes that approach.

The state of New Hampshire does not anticipate implementing any initiatives without making a subgrant.

2.7-Labor Standards and Protection (Requirement 11)

2.7.1 Text Box: Describe the specific information that prospective subgrantees will be required to provide in their applications and how the Eligible Entity will weigh that information in its competitive subgrantee selection processes. Information from prospective subgrantees must demonstrate the following and must include information about contractors and subcontractors:

- a. Prospective subgrantees' record of past compliance with federal labor and employment laws, which:
 - i. Must address information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years;
 - ii. Should include a certification from an Officer/Director-level employee (or equivalent) of the prospective subgrantee evidencing consistent past compliance with federal labor and employment laws by the subgrantee, as well as all contractors and subcontractors; and
 - iii. Should include written confirmation that the prospective subgrantee discloses any instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years.
- b. Prospective subgrantees' plans for ensuring compliance with federal labor and employment laws, which must address the following:
 - i. How the prospective subgrantee will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including:
 1. Information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network; and

As part of the subgrantee selection process, BEA will weigh the applicable responses regarding Primary Criteria, and Fair Labor Practice with a total available score of 10%.

As part of the subgrantee selection process, BEA will weigh the applicable responses regarding Secondary Criteria, Equitable Work Force Development, and Job Quality with a total available score of 5%.

New Hampshire's Department of Business and Economic Affairs (BEA), Office of Broadband Initiatives will require applicants to provide the following information as part of the subgrantee process. These requirements will need to be provided for the subgrantee contractors and subcontractors.

- a. Past compliance with federal and state labor and employment laws.

- i. Subgrantee will be required to provide documentation and information on compliance with federal and state labor and employment laws on broadband deployment projects in the last three years.
 - ii. A certification from an Officer/Director-level employee (or equivalent) of the prospective subgrantee evidencing consistent past compliance with federal and state labor and employment laws.
 - iii. A written confirmation that the prospective subgrantee discloses any instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years.
- b. Ensuring compliance with federal and state labor and employment laws throughout the project lifecycle.
- i. A certification from an Officer/Director-level employee (or equivalent) of how labor practices are incorporated and maintained for wage scales to include regular hourly and overtime practices.
 - ii. A written explanation of workplace safety practices and implementation of workplace safety committees who will have the authorization to raise health and safety concerns.

The state will follow existing practices and NOFO recommendations as outlined in this section as well as sections 2.8 and 2.9. The Office of Broadband Initiatives will monitor labor practices to include wage scales and safety of the subgrantees and their subcontractors throughout the project lifecycle.

2.7.2 Text Box: Describe in detail whether the Eligible Entity will make mandatory for all subgrantees (including contractors and subcontractors) any of the following and, if required, how it will incorporate them into binding legal commitments in the subgrants it makes:

- a. Using a directly employed workforce, as opposed to a subcontracted workforce;
- b. Paying prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements, where applicable, and collecting the required certified payrolls;
- c. Using project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project);
- d. Use of local hire provisions;
- e. Commitments to union neutrality;
- f. Use of labor peace agreements;
- g. Use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded);
- h. Use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure);
and
- i. Taking steps to prevent the misclassification of workers.
 - a) The state does not have a preference on subgrantee's use of a direct workforce or subcontracted workforce but will require each subgrantee requirement to identify subcontractor and require subgrantee and/or subgrantee subcontractor to comply with all.
 - b) Subgrantees and their subcontractors will be required to pay prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements, where applicable, and collecting the required certified payrolls. Following Davis-Bacon and Service Contract Act, all scopes of services will be agreed upon before execution of contracts and the start of a project.
 - c) Project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project) will be reviewed and if required included in subgrantee contracts;
 - d) Hiring of local workforce will be encouraged, but not mandated. Subgrantees will be encouraged to make use of all state programs that aid with recruiting and training opportunities.
 - e) New Hampshire takes a neutral position on subgrantee or subgrantee utilization of union workforce.

- f) When establishing a contract, the state of New Hampshire will determine deployment guarantees and if subgrantee may use labor peace agreements as assurance of available workforce.
- g) Subgrantees must provide confirmation and assurance of the use of an appropriately skilled workforce. Subgrantees must provide confirmation and assurance of the use of an appropriately skilled workforce of subcontractors. Subgrantees must provide plans to ensure available skilled workforce for the duration of the deployment period and provide evidence of training programs, apprenticeship programs, including coordination with New Hampshire.
- h) In addition to confirmation and use of an appropriately skilled workforce, subgrantees must provide confirmation of an appropriately credentialed workforce and the workforce of their subcontractors, including occupational training, safety training and certification, and licensure.
- i) The precontracting phase will include efforts to properly verify correct worker classification. During the duration of the project all site visits will include checks to ensure that workers are properly skilled and credentialed to match the work functions performed.

2.8-Workforce Readiness (Requirement 12)

2.8.1 Text Box: Describe how the Eligible Entity and their subgrantees will advance equitable workforce development and job quality objectives to develop a skilled, diverse workforce. At a minimum, this response should clearly provide each of the following, as outlined on page 59 of the BEAD NOFO:

- a. A description of how the Eligible Entity will ensure that subgrantees support the development and use of a highly skilled workforce capable of carrying out work in a manner that is safe and effective;
 - b. A description of how the Eligible Entity will develop and promote sector-based partnerships among employers, education and training providers, the public workforce system, unions and worker organizations, and community-based organizations that provide relevant training and wrap-around services to support workers to access and complete training (e.g., child care, transportation, mentorship), to attract, train, retain, or transition to meet local workforce needs and increase high-quality job opportunities;
 - c. A description of how the Eligible Entity will plan to create equitable on-ramps into broadband-related jobs, maintain job quality for new and incumbent workers engaged in the sector; and continually engage with labor organizations and community-based organizations to maintain worker voice throughout the planning and implementation process; and
 - d. A description of how the Eligible Entity will ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of worker.
-
- a) BEA will require that each subgrantee register with the New Hampshire Employment Security offices across the state to have access to the job seekers as well as current training programs for prospective employees. A complete list of training facilities will be provided to each applicant encouraging that each applicant works with the local training provider to identify a skilled workforce for the jobs available with this project. This list can be found at <https://www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-career-development/cte-programs-in-new-hampshire>. BEA will also share the list of subgrantees with the office of New Hampshire Employment Security⁴⁹ so that there can be outreach, continuity, and oversight of the employment opportunities and the employees. This will allow NHES to ensure the advancement of equitable workforce development and job quality objectives to develop and support the creation of a skilled and diverse workforce through state and federal supported programs.

Throughout this process, subgrantees must provide confirmation and assurance of the use of an appropriately skilled workforce to include subcontractors. Subgrantees must provide plans to ensure available skilled workforce for the duration of the deployment period and

provide evidence of training programs, and apprenticeship programs, to include subcontractors.

- b) BEA is currently working with state agencies, education institutions, and workforce development organizations to understand their current programs and identify opportunities in which the State can assist, coordinate, and amplify their efforts to prepare, train, and retrain Granite Staters for employment in a rapidly changing marketplace. BEA is particularly focused on the participation of underrepresented communities and Covered Populations defined by the BEAD NOFO. This information will be shared with the subgrantee during the application process with a requirement for the application to ensure that they will adhere to the workforce development obligations described in the BEAD NOFO.

Through their NHES relationship, BEA will support the building and development of a highly skilled workforce and ensure that subgrantees do the same. As part of the application process, the subgrantee will be required to commit to employing an appropriately skilled and credentialed workforce. The information about the subgrantee workforce will be collected in a reporting structure that will seek confirmation and updates confirming that the subgrantee consulted with state agencies and used a qualified workforce. This will include information that the employees being utilized are technically qualified to complete all funded activities proficiently. This effort will be supported by information and services provided by NHES. NHES has numerous training programs that will assist the employee and the employer fill skillset gaps with a skilled and diverse pool of employees, including NH Working, Trade ACT OJT, NH Job Training Fund, and USDOL Apprenticeship Program.

BEA's Office of Broadband Initiatives has a close relationship with the New Hampshire Office of Workforce Opportunity (OWO), housed within the New Hampshire Department of Business and Economic Affairs. The OWO recently launched an effort to draft their 2024-2028 Workforce Innovation and Opportunity Act (WIOA) State Plan. WIOA State Plans outline what states and territories are doing to help residents, including youth and those with significant barriers to employment, access high-quality jobs and careers and help employers hire and retain skilled workers. The OWO administers WIOA Title I funds from the U.S. Department of Labor and serves as a strategic convener on workforce issues within the State of New Hampshire. BEA's Office of Broadband Initiatives is committed to collaborating with the OWO to implement strategies aimed at achieving the five goals listed below. This partnership will be another means by which BEA can ensure that New Hampshire can develop a diverse and highly skilled workforce, which will play an essential role in the successful development and deployment of broadband infrastructure to connect all Granite Staters to high-speed quality internet. Additionally, this collective effort will empower residents of New Hampshire by providing them with the knowledge and resources needed to make the most of broadband access for educational and training purposes.

Through the WIOA planning process five goals were identified:

- **Goal 1:** Develop and implement a comprehensive workforce system by aligning workforce, education, and economic development investments.
- **Goal 2:** Enhance the accessibility and outcomes of the workforce system by leveraging technology and data.
- **Goal 3:** Provide access to a continuum of high-quality education, training, and career pathway opportunities that will attract and retain businesses and employees.
- **Goal 4:** Support business and jobseeker growth through workforce practices that promote diversity, equity, inclusion, and accessibility.
- **Goal 5:** Execute an industry-led strategy to meet employer needs and establish a pipeline of skilled workers for future demand.

