Kansas
Office of Broadband Development

Final Proposal

BEAD: Benefit of the Bargain Round

September 2025

Executive Summary from the Kansas Office of Broadband Development

The Kansas Office of Broadband Development (KOBD) submits this Final Proposal to the National Telecommunications and Information Administration (NTIA) under the Broadband Equity, Access, and Deployment (BEAD) Program. Building on the foundation laid in the Initial Proposal- Volumes I and II- and revised per the BEAD Restructuring Policy Notice (June 6, 2025), this proposal reflects the State of Kansas' (the State) comprehensive subgrantee selection implementation and outcomes to ensure deployment to all unserved and underserved broadband serviceable locations (BSLs) through the efficient use of BEAD funds and the development of reliable, future-ready, and financially sustainable networks.

One hundred percent (100%) of the 26,673 eligible BSLs received a competitive bid, allowing KOBD to select sixteen (16) preliminary subrecipients out of twenty-three (23) applicants for $253,327,096 BEAD dollars invested for high-speed broadband deployment.

KOBD's Benefit of the Bargain Round (BBR) was the completion of the competitive award process of the BEAD program. As a result of the BBR, Kansas achieved a total BEAD reduction in allocation of forty-one (41%) percent. The average cost per BSL is estimated at $11,397.51. KOBD will consider all match waivers requested and make recommendations to NTIA, who will have final authority on granting any such waivers. The technology mix deployed for BSLs varied between fiber (46.17 %), hybrid/fixed wireless (50.83 %), and low earth orbiting satellites (3.00 %).

This Final Proposal details KOBD's transparent and competitive selection process, robust oversight and compliance measures, and commitment to Environmental and Historic Preservation (EHP) requirements, including NEPA, NHPA, and other applicable laws, supported by NTIA's ESAPTT tool. Broad stakeholder engagement, including local governments, Tribal Nations, and industry, helped shape a proposal that ensures access to scalable infrastructure, and reliable connectivity solutions across the State of Kansas.

Through this Final Proposal, KOBD is positioned to close the digital divide and deliver high-quality broadband service to unserved and underserved Kansans.

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Final Proposal Data Submission

All supporting documentation can be found as attachments linked on the Final Proposal site here: https://www.kansascommerce.gov/bead-benefit-of-the-bargain/

0.1 Supporting Documentation for Subgrantees

Complete and submit the Subgrantees CSV file (named "fp_subgrantees.csv") using the NTIA template provided.

See Attachment A – Final Proposal Subgrantee File

0.2 Supporting Documentation for Deployment Projects

Complete and submit the Deployment Projects CSV file (named "*fp_deployment_projects.csv*") using the NTIA template provided.

See Attachment B - Final Proposal Deployment Projects

0.3 Supporting Documentation for Locations

Complete and submit the Locations CSV file (named "fp_locations.csv") using the NTIA template provided. The Locations IDs in this must match the approved final list from the Eligible Entity's Challenge Process results.

See Attachment C- Final Proposal Locations

0.4 Supporting Documentation for No BEAD Locations

Complete and submit the No BEAD Locations CSV file (named "fp_no_BEAD_locations.csv") using the NTIA template provided. The Location IDs in this list must match the approved final list from the Eligible Entity's Challenge Process results (i.e., the fabric version selected).

See Attachment D- Final Proposal No Bead Locations

0.5 Question (Y/N)

If the Eligible Entity intends to use BEAD funds to serve CAIs, does the Eligible Entity certify that it ensures coverage of broadband service to all unserved and underserved locations, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2)?

Yes.

0.6 Supporting Documentation for CAIs – *Conditional on a "Yes" Response to Intake Question 0.5*

Complete and submit the CAIs CSV file (named "fp_cai.csv") using the NTIA template provided. Although CAIs are not included under (f)(1) deployment projects, to confirm the Eligible Entity's compliance with the BEAD prioritization framework and identify BEAD-funded CAIs, the NTIA template is required. The Eligible Entity must only include the CAIs funded via BEAD in this list; the identification of CAIs in this list must match the approved final list from the Eligible Entity's Challenge Process results.

See Attachment E - Final Proposal CAIs

Section 1 Subgrantee Selection Process Outcomes (Requirement 1)

1.1 Consistency with Initial Proposal Volume II

Describe how the Eligible Entity's deployment Subgrantee Selection Process undertaken is consistent with that approved by NTIA in Volume II of the Initial Proposal as modified by the BEAD Restructuring Policy Notice

KOBD executed and implemented the subgrantee selection process approved by NTIA in the approved Initial Proposal – Volume II (IPv2) and modified as necessary to incorporate the BEAD June 6, 2025, Restructuring Policy Notice (RPN). Following the RPN, KOBD issued a Technical Application User Guide on July 15, 2025, that provided guidance on eligibility requirements, evaluation criteria, and the required elimination of certain regulatory requirements. This notice was compliant and outlined how the process would prioritize extending broadband access to unserved locations first, underserved locations second, and CAIs last. All procedural changes required under the RPN were incorporated to ensure compliance, transparency, and alignment with statutory intent.

KOBD conducted a Benefit of the Bargain Round for every BEAD-eligible location, allowing applications from prequalified and newly qualified entities. The BRB allowed applicants – regardless of technology employed or prior participation in the program – to compete on a level playing field.

