



NEVADA BEAD FINAL PROPOSAL DRAFT FOR PUBLIC COMMENT



Instructions for Submitting Public Comment

The Nevada Governor's Office of Science, Innovation and Technology (OSIT) is pleased to provide this opportunity for Public Comment on the State's BEAD Final Proposal. The Final Proposal describes Nevada's BEAD subgrantee selection process, how OSIT complied with NTIA requirement, and the results. The Final Proposal can be found on the OSIT website: <https://osit.nv.gov/Broadband/BEAD/> and published here: https://drive.google.com/drive/folders/1UdTVmb8Ts96Xjnm_9PvSpnejRkUaD-lE

Comments can be made at the following link: <https://forms.gle/mbW2kzKtokpLmD8t9>

Comments will be accepted until: September 2, 2025, at 11:59pm PT

Comments can also be mailed to:

Nevada Governor's Office of Science, Innovation and Technology (OSIT)

Re: BEAD Public Comments

680 W. Nye Lane, Suite 104, Carson City, NV 89703

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A Message from the Director

Fellow Nevadans,

I am pleased to release Nevada's Final Proposal for the Broadband Equity, Access, and Deployment (BEAD) Program for public comment, in preparation for submission to NTIA. This proposal represents the culmination of years of planning, community engagement, mapping, data analysis, and program development. It reflects OSIT's consistent commitment to ensuring that every Nevadan has access to high-speed internet.

A Successful Outcome: I am proud that our Final Proposal will result in **every single unserved and underserved location in Nevada being connected to high-speed broadband.**

Encouraging Widespread Opportunity: OSIT designed its BEAD Program to maximize the attractiveness of the opportunity for the widest range of participants, while reducing the administrative burdens of applying for funds. The response was significant: Nevada received more than 2,700 applications across all funding rounds. Applicants proposed a wide range of technologies, including licensed and unlicensed fixed wireless, cable, low-earth orbit satellites, and fiber. The variety of provisional subgrantees demonstrates the strength of this approach.

Maximizing the Benefits of Public Funds: The BEAD Program represents a once-in-a-generation opportunity to deploy the infrastructure that will power Nevada's economy and communities for decades. At the heart of our proposal is a commitment to securing the best possible value for taxpayers. Adjustments made in response to NTIA's June 6 Restructuring Policy Notice will still deliver universal coverage while saving \$200 million compared to the previous version of the program.

OSIT's philosophy—funding the right technology for each location at the best price—resulted in the following technology mix for Nevada's unserved and underserved locations: 64 percent of Nevada's unserved and underserved locations connected with fiber-optic technology, 29 percent connected with low-Earth-orbit satellite, 4 percent with licensed fixed wireless, and 3 percent with cable.

Ensuring an Open, Fair Process: OSIT designed the subgrantee selection process to give all applicants an equal opportunity and to ensure awards were made using transparent, published criteria. Through open bidding, clear requirements, and transparency, OSIT created a competitive environment that encouraged strong proposals from across the industry.

I am proud of the outcome of the BEAD subgrantee selection process and grateful for the robust participation from Nevada's internet service providers. Upon NTIA approval, OSIT looks forward to working with all stakeholders to put the BEAD dollars to work and to begin building best-in-class broadband infrastructure for the people of Nevada.

Best regards,

Brian Mitchell, Director- OSIT

0. Final Proposal Data Submission

- 0.1 **Subgrantees:** Complete and submit the Subgrantees CSV file (named “fp_subgrantees.csv”) using the NTIA template provided.

See Exhibit A

- 0.2 **Deployment Projects:** Complete and submit the Deployment Projects CSV file (named “fp_deployment_projects.csv”) using the NTIA template provided.

See Exhibit B

- 0.3 **BEAD-Funded Locations:** Complete and submit the Locations CSV file (named “fp_locations.csv”) using the NTIA template provided. The Location IDs in this list must match the NTIA-approved final list of eligible locations.

See Exhibit C

- 0.4 **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 NTIA-approved final list of eligible locations.

See Exhibit D

- 0.5 **Certification of BEAD-Funded CAIs:** 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 in the NTIA-approved final list of eligible locations and required under 47 U.S.C. § 1702(h)(2)?

Yes, OSIT certifies that it ensures coverage of broadband service to all unserved and underserved locations, as identified in the NTIA-approved final list of eligible locations and required under 47 U.S.C. § 1702(h)(2).