BEA's Office of Broadband Initiatives will check in regularly with the OWO and the NHES offices to ensure that the necessary collaboration is happening to guarantee that the best outcome for the employer and employee is an established process. This collaborative process will help ensure employers support the development of a highly skilled workforce to meet the demands of their industries.⁵⁰

Through New Hampshire Employment Security (NHES),⁵¹ employers will find support for their efforts to meet the requirements put forth in the subgrantee application. New Hampshire offers opportunities for training and apprenticeship programs and education. The StayWorkPlay.org site offers opportunities for prospective employees to find apprenticeship programs in a number of fast-growing industries in NH, including IT. By registering with ApprenticeshipNH, employers will be supported in building a team of skilled workers who meet the requirements of the subgrantee application process. The Registered Apprenticeship and pre-apprenticeship programs give the subgrantee another avenue and opportunity to meet the requirement for a highly trained workforce to be developed. These programs support direct hands-on training at the subgrantee's company. Technical training is provided by the Community College System of NH. An apprentice will work closely with a mentor within the company, gaining valuable knowledge and building relationships to enhance the company's culture.

These programs are available to all businesses, and the ApprenticeshipNH team can help develop a customized Registered Apprenticeship program that fits the needs of business. They have the expertise and financial resources to guide businesses through the registration process and even help with the recruitment and screening of potential apprentices. Plus, they can connect subgrantees to resources in New Hampshire that can help fund the cost of on-the-job learning and related instruction. New Hampshire recently received a grant for \$3,292,562 from the Department of Labor⁵² for advancing apprenticeship programs in the state. BEA will seek to build a requirement for consultation with ApprenticeshipNH in the subgrantee application.

- New Hampshire Employment Security(NHES)⁵³
NHES oversees the state's unemployment, Job Match System and other employment assistance services, including Trade Adjustment Assistance, veterans services, job

fairs, economic and labor market information. Employers may access free employer services.

▪ The New Hampshire Department of Education⁵⁴

The agency administers education programs, including Adult Education, Vocational Rehabilitation and the Career and Technical Education programs, among others, directed at youth eligible for programs funded by the Workforce Opportunity and Innovation Act.

▪ The New Hampshire Department of Labor⁵⁵

The agency oversees the state's Worker Adjustment and Retraining Notification Act (WARN Act) and provides information regarding state law governing the workplace. The WARN Act ensures advance notice of qualified plant closings and mass layoffs.

▪ The New Hampshire Department of Health and Human Services (DHHS)⁵⁶

DHHS provides services for individuals, children, families, and seniors, and administers programs and services for mental health, developmental disability, substance abuse, and public health. Health Insurance information, including the state's insurance marketplace, is available through the Covering New Hampshire website. DHHS can be a resource for their clientele as it relates to direction and means for potential employment as needed.

▪ Community College System of New Hampshire (CCSNH)⁵⁷

CCSNH is a public system of higher education consisting of seven colleges located across the state, offering occupational skills training opportunities. CCSNH also administers apprenticeship grants from the US Department of Labor and WorkReadyNH, funded through the New Hampshire Job Training Act.⁵⁸

- c) BEA is already working with many state agencies, education and training institutions, and workforce development organizations to understand their current programs and identify opportunities to develop a diverse workforce that will provide onramps to meet local workforce needs and increase high-quality job opportunities. BEA will develop and promote sector-based partnerships among employers and federal, and state agencies, and community-based organizations. This inclusive approach will help ensure access to wrap-around services and training opportunities that in turn will help eliminate barriers to workforce opportunities. BEA is particularly focused on the participation of underrepresented communities and Covered Populations defined by BEAD in the workforce. This information will be shared with the subgrantee during the process. NHES has numerous training programs that will assist the employee and the employer fill skillset gaps with a skilled and diverse pool of employees. The resources for employers and employees include but are not limited to: NH Working, Trade ACT OJT, NH Job Training Fund, and USDOL Apprenticeship Program.

New Hampshire offers many opportunities for education, training, and apprenticeship programs. The StayWorkPlay.org site offers opportunities for prospective employees to find apprenticeship programs in several fast-growing industries in NH, including IT. By registering with [ApprenticeshipNH](#), employers will be supported in building a team of skilled workers who meet the requirements of the subgrantee application process. The Registered Apprenticeship and pre-apprenticeship programs give the subgrantee another avenue and opportunity to meet the requirement for a highly trained workforce to be developed. These programs support direct hands-on training at the subgrantee's company. Technical training is provided by the Community College System of NH. An apprentice will work closely with a mentor within the company, gaining valuable knowledge and building relationships to enhance the company's culture.

An inclusive list of labor organizations and community-based organizations, as well as New Hampshire employee protection laws, can be found through the New Hampshire Department of Labor.⁵⁹ New Hampshire is under federal OSHA jurisdiction which covers most private sector workers within the state.⁶⁰ The focus of communication with these entities will be to help them develop broadband job training and awareness for the upcoming deployment of many broadband projects being funded through the BEAD initiative.

- d) Through the efforts of BEA, a study was commissioned⁶¹ to look at the New Hampshire economy, and importantly to look at diversity in the workforce. The study showed strategies that would help New Hampshire attract and maintain a broader pool of candidates. These strategies will help subgrantees to meet the requirements of making job opportunities available to a diverse employee pool.

New Hampshire has a lack of available workforce, according to U.S Chamber of Commerce statistics that show there are only 28 workers for every 100 jobs available in the state.⁶² BEA's recent study gives the state a complex look into strategies to increase the employee pool in New Hampshire. In this report, data shows that job seekers look for a more diverse workplace when considering a job offer. Having a more diverse employee pool will help create a diverse workplace.

The state will follow existing practices and NOFO recommendations as outlined in this section as well as section 2.7 to ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of workers. The Office of Broadband Initiatives will monitor subgrantees and their subcontractors throughout the project lifecycle for compliance with the BEAD NOFO.

2.8.2 Text Box: Describe the information that will be required of prospective subgrantees to demonstrate a plan for ensuring that the project workforce will be an appropriately skilled and credentialed workforce. These plans should include the following:

- a. The ways in which the prospective subgrantee will ensure the use of an appropriately skilled workforce, e.g., through Registered Apprenticeships or other joint labor- management training programs that serve all workers;
- b. The steps that will be taken to ensure that all members of the project workforce will have appropriate credentials, e.g., appropriate and relevant pre-existing occupational training, certification, and licensure;
- c. Whether the workforce is unionized;
- d. Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and
- e. The entities that the proposed subgrantee plans to contract and subcontract with in carrying out the proposed work.

If the project workforce or any subgrantee's, contractor's, or subcontractor's workforce is not unionized, the subgrantee must also provide with respect to the non-union workforce:

- a. The job titles and size of the workforce (FTE positions, including for contractors and subcontractors) required to carry out the proposed work over the course of the project and the entity that will employ each portion of the workforce;
 - b. For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
 - i. Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work), including whether there is a robust in-house training program with established requirements tied to certifications, titles; and
 - ii. Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.
- a) Subgrantees must provide confirmation and assurance of the use of an appropriately skilled workforce to include subcontractors. Subgrantees must provide plans to ensure available skilled workforce for the duration of the deployment period and provide evidence of training programs, apprenticeship programs, to include subcontractors.

BEA will require that each subgrantee register with the New Hampshire Employment Security office to have access to the job seekers as well as current training programs for prospective employees. A complete list of training facilities will be provided to each applicant encouraging that each applicant works with the local training provider to identify a skilled workforce for the jobs available with this project. This list can be found at <https://www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-career-development/cte-programs-in-new-hampshire>.

The precontracting phase will include efforts to properly verify correct worker classification. During the duration of the project all site visits will include checks to ensure that workers are properly skilled and credentialed to match the work functions performed.

- b) Subgrantees will submit with their application a narrative describing their commitment and organizational structure of their workforce credentials, specifically for the project scope of work defined in their application. This will include past job experience and adherence to safety in the workplace. This will include direct workforce and subcontractors.

In addition to confirmation and use of an appropriately skilled workforce, subgrantees must provide confirmation of an appropriately credentialed workforce and the workforce of their subcontractors, including occupational training, safety training and certification, and licensure. Examples of certification would be Professional Engineer, fiber splicing, manufacturer equipment certifications, etc.

The precontracting phase will include efforts to properly verify correct worker classification. During the duration of the project all site visits will include checks to ensure that workers are properly skilled and credentialed to match the work functions performed.

- c) Not a requirement, New Hampshire takes a neutral position on subgrantee or subgrantee utilization of union workforce.
- d) The state does not have a preference on subgrantee's use of a direct workforce or subcontracted workforce but will require each subgrantee requirement to identify subcontractor and require subgrantee and/or subgrantee subcontractor to comply with all.

Subgrantees must provide confirmation and assurance of the use of an appropriately skilled workforce to include subcontractors. Subgrantees must provide plans to ensure available skilled workforce for the duration of the deployment period and provide evidence of training programs, apprenticeship programs, to include subcontractors.

The precontracting phase will include efforts to properly verify correct worker classification. During the duration of the project all site visits will include checks to ensure that workers are properly skilled and credentialed to match the work functions performed.

If the project workforce or any subgrantee's, contractor's, or subcontractor's workforce is not unionized, the subgrantee must also provide with respect to the non-union workforce:

- a) Subgrantees will submit with their application a narrative describing job titles and size of FTE workforce. This will include direct workforce and subcontractors. In addition to confirmation and use of an appropriately skilled workforce, subgrantees must provide confirmation of an appropriately credentialed workforce and the workforce of their subcontractors, including occupational training, safety training and certification, and

licensure.

- b) (b.i.) Subgrantees will submit with their application a narrative describing current and ongoing safety training and certifications for the work being defined in their application. This will include direct workforce and subcontractors.

