



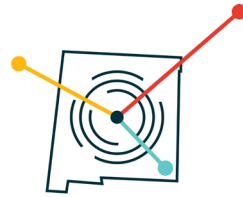
STATE OF NEW MEXICO
OFFICE OF BROADBAND ACCESS & EXPANSION

OFFICE OF BROADBAND ACCESS AND EXPANSION
DEPARTMENT OF INFORMATION TECHNOLOGY
STATE OF NEW MEXICO

MICHELLE LUJAN GRISHAM, GOVERNOR
HOWIE MORALES, LIEUTENANT GOVERNOR

BEAD Program Project Area Units Request for Comment
Participant Handbook
August 26, 2024
Version 1.0

Office of Broadband Access and Expansion
BEAD Program Project Area Units Request for Comment Participant Handbook
August 26, 2024



CONNECT
new mexico

Office of Broadband Access & Expansion

Contents

<i>1.0 Background</i>	3
1.1 BEAD Project Area Units Overview.....	3
1.2 Project Area Units Definition.....	4
1.3 Purpose of this Request for Comment	5
<i>2.0 Request for Comment Process Timeline</i>	6
<i>3.0 Administrative Considerations for Filing Comments</i>	6
3.1 Request for Comment Eligible Participants.....	7
3.2 Responses	7
3.3 Confidentiality.....	7
<i>4.0 Participation Guide</i>	8
4.1 Viewing the Draft PAUs	8
4.2 Gathering Feedback	9
4.3 Submitting Feedback.....	10
<i>5.0 Additional Resources and Information</i>	14

1.0 Background

1.1 BEAD Project Area Units Overview

The Broadband Equity, Access, and Deployment (BEAD) Program, funded by the Infrastructure Investment and Jobs Act of 2021 (also known as Bipartisan Infrastructure Law) provides \$42.45 billion to fund high-speed internet deployment and adoption programs nationwide. New Mexico was allocated \$675 million from the BEAD Program, which the Office of Broadband Access and Expansion (OBAE) will subaward for broadband infrastructure deployment. The National Telecommunications and Information Administration (NTIA) is the federal administrator of the program.

OBAE recently received federal approval of the Initial Proposal, Volume II (IPV2), which discusses program objectives, the sub-grantee selection process, compliance requirements, and the public comment process. Public comments served as valuable input to developing the BEAD strategy and implementation plan. The final IPV2 reflects several critical principles, including: 1) drive maximum impact regarding the major goal of achieving universal broadband access with fiber as a priority solution; 2) maximize participation by eligible applicants through program efficiency and simplicity; 3) foster an open, fair, and competitive process by which the applicants are awarded based on scoring rubric noted in the IPV2.

These principles are especially significant given OBAE’s analytical-based finding that the \$675 million in grant funds, coupled with private match, is likely not sufficient to bring fiber-based solutions to all unserved and underserved locations, and CAls lacking gigabit speeds.

The IPV2 also noted OBAE’s intention to use “project area units” (PAUs) for deployment projects. PAUs subdivide the state into collections of eligible broadband-serviceable locations (BSLs). Applicants of the BEAD Program will submit proposals to serve the eligible BSLs in one or more PAUs. PAUs will allow OBAE to streamline the subgrantee selection process by enabling like-to-like comparisons of competing bids.

Given the funding constraints noted above, a critical next step in the process is to define PAUs in a way that synthesizes input from potential subgrantees to ensure robust competition and participation in the program. To that end, OBAE has drafted and published a preliminary set of PAUs based on existing administrative boundaries and with the goal of avoiding geographical and other impediments to broadband deployment, ensuring robust competition and participation, and enabling economies of scale. Through this Request for Comment, OBAE welcomes feedback from potential applicants and other stakeholders, especially regarding impediments that may impact the feasibility of deploying broadband that the design of the PAUs could ameliorate.

Office of Broadband Access and Expansion
BEAD Program Project Area Units Request for Comment Participant Handbook
August 26, 2024

The preliminary set of PAUs, published on the OBAE [Mapping & Data Hub](#), is based on version 3.2 of the FCC Broadband Data Collection Fabric and excludes BSLs contractually obligated to be connected through other state and federal grant programs (known as Enforceable Commitments). The list of eligible locations and PAUs are **subject to change** based on any other federal and state grants yet to be incorporated, the BEAD Challenge Process results, and the State’s priorities for the BEAD Program. These changes, and changes resulting from responses to this Request for Comment, will be incorporated into the final set of PAUs that OBAE will release before accepting applications.