Following the Challenge Process, KOBD published the NTIA-approved list of all BEAD-eligible broadband-serviceable locations (BSLs) and Community Anchor Institutions (CAIs) on October 1, 2024, and defined 403 Project Funding Areas (PFAs) covering the state. Pre-registration opened on May 13, 2024, and closed on December 20, 2024. Twenty-four entities registered. It was re-opened on July 1, 2025, and ran concurrently with the technical application period. The BBR Technical Project Application Portal opened on July 16, 2025 (2:00 p.m. CT) and ended on July 30, 2025 (6:00 p.m. CT). The scoring rubric was publicly posted prior to the deadline for submission.

All applications were reviewed for completeness. Curing requests had a 3-business-day response deadline. Once an application was deemed complete, a panel composed of representatives from KOBD and external contractors reviewed applications using the updated scoring rubric defined in the RPN, focusing on minimal BEAD Program Outlay and the outlined secondary criteria when applicable (outlined in Section 13.1). This process prioritized effective and cost-efficient broadband deployment and ensured compliance with the modified requirements.

Conducting the BBR allowed Kansas to reduce original deployment costs by more than $173.7M to the NTIA and thereby taxpayers compared to the original application process. KOBD ensured universal coverage by assigning all BEAD-eligible BSLs either to a BEAD project in fp_locations.csv or to fp_no_BEAD_locations.csv with an eligible reason code. All unserved, underserved, and Community Anchor Institution (CAI) locations will be provided with high-speed internet.

1.2 Fair, Open, and Competitive Process

Describe the steps that the Eligible Entity took to ensure a fair, open, and competitive process, including processes in place to ensure training, qualifications, and objectiveness of reviewers.

To ensure a fair, open, and competitive application process, KOBD implemented an engagement and support framework tailored to applicants of all sizes and technology types. Applicants, including both small and large internet service providers (ISPs), and those using fiber, hybrid fiber coaxial, fixed wireless, and low Earth orbit (LEO) satellite technologies—were supported through multiple resources. This support allowed applicants to prepare strong, complete applications.

All applicable Kansas-specific regulations, including the Kansas procurement policies for federally funded programs, were complied with throughout the public notice and application process. At each step, KOBD applied internal controls to maintain strong oversight, ensure fairness, and build public confidence in the process. Specific subgrantee monitoring and compliance requirements will be incorporated into contracts to ensure accountability and alignment with state and federal standards.

Public Notice, Participation, and Access

To ensure the process was open to all eligible providers, KOBD:

- Placed no additional restrictions on the types of applicants (traditional broadband providers, non-traditional broadband providers, etc.) that could apply for funding through the BEAD process, outside of the parameters defined in the approved Initial Proposal.
- Issued public notice through the KOBD website, email distribution lists, and outreach to industry and community stakeholders.
- Provided a consistent application period for all applicants, avoiding timelines that would place undue burdens on participation.
- Offered technical assistance, recorded and live tutorials, and detailed written guidance before and during the application period.
- Reopened registration in July 2025 to allow newly interested applicants to participate, in line with the RPN, as part of the BBR of applications.
- Shared the updated scoring rubric and guidance with all applicants prior to the

BBR.

- Upon the NTIA's release of the RPN, KOBD notified newly eligible unlicensed fixed wireless (ULFW) providers via public posting of such information. Newly eligible ULFW providers were given the requisite 7-day window to submit claims and subsequently submit evidence that BEAD funding is not required for their service areas within 7 days of notification.

Safeguards Against Collusion, Bias, Conflicts of Interest, and Arbitrary Decisions

KOBD took several steps to protect the integrity of the process, including, but not limited to:

- **Conflicts of Interest:** All applicants were required to disclose any real, apparent, or perceived conflicts of interest and to attest in accordance with 2 CFR 200.112 and 24 CFR 570.489(h).
- **Reviewer COI Protections:** State employees and contracted reviewers involved in evaluation disclosed any financial or other interests in applicant entities; anyone with such an interest was removed from the review process.
- **Collusion Prevention:** Kansas law prohibits direct collusion between bidders; KOBD extended this to indirect collusion by prohibiting public communication about service areas, funding requests, or other elements that could enable coordination between applicants. These rules were modeled on FCC prohibited-communications standards, with disqualification as a potential consequence for violations.
- **Bias and Arbitrary Outcomes:** The scoring rubric was grounded in objective, quantitative measures, and removed any technology preference.

Application Evaluation, Review, and Curing

- All applicants received the same scoring rubric, application instructions, and curing procedures.
- Curing requests were handled consistently, with a single three-business-day turnaround and no extensions.
- Reviewers documented their scoring rationale in an evaluation and scoring template, ensuring transparency and allowing KOBD to verify that criteria were applied consistently.

Reviewer Training, Qualifications, and Objectiveness

KOBD took care to ensure reviewers were properly trained, qualified, and impartial:

- **Recruitment and Vetting:** External reviewers were engaged solely for the application evaluation stage. Their qualifications were confirmed through resumes, background checks, and conflict-of-interest disclosures.
- **Assignment by Expertise:**
    - Financial capacity was reviewed by professionals with financial analysis experience.
    - Organizational capacity was reviewed by those with management and governance backgrounds.
    - Technical capacity was reviewed by engineers and broadband network specialists.
    - Legal and ownership was reviewed by attorneys with relevant compliance experience.
    - Risk management and cybersecurity were reviewed by IT security

professionals.