In addition to confirmation and use of an appropriately skilled workforce, subgrantees must provide confirmation of an appropriately credentialed workforce and the workforce of their subcontractors, including occupational training, safety training and certification, and licensure).

(b.ii.) BEA will require that each subgrantee register with the New Hampshire Employment Security office to have access to the job seekers as well as current training programs for prospective employees. A complete list of training facilities will be provided to each applicant encouraging that each applicant works with the local training provider to identify a skilled workforce for the jobs available with this project. This list can be found at <https://www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-career-development/cte-programs-in-new-hampshire>.

Subgrantees must provide confirmation and assurance of the use of an appropriately skilled workforce. Subgrantees must provide confirmation and assurance of the use of an appropriately skilled workforce of subcontractors. Subgrantees must provide plans to ensure available skilled workforce for the duration of the deployment period and provide evidence of training programs, apprenticeship programs, including coordination with New Hampshire.

2.9-Minority Business Enterprises (MBEs/ Women’s Business Enterprises (WBEs)/ Labor Surplus Area Firms Inclusion (Requirement 13)

2.9.1 Text Box: Describe the process, strategy, and the data tracking method(s) the Eligible Entity will implement to ensure that minority businesses, women-owned business enterprises (WBEs), and labor surplus area firms are recruited, used, and retained when possible

Although the state of New Hampshire does not have an MWBE process in place, they do promote the use of the Disadvantaged Business Enterprise directory. The New Hampshire Department of Transportation is utilizing a current process to ensure that there is a proactive process to include MWBE’s in all federal grant awards. The Directory can be found at <https://mm.nh.gov/files/uploads/dot/remote-docs/dbe-directory.pdf>.

As BEA has required in past subgrantee application, such as CARES, subgrantee’s will be required to confirm through the application, they support MWBE’s. BEA will require subgrantees to submit with their application a narrative describing their commitment that MWBE businesses, if any are available, be part of their procurement process, to provide material or services, specifically for the project scope of work. This will include past project experience with MWBE’s. This will include direct workforce and subcontractors.

New Hampshire does not have any labor supply area firms but will support small and disadvantaged business in the entire BEAD grant funded process.

2.9.2 Check Box: Certify that the Eligible Entity will take all necessary affirmative steps to ensure minority businesses, women’s business enterprises, and labor surplus area firms are used when possible, including the following outlined on pages 88 – 89 of the BEAD NOFO:

- a. Placing qualified small and minority businesses and women’s business enterprises on solicitation lists.
- b. Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources.
- c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises.
- d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises.
- e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- f. Requiring subgrantees to take the affirmative steps listed above as it relates to subcontractor.

The state will check the box at the time of upload to NTIA in agreement with this section

2.10-Cost and Barrier Reduction (Requirement 14)

2.10.1 Text Box: Identify steps that the Eligible Entity will take to reduce costs and barriers to deployment. Responses may include but not be limited to the following:

- a. Promoting the use of existing infrastructure;
- b. Promoting and adopting dig-once policies;
- c. Streamlining permitting processes;
- d. Streamlining cost-effective access to poles, conduits, easements; and
- e. Streamlining rights of way, including the imposition of reasonable access requirements.

The Granite State's rocky terrain presents just one challenge to universal broadband deployment. The state's geography, especially in northern New Hampshire's White Mountains region, is another obstacle that imperils efficient use of existing infrastructure, rights of way, and other resources across the state. Difficult terrain, a short construction season due to snow and low temperatures, combined with low population densities in these rural areas, all add challenges to broadband deployment that New Hampshire is committed to overcome.

BEA's ongoing outreach efforts to various stakeholders includes state agencies, local governments, providers, federal agencies, and other stakeholders. As discussed below, BEA stands willing to assist as needed with facilitating permit approvals at all levels. BEA can also utilize the resources provided by NTIA, such as permitting assistance at (<https://broadbandusa.ntia.doc.gov/assistance/permitting>) and help promulgate this site to all interested parties in the Granite State.

BEA appreciates that New Hampshire already has established permitting processes in place with federal, state, and local permitting authorities, who have a history of working well together to expedite permitting procedures, resulting in high rates of broadband deployment. For the benefit of stakeholders with less experience, BEA recommends that federal, state, and local permitting authorities post all forms, fees, instructions, standards, and other key information on easily accessible web sites, if this information is not already readily available. In addition to meetings and other outreach with relevant state agencies and other stakeholders, BEA will establish a point of contact within its office to facilitate information sharing and questions from and among relevant state agencies and other stakeholders regarding reducing costs and barriers to deployment. BEA is also prepared to promote other best practices, including, but not limited to, standardizing forms to the extent possible, devoting resources specifically to broadband infrastructure projects, basing fees on actual costs where practical, etc. to relevant permitting bodies. Further steps are outlined below. BEA plans on outreach to all critical agencies before and during deployment design and construction begins.

- a) New Hampshire has determined that the deployment of broadband services to unserved and underserved locations using BEAD funding in New Hampshire will be constructed upon existing infrastructure, including middle-mile networks, access to existing poles and conduit at reasonable and non-discriminatory rates and conditions, etc. BEA is prepared

to coordinate with the New Hampshire Public Utilities Commission, the New Hampshire Department of Transportation, and other state and local governments, service providers, and utilities to assist to streamline procedures as needed, and to promote best practices that will continue to maximize use of existing infrastructure wherever possible.

- b) While there is not a statewide dig-once stipulation, the Granite State’s difficult terrain presents challenges to any kind of underground infrastructure deployment, providing a natural incentive to minimize any excavation as much as possible. The BEA is prepared to assist broadband providers, the New Hampshire Department of Transportation (DOT) and other stakeholders align with the applicable goals of Section 645.307 of the federal MOBILE NOW Act. These provisions call for the establishment of a broadband utility coordinator, an electronic notification system, and provisions to include broadband providers and localities in consultations regarding utility accommodation policies and procedures, including pole attachment agreements and processes, state and municipal easement requirements, and other factors that will facilitate deployment of broadband infrastructure. New Hampshire’s analysis of existing facilities, the locations of unserved and underserved BSLs, and existing policies and procedures are already in place to expedite deployment. For example, the New Hampshire Department of Transportation has launched a Broadband Infrastructure Right of Way effort (<https://www.dot.nh.gov/about-nh-dot/divisions-bureaus-districts/highway-design/design-services/utilities>) and established a web form for stakeholders to obtain additional information.

Furthermore, the New Hampshire Department of Energy operates the state’s Underground Damage Prevention Program to avoid damage to underground facilities. New Hampshire is served by a non-profit organization, Dig Safe System, Inc., which also operates in neighboring Maine, Massachusetts, Rhode Island, and Vermont as a clearinghouse for excavation information. BEA is able to assist with further coordination with the NH DOE, DOT and other stakeholders if needed to minimize any excavation related to broadband deployment.

- c) Providers, localities, and other stakeholders in New Hampshire are experienced with permitting procedures, making undue delays rare in the Granite State. BEA intends to help prevent obstacles from arising, and is prepared to coordinate with NH DOE, NH DOT, and localities to overcome any issues. Steps can include encouraging the standardization and streamlining of permit procedures as much as feasible. In addition, federal agencies, such as the U.S. DOT, U.S. Park Service, U.S. EPA, and others can be encouraged to coordinate and ease permitting procedures regarding any federal land, highways, or environmental regulations over which they may have jurisdiction. BEA can also work with the New Hampshire Division of Historical Resources and the New Hampshire Department of Environmental Resources to address any potential issues, and to encourage best practices while harmonizing historical preservation and environmental requirements with broadband deployment goals.
- d) Under state law (NH Rev Stat § 374:34-a (2022)), the term “pole” also includes ducts, conduit, or right-of-way that is used for wire communications or electricity distribution

and is owned in whole or in part by a public utility. The NH DOE oversees pole attachment rules, including those that implement the Federal Communications Commission's One Touch Make Ready provisions. However, there is no barrier to parties entering pole attachment agreements voluntarily. (See 2022 New Hampshire Revised Statutes, Title XXXIV – Public Utilities, Title 374 – General Regulations, Section 374:34-a – Pole Attachments, <https://law.justia.com/codes/new-hampshire/2022/title-xxxiv/title-374/section-374-34-a/>.)

As part of its outreach efforts, BEA shall engage with the NH DOT, the NH DOE, pole owners, and attaching entities to help prevent undue delays and, if needed, facilitate best practices, and streamlined procedures in order to achieve mutually beneficial agreements.

- e) As noted above, the New Hampshire Department of Transportation has launched a Broadband Infrastructure Right of Way effort and has established a web form for stakeholders to obtain additional information. BEA can assist with promoting this outreach, which may further enhance communication and facilitation of access to Rights of Way throughout the Granite State.

2.11-Climate Assessment (Requirement 15)

2.11.1 Text Box: Describe the Eligible Entity’s assessment of climate threats and proposed mitigation methods. If an Eligible Entity chooses to reference reports conducted within the past five years to meet this requirement, it may attach this report and must provide a crosswalk narrative, with reference to page numbers, to demonstrate that the report meets the five requirements below. If the report does not specifically address broadband infrastructure, provide additional narrative to address how the report relates to broadband infrastructure. At a minimum, this response must clearly do each of the following, as outlined on pages 62 – 63 of the BEAD NOFO:

- a. Identify the geographic areas that should be subject to an initial hazard screening for current and projected future weather and climate-related risks and the time scales for performing such screenings;
 - b. Characterize which projected weather and climate hazards may be most important to account for and respond to in these areas and over the relevant time horizons;
 - c. Characterize any weather and climate risks to new infrastructure deployed using BEAD Program funds for the 20 years following deployment;
 - d. Identify how the proposed plan will avoid and/or mitigate weather and climate risks identified; and
 - e. Describe plans for periodically repeating this process over the life of the Program to ensure that evolving risks are understood, characterized, and addressed, and that the most up-to-date tools and information resources are utilized.
- a) The State of New Hampshire has developed an initial hazard screening process. The counties listed below have been identified as vulnerable to current and projected weather and climate-related risks. The analysis will be reviewed annually to add updated information, and a full screening analysis will be completed every five years.