1.2 Project Area Units Definition

PAUs are defined as a collection of locations eligible to be funded by the BEAD Program. Applicants will apply to serve a single PAU or a combination of PAUs. Applicants will be required to submit separate grant applications for each PAU to enable OBAE to make like-to-like comparisons among applications and score competing applications for each Project Area Unit fairly. PAUs were defined based on the following principles:

- **Geographic boundaries**, including those of Tribal lands
 - Tribal lands and NTIA High-Cost Areas were given their own PAUs to facilitate the Tribal consent requirement for any deployment project on Tribal lands and the 0% match requirement for NTIA High-Cost Areas.
 - Note: In the Navajo Nation, Delegate District Boundaries were used to further subdivide the Nation into smaller PAUs.
 - School district boundaries were used to define PAUs for the rest of the state.
 - Note: In cases where a school district was densely populated over a small area, or sparsely populated over a large area, other existing boundaries were used to further subdivide the school district into smaller PAUs.
- **Locations of underserved locations and their proximity to unserved locations**, increasing the likelihood that grant-funded deployment to unserved locations could result in awardees also serving underserved locations because of the efficiencies and business opportunity presented for the applicant
- **Proximity of existing network infrastructure** and potential to efficiently extend that infrastructure
- **Geographic and topographic factors** such as mountains, highways, rivers, and railway lines that naturally define broadband infrastructure architecture because traversing them is complex and costly
- **Potential for competition** among applicants to submit competitive and attractive applications to serve those areas. Ideally, Project Area Unit design will encourage competition among applicants and result in multiple bids.
- **Economic and technical viability and efficiency** in which OBAE’s internal data, modeling, and engineering expertise will help to define the most economically viable

Office of Broadband Access and Expansion
BEAD Program Project Area Units Request for Comment Participant Handbook
August 26, 2024

grouping of unserved and underserved locations into a single geographic unit for bidding

- **Community needs** where possible to ensure that boundaries reflect unique local circumstances

OBAE will require applicants to provide proposed pricing for service to 100 percent of unserved locations in each Project Area Unit for which they apply. In addition, OBAE plans to allow applicants to also propose to serve a lower percentage of unserved locations in each Project Area Unit, in recognition of the fact that every Project Area Unit may include locations that are so remote and hard to reach—with any terrestrial technology—that including those locations in an application may serve to make the area too costly to be funded. For these reasons, OBAE will allow proposed pricing for less than 100 percent of eligible locations in a Project Area Unit, seeking alternative pricing based on alternative coverage commitments (Alternative Percentage) to reach nearly all unserved locations in the Project Area Unit. The Alternative Percentages will be set by applicants at the applicants’ discretion on a custom basis for each Project Area Unit.

OBAE’s development of Project Area Units will include development of benchmark pricing, aggregated for the entire Project Area Unit, based on OBAE’s engineering and economic modeling. The benchmark pricing will provide a mechanism by which OBAE will be able to fairly score applications statewide based on the same formula, applied to local costs. Benchmark pricing reflects the highest subsidy (or grant) that OBAE would allocate to make a business viable and sustainable.

OBAE will develop the benchmark price after the conclusion of this Request for Comment period. The benchmark price will not be released to applicants but will be kept confidential and used by OBAE only for the purpose of scoring.

1.3 Purpose of this Request for Comment

OBAE intends to use the feedback received during the Request for Comment process to refine the initial set of published PAUs. This collaborative approach aims to facilitate agreement between OBAE and potential subgrantees on how to achieve the goal of universal broadband access for all New Mexicans.

Specifically, OBAE seeks input on potential challenges within a PAU that may limit participation or impede broadband deployment, and whether a change in the PAU design could mitigate that impediment. This could include challenges to proposing a full-fiber bid for a PAU; challenges that would necessitate removing a disproportionate number of locations in an Alternative Percentage bid; the number of locations included in a PAU; the geographic size of a PAU; natural or manmade barriers to broadband deployment in the PAU; Tribal-specific concerns about a PAU; or other considerations.

Office of Broadband Access and Expansion
BEAD Program Project Area Units Request for Comment Participant Handbook
August 26, 2024

As previously discussed during stakeholder engagement meetings for the Initial Proposal Volume II development process, PAU design will not take into account any one provider’s existing service territory. PAU design criteria were available for public comment during the Initial Proposal Volume II development process. Accordingly, in this RFC process OBAE will accept feedback relating to the PAU design criteria listed above in section 1.2. OBAE **will not consider feedback relating to existing provider service territories** in this RFC process. Additionally, please note that **feedback on location eligibility will not be considered** in this RFC process. The PAUs will be updated with any adopted feedback from this RFC process as well as the results of the BEAD Challenge Process once it is finalized.

