



Architecture & Engineering Division

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1. Timeline

10/15/21	Website development	Website framework published
10/20/21	Prepare online application on submittable	Drafted Go live by 1/25/21
10/22/21	Mapping system COTS selection (Date Call 12/1/21 to 12/10/21)	RFI Closed 11/5/21 Review 11/08/21 Select 11/30/21 Publish 12/20/21
11/1/21	Publish RFQ for consultant engineer	RFQ closed 11/23/21 Review 11/29/21 Select 11/30/21
11/3/21	Determine scoring system Challenge process, servicing requirements Application guide, allocation agreement	Drafted Finalize 11/20/21 Publish 12/01/21
11/12/21	Publish RFQ for Technical Assistance	RFQ Open 11/__/21 Close 11/__/21 Review 11/29/21 Select by 11/30/21
1/3/21	Conduct webinar on application process Setup help desk support for technical questions	TA tasks
1/26/21-3/28/22	Statewide application window	
4/2/22 4/2/22 – 5/4/22	Applications available for public review 30 challenge period	
5/19/22	DOA response to challenges	

5/20/22 – 6/3/22	Applicants open to modify applications that were successfully challenged
6/4/22 – 7/1/22	Underwrite final applications
6/30/22	Receive ARPA funds from US Treasury
7/2/22	Obligate and announce awards
7/30/22 – 12/31/26	Construction period, service and audit awards
TBD	MDT Dig Once Policy published link on website

2. Performance Metrics

(Attachment 1)

3. Scoring

(Attachment 2)

4. Mapping

5. Website Connectmt.mt.gov developments

6. Online Application

- a. Application demo
- b. Challenge demo

7. Programmatic Criteria

(Attachments 3,4 and 5)

Attachments:

- #1 *Performance Metrics*
- #2 *Scoring System*
- #3 *Draft of Challenge Process*
- #4 *Programmatic Criteria – middle mile open access network*
- #5 *Frequently Asked Questions*

Attachment 1

ConnectMT Program

Key Performance Metrics:

Estimated # Unserved locations in MT: _____ Estimated #underserved locations in MT: _____

Connections	total	unserved	underserved
# households:			
# businesses:			
# community anchor institutions:			
Schools:			
Libraries:			
Hospitals:			
Urgent Care Clinics:			

Nursing Homes:

projects:

counties with projects:

Total ARPA \$ allocated:

Total \$ matching funds:

of projects offering 100% last mile 100/100 symmetrical service:

of providers offering low income fee schedule:

of projects offering free community access to broadband service at community centers:

% of projects serving poverty areas:

Average cost per connection for each last mile location:

of Montana new permanent workers employed under the ConnectMT program:

2021 ConnectMT Program Scoring Chart

(100 points possible)

1. Matching Funds: (25 points maximum)

a. % local government / school district contributed of total eligible project costs **Points**

0-9%	0
10-19%	1
20-29%	2
30% or more	5

b. % broadband deployment allocation requested of total eligible project costs **Points**

30% or less	10
31% to 50%	7
51% to 79%	5
80% or more	0

c. % applicant funds used for total eligible project costs **Points**

80% or more	10
50% to 79%	7
21% to 49%	5
20% or less	0

2. Passing Counts of locations: (20 points maximum)

a. # passed vs current served locations (households, businesses, farms, anchors)

	<u>50%</u>	<u>75%</u>	<u>100%</u>
Frontier	10	15	20
Unserved	10	12	15
Underserved	5	7	10

3. Speed Thresholds of project: (20 points maximum)

<u>Upload /download speeds (mbps)</u>	<u>Points</u>
a. <u>100/20 up to 99/99</u>	
100% (of project)	0
75%	5
50%	10
25%	15
b. <u>100/100 or higher</u>	
100%	20
75%	15
50%	10
25%	5

4. Use of Existing Infrastructure: (10 points maximum)

- a. Use of existing rights of ways and easements: 5 points
- b. Use of existing fiber optics middle mile infrastructure: 5 points

5. Timeframe to complete Project: (5 points maximum)

- a. Less than 1 year: 5 points
- b. 1-2 years: 3 points
- c. 2-3 years: 2 points

6. # of Montana Jobs Created or maintained relative to county(ies) of project area: (10 points maximum)