The hazard screening process was completed in the October 2023 Update to the New Hampshire State Hazard Mitigation Plan by Homeland Security Emergency Management in the New Hampshire Department of Safety. The Plan was developed with the involvement of multiple stakeholders, including state agencies, local communities, and private and non-profit sectors.

The Plan determined the overall risk ranking level of 15 hazards for all counties. The Plan classifies the counties most vulnerable to a particular hazard as those that have an overall risk ranking of “high” risk. The two counties with the highest overall risk index are Hillsborough and Rockingham.

The high-risk categories include flooding (inland and coastal), severe winter weather, and high winds. The following is a list of the counties that were categorized as high-risk by the category of the risk.

Flooding

- (a) Coastal - Rockingham, Strafford
- (b) Inland - Belknap, Carroll, Cheshire, Coos, Grafton, Hillsborough, Merrimack, Rockingham, Sullivan

Severe Winter Weather

- (a) Belknap, Carroll, Cheshire, Coos, Grafton, Hillsborough, Merrimack, Rockingham, Strafford, Sullivan

High Winds

- (a) Belknap, Carroll, Cheshire, Coos, Grafton, Hillsborough, Merrimack, Rockingham, Strafford, Sullivan
- b) The State of New Hampshire experiences severe weather during the winter months, which usually brings snow, high winds, and/or rain depending on temperatures. The entire State of New Hampshire is at risk for severe winter storms. Higher elevations are at an increased risk for ice accumulation. Severe winter weather is a hazard that impacts all of Hillsborough County. Significant power outages due to fallen trees and utility poles can occur especially for facilities and populations that are more rural such as in Antrim, Hillsborough, Lyndeborough and Mason.
 - A. Heavy Snow - In forecasts, the amount of snow that is expected to fall is expressed as a range of values, such as 10-12”.
 - B. Blizzard - A blizzard is a snowstorm with the following conditions that is expected to prevail for a period of three hours or longer, with sustained wind or frequent gusts to 35mph or greater; and considerable falling and/or blowing snow that frequently reduces visibility to less than one-quarter mile.
 - C. Snow Squall - A snow squall is an intense, but limited duration, period of moderate to heavy snowfall, accompanied by strong, gusty surface winds, near zero visibilities and possibly lightning (generally moderate to heavy snow showers).
 - D. Sleet - Sleet is defined as pellets of ice composed of frozen or mostly frozen raindrops or refrozen partially melted snowflakes.
 - E. Nor'easter - A Nor'easter is a large cyclonic storm that tracks north/northeastward along the East Coast of North America. Nor'easters nearly always bring precipitation in the form of heavy rain and/or snow, as well as gale-force winds, rough seas, and coastal flooding.
 - F. Ice Storm - Ice storms typically occur with warm frontal boundaries, where warm air rises over a shallow mass of cold air near the earth's surface. Any accumulation of ice can present hazards; however, significant accumulations of ice (1/4” of mean radial ice thickness or greater) can pull down trees and utility

lines resulting in loss of power and communications.

G. High Winds - The entire State is at risk for high wind events. The State of New Hampshire experiences two types of high wind events that may result from other severe storms and may occur at any time of the year:

- A. Tornadoes: A tornado is a narrow, violently rotating column of air that extends from the base of a thunderstorm to the ground. Because wind is invisible, it is hard to see a tornado unless it forms a condensation funnel made up of water droplets, dust, and debris. Tornadoes are the most violent of all atmospheric storms. Although not typically thought of as an area that is susceptible to tornadic activity, the State experiences at least one confirmed tornado annually and numerous straight-line wind events each year.
- B. Straight-line winds: This term describes any thunderstorm wind that is not associated with rotation and is usually used to differentiate from tornadic winds.

All high wind events can result in significant damage to property and the environment as well as can represent a serious threat to personal safety as flying debris can cause serious bodily harm and/or death.

Utility outages will occur. Sustained high winds will prevent restoration efforts. Public and government-owned communication towers may sustain damage due to wind damage, disrupting service. Bridges and roads can sustain damage or become blocked by debris.

- c) Temperatures in New Hampshire have risen more than 3°F since the beginning of the 20th century.⁶³ Warming has increased more in the winter than in any other season. Future winter warming will have large effects on snowfall and snow cover.

Precipitation since 2005 has averaged 6.8 inches more than the 1895 - 2004 average, and the highest number of extreme precipitation events occurred during 2005 - 2014. Annual average precipitation and the frequency and intensity of extreme precipitation events are projected to increase, with associated increases in flooding.

Global sea level is projected to rise, with a likely range of 1 - 4 feet by 2100. Rising sea levels pose significant risks to coastal communities and structures, erosion-induced land loss, and greater flood vulnerability due to higher storm surge.

- d) BEA believes that the flooding, severe weather, and high wind risks discussed above present risks to new infrastructure funded by the BEAD program. The impact on broadband infrastructure and proposed mitigation strategies are summarized below.

Flooding

1. Potential damage
 - (a) Aerial: Structural stress, water damage, electrical short-circuit conditions, grid power failure.
 - (b) Buried: Structural stress, water damage, electrical short-circuit conditions, grid power failure.
 - (c) Wireless: Structural stress, water damage, electrical short-circuit conditions, grid power failure.
2. Mitigation strategies
 - (a) Aerial: Avoid building in frequent flood areas if possible. Ensure proper drainage around the base of poles or other components. Uninterrupted Power Supply (UPS) systems can provide essential backup power during weather-related disruptions. Use generators for larger installations.
 - (b) Buried: Use materials and techniques that take into account the possibility of flooding, such as conduit and fiber with waterproofing components (e.g., gel). Avoid burying conduit in areas at risk of erosion and washouts. Consider replacing with aerial in high-risk flood areas.
 - (c) Wireless: Avoid building in frequent flood areas if possible. Ensure proper drainage around the base of poles or other components. Deploy Uninterrupted Power Supply (UPS) systems for wireless base stations and access points to ensure backup during power outages. Generators are suitable for larger facilities like data centers. Consider alternative power sources, such as solar panels, for remote installations.

Severe Winter Weather

1. Potential damage
 - (a) Aerial: Structural stress, structural failure, grid power failure
 - (b) Buried: Structural stress, grid power failure
 - (c) Wireless: Service disruption, grid power failure
2. Mitigation strategies
 - (a) Aerial: Use materials rated for the extra weight of anticipated ice build-up. Include back-up power in essential network facilities. Keep tree limbs or

vulnerable structures clear of infrastructure. Adhere to National Electrical Safety Code (NESC) rules and best practices for clearance areas around transmission lines. Uninterrupted Power Supply (UPS) systems can provide essential backup power during weather-related disruptions. Use generators for larger installations.

- (b) Buried: Use materials and techniques with extra durability and flexibility in areas where freezing can cause ground shifting. Equip underground facilities with Uninterrupted Power Supply (UPS) systems to mitigate power loss risks, especially from flooding. Consider using generators for larger control buildings.
- (c) Wireless: Use materials rated for the extra weight of anticipated ice build-up. Consider equipment or enclosures with heating elements to prevent ice buildup. Deploy Uninterrupted Power Supply (UPS) systems for wireless base stations and access points to ensure backup during power outages.

High Winds

1. Potential damage
 - (a) Aerial: Structural stress, structural failure, equipment damage, grid power failure
 - (b) Buried: Grid power failure
 - (c) Wireless: Structural stress, structural failure, equipment damage, grid power failure
2. Mitigation strategies
 - (a) Aerial: Use equipment that can withstand significant wind stress (e.g., heavy duty cable brackets, composite, or steel poles). Keep tree limbs or vulnerable structures clear of infrastructure. Composite and steel poles are mostly used in high-moisture environments, not necessarily stronger than wood. Heavy duty cable brackets may not be a viable/industry standard solution. Better to bury cables where possible. Uninterrupted Power Supply (UPS) systems can provide essential backup power during weather-related disruptions. Use generators for larger installations.
 - (b) Buried: Equip underground facilities with Uninterrupted Power Supply (UPS) systems to mitigate power loss risks, especially from flooding. Consider using generators for larger control buildings.
 - (c) Wireless: Use equipment that can withstand significant wind stress (e.g., heavy duty cable brackets, composite, or steel poles) Keep tree limbs or vulnerable structures clear of infrastructure. Ensure point-to-point connections use high-strength brackets and enclosures to prevent being knocked out of alignment by wind. Deploy Uninterrupted Power Supply (UPS) systems for wireless base stations and access points to ensure backup during power outages. Generators

are suitable for larger facilities like data centers. Consider alternative power sources, such as solar panels, for remote installations.

Applicants proposing to serve BSLs in cities, towns, or unincorporated areas that have risks identified in the 2023 New Hampshire State Hazard Mitigation Plan will be required to include risk mitigation strategies that consider these mitigation approaches as part of their application(s), or they may propose alternatives if the alternatives can be shown to be functionally equivalent. The proposed mitigation strategies will be reviewed and scored as part of each application. BEA will also require providers to submit an emergency response plan and communication strategy to ensure timely, effective response to extreme weather events.