Once the PAUs are finalized after the Request for Comment process is completed, potential subgrantees will not have the opportunity to provide additional input on the PAU design. During the subgrantee selection process, unless using the Alternative Percentage mechanism specified by OBAE, potential subgrantees cannot include partial PAUs in their applications.

OBAE’s final PAU design must comply with federal BEAD Program guidelines and OBAE’s approved Initial Proposal Volume II. OBAE will consider and respond to all feedback provided in this RFC but may not adopt all feedback. OBAE will publish its responses to the feedback provided in this RFC with the final PAU design.

2.0 Request for Comment Process Timeline

The phases and associated timelines of the Request for Comment on Project Area Units (PAUs) for the BEAD Program are described below:

Phase	Dates
Publication of Preliminary PAUs	June 26, 2024
Request for Comment Published	August 26, 2024
Webinar: How to Participate in the Request for Comment Process	August 30, 2024 Visit www.connect.nm.gov/bead.html to register
Technical Assistance on the Request for Comment Process	To be published on OBAE website
Request for Comment Responses Accepted	September 1-30, 2024

3.0 Administrative Considerations for Filing Comments

The intent and goal of this Request for Comment is to collect non-binding feedback on how broadband serviceable locations could be segmented to optimize the BEAD subgrantee process and ensure coverage across New Mexico. This Request for Comment is for coordination and planning purposes only.

Office of Broadband Access and Expansion
BEAD Program Project Area Units Request for Comment Participant Handbook
August 26, 2024

3.1 Request for Comment Eligible Participants

All interested stakeholders may participate in the Request for Comment process. Participation is non-binding and is not required to partake in any future OBAE grant program. Entities who anticipate applying to the BEAD Program are encouraged to participate in the Request for Comment process. This collaborative approach aims to facilitate agreement between OBAE and potential subgrantees on how to achieve the goal of universal broadband access for all New Mexicans.

3.2 Responses

Please respond to the Request for Comment by 11:59pm MDT on September 30, 2024, by uploading the completed template to the [NM OBAE - BEAD Project Area Units Request for Comment](#) submission form. Please send any questions regarding the Request for Comment to broadband@connect.nm.gov with PAU RFC in the subject line.

While OBAE is happy to meet with participants individually upon request to discuss their feedback in greater detail, all feedback must be formally provided through this RFC process to be considered for adoption.

Tribal Communities must submit their comments in writing through the RFC process, but may request an in-person consultation with OBAE to review collateral information collected or retained by the sovereign nation that may impact OBAE's response to their feedback. Such consultations must be scheduled before the end of the comment period.

3.3 Confidentiality

As a government agency, OBAE is subject to, and acts in compliance with, the Inspection of Public Records Act (IPRA), NMSA Section 14-2-1 et. seq. Though OBAE is authorized to maintain the confidentiality of grant materials during the application and review process, upon issuance of awards, materials in OBAE's possession shall be made available for public inspection.

If any applicant or subgrantee has reason to believe that information requested by OBAE during this process is exempt from disclosure under IPRA, OBAE has implemented a confidentiality request process. The confidentiality request form can be accessed online at: <https://connect.nm.gov/ipra-requests.html>.

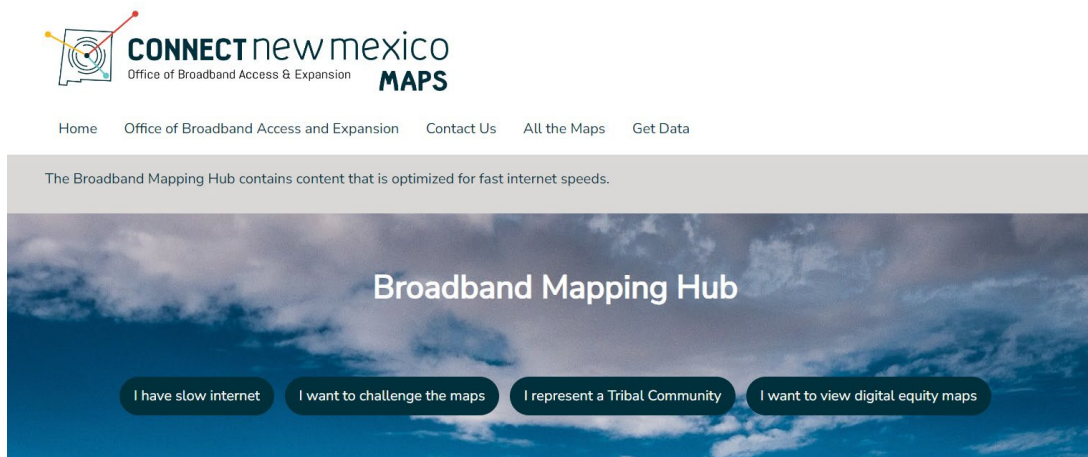
4.0 Participation Guide

To ensure effective collaboration with OBAE, please provide feedback for the Request for Comment process in the RFC submission template posted on the Connect NM [website](#). Submit completed submissions using [this form](#).