- 0.6 **BEAD-Funded CAIs:** 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 CAIs funded via BEAD in this list; the Eligible Entity may not propose funding CAIs that were not present on the approved final list from the Eligible Entity's Challenge Process results.

See Exhibit E

1. Subgrantee Selection Process Outcomes (Requirement 1)

1.1 Subgrantee Selection Process Consistency with Initial Proposal

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.

The Nevada Governor's Office of Science, Innovation & Technology (OSIT) conducted a fair, open, competitive, technology-neutral subgrantee selection process consistent with the state's NTIA-approved Initial Proposal Volume II (IPv2) as modified by the BEAD Restructuring Policy Notice.

In Nevada's approved IPv2, OSIT outlined High Speed Nevada (HSNV) Phase III, a subgrantee selection process that was designed to connect all unserved and underserved Nevadans and meet OSIT's requirements under the BEAD Program. Starting late summer 2024 and continuing through fall 2024, OSIT administered Round I of HSNV Phase III Round 1 (Round 1). Following the release of the BEAD Restructuring Policy Notice (RPN), OSIT modified HSNV Phase III and conducted the Benefit of the Bargain round. The HSNV Phase III process, as modified by the RPN, consisted of the following:

- All BEAD-funded provisional awards were rescinded.
- OSIT developed and modified the Request for Applications (RFA), which included:
 - o Eliminating non-statutory requirements from BEAD application scoring, subgrantee agreements, and subgrantee reporting requirements.
 - o Adopting a technology-neutral approach to the BEAD subgrantee selection process, in alignment with the RPN.
 - o Revising the scoring and evaluation rubric to align with the RPN.
- OSIT optimized BEAD locations, which included the following:
 - o OSIT provided unlicensed fixed wireless providers an opportunity to submit evidence of existing coverage that could affect BEAD funding eligibility. Using a technical template developed in alignment with the RPN, OSIT notified providers on June 12, 2025, and gave them seven days to declare their intent to submit evidence showing that BEAD-eligible locations they serve meet BEAD-qualified service standards. Providers that responded within this window received the template, instructions, and an additional seven days to submit their evidence. OSIT then reviewed the submissions to determine whether the identified locations met the Policy Notice's technical requirements. Locations that met the requirements were removed from BEAD funding eligibility, while those that did not remained eligible.
 - o OSIT updated Nevada's eligible locations list based on the reason code process defined in NTIA's Final Proposal Guidance, reflecting new enforceable commitments, enforceable commitment defaults, locations that were removed from v6 of the FCC address Fabric, documented unlicensed fixed wireless service, and entities in the previous CAI list that no longer qualify as CAIs for BEAD funding purposes (including "community support organizations" as defined by NTIA in its Final Proposal Guidance).

- On July 8, 2025, OSIT published the approved post-Challenge Process location classifications reconciled per the RPN for the Benefit of the Bargain Round.
- OSIT conducted a Benefit of the Bargain Round of subgrantee selection, which included the following:
 - OSIT updated its prequalification application and related guidance to align with the RPN.
 - On July 8, 2025, OSIT reopened the prequalification process, allowing new entities to apply and giving prior applicants who were not prequalified another opportunity to reapply. Applications were accepted through July 17, 2025, and reviewed on a pass/fail basis in accordance with the state's Initial Proposal Volume II (IPv2).
 - OSIT revised the HSNV Phase III Request for Applications (RFA), along with templates, guidelines, FAQs, and related documents, to reflect the RPN. This included removing questions tied to eliminated requirements and updating scoring-related questions to align with the Policy Notice's criteria. (See the response to Question 13.1 in this Final Proposal for details on how the state applied the scoring criteria.)
 - OSIT created new technical templates to help engineer reviewers assess whether a project using any technology qualified as a Priority Broadband Project under federal requirements. These templates and the review process applied objective, consistent criteria to evaluate speed, latency, and scalability, and the results could also be used for scoring secondary criteria. (See the response to Question 12.1 in this Final Proposal for details on the state's methodology.)
 - OSIT provided an application portal for applicants to submit BEAD funding requests.
 - OSIT communicated the Benefit of the Bargain Round requirements transparently to all applicants. On July 8, 2025, OSIT published an updated project application guide, application form, technical templates, scoring matrices, FAQs, and related materials on its website. Applicants were invited to submit questions to a dedicated email address, and OSIT posted written answers publicly in the FAQ on July 11, 2025.
 - OSIT opened the application window for the Benefit of the Bargain Round on July 8, 2025, and accepted applications through July 17, 2025.
 - Applicants who had previously submitted project applications were permitted to resubmit them during the Benefit of the Bargain Round. OSIT worked to make the revision and resubmission process as simple and low-burden as possible while ensuring applications complied with the new RPN requirements. Applicants had the option to update project costs, provide evidence that their projects qualified as Priority Broadband Projects, and/or revise any other part of their applications. Applications that were not revised were treated as non-Priority applications.
- After the application window closed, OSIT evaluated and scored applications as follows:
 - Independent review team: OSIT engaged a team of trained, independent reviewers to evaluate applications based on the scoring rubric, in alignment with the Policy Notice.
 - Sufficiency review: Applications were first reviewed for completeness. Once deemed sufficient, individual components were reviewed by subject matter experts.