- e) The New Hampshire Department of Safety maintains the State Hazard Mitigation Plan (The Plan) with updates annually and will be formally updated every five years in accordance with FEMA’s State Mitigation Planning Policy Guide (FP 302-094-2), released April 19, 2022, or new guidance if available. The process for the annual review of the Plan is the responsibility of the State Hazard Maintenance Officer (SHMO) and the State Hazard Maintenance Planning Committee (SHMPC) with all plan contributors, Subject Matter Experts being included, either in groups or individual meetings, to ensure consistency and continuity.

The SHMO shall assure maintenance of the Plan and shall consider and approve projects that are submitted for Hazard Mitigation Grant Program (HMGP) Program, Flood Mitigation Assistance (FMA) Program, and Pre-Disaster Mitigation (PDM) Program funding in accordance with the Plan’s Goals and Objectives.

The SHMO will contact state and local-level stakeholders via email, surveys, and social media to gather information, discuss SHMP development, and solicit ideas, strategies, and activities for inclusion in annual updates of the Plan. Stakeholders will include, at minimum:

- State Hazard Mitigation Planning Committee
- Regional Planning Commissions
- Representatives of local jurisdictions
- Private/Non-profit organizations
- Members of the general public
- Representatives from the following community sectors:
 - Emergency management
 - Agencies providing community lifelines (Safety and Security, Hazardous Materials, Food, Water, Shelter, etc.).

- Economic development.
- Land use and development, including the agency or department that regulates building codes.
- Housing (including Food, Water, Shelter community lifelines).
- Health and social services (including Health and Medical community lifelines).
- Infrastructure (including Energy, Communications, Transportation, and Food, Water, Shelter community lifelines).
- Natural and cultural resources agencies.
- Organizations/Individuals with climate change and climate adaptation expertise.
- Agencies with programs, policies, and assistance that support underserved communities.
- Agencies serving underserved/vulnerable communities.

The SHMO and the SHMPC shall continually monitor the relevancy of the Plan's stated Goals and Objectives and work cooperatively to identify and evaluate the effectiveness of all existing Hazard Mitigation measures and assess and adjust the mitigation strategy accordingly.

Unless the New Hampshire Homeland Security and Emergency Management Director and/or the SHMPC identify an adjustment as an emergency measure, adjustments requiring a modification to the State's Plan shall follow the procedure for Plan amendment. In all cases where an apparent departure from the Plan may have been initiated, at the earliest practical opportunity or within 30 days (whichever is less), the SHMO shall prepare and report the emergency measures and amendments undertaken and submit the Plan amendment to FEMA for amendment approval.

2.11.1.1 Optional Attachment: As an optional attachment, submit any relevant reports conducted within the past five years that may be relevant for this requirement and will be referenced in the text narrative above.

Not Applicable

2.12-Low-Cost Broadband Service Option (Requirement 16)

2.12.1 Text Box: Describe the low-cost broadband service option(s) that must be offered by subgrantees as selected by the Eligible Entity, including why the outlined option(s) best services the needs of residents within the Eligible Entity’s jurisdiction. At a minimum, this response must include a definition of low-cost broadband service option that clearly addresses the following, as outlined on page 67 of the BEAD NOFO:

- a. All recurring charges to the subscriber, as well as any non-recurring costs or fees to the subscriber (e.g., service initiation costs);
- b. The plan’s basic service characteristics (download and upload speeds, latency, any limits on usage or availability, and any material network management practices);
- c. Whether a subscriber may use any Affordable Connectivity Benefit subsidy toward the plan’s rate; and
- d. Any provisions regarding the subscriber’s ability to upgrade to any new low-cost service plans offering more advantageous technical specifications.

A low-cost service option is especially important for the more than 175,000 households that are eligible for ACP assistance in New Hampshire. Also important is the sustainability of the small local provider continuing to provide access and service to rural Granite Staters over the long term. Assuring affordability and sustainability requires balancing the goals of mandating affordability and investing in financially sustainable infrastructure.

Therefore, the state believes that it is critical that the federal statutorily mandated low-cost service option be carefully tailored to address the actual affordability policy objective of the low-cost service option – specifically, that households otherwise unable to afford a connection on new BEAD-funded infrastructure will be able to do so – and not to function as a barrier to the long-term sustainability of newly deployed infrastructure by locking subgrantees into rate structures that unnecessarily harm the long-term financial viability of BEAD-funded projects and therefore deter participation by the widest range of providers.

This low-cost service option must be available to households enrolled in ACP (or any successor or equivalent programs) for BEAD-funded BSLs in accordance with the requirements herein. BEA also strongly encourages that the same low-cost broadband service option be made available to all ACP-enrolled prospective customers across the subgrantee’s service territory, regardless of whether the location is covered by BEAD funding.

New Hampshire adopts the low-cost broadband service option of \$30, with possible exceptions of up to \$50, for households enrolled in ACP or any successor or equivalent programs. The \$50 not-to-exceed rate was determined following an analysis of small service provider rates throughout the state. Smaller providers typically experience different cost structures, which should not serve as a barrier to small providers applying to participate. Therefore, based upon a review of rates throughout the state, providers will be permitted to demonstrate a need for a higher rate, as explained further below.

Applicants and subgrantees may request a modification to their low-cost service option from the

\$30 target effective rate as follows:

- 1) In no case may the offered rate exceed \$50 as adjusted for annual inflation as described below.
- 2) Modifications to offered rates to a level between \$30 and \$50 Not to Exceed (NTE) level may be granted based on evidence supporting the newly proposed rate:
 - a. Per-subscriber costs in an area indicating that the target effective rate above would be financially unsustainable; and/or
 - b. The impact on average revenue per user (ARPU) and total project revenue of the target effective rate above would be financially unsustainable given actual or projected subscriber adoption patterns.

If a modification request is granted, the new modified level shall remain the maximum Not to Exceed offered rate for the provider for the duration of the federal interest.

In summary, New Hampshire's proposed low-cost service option is for a rate based on a range between \$30 to \$50 per month, with flexibility to ensure financial viability and widespread participation in the BEAD program pursuant to modification requests based on concrete evidence.

This service option best serves the needs of Granite State residents as it has established eligibility criteria, verification mechanisms, and sign-up procedures, as well as the small local service providers.

In the event that long-term funding for the Affordable Connectivity Program does not keep pace with demand or faces other shortfalls, BEA will engage with NTIA, providers, and other stakeholders to seek clarification and develop successor programs or other alternatives so that a sustainable low-cost service option may be retained. Otherwise, current ACP beneficiaries would face monthly cost increases of \$30 to \$50.

BEA will require all subgrantees to offer a low-cost broadband service option to households at BSL's included in a subgrant project area that are eligible for or enrolled in ACP or any successor or equivalent program as follows:

- 1) An end-user effective rate of \$30 per month, up to \$50 per month where justified, for a service offering of 100 Mbps downstream, 20 Mbps upstream, and a minimum latency of 100 milliseconds.
- 2) Applicants and subgrantees may request modifications to this rate based on evidence of financial non-viability, but the rate must always be at or below the initial \$50 Not to Exceed level.
- 3) Is available to all BEAD-funded households eligible for and enrolled in the Affordable Connectivity Program or a successor program as modified by Congress.
- 4) The rate specified or subsequently modified, as well as the other provisions identified in this section, for this service option will be a contractual requirement of awardees for the duration of the federal interest, as specified by NTIA.

- 5) In the event that the FCC during the period of this obligation revises the federal definition of broadband to a performance level that is higher than the 100/20 standard required currently for BEAD, that new federal definition shall become the required performance standard.
- 6) Allows the end user to apply the ACP or successor program(s) benefit to the service price and encourages customers to participate in the ACP or successor program(s).
- 7) Is not subject to data caps, installation or other non-recurring charges, surcharges, or usage-based performance reductions, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.
- 8) In the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost.
- 9) To make households within subgrant service areas aware of the availability of the low-cost plan via public awareness campaign activities, as mandated by NOFO IV.C.2.c.iv.

BEA proposes this definition for the statutorily required low-cost service option after full consideration of how to best advance the deployment and affordability aims of the BEAD program. BEA's priority in establishing affordability requirements for the BEAD program is to increase awareness of and enrollment in available broadband subsidy programs while maintaining a price/performance tier option for low-income households served by new BEAD projects that meets the FCC's definition of affordable broadband.

A. Service Initiation Cost

All recurring charges to the subscriber, as well as any non-recurring costs or fees to the subscriber

- 1) The proposed service option for qualified subscribers as defined below:
 - a. Costs \$30 or less, or up to \$50 per month where justified, inclusive of all taxes, fees, and charges, including modems, with no additional installation fees, non-recurring costs or fees to the consumer;
 - b. Allows the end user to apply the Affordable Connectivity benefit subsidy to the service price;
 - c. Provides the greater of (a) typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps, or the fastest speeds the infrastructure is capable of if less than 100 Mbps/20 Mbps or (b) the performance benchmark for fixed terrestrial broadband service established by the Federal Communications Commission pursuant to Section 706(b) of the Communications Act of 1934, as amended;
 - d. Provides typical latency measurements of no more than 100 milliseconds; and

- e. Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere;
 - f. In the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers who are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost.
- 2) Subgrantees are required to participate in the Affordable Connectivity Program or any successor program, and Eligible Subscribers who are eligible for a broadband service subsidy can apply the subsidy to the proposed service option.

2.12.2 Checkbox: Certify that all subgrantees will be required to participate in the Affordable Connectivity Program or any successor program.

Yes, BEA will require all subgrantees to participate in the Affordable Connectivity Program or any successor program.

2.13-Middle-Class Affordability Plans (Requirement 20)

2.13.1 Text Box: Describe a middle-class affordability plan that details how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices. This response must clearly provide a reasonable explanation of how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices.