- **Training:** All reviewers received training on the application guide, scoring rubric, documentation requirements, conflict-of-interest rules, and maintaining objectivity.
- **Oversight:** KOBD staff monitored reviewer scoring for consistency and accuracy.

Final Review and Award Determination

Once scoring was complete:

- KOBD staff validated all reviewer scores against the established criteria.
- The Kansas Secretary of Commerce reviewed and concurred with the final recommendations before results were submitted to NTIA through the BEAD Final Proposal.

By combining strong public notice and outreach, clear conflict-of-interest safeguards, objective scoring, qualified reviewers, and multi-level oversight, KOBD ensured the BEAD subgrantee selection process was fair, open, and competitive from start to finish.

1.3 Information on Applications

Affirm that, when no application was initially received, the Eligible Entity followed a procedure consistent with the process approved in the Initial Proposal. If there was a divergence, explain how the process that was conducted; diverged from the approved process.

KOBD affirms, that when no application was initially received for a given unserved or underserved location, it followed the procedure outlined in its NTIA-approved IPv2, specifically Section 02.04.02, as modified by the RPN. Consistent with the approved and revised process, KOBD addressed such locations through the subsequent BBR cycle, prioritizing awards to Priority Broadband Projects, as defined in Section 12.1 below. No changes were made to the subgrantee scoring rubric or selection process in addressing these locations. Should any future modifications beyond those specified in the RPN be necessary, KOBD will promptly notify NTIA and implement such changes in accordance with NTIA guidance.

1.4 Methodology For Revising its Eligible CAI List to Conform with Section 4 of the BEAD Restructuring Policy Notice.

If applicable, describe the methodology for revising the list of eligible CAIs to conform with the statutory definition of a CAI as established by the Infrastructure Act. The Eligible Entity shall not propose to serve a CAI that does not meet the statutory definition (i.e., a CAI that fits an additional category that was approved in the Eligible Entity's Initial Proposal Volume I).

KOBD revised the eligible CAI list for the BBR, removing the locations under the 'C' category to ensure locations met the IIMA CAI definition. Additionally, upon receipt of the NITA list of CAI locations considered ineligible for BEAD, KOBD removed locations that were declared ineligible for BEAD funding. KOBD complied with the RPN by revising its application process to allow coverage of CAIs to be optional in subgrantee applications. This optionality permitted applicants to design efficient network applications that allowed the connection of community anchors in the spirit of the program's efficiency goals.

1.5 Subgrantee Record Retention

Certify that the Eligible Entity will retain all subgrantee records in accordance with 2 C.F.R. § 200.334 at all times, including retaining subgrantee records for a period of at least 3 years from the date of submission of the subgrant's final expenditure report. This should include all subgrantee network designs, diagrams, project costs, build-out timelines and milestones for project implementation, and capital investment schedules submitted as a part of the application process.

Yes.

Section 3 Timeline for Implementation (Requirement 3)

3.1 Deployment Timelines and Completion Requirements

Indicate whether the Eligible Entity has taken measures to:

(a) ensure that each subgrantee will begin providing services to each customer that desires broadband service within the project area no later than four years after the date on which the subgrantee receives the subgrant;
(b) ensure that all BEAD subgrant activities are completed at least 120 days prior to the end of the Eligible Entity's period of performance, in accordance with 2 C.F.R. 200.344; and
(c) ensure that all programmatic BEAD grant activities undertaken by the Eligible Entity are completed by the end of the period of performance for its award, in accordance with 2 C.F.R. 200.344

KOBD ensured applicants seeking to deploy network facilities are able to meet the minimum qualifications for financial and managerial capacity, technical and operational capability, and other requirements shared in the 47 U.S.C. § 1702(g)(2)(A), the BEAD NOFO, Kansas' BEAD approved IPv2, and supplementary NTIA guidance, including the RPN. Further, KOBD required all applicants submit documentation that outlined their technical and operational capabilities to provide broadband service to any customer within the project area no later than 120 days prior to four years after the date on which the subgrantee executes the contract.

Required documentation included a comprehensive timeline and milestones for project implementation that outlined tasks, staff, subcontractor(s) responsible, collection of data, and estimated start and completion dates. Applicants also submitted a capital investment schedule to evidence complete build-out and initiation of service within 120 days prior to four years of the date on which the entity is under contract. KOBD required all technical documentation to be certified by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations that will be served by the Project. Additionally, the professional engineer was required to certify that the applicant is technically qualified to not only complete construction of the proposed network but also to successfully operate the network within the four-year period of performance.

Through subgrantee monitoring and oversight, as outlined in the BEAD Program Monitoring Plan, KOBD will track project progress according to the timeline and milestones submitted in the application. KOBD will provide technical assistance throughout the period of performance to support the resolution of any delays or barriers to deployment in a timely manner. Through active subgrantee monitoring and frequent engagement with Subgrantees, KOBD will ensure all BEAD subgrant activities are completed at least 120 days prior to the end of the Eligible Entity's period of performance, in accordance with 2 C.F.R. 200.344.