- Financial review: Financial experts examined applicants' financial capability and project-specific financial documentation.
- Technical review: Telecommunications engineers and technology experts assessed technical design for feasibility and to determine Priority/Non-Priority status. Reviews followed a consistent, technology-neutral approach, recognizing that different technologies (e.g., fiber count, spectrum, satellite functionality) require submission of technology-specific evidence within common templates.
- Priority determinations and scoring: After sufficiency was confirmed, technical reviewers made Priority/Non-Priority determinations, and applications were scored on a technology-neutral basis according to the RPN requirements.
- Benefit of the Bargain efforts: To secure the best value for taxpayers, OSIT conducted a Best and Final Offer (BAFO) round for any RPA where no cost-effective Priority application was available. In this process:
 - Applicants with Priority applications deemed too costly were invited to reduce pricing.
 - Applicants whose Priority/Non-Priority determinations were previously insufficient were allowed to resubmit data and evidence, enabling curing as recommended by NTIA in FAQ rev. 13.
 - This process led to significant cost reductions and additional Priority applications in some project areas.
- Preliminary subgrant awards: After the BAFO round, OSIT issued preliminary subgrant awards to the highest-scoring projects in each area. Awards followed the scoring rubric and statutory/NOFO requirements (as modified by the RPN), including the use of secondary scoring criteria when competing applications were within 15% of each other in total project cost per BSL.
- Remaining funds: As of this Final Proposal, OSIT has identified remaining BEAD funds that may be allocated to eligible activities under Section IV.B.7.a.iii of the NOFO. Per Section 5 of the Restructuring Policy Notice, OSIT acknowledges that these funds are subject to future NTIA and NIST Grants Office guidance. OSIT looks forward to working with federal partners to advance additional broadband infrastructure investments in Nevada that will further shared goals.

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.

Nevada's Commitment to a Fair, Open, and Competitive Process

The State of Nevada believes that a subgrantee selection process must be fundamentally fair, open, and competitive to achieve the BEAD Program's goals. As outlined in its Initial Proposal Volume II (Section 2.4.1), OSIT implemented several measures to ensure these principles guided the subgrantee selection process.

Steps to Ensure a Fair Process

- **Prequalification:** OSIT conducted a prequalification process in which applicants submitted organizational information to become eligible to participate. No cap was placed on the number of prequalified entities; all who qualified were permitted to apply.
- **Clear Evaluation Criteria:** The Request for Applications (RFA) included competitively neutral evaluation criteria, weights, and a scoring rubric, all made available to applicants before submission. To support applicants, OSIT provided technical assistance resources, including an application guide, a Benefit of the Bargain Round slide deck, and FAQs.
- **Equal Access to Information:** From the release of the RFA to the close of the application window, OSIT did not meet with or communicate individually with applicants. Instead, all questions had to be submitted to a single email address, and OSIT published answers publicly for all applicants to access.
- **Safeguards Against Bias:** Subject matter experts (SMEs) who served as evaluators were required to sign an agreement addressing conflicts of interest, confidentiality, and consistent scoring.
- **Safeguards Against Collusion:** All prospective subgrantees were required to certify that they had not colluded with any other entities or individuals, whether through public statements or private communications, regarding any BEAD submission.