BEA is committed to ensuring that BSLs covered by BEAD-funded networks have access to high-quality broadband service that is affordable to middle-class households. There is no one standard for defining either "middle class" or what broadband rate(s) should be considered "affordable," as local costs, size of households, and a myriad of other factors impede development of simple definitions.

While not offered as a standard definition for affordability, a widely utilized benchmark to measure changes in broadband pricing is 2 percent of monthly household income. The Federal Communications Commission has used this figure as a "yardstick for charting changes,"⁶⁴ based upon earlier research from the International Telecommunication Union (ITU).⁶⁵ The ITU's Broadband Commission for Sustainable Development later adopted a target of 2 percent or less⁶⁶ of monthly income for broadband service, a goal shared by the Alliance for Affordable Internet.⁶⁷

Subsequently, the Pew Charitable Trusts published an analysis using the 2 percent standard to demonstrate variations of "reasonable prices" across or within states.⁶⁸ Pew used data from the US Census Bureau's American Community Survey⁶⁹ to ascertain middle class income levels to then derive a baseline of what might constitute "reasonable" prices for broadband access across U.S. regions, states, and counties.

Based on 2021 data, Pew determined that the affordable standard monthly pricing for broadband in New Hampshire stood at \$123.99. The FCC's 2023 Urban Rate Benchmark⁷⁰ shows that fiber-based broadband services of 250 Mbps symmetrical (which exceeds BEAD's speed threshold) typically cost \$80 total in New Hampshire, including all mandatory charges and surcharges, and with no data caps. Comparatively, slower DSL-based service of 100/40 Mbps cost \$121.96. Even slower DSL speeds that do not meet BEAD's speed thresholds, while relatively more expensive, usually do not exceed the \$123.99 baseline established by Pew. By way of further comparison, one gigabit symmetrical service over fiber typically costs \$90, although in some cases prices of \$212.96 were seen in the FCC data.

Based on the Pew analysis and FCC benchmark data, it appears that most available pricing in New Hampshire may currently be considered "affordable" for middle class households. Providers routinely offer multiple tiers of service at various pricing levels in order to meet households' different budgetary needs.

Accordingly, rather than set a dollar figure target at this stage regarding Middle Class Affordability, New Hampshire intends to require any subrecipient of BEAD funding to offer (at least throughout the life of the program) the same level of services, at rates, terms, and conditions to BSLs covered by BEAD funding that match those offered to non-BEAD BSLs in the same

market. As part of the subrecipient scoring process, New Hampshire will encourage providers to offer multiple plans, including more affordable options, to households covered by BEAD. Subrecipients will be required to outline these plans as part of the BEAD scoring rubric to demonstrate affordability for middle class households. Lower costs plans will accordingly be weighted favorably as part of the scoring process.

BEA will monitor providers' pricing plans as part of the normal reporting process through the program's term to ensure continued availability of affordable plans. Verification mechanisms, including review of data and the opportunity for public input so that consumers may refute any inaccurate pricing data that may be reported, shall be included in order to ensure that affordable options remain available for middle-class households for the program's duration.

2.14-Use of 20 Percent of Funding (Requirement 17)

2.14.1 Text Box: Describe the Eligible Entity's planned use of any funds being requested, which must address the following:

- a. If the Eligible Entity does not wish to request funds during the Initial Proposal round, it must indicate no funding requested and provide the rationale for not requesting funds.
- b. If the Eligible Entity is requesting less than or equal to 20 percent of funding allocation during the Initial Proposal round, it must detail the amount of funding requested for use upon approval of the Initial Proposal, the intended use of funds, and how the proposed use of funds achieves the statutory objective of serving all unserved and underserved locations.
- c. If the Eligible Entity is requesting more than 20 percent (up to 100 percent) of funding allocation during the Initial Proposal round, it must detail the amount of funding requested for use upon approval of the Initial Proposal, the intended use of funds, how the proposed use of funds achieves the statutory objective of serving all unserved and underserved locations, and provide rationale for requesting funds greater than 20 percent of the funding allocation.

- a. The New Hampshire Department of Business and Economic Affairs (BEA) is requesting 100 percent of funding obligated to the state of New Hampshire under the BEAD allocation upon approval of its Initial Proposal.
- b. The New Hampshire Department of Business and Economic Affairs (BEA) is requesting 100 percent of funding be obligated to the state of New Hampshire under the BEAD allocation upon approval of its Initial Proposal.
- c. The New Hampshire Department of Business and Economic Affairs (BEA) is requesting 100 percent of funding obligated to the state of New Hampshire under the BEAD allocation upon approval of its Initial Proposal.

New Hampshire requests 100 percent of the remaining funds from its BEAD allocation of \$196,560,278.97. The remaining funds balance totals \$191,560,278.97 (\$196,560,278.97 minus \$5,000,000).

NTIA provides that the state may budget its BEAD allocation in four expense categories: Deployment, Non-Deployment, Administrative, and Programmatic. Accordingly, the state requests 100 percent of its remaining BEAD allocation as follows for its initial BEAD deployment budget.

Category	Details	Budget percent	Comments
Deployment costs	Subgrantee deployment costs, including planning, purchase of materials, network design, make ready, and construction	95%	Expended after Final Proposal Approval
Programmatic expenses	BEAD planning, challenge process and portal, IT systems to run challenge and grant applications, subgrantee selection process development and management	3%	Partial expenditure after Initial Proposal Approval
Administrative expenses	Staffing, travel, monitoring, and oversight of subgrantees, training staff, subgrantees and public, ongoing stakeholder communications	2%	Partial expenditure after Initial Proposal Approval
Non-deployment expenses	Workforce program, digital equity program supplementation, training, and capacity building.	0%	

Figure 16-Budget Categories

Planned use of the 20 Percent funding is about \$38 million. BEA will expend funds on Programmatic and Administrative expenses from the 20 percent available for expenditure and Initial Proposal approval.

Working closely with its partners from local governments, industry, and community organizations, and other stakeholders, New Hampshire will use the funding to begin closing the digital divide as quickly as possible. With 100 percent of the funding obligated, our partners and subgrantees will have the assurance they need to invest appropriate time and resources to participate fully in the state's grant processes. These assurances will allow the state and its partners to move to broadband deployment more efficiently.

The state estimates that universal service can be achieved during the grant period. The model excludes areas funded by other federal broadband grants and awards. New Hampshire's primary objectives for broadband deployment are aligned with the principal focus of the BEAD Program:

- Serving 100 percent of unserved locations (i.e., below 25/3 Mbps) within five years.
- Serving 100 percent of underserved locations (i.e., between 25/3 and 100/20) within five years.

Should BEAD funds remain after the first two objectives are fulfilled, the state will then focus on the next set of priorities:

- Delivering gigabit connections to certain community anchor institutions that do not have that level of service within five years.

Should BEAD funds remain, other digital equity initiatives developed through ongoing community engagement and development of the Digital Equity Act Plan may be funded and implemented.

New Hampshire plans to amend its initial budget request to NTIA accordingly as it obtains sufficient data to support these requests.

The New Hampshire Department of Business and Economic Affairs (BEA) understands and will adhere to BEAD Program requirements regarding Initial Proposal funds usage.

2.14.2 Financial Data Entry: Enter the amount of the Initial Proposal Funding Request. If not requesting initial funds, enter '\$0.00.'

New Hampshire requests 100 percent of the remaining funds from its BEAD allocation of \$196,560,278.97. The remaining funds balance totals \$191,560,278.97 (\$196,560,278.97 minus \$5,000,000).

2.14.3 Check Box: Certify that the Eligible Entity will adhere to BEAD Program requirements regarding Initial Proposal funds usage. If the Eligible Entity is not requesting funds in the Initial Proposal round and will not submit the Initial Funding Request, note "Not applicable."

The New Hampshire Department of Business and Economic Affairs (BEA) office certifies that they will adhere to BEAD Program requirements regarding Initial Proposal funds usage.

2.15-Eligible Entity Regulatory Approach (Requirement 18)

2.15.1 Text Box

- a. Disclose whether the Eligible Entity will waive all laws of the Eligible Entity concerning broadband, utility services, or similar subjects, whether they predate or postdate enactment of the Infrastructure Act that either (a) preclude certain public sector providers from participation in the subgrant competition or (b) impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer.
- b. If the Eligible Entity will not waive all such laws for BEAD Program project selection purposes, identify those that it will not waive (using the Excel attachment) and their date of enactment and describe how they will be applied in connection with the competition for subgrants. If there are no applicable laws, note such.

New Hampshire does not restrict public sector providers from providing broadband services and will not limit such providers' participation in the subgrantee process or impose specific requirements and limitations on public sector entities. Therefore, a waiver of state law is not required.

2.14.3.1 Optional Attachment: As a required attachment only if the Eligible Entity will not waive laws for BEAD Program project selection purposes, provide a list of the laws that the Eligible Entity will not waive for BEAD Program project selection purposes, using the Eligible Entity Regulatory Approach template provided.

Not Applicable

2.16-Certification of Compliance with BEAD Requirements (Requirement 19)

2.16.1 Check Box: Certify the Eligible Entity’s intent to comply with all applicable requirements of the BEAD Program, including the reporting requirements.

BEA certifies that it intends to comply with all applicable requirements of the BEAD Program, including the reporting requirements, and to take advantage of any exceptions and adjustments the NTIA applies in the BEAD program on behalf of itself and subrecipients.

2.16.2 Text Box: Describe subgrantee accountability procedures, including how the Eligible Entity will, at a minimum, employ the following practices outlined on page 51 of the BEAD NOFO:

- a. Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize);
- b. The inclusion of claw back provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee;
- c. Timely subgrantee reporting mandates; and
- d. Robust subgrantee monitoring practices.