Section 4 Oversight and Accountability Processes (Requirement 4)

4.1 Waste, Fraud, and Abuse Hotline

Does the Eligible Entity have a public waste, fraud, and abuse hotline, and a plan to publicize the contact information for this hotline?

KOBD has published information on our website about Waste, Fraud and Abuse and will continue to share information via our newsletter and with industry partners.
To report suspected fraud, waste or abuse contact the U.S. Department of Commerce Office of Inspector General Office of Investigations.

- Review the Detecting and Defeating Fraud presentation by the Department of Commerce
- OIG Hotline: (800) 424-5197
- Online Complaint Form
- Whistleblower Retaliation Info Poster
- How to Report Suspected or Known Fraud/Abuse Under KOBD Programs

For more information, please visit the Office of Inspector General with the Department of Commerce here.

4.2 KOBD Certifies “Yes”, BEAD Monitoring Plan and Policies

Upload the following two required documents:

(1) BEAD program monitoring plan;

(2) Agency policy documentation which includes the following practices:

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) or on a basis determined by the terms and conditions of a fixed amount subaward agreement; and

b. Timely subgrantee (to Eligible Entity) reporting mandates.

See Attachment F- BEAD Program Monitoring Plan

4.3 Certification for Subgrant Agreements

Certify that the subgrant agreements will include, at a minimum, the following conditions:

(3) Compliance with Section VII.E of the BEAD NOFO, including timely subgrantee reporting mandates, including at least semiannual reporting, for the duration of the subgrant to track the effectiveness of the use of funds provided;

(4) Compliance with obligations set forth in 2 C.F.R. Part 200 and the Department of Commerce Financial Assistance Standard Terms and Conditions;

(5) Compliance with all relevant obligations in the Eligible Entity's approved Initial and Final Proposals, including the BEAD General Terms and Conditions and the Specific Award Conditions incorporated into the Eligible Entity's BEAD award;

(6) Subgrantee accountability practices that include distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis;

(7) Subgrantee accountability practices that include the use of clawback provisions between the Eligible Entity and any subgrantee (i.e., provisions allowing recoupment of funds previously disbursed);

(8) Mandate for subgrantees to publicize telephone numbers and email addresses for the Eligible Entity's Office of Inspector General (or comparable entity) and/or subgrantees' internal ethics office (or comparable entity) for the purpose of reporting waste, fraud or abuse in the Program. This includes an acknowledge of the responsibility to produce copies of materials used for such purposes upon request of the Federal Program Officer; and

(9) Mechanisms to provide effective oversight, such as subgrantee accountability procedures and practices in use during subgrantee performance, financial management, compliance, and program performance at regular intervals to ensure that subgrantee performance is consistently assessed and tracked over time.

Yes.

Section 5 Local Coordination (Requirement 5)

5.1 Public Comment Period

If the Eligible Entity conducted a public comment period, describe the process and provide a high-level summary of the comments received, including how the Eligible Entity addressed the comments. If a public comment period was not conducted, indicate 'N/A.'

The Kansas Office of Broadband Development (KOBD) conducted an 8-day public comment period--extended from 7 days--from August 25, 2025, to September 2, 2025, where stakeholders provided feedback on the BEAD program and the Final Proposal. The Final Proposal was made publicly available through a public posting on the KOBD website, and the announcement of the public comment period went through various public channels. Comments were accepted through an online portal until the publicized close date.

KOBD received a broad range of feedback. The common themes are summarized below:

- Constituents and local economic development agencies stressed the importance of receiving fast and reliable broadband connections to their homes and businesses. Many comments emphasized that highspeed internet is now essential for their jobs, communities, and quality of life.

- Several comments expressed concern regarding the amount of money left unallocated from Kansas' initial allocation and want to see the remaining funds shifted towards adoption activities and non-deployment opportunities.

- Several comments expressed concern about prospective awards. Concerns included:

    - The funding of non-fiber deployments, emphasizing the higher long-term operational costs, issues with reliability, and the lack of investment and jobs in local communities.

    - Concerns with transparency in the scoring, priority broadband review, and awarding process.

One (1) comment was received from a labor union, three (3) from economic development organizations, one (1) from a LEO satellite provider, one (1) from a non-profit organization, one (1) from a consulting group, two (2) from internet service providers, and sixteen (16) from Kansas constituents.

Kansas reviewed the provided comments and reviewed its provisional awards to verify compliance with all relevant statutes and policy, and to ensure Kansas constituents are receiving the highest quality service while providing good stewardship of tax-payer dollars.

Section 6 Challenge Process Results (Requirement 6)

6.1 Successful Completion and Approval of Challenge Process

Certify that the Eligible Entity has successfully completed the BEAD Challenge Process and received approval of the results from NTIA.

Yes.

6.2 Challenge Process Results

Provide a link to the website where the Eligible Entity has publicly posted the final location classifications (unserved/underserved/CAIs) and note the date that it was publicly posted.

KOBD publicly posted the final location classifications on this site: https://www.kansascommerce.gov/officeofbroadbanddevelopment/broadband-equity-access-and-deployment/. The data files were publicly posted on October 1st, 2024.

Section 7 Unserved and Underserved Locations (Requirement 7)

7.1 Certification of Broadband Service Coverage of Unserved Locations

Certify whether the Eligible Entity will ensure coverage of broadband service to all unserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).