Steps to Ensure an Open Process

- **Public Access:** OSIT published all BEAD Program materials—including applications, templates, guides, location data, FAQs, and other resources—on its public website (osit.nv.gov/Broadband/BEAD), ensuring equal access for all prospective applicants.
- **Broad Outreach:** The RFA was distributed as widely as possible through OSIT's website, email distribution lists, and social media channels to maximize awareness.
- **Equal Timelines:** The prequalification window (July 8–17, 2025) and the Benefit of the Bargain Round application window (July 8–17, 2025) gave all applicants the same opportunity and timeframe to apply.

Steps to Ensure a Competitive Process

- **Encouraging Competition:** To achieve the best mix of technology and price at both the statewide and Regional Project Area (RPA) levels, OSIT designed RPAs to attract a broad range of bidders of different sizes and technology types. The RFA was designed to minimize applicant burden and encourage robust participation.
- **Technology-Neutral Scoring:** Evaluation criteria were fully aligned with the BEAD RPN and competitively neutral. All applicants received the same information and were evaluated only on submitted materials. No applicant received preferential treatment.
- **Varied Participation:** The competitive process led to participation and awards across a wide range of providers, including large multi-state companies, local Nevada providers, publicly and privately owned entities, users of different technologies, and non-traditional providers.

Ensuring Reviewer Training, Qualifications, and Objectivity

- **Independent Trained Reviewers:** OSIT engaged a consultant team of subject matter experts (SMEs) to serve as the evaluation committee. Reviewers were trained in BEAD Program

rules, grant evaluation practices, technical aspects of broadband networks, and the financial and operational requirements for long-term sustainability.

- **Specialized Expertise:** Technical reviews were conducted by SMEs, including licensed Professional Engineers, qualified to assess feasibility and Priority/Non-Priority status. Financial experts reviewed financial capacity and documentation, and analytics experts scored narrative responses.
- **Certifications and Safeguards:** Reviewers certified that they:
 - Had no financial interest or conflicts of interest in any proposal.
 - Would act with impartiality, ethics, and integrity.
 - Would maintain strict confidentiality of all proposals, including trade secrets or business-sensitive information, in compliance with the Nevada Public Records Act.
 - Would evaluate proposals solely based on published criteria.
- **Standardized Evaluation Process:** Reviewers followed written standard operating procedures and used checklists to ensure consistency. A manual quality control (QC) process verified that scores matched applicant responses.

1.3 Procedure for No Applications

Affirm that, when no application was initially received, the Eligible Entity followed a procedure consistent with the process approved in the Initial Proposal.

OSIT affirms that, when no application was initially received, OSIT followed a procedure consistent with the process approved in its Initial Proposal.

1.4 Eligible CAI List Revision

If applicable, describe the Eligible Entity's methodology for revising its eligible CAI list to conform with Section 4 of the BEAD Restructuring Policy Notice.

To revise its approved post-Challenge Process list of CAIs, OSIT removed CAIs where appropriate according to the definition established by IIJA (47 U.S.C. §1702(a)(2)(E)) and adopted by the Policy Notice. Entities that fall outside the statutory definition were removed. OSIT was not required to make additional revisions based on NTIA guidance issued in July 2025 (Final Proposal Guidance, version 2.1; BEAD FAQs, Version 12).

1.5 Records Retention Certification

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.

OSIT certifies that it 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.

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3. Timeline for Implementation (Requirement 3)

3.1 Compliance with BEAD Timelines

Has the Eligible Entity taken measures to:

- (a) ensure that each subgrantee will begin providing services to each customer that desires broadband service within the project area not 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 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.**

OSIT affirms that it has taken measures to ensure these outcomes. As described further in NTIA's "BEAD Final Proposal Guidance for Eligible Entities (Version 2.1 | July 2025)," OSIT has taken steps to:

- Ensure that each BEAD subgrantee will begin to provide services to customers that desire broadband service within the project area not later than four years after the date on which the subgrantee receives the subgrant.
- Ensure that all BEAD-funded subgrant activities are completed at least 120 days prior to the end of OSIT's period of performance.
- Ensure each subgrantee reaches key milestones in their submitted proposals/documentation. In doing so, OSIT affirms that it will ensure subgrantees that made specific commitments in response to the "speed to deployment" scoring criteria meet the timelines stated in their applications.
- Ensure the completion of all BEAD activities within the mandated timeframes.