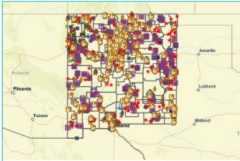
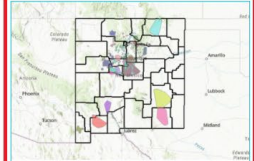
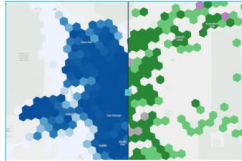
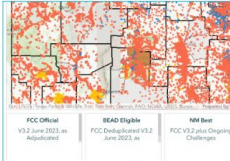
4.1 Viewing the Draft PAUs

➤ Step 1

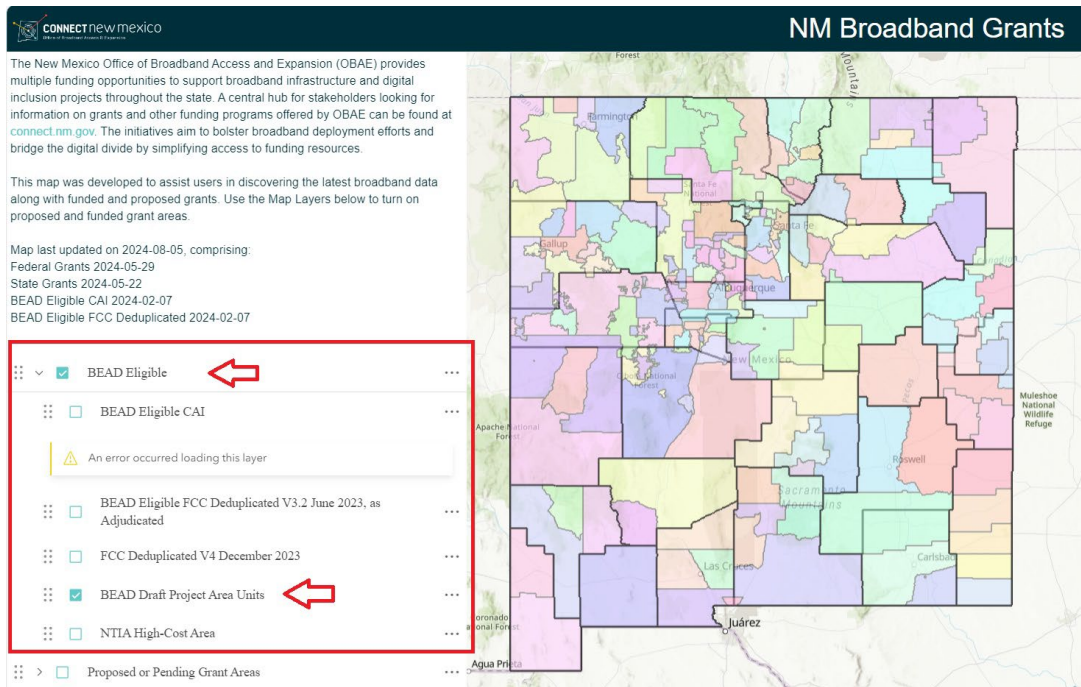
- Open the [NM Broadband Grants](#) module on OBAE's [Mapping & Data Hub](#).
- Ensure the “BEAD Draft Project Area Units” layer is enabled. Enabling the “BEAD Eligible FCC Deduplicated V3.2 June 2023, as Adjudicated” layer will also display individual BSL points.



↓ Data and Maps

 <p>NM Broadband Map</p> <p>Broadband-related data for NM, such as wi-fi hotspots and...</p>	 <p>NM Broadband Grants</p> <p>Federal and State funding for broadband implementation in NM.</p>	 <p>Internet Service Provider Claims vs. Ookla Internet..</p> <p>Compare internet speeds claimed by ISPs to speeds reported by...</p>	 <p>Service Availability Status</p> <p>Maps the maximum broadband service availability according to...</p>
---	---	---	---

Office of Broadband Access and Expansion
BEAD Program Project Area Units Request for Comment Participant Handbook
August 26, 2024



4.2 Gathering Feedback

Before completing the Request for Comment submission template, the respondent should have the following information readily available after reviewing the draft PAUs.