1% or more increase in jobs created: 10 points

7. Equity and Affordability: (10 points maximum)

- a. Free public access offered at community center for broadband service: 2 points
- b. Monthly subscriber fees included for low-income residents: 2 points
- c. 30% or more of residential locations at or below poverty level: 2 points
- d. 30% or more of residential locations receiving WIC: 1 point
- e. % of unemployment of area above national average: 2 points
- f. 20% of residential locations receiving free school meals: 1 point

ConnectMT Program

Challenge Process Guidelines

1. Providers wishing to submit challenges on multiple applications must submit a separate challenge for each application.
2. Challenges can be made to portions of a proposed project area without invalidating the entire project.
3. The ConnectMT Program reserves the right to:
 - a. Invalidate a portion(s) of a proposed project area.
 - b. Aggregate challenges by different providers to determine percentage of locations served in a proposed project area.
 - c. Invalidate insufficient challenges.
4. Challengers must demonstrate that either:
 - a. More than 90% of serviceable units in the project area have access to speeds above 25/10 mbps (unserved) or 100/20 (underserved) as of the date of the application. (OR)
 - b. The application is ineligible as a result of committed state or federal funding subject to the conditions described above.
5. The ConnectMT Program must receive all of the information detailed below or the challenge will be deemed incomplete and invalid.
6. Challengers must provide:
 - a. A signed and notarized affidavit affirming the challenge and attached information is true.
 - b. Current Federal Communications Commission (FCC) Form 477 or equivalent.
 - c. Minimum/maximum speeds available in the proposed project area.
 - d. Number of broadband serviceable locations within the proposed project area.
 - e. Speeds those locations are able to receive.
 - f. Street level data of customers receiving service within the proposed project area.
 - g. Using the project area map submitted by the applicant, create a map indicating where the challenger's contested locations are in the proposed project area. Challengers are encouraged to submit additional maps and information if necessary.
 - h. If challenging due to planned state or federal funding, documentation detailing commitment to provide service in or adjacent to the proposed project area.
7. The ConnectMT Program will:
 - a. Review all applicable challenge and rebuttal information to determine if a challenge is credible.
 - b. Reserve the right to request verified speed tests on all or portion(s) of the challenged area.

- c. Reserve the right to re-scope any credibly challenged application and fund portion(s) of a credibly challenged application.
 - d. Notify the applicant and challenger in writing if a challenge is credible no later than _____.
8. The ConnectMT Program may allow the applicant to revise its application to remove any successfully challenged locations in a project area.
 9. All revisions are due to the ConnectMT Program within 1 week (5 business days) of notification of a successful challenge.
 10. All challenges and revisions must be submitted electronically on the ConnectMT.mt.gov website.

DRAFT

Attachment 4

Proposed language for ConnectMT Middle Mile projects (including that portion of middle mile associated with last mile projects).

Middle Mile Open Network Requirements.

o Interconnection: Recipients shall allow interconnection to grant-funded facilities at any technically feasible point along the network (without exceeding current or reasonably anticipated capacity limitations). This duty includes, at a minimum, the physical interconnection of the recipient's facilities to a requesting party's facilities for the exchange of traffic. In addition, recipients shall connect to the public Internet directly or indirectly and provide requesting parties with an ability to connect to the Internet. Rates and terms for interconnection shall be reasonable and nondiscriminatory.

o Negotiate in Good Faith: Recipients shall negotiate in good faith with all requesting parties (i.e., public, private, nonprofit, or other parties) making a bona fide request for interconnection or wholesale services.

o Wholesale Broadband Services: NTIA encourages recipients to offer wholesale broadband services at rates and terms that are reasonable and nondiscriminatory.

Frequently Asked Questions

What are eligible project costs?

Eligible project costs include terrestrial capital expenses directly related to a qualified broadband project, including design, construction, engineering, make readies, permitting expenses and validation of service. Maintenance or operating expenses related to the project do not qualify as an eligible expense.

Can the award allocations fund middle-mile only projects?

The purpose of the award allocations is to deploy both middle-mile and last-mile broadband infrastructure to residential and business locations in unserved and underserved areas within Montana. Award allocations can only be used for middle-mile related costs if it is necessary in order to provide last-mile service.

What areas are eligible for awards?

Unserved areas where at least 10% of the delivery points (locations) do not currently have access to broadband service of at least actual 25 Mbps download speed and 10 Mbps upload speed with low latency.

Underserved areas that have no access to broadband service with download speeds greater than 100 Mbps and upload speeds greater than 20 Mbps with low latency.

What is the maximum award amount?