In its outreach to prospective applicants, the state communicated the requirement for subgrantees to complete their project and begin providing service within the four-year timeline specified by the program. This outreach included webinars, application guides, and information posted on OSIT's BEAD Program website.

The state's BEAD project application required the applicant to provide a detailed timeline for the proposed project and a specific commitment regarding speed to deployment.

The terms and conditions of the state's BEAD subgrant agreement will include clear provisions for subgrantees to complete their project within the term of the award. As part of the state's post-award compliance process (described in Requirement 4 of this Final Proposal), the state will monitor subgrantees for compliance. Subgrantees must regularly report to OSIT on their progress to project completion.

All subgrants will end at least 120 days prior to the end of the period of performance for OSIT's BEAD grant award, allowing the state sufficient time to close out subgrants and complete the grant activities it has undertaken.

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4. Oversight and Accountability Processes (Requirement 4)

4.1 Waste, Fraud and Abuse

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

Yes.

4.2 BEAD Monitoring Plan and Procedures

Upload the following two required documents:

4.2(1) BEAD Program Monitoring Plan

See Exhibit F

4.2(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 Exhibit G

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

- a. Compliance with Section VII.E of the BEAD NOFO, as modified by the BEAD Restructuring Policy Notice, 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;**
- b. Compliance with obligations set forth in 2 C.F.R. Part 200 and the Department of Commerce Financial Assistance Standard Terms and Conditions;**
- c. 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;**
- d. Subgrantee accountability practices that include distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis;**
- e. 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);**

f. 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

g. 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.

OSIT certifies that subgrant agreements will include, at a minimum, the following conditions

a. Compliance with Section VII.E of the BEAD NOFO, as modified by the BEAD Restructuring Policy Notice, 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;

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

c. 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;

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

e. 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);

f. 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

g. 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.

5. Local Coordination (Requirement 5)

5.1 Public Comment Period

Describe the public comment period and provide a high-level summary of the comments received by the Eligible Entity during the public comment period, including how the Eligible Entity addressed the comments.

The response must demonstrate Eligible Entity has met the following requirements:

- a. The public comment period was no less than 7 days; and**
- b. Political subdivisions were afforded an opportunity to submit comments during the comment period.**

This section will be completed following the public comment period.

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6. Challenge Process Results (Requirement 6)

6.1 Challenge Process Certification

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

Yes.

6.2 Challenge Results Public Posting

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.

OSIT publicly posted a link to the approved post-Challenge Process location classifications (unserved, underserved, and CAI) reconciled per the BEAD Restructuring Policy Notice for the Benefit of the Bargain Round: <https://osit.nv.gov/Broadband/BEAD/> (see “BEAD Program Notices and Documents”)

Date publicly posted: July 8, 2025

7. Unserved and Underserved Locations (Requirement 7)

Coverage of Unserved Locations

7.1 Unserved Locations Certification

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

7.2 Unserved Locations - Financially Incapable or Excessive Costs Narrative

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.

N/A

7.3 Unserved Locations - Financially Incapable or Excessive Costs Documentation

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

N/A

Coverage of Underserved Locations

7.4 Underserved Locations Certification

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

7.5 Underserved Locations - Financially Incapable or Excessive Costs Narrative

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.

N/A

7.6 Underserved - Financially Incapable or Excessive Costs Documentation

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

N/A

7.7 Usage of NTIA Reason Codes

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.

OSIT certifies that it has utilized the provided reason codes to investigate and account for locations that do not require BEAD funding, that OSIT 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. OSIT understands that the documentation for each location must be relevant for the specific reason indicated by OSIT in the fp_no_BEAD_locations.csv file. OSIT 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.

7.10 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.

OSIT certifies that it has accounted for all enforceable commitments after the submission of its challenge results, including state enforceable commitments and federal enforceable commitments that OSIT was notified of and did not object to, and/or federally-funded awards for which OSIT 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.

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 Reduction of 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.

In Progress.

11.2 Compliance with Federal Labor and Employment Laws

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

OSIT affirms that it required subgrantees to certify compliance with existing federal labor and employment laws.

11.3 Non-Compliance with Federal Labor Laws

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.

N/A

11.4 Low-Cost Broadband Service Option Requirement

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.

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

11.5 Non-Compliance with Low-Cost Broadband Service Option

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.