Yes. KOBD certifies it will ensure coverage of broadband service to all unserved locations within its jurisdiction, as identified by KOBD's NTIA-approved final list of eligible locations and required under 47 U.S.C. § 1702(h)(2). KOBD certifies there is, for every unserved location, either a BEAD project or an appropriate reason code for not serving a location through a BEAD project.

7.2 Explanation for Not Serving Unserved Locations

If the Eligible Entity does not serve an unserved location because it is either financially incapable or has determined that costs to serve the location would be unreasonably excessive, explain and include a strong showing of how the Eligible Entity made that determination.

Not applicable.

7.3 Supporting Documentation for Unserved Locations (Optional)

If applicable to support the Eligible Entity's response to Question 7.2, provide relevant files supporting the Eligible Entity's determination.

Not applicable.

7.4 Certification of Broadband Service Coverage of Underserved Locations

Certify whether the Eligible Entity will ensure coverage of broadband service to all underserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).

Yes. KOBD certifies it will ensure coverage of broadband service to all underserved locations within its jurisdiction, as identified by KOBD's NTIA-approved final list of eligible locations and required under 47 U.S.C. § 1702(h)(2). KOBD certifies there is, for every underserved location, either a BEAD project or an appropriate reason code for not serving a location through a BEAD project.

7.5 Explanation for Not Serving Underserved Locations

If the Eligible Entity does not serve an underserved location because it is either financially incapable or has determined that costs to serve the location would be unreasonably excessive, explain and include a strong showing of how the Eligible Entity made that determination

Not applicable.

7.6 Supporting Documentation for Underserved Locations (Optional)

If applicable to support the Eligible Entity's response to Question 7.5, provide relevant files supporting the Eligible Entity's determination.

Not applicable.

7.7 Certification of Use of Reason Codes and Documentation Requirements

Certify that the Eligible Entity has utilized the provided reason codes to investigate and account for locations that do not require BEAD funding, that the Eligible Entity will utilize reason codes 1, 2, and 3 for the entire period of performance, and that the Eligible Entity will maintain documentation, following the guidelines provided by NTIA, to justify its determination if there is a reason to not serve any unserved or underserved location on the NTIA-approved Challenge Process list through a BEAD project. The documentation for each location must be relevant for the specific reason indicated by the Eligible Entity in the fp_no_BEAD_locations.csv file. The Eligible Entity shall provide the documentation for any such location for NTIA review, as requested during Final Proposal review or after the Final Proposal has been approved.

Yes. KOBD certifies it has utilized the provided reason codes to investigate and account for locations that do not require BEAD funding, that KOBD will utilize the reason codes 1, 2, and 3 for the entire period of performance, and that KOBD will maintain documentation, following the guidelines provided by NTIA, to justify its determination that there is a reason to not serve any unserved or underserved location on the NTIA-approved Challenge Process list through a BEAD project.

7.8 Certification of Accounting for Enforceable Commitments

Certify that the Eligible Entity has accounted for all enforceable commitments after the submission of its challenge results, including state enforceable commitments and federal enforceable commitments that the Eligible Entity was notified of and did not object to, and/or federally-funded awards for which the Eligible Entity has discretion over where they are spent (e.g., regional commission funding or Capital Projects Fund/State and Local Fiscal Recovery Funds), in its list of proposed projects.

Yes. KOBD certifies it has accounted for all enforceable commitments after the submission of its challenge results, including state enforceable commitments and federal enforceable commitments that KOBD was notified of and did not object to, and/or federally funded awards for which KOBD has discretion over where they are spent, in its list of proposed projects

Section 11 Implementation Status of Plans for Cost and Barrier Reduction, Compliance with Labor Laws, Low Cost Plans, and Network Reliability and Resilience (Requirement 11)

11.1 Reducing Costs and Barriers to Deployment

Provide the implementation status (Complete, In Progress, or Not Started) of plans described in the approved Initial Proposal Requirement 14 related to reducing costs and barriers to deployment

KOBD's implementation plans described in the approved IPv2- Requirement 14 related to reducing costs and barriers to deployment, are in progress.

11.2 Affirmation of Subgrantee Compliance with Federal Labor and Employment Laws

Affirm that the Eligible Entity required subgrantees to certify compliance with existing federal labor and employment laws.

Yes.

11.3 Explanation for Not Requiring Subgrantee Compliance Certification (Optional – Conditional on a 'No' response to Question 11.2)

If the Eligible Entity does not affirm that subgrantees were required to certify compliance with federal labor and employment laws, explain why the Eligible Entity was unable to do so.

Not applicable.

11.4 Certification of Low-Cost Broadband Service Offering

Certify that all subgrantees selected by the Eligible Entity will be required to offer a low-cost broadband service option for the duration of the 10-year Federal interest period.

Yes.

11.5 Explanation for Not Requiring Low-Cost Broadband Service Offering (Optional – Conditional on a 'No' response to Question 11.4)

If the Eligible Entity does not certify that all subgrantees selected by the Eligible Entity will be required to offer a low-cost broadband service option for the duration of the 10-year Federal interest period, explain why the Eligible Entity was unable to do so.

Not applicable.

11.6 Certification of Network Reliability and Resilience

Certify that all subgrantees have planned for the reliability and resilience of BEAD-funded networks.