BEA recognizes the importance of implementing strong subgrantee accountability and compliance measures to ensure delivery of world class broadband services to Granite Staters as expeditiously and cost-effectively as possible. In accordance with requirements, BEA will distribute funding to subgrantees on a reimbursable basis only, include claw back provisions in its BEAD award contracts with subgrantees, require Letters of Credit or such alternative as may be determined by the NTIA, timely reports from subgrantees, and implement a robust subgrantee monitoring process.

- a) Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize).

BEA will indicate clearly in its application and award guidance that its BEAD subgrants will be issued for reimbursable expenses on a reimbursement-only basis. BEA will require the following from subgrantees before dispersing BEAD funds:

1. Timely reporting of the completion of grant milestones performed in accordance with the contract.
2. Submission of certified as-builts and GIS location data verified according to procedures outlined in the contracting documents.

BEA reserves the right to withhold reimbursement if the subgrantee fails to perform duties and responsibilities in its BEAD award contract or approved project proposal.

BEA will ensure that it has a right to access documents and physical assets in a manner like that employed by the federal government in broadband grant programs.

- b) BEA will work with the New Hampshire Department of Justice (DOJ) to craft claw back provisions to recoup disbursed funds. The provisions will be published in the Request for Application (RFA) and included in BEAD subgrantee contracts. If the subgrantee fails to meet specified requirements and objectives in the approved project proposal or other elements of the BEAD award contract, these provisions will be structured to allow the recoupment of funds previously disbursed.
- c) BEA will require subgrantees to submit monthly progress, performance and financial reports, a closeout report, incident reports, and such others as deemed necessary or important upon BEA request. The purpose of the dashboard is to keep the community informed. The purpose of the BEA reports is to enable the Office to monitor progress, performance, and finances against contract milestones and to identify areas that may require specific and subject matter expert attention. Incident reports will be further defined in the contract but will include safety matters and notification of factors that may interfere with the progress of the construction. If a subgrantee fails to meet a reporting deadline they will be flagged as out of compliance and, until corrected, no remittance requests will be approved.
- d) BEA will use various monitoring activities that produce data about subgrantee performance and progress to assess individual and portfolio risks and inform decisions about targeting technical assistance, corrective action, or enforcement actions as needed.

Such activities include:

- 1) Site visits – periodic visits using a standard review matrix to capture first-hand observations of subgrantee performance, including capacity, performance validation, safety practices, and employment practices.
- 2) Desk reviews – periodic review of subgrantee's progress and financial reports.

2.16.3 Check Box: Certify that the Eligible Entity will account for and satisfy authorities relating to civil rights and nondiscrimination in the selection of subgrantees.

- [Parts II and III of Executive Order 11246, Equal Employment Opportunity](#)
- [Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency](#)
- [Executive Order 13798, Promoting Free Speech and Religious Liberty](#)
- [Title VI of the Civil Rights Act](#)
- [Title IX of the Education Amendments of 1972](#)
- [The Americans with Disabilities Act of 1990](#)
- [Section 504 of the Rehabilitation Act of 1973](#)
- [The Age Discrimination Act of 1975](#)
- [Any other applicable non-discrimination law\(s\)](#)

State will check box at time of upload to NTIA in agreement with this section.

2.16.4 Check Box: Certify that the Eligible Entity will ensure subgrantee compliance with the cybersecurity and supply chain risk management requirements on pages 70 - 71 of the BEAD NOFO to require prospective subgrantees to attest that:

Cybersecurity

BEA certifies that they will ensure subgrantee compliance with the following cybersecurity and supply chain risk management requirements.

Cybersecurity

1. The prospective subgrantee has a cybersecurity risk management plan (the plan) in place that is either:
 - A. Operational, if the prospective subgrantee is providing service prior to the award of the grant or,
 - B. Ready to be operationalized upon providing service, if the prospective subgrantee is not yet providing service prior to the grant award.

The plan reflects the latest version of the National Institute of Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 specify the security and privacy controls being implemented.

The plan will be reevaluated and updated on a periodic basis and as events warrant.

The plan will be submitted to the Eligible Entity prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days.

Supply Chain Risk Management (SCRM)

1. The prospective subgrantee has a SCRM plan in place that is either:
 - A. Operational, if the prospective subgrantee is already providing service at the time of the grant; or
 - B. Ready to be operationalized, if the prospective subgrantee is not yet providing service at the time of grant award;

The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented;

The plan will be reevaluated and updated periodically and as events warrant; and

The plan will be submitted to the Eligible Entity before the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days. The Eligible Entity must provide a subgrantee's plan to NTIA upon NTIA's request.

2.17-Volume II Public Comment

2.17.1 Text Box: Describe the public comment period and provide a high-level summary of the comments received during the Volume II public comment period and how they were addressed by the Eligible Entity. The response must demonstrate:

- a. The public comment period was no less than 30 days; and
- b. Outreach and engagement activities were conducted to encourage feedback during the public comment period.

The thirty-day Public Comment period for New Hampshire's Initial Proposal Volumes I and II opened on November 13, 2023, and closed on December 13, 2023. The proposals were made available for comment on the BEA website, <https://www.nheconomy.com/office-of-broadband-initiatives/ijja/bead>, and written comments were collected via an email address to BEA's Office of Broadband Initiatives and traditional mail. Notifications were made to the public with a press release, and by email to an extensive network of stakeholders, including non-profits, municipalities, regional organizations, healthcare providers, associations, and internet service providers. Informational webinars were held by BEA on December 6, 2023, specifically for the internet service provider (ISP) community and December 8, 2023, for the public, municipalities, and other stakeholders. BEA also received extensive support from stakeholders to spread awareness about the Public Comment period. The response from the request for public comment was gratifying. The State received 53 detailed comments covering a variety of issues. Many commenters, especially larger companies and national associations provided suggestions and comments on many sections of Volume I and Volume II. The issues related to Volume II are summarized below.

Of the 53 written comments received, 42 percent were from the public voicing concerns about affordability, even at served broadband speeds, and that the lack of competition has resulted in unreasonably high monthly rates. A few residents in one community highlighted their rates at over \$120 per month for phone and internet with less than satisfactory service. Others also commented on poor quality service and highlighted the lack of options for alternative service.

Two Housing organizations shared positive statements that the BEAD program was going to be beneficial to their residents and noted specifically that 114 units in two of their programs will be positively impacted through this program. Both organizations stressed the ongoing need for affordable service.

Health concerns were highlighted by one member of the public who shared a question regarding deployment materials containing PFAS chemicals. Also, a national environmental trust shared several documents highlighting concerns regarding exposure to wireless signals.

The New Hampshire Hospital Association shared their appreciation for the work of the New Hampshire Department of Business and Economic Affairs on the deployment of BEAD. They believe advancing broadband access and digital equity opportunities will improve health care access and overall health for the people of New Hampshire. They offered their support and assistance as a partner in this process with hospitals throughout New Hampshire.

In addition to comments from the public, BEA received detailed comments from six in-state, one regional, and nineteen national agencies, plus comments from companies, non-profits, cooperatives, and labor unions. The detailed responses included suggestions and/or concerns that are grouped in specific areas, summarized below.

1) Availability

- Many commenters raised concerns about the lack of availability of service and the identification of qualified locations. The BEAD challenge process is designed to resolve these issues.

2) Affordability and Low-Cost Option (ACP)

- While ISPs generally agreed with the many comments from the public and non-profit organizations stressing the importance and need for ongoing affordability support including ACP and low-priced services, they voiced strong concern that a low-priced service is not a sustainable service.
- Some commenters expressed reservations about the proposed \$30/month rate for ACP recipients, especially as it can affect the long-term financial viability of services offered by small providers. In light of these concerns, language has been added to permit potential subgrantees to propose and justify a monthly rate of no higher than \$50/month for ACP recipients.

3) Project Areas

- Many potential subgrantees, both wire line and wireless, are concerned with the definition of project areas as cities and towns. Some point out that their service areas do not follow town boundaries. Wireless providers point out similar concerns due to the locations of their towers. Commenters suggested more flexibility in the definition of project areas, including that a potential subgrantee be able to choose their own project areas. BEA appreciates the input; however, it has determined that municipal boundaries are the most efficient approach for the BEAD program. In addition, one commenter sought to identify middle-mile projects as eligible for BEAD funding. BEA notes that NTIA guidance already permits use of BEAD funding for middle-mile infrastructure developed within project areas based upon municipal boundaries.

4) Barrier Removal

- Comments are in agreement that removal of potential barriers and streamlining procedures to permitting and other requirements are an important goal. BEA has committed to working with all stakeholders to minimize burdens and costs and will continue to do so.

5) Efficiency

- One group shared that it is critical that the state adopt a plan that will make the most effective use of funds from the Broadband Equity, Access, and Deployment (BEAD) Program to ensure the minimum amount of waste of taxpayer money while helping to close the digital divide. BEA is committed to preventing fraud, waste and abuse of

funding.

6) Extremely High Cost Per Location Threshold

- Some comments encourage establishing the EHCPLT now or in advance of subgrantee proposals, and all urge flexibility in the use of both technology and deployment standards. BEA appreciates the input but has ascertained that it would be best to make a determination when more data has become available.

7) Clarify Application Requirements

- Several commenters requested further specifics on the subgrantee application process. BEA appreciates the validity of these concerns and will continue to engage with stakeholders to develop fair, equitable and efficient application procedures.

8) Letter of Credit

- Several commenters requested further clarification regarding the Letter of Credit requirement in light of NTIA's Programmatic Waiver. BEA has revised the language regarding Letters of Credit to reflect this development.

9) Professional Engineer Certification

- Some comments requested alterations to the requirement that network designs be certified by a professional engineer. This requirement stems from NTIA requirements, and BEA's procedures accordingly reflect this.