N/A

11.6 Reliability and Resiliency Certification

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

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

11.7 Non-Compliance with Reliability and Redundancy

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.

N/A

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12. Substantiation of Priority Broadband Projects (Requirement 12)

12.1 Priority Projects Definition

Describe how the Eligible Entity applied the definition of Priority Project as defined in the Infrastructure Act and the BEAD Restructuring Policy Notice.

OSIT applied the definition of Priority Broadband Project as defined in the BEAD Restructuring Policy Notice (RPN) and the Infrastructure Investment and Jobs Act (Infrastructure Act or IIJA):

“[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.” (Policy Notice, p. 9).

Any project—regardless of technology—must meet this definition to qualify as a Priority Broadband Project. OSIT evaluated all applications using a technology-neutral approach.

As specified by NTIA, “[a]pplicants must provide supporting documentation sufficient for [OSIT] to assess the network application and determine that the proposed network architecture for each specific project area meets this standard.” (Policy Notice, p. 9). To determine eligibility for Priority Broadband status, OSIT first created a set of technical questions designed to ascertain whether applications met the statutory requirements. To streamline and expedite application review, and ease applicant burden, OSIT created Priority response templates and instruction manuals. All applicants were allowed to request on a project-by-project basis that their project be considered a Priority Broadband Project. Applications that were submitted in Round 1 were not evaluated for Priority Broadband Project status, regardless of technology used, unless the applicant updated its application and provided the project-specific Priority response template. To ensure accuracy, OSIT retained an experienced broadband engineering team to create the technical evidence templates for the Benefit of the Bargain Round and to conduct an objective review of applications received.

The following sections describe the way in which OSIT applied the definition of Priority Broadband Projects in an objective, technology-neutral manner.

Technical Review Framework

OSIT’s technical analysis process first determined whether the applicant complied with the data submission requirements of the RPN, which requires that applicants must provide “supporting documentation sufficient for [OSIT] to assess the network application.” If the applicant did provide sufficient data to enable the appropriate analysis, OSIT conducted an in-depth technical analysis of whether the proposed project met the RPN’s requirements for a Priority Broadband Project, defined above.

Methodology

OSIT developed an engineering review methodology consistent with the Infrastructure Investment and Jobs Act, NTIA's Policy Notice, and *BEAD FAQs v12* to evaluate required applicant supporting documentation and determine Priority Broadband Project status. The FAQs require OSIT to "establish a review methodology that addresses each component of the statutory definition of a Priority Broadband Project and that can be fairly applied to assess all proposed projects that request Priority Broadband Project Status" (FAQ 3.23, pp. 42–43).

OSIT's methodology ensured project-by-project, area-specific determinations, as directed in the FAQs, which note that an applicant with multiple statewide proposals may qualify for Priority status in some areas but not others if technical showings are not sufficiently tailored (FAQ 3.23, p. 43).

The review framework provided a structured, technology-neutral process to evaluate whether each proposal met statutory Priority requirements. This allowed every applicant, regardless of the technology employed, to demonstrate on a data-driven basis that its project could deliver broadband service meeting the definition of a Priority Broadband Project.

Data evaluated

The engineering review relied on data submitted with each Benefit of the Bargain Round project application. Data requests were structured by technology type to ensure OSIT could evaluate, in line with NTIA requirements, whether a proposed project met the BEAD definition of "Priority Broadband Service" for the specific area under consideration.

Although the evaluation process was technology-neutral, data requirements were tailored to each proposed technology. This ensured that, when applicants submitted sufficient documentation, reviewers had access to the relevant, technology-specific evidence needed to make a rigorous, data-driven Priority determination. OSIT's approach drew on NTIA's guidance in the Policy Notice, including the evaluation frameworks for unlicensed fixed wireless (Appendix A) and LEO satellite broadband services (Appendix B). These frameworks recognize the distinct technical considerations of different technologies while applying consistent, functionally equivalent standards for Priority status.

The state's data requests were designed to elicit the appropriate information from the applicants for the following technology types:

1. Low-Earth orbit (LEO) satellite
2. Hybrid fiber-coaxial (cable)
3. Licensed fixed wireless
4. Unlicensed fixed wireless
5. Fiber

Applicants proposing multi-technology projects (e.g., hybrid fiber/fixed wireless) were required to submit data for each relevant technology category covering the associated BSLs.