Yes.

11.7 Explanation of Non-Compliance with Network Reliability and Resilience Requirement (Optional – Conditional on a "No" response to 11.6)

If the Eligible Entity does not certify that subgrantees have planned for the reliability and resilience of BEAD-funded networks in their network designs, explain why the Eligible Entity was unable to do so.

Not applicable.

Section 12 Substantiation of Priority Broadband Projects (Requirement 12)

12.1 Priority Project Definition Application

Question (Text Box): Describe how the Eligible Entity applied the definition of Priority Project as defined in the Infrastructure Investment and Jobs Act and the BEAD Restructuring Policy Notice.

Kansas established a Priority Broadband Project (PBP) review methodology and applied it fairly and indiscriminately to assess all proposed projects.

This review incorporated evaluating the following statutory criteria for a PBP:

- Provides broadband service at speeds of no less than 100/20 Mbps with latency less than or equal to 100milliseconds by reviewing applicants' network design and diagrams to determine that the proposed project meets the minimum speed and latency standards.
- Scalability. Can easily scale speeds over time to meet the evolving connectivity needs of households and businesses and support the deployment of 5G, successor wireless technologies, and other advanced services:
    - *Project Area Geography (including Topography)*: Considered the natural and physical features of a project area when determining the suitability of a proposed project

Kansas determined PBP status based on the characteristics of individual project areas.

KOBD worked to ensure compliance with NTIA BEAD Restructuring Policy Notice (RPN) and expanded by NTIA's FAQ Version 4. KS paid particular attention to the following

RPN threshold: "*Applicants must provide supporting documentation sufficient for the Eligible Entity to assess the network application and determine that the proposed network architecture for each specific project area meets this standard.*" (pg. 9, NTIA BEAD Restructuring Policy Notice). KS understands its obligation to ensure a technologically agnostic, fair, and neutral evaluation of the evidence submitted for consideration of PBP by an applicant—but when an applicant fails to provide applicable evidence on these NTIA-specified considerations related to (1) "[…] if a proposed technical capability showing is not sufficiently tailored to a given project area", or (2) scalability over time and suitability based on "geography, topography, density, and statewide capacity" at a project-area-by-project area (pgs. 46-47, NTIA's FAQ Version 4), KS is unable to designate these applications as priority broadband without falling into non-compliance with NTIA's RPN.

Priority Broadband Project (PBP) Review Methodology

The RPN required KOBD to assess each application that sought treatment as a Priority Broadband Project (PBP) utilizing three (3) key determinations:

(1) **Specific Project Area PBP Standards.** KOBD may not categorically exclude any given technology for PBP status "*…and may only reject treatment of an application as a Priority Broadband Project if the project could not meet the statutory definition **for a specific project area.***" (RPN, pg. 10, ***emphasis*** added).

(2) **Initial Sufficiency Screen of Documentation.** *"Applicants must provide supporting documentation sufficient for the Eligible Entity to assess the network application and determine that the proposed network architecture for each specific project area meets this standard."* (RPN, pg. 10).

(3) **Whether PBP Standard for each specific project area was met or not**. *"The applicant's project … must …meet the required speed and latency standards set forth in the statute and the NOFO and demonstrate that it meets the additional statutory criteria, including that the project can easily scale speeds over time to support evolving connectivity needs and the deployment of 5G and successor wireless technologies."* (RPN, pg.10).

Therefore, KOBD developed an objective, industry-driven methodology to make each of these three (3) determinations for every application that sought treatment as a PBP.

Determination #1- Develop specific project area PBP standards, based on the statutory definition**.** For reference, Project Funding Area (PFA) are KOBD's specific project area unit.

KOBD applied the RPN definition of PBP: one that provides broadband service at speeds of no less than 100 megabits per second for downloads and 20 megabits per second for uploads, has a latency less than or equal to 100 milliseconds, and can easily scale speeds over time to meet the evolving connectivity needs of households and businesses and support the deployment of 5G, successor wireless technologies, and other advanced services. This definition enabled Kansas to embrace technology neutrality and fully realize the benefit of the bargain.

Based on this statutory definition, the determination of PBP for a broadband network involves three (3) critical parameters:

1. Data Rate- Commonly referred to as “speed”, this is the 100/20 Mbps specified for BEAD.
    a. An application needs to demonstrate it can satisfy this minimum performance standards at each BSL it proposes to serve, considering reasonable oversubscription and other engineering criteria.
    b. The RPN did not change the minimum speed and latency requirements for PBPs and other BEAD deployment projects, and according to the statute, BEAD networks must easily allow speed to increase over time to what Kansas will need over the next decade to remain a place where people live, work and raise a family.
2. Capacity and Scalability- To enable households and businesses to consistently receive the higher data rates, the capacity of the network will also need to grow; this is commonly referred to as “scalability.”
    a. Scalability accounts for demand trends over the last 10 years and considers what speeds would be needed to support Kansas’ goals for a thriving residential and economic environment, private and public investment, building additional federal and military locations, supporting AI use, attracting the development of data centers, smart manufacturing, and technology for precision agriculture.
    b. To qualify as a PBP, an application must demonstrate ease of scalability to meet projected demand for current and future users.
3. Reliability- To apply a PBP definition from a reliability perspective, KOBD looked at topography and geography as PFAs span a variety of terrain throughout the state of Kansas.
    a. Past grant-funded implementations revealed flood zones, rugged terrain, hard rock formations, and slope can complicate installation and/or obstruct line-of-sight (LOS) paths. Broadband technologies with obstructed LOS, specifically wireless and LEO technologies, can have signal degradation, increased latency, and reduced reliability.