10) Scoring Rubric

- Multiple commenters suggested further clarifying various aspects of the scoring rubric. BEA appreciates the comments and has incorporated a number of changes in order to provide additional clarity and improve the scoring process. A few commenters expressed the view that the rubric was too favorable to wireless technology. However, it should be noted NTIA provided for two scoring rubrics: one for "Priority Broadband Projects, defined as projects "that will provision service via end-to-end fiber optic facilities to each end-user premises;" and a separate rubric for "Other Last-Mile Broadband Deployment Projects;" i.e., those that are not Priority Broadband Projects.

11) Digital Equity

- Several comments referred to specific areas included in the parallel Digital Equity efforts. These comments will be included for consideration and guidance in those areas.

12) Work Force

- Comments from labor unions encourage the utilization of local work force and of union labor. BEA appreciates these perspectives and will continue to coordinate with stakeholders on work force issues

In summary, comments were received from the public, companies, organizations, associations, and cooperatives. These groups represent public housing, ISPs, wire line and wireless companies, environmental, healthcare, education, labor, and economic development.

New Hampshire appreciates the comments from all parties. They were used to inform the revised Initial Proposal and ensure a fair process to bring broadband to all New Hampshire unserved and underserved locations.

Key Terms & Definitions

The following definitions are from the [NTIA BEAD Notice Of Funding Opportunity](#).

1. **Broadband; Broadband Service**—The term “broadband” or “broadband service” has the meaning given the term “broadband internet access service” in Section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation, meaning it is a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service. This term also encompasses any service that the Commission finds to be providing a functional equivalent of the service described in the previous sentence or that is used to evade the protections set forth in this part.
2. **Broadband DATA Maps**—The term “Broadband DATA Maps” means the maps created by the Federal Communications Commission under Section 802(c)(1) of the Communications Act of 1934 (47 U.S.C. § 642(c)(1)).
3. **Community Anchor Institution (CAI)**—The term “community anchor institution” means an entity such as a school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization, or community support organization that facilitates greater use of broadband service by vulnerable populations, including, but not limited to, low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals. An Eligible Entity may propose to NTIA that additional types of institutions should qualify as CAIs within the entity’s territory. If so, the Eligible Entity shall explain why it has determined that the institution or type of institution should be treated as such and affirm that the institution or class of institutions facilitates greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals.
4. **Digital Equity**—The term “digital equity” means the condition in which individuals and communities have the information technology capacity that is needed for full participation in the society and economy of the United States.
5. **Eligible Community Anchor Institution**—The term “eligible community anchor institution” means a community anchor institution that lacks access to Gigabit-level broadband service.
6. **Eligible Entity**—The term “Eligible Entity” means any state of the United States, the District of Columbia, Puerto Rico, American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands or, in the case of an application failure, a political subdivision or consortium of political subdivisions that is serving as a Substitute Entity.
7. **Extremely High Cost Per Location Threshold**— An “Extremely High Cost Per Location Threshold” is a BEAD subsidy cost per location to be utilized during the subgrantee selection process described in Section IV.B.7 of this NOFO above which an Eligible Entity

may decline to select a proposal if use of an alternative technology meeting the BEAD Program's technical requirements would be less expensive.

8. **Funded Network**—The term “Funded Network” means any broadband network deployed and/or upgraded with BEAD Program fund.
9. **High-Cost Area**—The term “high-cost area” means an unserved area in which the cost of building out broadband service is higher, as compared with the average cost of building out broadband service in unserved areas in the United States (as determined by the Assistant Secretary, in consultation with the Commission), incorporating factors that include— (I) the remote location of the area; (II) the lack of population density of the area; (III) the unique topography of the area; (IV) a high rate of poverty in the area; or (V) any other factor identified by the Assistant Secretary, in consultation with the Commission, that contributes to the higher cost of deploying broadband service in the area. For purposes of defining “high-cost area,” the term “unserved area” means an area in which not less than 80 percent of broadband-serviceable locations are unserved locations. NTIA will release further information regarding the identification of high-cost areas for purposes of BEAD funding allocations at a later date.
10. **Location - Broadband-Serviceable Location** — The terms “location” and “broadband serviceable location” mean “a business or residential location in the United States at which fixed broadband Internet access service is, or can be, installed.”
11. **Middle Mile Infrastructure** — The term “middle mile infrastructure” (A) means any broadband infrastructure that does not connect directly to an end-user location, including a community anchor institution; and (B) includes—(i) leased dark fiber, interoffice transport, backhaul, carrier-neutral internet exchange facilities, carrier-neutral submarine cable landing stations, undersea cables, transport connectivity to data centers, special access transport, and other similar services; and (ii) wired or private wireless broadband infrastructure, including microwave capacity, radio tower access, and other services or infrastructure for a private wireless broadband network, such as towers, fiber, and microwave links.
12. **Non-Traditional Broadband Provider**—The term “non-traditional broadband provider” means an electric cooperative, nonprofit organization, public-private partnership, public or private utility, public utility district, Tribal entity, or local government (including any unit, subdivision, authority, or consortium of local governments) that provides or will provide broadband services.
13. **Program**—The term “Program” means the Broadband Equity, Access, and Deployment Program.
14. **Project**—The term “project” means an undertaking by a subgrantee to construct and deploy infrastructure for the provision of broadband service. A “project” may constitute a single unserved or underserved broadband-serviceable location, or a grouping of broadband-serviceable locations in which not less than 80 percent of broadband-serviceable locations

served by the project are unserved locations or underserved locations.

15. **Reliable Broadband Service**—The term “Reliable Broadband Service” means broadband service that the Broadband DATA Maps show is accessible to a location via:10 (i) fiber-optic technology;11 (ii) Cable Modem/ Hybrid fiber-coaxial technology;12 (iii) digital subscriber line (DSL) technology;13 or (iv) terrestrial fixed wireless technology utilizing entirely licensed spectrum or using a hybrid of licensed and unlicensed spectrum.
16. **State**—The term “State” means, for the purposes of the BEAD Program, any State of the United States, the District of Columbia, and Puerto Rico.
17. **Subgrantee/Subrecipient**—The term “subgrantee” or “subrecipient” means an entity that receives grant funds from an Eligible Entity to carry out eligible activities.
18. **Underrepresented Communities**—The term “underrepresented communities” refers to groups that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including low-income households, aging individuals, incarcerated individuals, veterans, persons of color, Indigenous and Native American persons, members of ethnic and religious minorities, women, LGBTQI+ persons, persons with disabilities, persons with limited English proficiency, persons who live in rural areas, and persons otherwise adversely affected by persistent poverty or inequality.
19. **Underserved Location**—The term “underserved location” means a broadband serviceable location that is (a) not an unserved location, and (b) that the Broadband DATA Maps show as lacking access to Reliable Broadband Service offered with—(i) a speed of not less than 100 Mbps for downloads; and (ii) a speed of not less than 20 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds.
20. **Underserved Service Project**—The term “Underserved Service Project” means a project in which not less than 80 percent of broadband serviceable locations served by the project are unserved locations or underserved locations. An “Underserved Service Project” may be as small as a single underserved broadband serviceable location.
21. **Unserved Location**—The term “unserved location” means a broadband-serviceable location that the Broadband DATA Maps show as (a) having no access to broadband service, or (b) lacking access to Reliable Broadband Service offered with—(i) a speed of not less than 25 Mbps for downloads; and (ii) a speed of not less than 3 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds.
22. **Unserved Service Project**—The term “Unserved Service Project” means a project in which not less than 80 percent of broadband serviceable locations served by the project are unserved locations. An “Unserved Service Project” may be as small as a single unserved broadband-serviceable location.

NH State Digital Equity Survey Glossary

Accessibility means that people with different abilities have equal opportunity to the physical tools and virtual environments needed to acquire the same information, visit the same places, engage in the same interactions, and enjoy the same services as persons without different abilities.

Affordability means the ability to pay the cost of connecting to high-speed, reliable Internet.

Digital equity is the condition in which individuals and communities have the information technology (IT) capacity that is needed for full participation in the society and economy of the United States.

Digital equity is necessary for civic and cultural participation, employment, lifelong learning, and access to essential services.

Digital literacy means the necessary skills associated with using technology to enable people to find, to evaluate, organize, create, and communicate information.

Devices are types of equipment that can be used to connect to the internet. Examples include desktop computers. Laptop computers, tablets, netbook computers, notebook computers, handheld computers, and smartphones.

Accessible/Adapted device means a computing device that is designed to be used by an individual with a disability. For example, a person who is blind may use a braille keyboard device to read text on the screen.

Skills training- means any online or in-person opportunity to learn new skills or build knowledge about the internet or how to use it.

Broadband means a high-bandwidth connection to the Internet at your home by using a cable (fiber or coaxial) connected to an Internet service provider such as Spectrum, AT+T, Frontier, etc.

Cyber security means everything you do to make sure your devices and information are safe and secure.

Household means all the people who live in your home, apartment, or dwelling.

Cell phone data plan is a way to get Internet access without wires or cables. It uses cellular towers or a cellphone provider. It can provide the Internet to phones, computers, and other devices.

Cable Internet service is a way to connect your home to the internet. It uses a TV or coaxial cable.

Fiber optic Internet service is a way to connect your home to the Internet. It uses a cable that holds strands of glass fibers to provide service.

Digital Subscriber Line (DSL) is a way to connect your home to the Internet. It uses a telephone wall jack and a telephone line. It allows phone calls to be made while the Internet is being used.

Fixed wireless Internet service is a way to connect your home to the Internet. It uses a dish at your home to point to a local tower that provides service. Satellite Internet service is a way to connect your home to the internet. It uses a satellite dish at your home that points to satellites in space.

ENDNOTES

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