1. PAU(s) of Full Interest (i.e. that the potential subgrantee would apply to serve without any changes). Respondents not interested in applying to the BEAD Program and who only wish to provide feedback on PAU(s) may skip this tab. Potential subgrantees wishing to provide this feedback should specify:
 - a. The technology that the potential subgrantee would use to cover each PAU
 - b. Any additional information (optional)
2. PAU(s) for which the respondent wishes to provide feedback, specifying:
 - a. Technology that the potential subgrantee would use to cover each PAU (if applicable)
 - b. Feedback on potential challenges within a PAU that may impede broadband deployment, which could include:
 - i. Challenges that could prevent a full-fiber bid in a PAU
 - ii. Challenges that could cause an applicant to remove a disproportionate number of locations in an Alternative Percentage bid for a PAU
 - iii. The number or distribution of BSLs included in a PAU
 - iv. The geographic size of a PAU
 - v. Any natural or manmade barriers to broadband deployment in a PAU
 - vi. Any Tribal-specific concerns about a PAU
 - vii. Any other considerations about a PAU

Office of Broadband Access and Expansion
 BEAD Program Project Area Units Request for Comment Participant Handbook
 August 26, 2024

4.3 Submitting Feedback

➤ Step 1

- Download the RFC Submission Template from the Connect NM [website](#).
- Open the Instructions & Summary tab.
- Provide the following contact information
 - Name
 - Job title
 - Email address
 - Phone number
 - Company/Organization name

6 Incorporated into the final set of PAUs that OBAE will release.

7

8

Instructions

1. Please enter your contact information in the table below.

2. If you are a potential applicant of the BEAD program, please fill out the 1. PAUs of Full Interest tab to identify the PAU(s) that you are interested in serving with no changes; other respondents not interested in applying for BEAD may skip this tab. Use the 2. PAUs with Comments tab to submit comments for individual PAUs.

3. Please use 3. Submission Summary tab to check if the number of PAUs of Full Interest, PAUs with Comments, and Remaining PAUs matches your anticipated number.

4. After completing each tab, use cell G12 on this tab to check if your submission is valid. G12 will read, "Valid Submission" if each tab has been filled out correctly.

5. Please submit your response to the intake site linked in cell B19 of this tab.

Note that all input cells are designated in **Light Blue**.

Instructions on how to complete each tab are provided at the top of each tab. Please refer to the [Participant Guidebook](#) (linked below) for more information.

9

10

Contact Details	
Name	
Job Title	
Email Address	
Phone Number	
Company/Organization name	

Are tabs ready for submission?

← Please fill in contact details

11

12

13

14

15

16

17

Important Links

RFC response intake site ← SUBMIT YOUR RESPONSE HERE

New Mexico Broadband Map

Resource Documents

18

19

20

21

22

23

24

25

Instructions & Summary
1. PAUs of Full Interest
2. PAUs with Comments
3. Submission Summary
PAU Data Tables
+

➤ Step 2

- Open the 1. PAU(s) of Full Interest tab.
- List each PAU that you are interested in covering. Respondents not interested in applying to the BEAD Program and who only wish to provide feedback on PAU(s) may skip this tab.
 - Note: The drop-down box in Column B lists all valid PAUs by name.
- Identify the technology that will be used to cover each PAU.
 - Fiber
 - Hybrid Fiber/Licensed Fixed Wireless
 - Licensed Fixed Wireless
 - Other Reliable Broadband Technology

Office of Broadband Access and Expansion
BEAD Program Project Area Units Request for Comment Participant Handbook
August 26, 2024

your name and the date. Submit your response to the NM OBAE - BEAD Project Area Units Request for Comment [submission form](#).



NM OBAE - BEAD Project Area Units Request for Comment
Ends on Mon, Sep 30, 2024 11:59 PM

Guidelines ▾

NM OBAE - Grant Writing, Engineering, and Planning Grant (GWEP)

New Mexico Office of Broadband Access & Expansion (OBAE)

5.0 Additional Resources and Information

Please visit the Connect NM [website](#) to find a complete list of additional resources for the Request for Comment process, including:

- Downloadable Request for Comment Submission Template
- Downloadable Participant Guide
- Link to join Webinar (recording will be posted after the event)
- Link to the New Mexico Broadband Map to view the draft PAUs

If you have any additional questions, please reach out to broadband@connect.nm.gov with “PAU RFC, [Party Name]” in the subject line.

###