Furthermore, per the RPN, a determination of PBP status must be made on a PFA-by-PFA basis. Meaning, there may be cases where one project, application, technology, et. Al. potentially meets the requirements for PBP status in an area, but not in another. For example, KOBD may determine that a given application does not receive PBP status for a particular PFA because the proposed technology cannot easily scale to meet the evolving connectivity needs of that specific area, but KOBD may also determine that a different application in a different PFA using the exact same technology/network architecture does classify for PBP status in the second PFA.

As the most dependable and robust data available for determining the bandwidth needs of individual service areas within Kansas comes from the telecommunications industry itself, as providers of all types constantly perform cost modeling, gather demand data, and perform feasibility studies to determine whether or not a given technology will provide a return on investment in a given market, KOBD used previous state and federal broadband deployment applications for programs the state has administered over the last 5 years to categorize each PFA as "high", "medium", or "low." Therefore, KOBD determined a PBP Capacity and Scalability standard for every PFA, as determined by the characteristics of that specific area. To illustrate, some areas may warrant a "high" PBP standard, meaning this PFA may support the use of cutting-edge technologies and use cases such as 5G and 6G advanced services, AI, grid modernization, precision agriculture, and data center developments in rural Kansas. Whereas another PFA may be deemed a "low" PBP standard, if there are no plans for advanced wireless services, for instance.

Step 2- Initial Sufficiency Screen of Documentation.

KOBD conducted an initial screen focused on determining whether the applicant provided information sufficient for KOBD to evaluate the applicants' PBP claim. Specifically, KOBD verified the application's documentation included a certification from a professional engineer attesting to the accuracy of the PBP claims, identified the specific technologies proposed for use (e.g., XGS-PON or XG-PON rather than "fiber"), provided performance information specific to the project rather than a general statement of capability (e.g., an application proposing an XGS-PON network identifies specific split ratios and oversubscription ratios for the project or simply states that XGS-PON is capable of delivering 10 Gbps symmetrical), and appeared to address each of the bullets set forth in the guidance to applicants.

Reviewers evaluated the totality of evidence and documentation provided by the applicants. At minimum, this included the supplemental evidence documents provided by applicants requesting PBP status for their application. Yet, if additional information was needed, reviewers also examined the network diagram, network design, or other documentation in the application to get a fuller picture of the proposed network capability. In each case, the reviewer carefully considered the capabilities of the proposed design, and the needs of the PFA or overall service area in question.

This initial sufficiency screen was not a "pass/fail" exercise but instead was used to inform KOBD's overall assessment of each application's PBP claims.

Step 3- If sufficient documentation was provided, determine if the proposed project met the specific project area PBP standard or not

Once PFAs were categorized as high/medium/low and sufficient documentation was presented by the applicant, reviewers were asked to evaluate the totality of the technical documents and determine whether the proposed network could achieve the prescribed scalability metric for the specific PFA in the application.

In making its determinations, no one factor was dispositive. To review a technology's ability to scale, KOBD considered the currently served speeds of 100/20 Mbps, an application's stated network capacity, the PFA's number of BSLs, the PFA's geographic area, current customer base (if applicable), and future demand, along with the following considerations:

- Primary considerations:
  - Could the proposed infrastructure easily scale to these speeds for all BEAD eligible BSLs in service area/group over the next 3 years? If not, is a lesser speed reasonable for the service area proposed and its needs?
  - Does the network design include towers that might be suitable for 5G/6G mobile deployments?
  - Does the design include fiber that would be suitable for attachment to towers for 5G/6G mobile deployments?
- Secondary considerations:
  - Design survivability
  - Bandwidth availability to head nodes (backhaul capacity)
  - Physical and logical redundancy of backhaul and head nodes
  - Mechanisms in place to detect and mitigate traffic congestion
  - Mechanisms in place to detect and mitigate signal interference (if applicable)

For example, in a low demand PFA, the reviewer examined whether the proposed technology:

- Could easily scale to deliver symmetrical service to all eligible BEAD BSLs?
- Include towers, or fiber that would support tower deployments for 5G/6G or other advanced services?
- Support deployment of 5G/6G or other advanced services in other ways?
- Have any significant deficiencies in the design that would prevent any of the above?

KOBD scored and ranked all applications for the same PFA for which PBP status was sought prior to evaluating the evidence filed in support of the PBP claim. KOBD then evaluated the sufficiency of the PBP claim for the highest scoring application using the methodology described above. If KOBD determined that the highest scoring application carried the burden, based on the categorization of the PFA in question, of (a) demonstrating that it met the required speed and latency standards set forth in the statute and the NOFO and (b) demonstrating that it met the additional statutory criteria, including that the project can easily scale speeds over time to support evolving connectivity needs and the deployment of 5G and successor wireless technologies, KOBD designated the application for preliminary award. If KOBD determined the highest scoring application did not carry the burden described above, KOBD designated the application as a non-priority broadband project, placed the application in queue for later consideration if appropriate, and moved on to evaluating the PBP claim of the next highest scoring application.