The data requests were structured to minimize applicant burden while still capturing the level of detail necessary for OSIT to conduct a rigorous, data-driven Priority analysis. For instance, OSIT provided spreadsheet templates at the BSL level that aligned with standard broadband engineering practices. These templates allowed applicants to efficiently transfer outputs from commonly used network modeling tools—the same tools typically employed to produce conceptual and grant-level design documents—into the required application format.

Analyses conducted

Engineers first reviewed the application to determine whether the applicant met the requirement established in the Policy Notice to provide “supporting documentation sufficient for [the state] to assess the network application.” In the event the applicant’s data submission was determined to be sufficient, engineers then undertook a rigorous review of the data to determine whether the proposed project met the standards for a Priority Broadband Project. Proposed projects that met the standards as defined in the Infrastructure Act and the RPN were determined to be Priority Broadband Projects. The following is a summary of the engineering review.

Low-Earth orbit (LEO) satellite

- Review the information submitted by the applicant on spectrum use, satellites, service area, Earth stations, and CPE specifications.
- Review the applicant’s depiction of its beam area superimposed on the proposed project area to assess the available capacity for the proposed project area.
- Review the applicant’s area-specific assessment of capacity, including for proposed BSLs and other users.
- Review the applicant’s data and narrative describing backhaul capacity.
- Review the applicant’s data and narrative describing sky view, the impact of obstructions such as foliage, and the applicant’s strategy for managing the challenges.
- Review the applicant’s data and narrative describing the number of available satellites per user and the effect of handoffs on performance.
- Review the applicant’s data and narrative describing latency, jitter, and packet loss under regular conditions and handoff.
- Review the applicant’s area-specific assessment of its network’s capacity to support evolving connectivity needs.

Hybrid fiber-coaxial

- Assess the proposed technology type (i.e., DOCSIS version).
- Review the applicant’s data to assess the capacity in the proposed access and distribution network.

- Review the applicant's data to assess the proposed backhaul capacity.
- Review the applicant's data to assess the proposed latency.
- Review the applicant's data to assess whether the network is easily scalable to support evolving connectivity needs.

Licensed fixed wireless

- Review the information submitted by the applicant on spectrum use, network equipment, tower details, sector antenna details, antenna and radio specifications, customer premises equipment (CPE) specifications, signal strength at each proposed BSL, upstream and downstream speed at each BSL, and backhaul.
- Review data from the applicant-submitted planning model and compare that model to theoretical maximums (e.g., free-space path loss).
- Review the applicant-submitted planning model to assess whether it adequately accounts for the effects of natural and physical features of the project area, such as terrain and foliage.
- Review the applicant's data on the capacity to serve the proposed BSLs in the project area considering the BSLs' locations and physical clustering.
- Review the applicant's data to assess the ability of the applicant's network to meet Priority throughput criteria for all BSLs in the proposed project area.
- Review the applicant's data to assess the ability of the applicant's network to easily scale to support evolving connectivity needs.
- Review the applicant's data to assess the ability of the applicant's network to support 5G and advanced services.

Unlicensed fixed wireless

- Review the information submitted by the applicant on spectrum use, network equipment, tower details, sector antenna details, antenna and radio specifications, customer premises equipment (CPE) specifications, signal strength at each proposed BSL, upstream and downstream speed at each BSL, and backhaul.
- Review the applicant's ability to mitigate potential interference.
- Review data from the applicant-submitted planning model and compare that model to theoretical maximums (e.g., free-space path loss).

- Review the applicant-submitted planning model to assess whether it adequately accounts for the effects of natural and physical features of the project area, such as terrain and foliage.
- Review the applicant's data on the capacity to serve the proposed BSLs in the project area considering the BSLs' locations and physical clustering.
- Review the applicant's data to assess the ability of the applicant's network to meet Priority throughput criteria for all BSLs in the proposed project area.
- Review the applicant's data to assess the ability of the applicant's network to easily scale to support evolving connectivity needs.
- Review the applicant's data to assess the ability of the applicant's network to support 5G and advanced services.

Fiber

- Assess the proposed technology type (i.e., end-to-end fiber project).
- Review the applicant's data to assess the capacity in the proposed access and distribution network.
- Review the applicant's data to assess the proposed backhaul capacity.
- Review the applicant's data to assess the proposed latency.
- Review the applicant's data to assess whether the network is easily scalable to support evolving connectivity needs.

13. Subgrantee Selection Certification (Requirement 13)

13.1 Application of Required Scoring Criteria

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.

The Eligible Entity must describe the following:

- 1. A summary of how the Eligible Entity applied the "Minimal BEAD Program Outlay" scoring criteria to each competitive application**
- 2. If secondary criteria were applicable according to the BEAD Restructuring Policy Notice, a summary of how the Eligible Entity applied the criteria, (i.e., how points were assigned within each criterion) and identify the corresponding weights assigned to each criterion:**
 - Speed to deployment; and**
 - Speed of network and other technical capabilities as defined by the Eligible Entity;**
 - For locations where Eligible Entities have already completed their subgrantee selection process and identified preliminary or provisionally selected subgrantees, Eligible Entities will give additional weight to Preliminary/Provisional Subgrantees.**

OSIT scored each application in alignment with the BEAD RPN.

As described in Requirement 12 in this Final Proposal, OSIT first determined if any applications for a given RPA met the technical requirements for a Priority Broadband Project as defined in the RPN. OSIT conducted further analysis of project overlaps and coverage percentages to identify all proposed projects in the same general area. OSIT then applied the RPN-aligned scoring rubric.

If an RPA received one or more applications meeting the definition of a Priority Broadband Project, OSIT applied the primary scoring criterion of minimal BEAD Program outlay for Priority applications proposing to serve the same general project area. An application was awarded if OSIT had sufficient BEAD funding and costs were not excessive. If the selection of a Priority Broadband Project would incur excessive costs, the lowest cost, non-excessive, Non-Priority Project was selected.

OSIT evaluated applications based on secondary scoring criteria in cases where "an application to serve the same general project area propose[d] a project cost within 15% of the lowest-cost proposal received for that same general project area on a per BSL basis" (per the Policy Notice, p. 12). In alignment with the Policy Notice, those secondary criteria were:

- Speed to deployment
- Speed of network and other technical capabilities
- Preliminary/provisional subgrantees

The secondary scoring rubric applied with the following points:

- *Speed to deployment*: 5 points if deployment within 36 months of award.
- *Preliminary/provisional subgrantees*: 10 points if the proposed project is substantially the same project that received a preliminary award.
- *Speed of network and other technical capabilities*: Up to 85 points, awarded as follows:
 - ≥10 Gbps download over ≥10 Gbps upload: 85 points
 - ≥5 Gbps and < 10 Gbps download over ≥5 Gbps and <10 Gbps upload: 70 points
 - ≥ 1 Gbps and < 5 Gbps download over ≥ 1 Gbps and < 5 Gbps upload: 50 points
 - ≥ 100 Mbps and < 1 Gbps download over ≥ 100 Mbps and < 1 Gbps upload: 25 points
 - ≥ 100 Mbps download over ≥ 50 Mbps and < 100 Mbps upload: 15 points
 - ≥ 100 Mbps download over < 50 Mbps upload: 0 points

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

14.1 EHP Documentation Upload

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 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 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 Exhibit H

15. Consent from Tribal Entities (Requirement 15)

15.1 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.

Formal resolutions are pending confirmed award.

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16. Prohibition on Excluding Provider Types (Requirement 16)

16.1 Certification of Non-Exclusion of Various Provider Types

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)?

OSIT certifies 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).

17. Waivers

- 17.1 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. Changes to conform to the BEAD Restructuring Policy Notice should be excluded. If not applicable to the Eligible Entity, note 'Not applicable.'**

N/A

- 17.2 If not already submitted to NTIA, and the Eligible Entity needs to request a waiver for a BEAD Program requirement, upload a completed Waiver Request Form here. If documentation is already in process or has been approved by NTIA, the Eligible Entity does NOT have to upload waiver documentation again.**

Attached.

Section 18 Exhibits

Exhibit A – Subgrantees CSV file

Exhibit B – Deployment Projects CSV file

Exhibit C – Locations CSV file

Exhibit D – No BEAD Locations CSV file

Exhibit E – CAIs CSV file

Exhibit F – BEAD Program Monitoring Plan

Exhibit G – Draft Subgrant Agreement

Exhibit H – Environmental and Historic Preservation (EHP) Documentation

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