Section 13 Subgrantee Selection Certification (Requirement 13)

13.1 Application of RPN Scoring Criteria

Question (Text Box): Provide a narrative summary of how the Eligible Entity applied the BEAD Restructuring Policy Notice's scoring criteria to each competitive project application and describe the weight assigned to each Secondary Criteria by the Eligible Entity. Scoring criteria must be applied consistent with the prioritization framework laid out in Section 3.4 of the BEAD Restructuring Policy Notice.

KOBD applied the scoring criteria consistent with the RPN and the NTIA-approved IPv2.

The subgrantee selection process prioritized applications offering the lowest BEAD Program outlay per location as the Primary Criteria. For applications within 15% of the lowest cost per location in a Project Funding Area (PFA), KOBD applied Secondary Criteria to determine the awardee.

Secondary Criteria and Weights

- Speed to Deployment — 10%. Measured by the applicant's proposed construction timeline to completion of all funded locations, with earlier completion dates receiving higher scores.

- Network Performance, Scalability, and Usable Life — 90%. Evaluated based on:
  - Offered Speeds (download/upload)
  - Latency Performance
  - Network Scalability (ability to meet future demand)
  - Estimated Usable Life of the network infrastructure

Evaluation Process

1. Initial Cost-Based Ranking: All eligible applications in each PFA were ranked by cost per location served.
2. Secondary Criteria Application: Where applications fell within 15% of each other on cost, reviewers applied the weighted secondary criteria.
3. Rubric and Documentation: Reviewers used a standardized scoring rubric with

objective, measurable metrics. Evidence was required for each scoring category, and scores were documented to ensure transparency and audit readiness.
4. Quality Control: KOBD staff reviewed all scoring outputs to confirm adherence to the rubric, weightings, and documentation standards before finalizing recommendations.

This methodology ensured scoring was competitive, neutral, and aligned with BEAD statutory priorities while giving due weight to performance and deployment timelines.

Section 14 Environmental and Historic Preservation (EHP) Documentation (Requirement 14)

14.1 Environmental and Historic Preservation (EHP) Documentation

Submit a document which includes the following:

- **Description of how the Eligible Entity will comply with applicable environmental and historic preservation (EHP) requirements, including a brief description of the methodology used to evaluate the Eligible Entity's subgrantee projects and project activities against NTIA's programmatic and National Environmental Policy Act (NEPA) guidance. The methodology must reference how the Eligible Entity will use NTIA's Environmental Screening and Permitting Tracking Tool (ESAPTT) to create NEPA project records, evaluate the applicability of categorical exclusions, consider and document the presence (or absence) of Extraordinary Circumstances, and transmit information and draft NEPA documents to NTIA for review and approval.**
- **Description of the Eligible Entity's plan to fulfill its obligations as a joint lead agency for NEPA under 42 U.S.C. 4336a, including its obligation to prepare or to supervise the preparation of all required environmental analyses and review documents.**
- **Evaluation of the sufficiency of the environmental analysis for your state or territory that is contained in the relevant chapter of the FirstNet Regional Programmatic Environmental Impact Statement (PEIS), available at https:**//www.firstnet.gov/network/environmental- **compliance/projects/regional-programmatic-environmental-impact-statements.**
- **Evaluation of whether all deployment related activities anticipated for projects within your state or territory are covered by the actions described in the relevant FirstNet Regional PEIS.**
- **Description of the Eligible Entity's plan for applying specific award conditions or other strategies to ensure proper procedures and approvals are in place for disbursement of funds while projects await EHP clearances.**
  See Attachment G – EHP

Section 15 Consent from Tribal Entities (Requirement 15)

15.1 Documentation of Consent from Tribal Entities

Upload a Resolution of Consent from each Tribal Government (in PDF format) from which consent was obtained to deploy broadband on its Tribal Land. The Resolution(s) of Consent submitted by the Eligible Entity should include appropriate signatories and relevant context on the planned (f)(1) broadband deployment including the timeframe of the agreement. The Eligible Entity must include the name of the Resolution of Consent PDF in the Deployment Projects CSV file.

1. Sac and Fox – Tribal Consent is being obtained by provisional awardee.
2. Prairie Band Potawatomi Nation – Tribal Consent has been provided via attached resolution.

Section 16 Prohibition on Excluding Provider Types (Requirement 16)

16.1 Eligibility Certification

Question (Y/N): Does the Eligible Entity certify that it did not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for a BEAD subgrant, consistent with the requirement at 47 U.S.C. § 1702(h)(1)(A)(iii)?

Yes, KOBD certifies it did not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for a BEAD subgrant, consistent with the requirement at 47 U.S.C. § 1702(h)(1)(A)(iii).

Section 17 Waivers

17.1 Waivers for BEAD Requirements

If any waivers are in process and/or approved as part of the BEAD Initial Proposal or at any point prior to the submission of the Final Proposal, list the applicable requirement(s) addressed by the waiver(s) and date(s) of submission. If not applicable to the Eligible Entity, note 'Not applicable.'

KOBD is reviewing all submitted match waivers requested by applicants and will make recommendations to NTIA for approval of match waivers.

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Office of Broadband Development

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