There is no single award limit for each allocation.

Will certain types of technology receive preference?

The ConnectMT Program is technology agnostic and will not select an application based solely on the proposed technology solution. Achievable results are more important to provide the maximum possible service to the recipient.

Will certain speed levels receive preference?

Because the funds allocated to this program are part of Montana's appropriation of the US Department of Treasury's Coronavirus Capital Projects Fund of the American Rescue Plan Act of 2021, projects that provide technology solutions of 100 Mbps/100 Mbps or greater will receive priority of funding. All proposed projects must be at least 100/20 to be considered eligible.

Are partial census blocks eligible?

Projects will not be defined by census blocks. They are defined by the locations and project areas necessary to deliver middle mile and last mile broadband service. The applicant must identify locations that will be served by the proposed project.

Does the project area need to be contiguous?

No. The project area may include areas that are not adjacent to each other. However, the State of Montana reserves the right to partially fund applications if it allows the project to remain financially and technically feasible.

What service addresses are ineligible?

Any service address (location) that was beneficiary to a federal award from the federal government where the provider is currently committed to deliver service at 100 Mbps download speed and 20 Mbps upload speed with low latency is not eligible. The federal awards include but are not limited to the FCC Rural Digital Opportunity Fund (RDOF) or USDA ReConnect program. These areas will be identified on the ConnectMT broadband map as they become available.

Service addresses where actual delivery speeds are less than 100 Mbps downloads and 20 Mbps uploads with low latency that received other federal awards which have completed construction including but not limited to Connect America Fund, or Broadband Technology Opportunities Fund are eligible for ConnectMT funding.

Any service address that currently has 100Mbps download, and 20 Mbps upload with low latency is ineligible for funding.

If non-terrestrial providers are ineligible entities based on the “qualified broadband project” definition, will they be able to challenge census blocks?

Non-terrestrial providers will not be eligible to challenge census blocks unless they meet the criteria in the “qualified broadband provider” definition.

What version of the FCC Form 477 data is in the map?

The map utilizes FCC data as provided by the NTIA National Broadband Availability Map website.

If a provider has broadband customers within a currently eligible area, but does not serve all the locations within that area, can it apply for funds in that area? Can other providers apply for funds to offer service in an incumbent’s area that has unserved locations?

Yes, any eligible provider may apply to provide service to any unserved last mile location as long as it commits to offer terrestrial based broadband service at or above 100 mbps download speeds, 20 mbps upload speeds level service with low latency on a 24 hours, 7 days per week, 365 days per year basis (with accommodations for planned downtime related to maintenance and service, and unplanned downtime related to unforeseen events) in accordance with the Connect Montana Act as defined by Montana Senate Bill 297. An incumbent service provider’s area is not “protected” from competition nor is it able to prevent funding from being provided to a competitor when it fails to offer and provide service to locations as defined by the Connect Montana Act.

A location having service is defined as where the internet service provider delivers broadband service to a last mile site. The “last-mile” means at the spot of the residence, business, or government customer; included in this is where service can be provided by either wireless means or fixed wired within 5 business days of service request. Such service provision must not result in existing customers experiencing latency of data download or reduction of megabits transmission speeds.

How do you dispute an area that is classified as served when it is actually an underserved area?

Challenges are limited to eligible applications received by the ConnectMT program. The ConnectMT program will review challenges and responses received from the challenge process to determine whether an area or location that an applicant proposes to serve should be deemed ineligible for award allocation. Applicants are encouraged to review the broadband map published by the ConnectMT program and should show due diligence in selecting unserved and underserved areas prior to submitting applications. In the event that certain locations are deemed ineligible by the ConnectMT program, the applicant may be allowed to reduce its request for the specified project if the applicant deems it is financially and technically feasible to do so. Adjustments to an application that are successfully challenged are only allowable at the sole discretion of the ConnectMT program. Adjustments may only be allowed for precise funding that includes the last mile locations of the contested area. The determination for award eligibility is final once the challenge process is complete and a decision has been rendered by the ConnectMT program. Award eligibility does not guarantee that a project will be funded due to priority ranking of applications and limited funding availability.

Will the ConnectMT program release a map of eligible census blocks for award allocations?

The ConnectMT will not use census blocks as the sole basis for eligibility. It will not use the FCC Form 477 data as a sole source of authority that a location is served. The ConnectMT program will publish a broadband map that will be used as a basis for determining areas that are currently served. The map will consider a wide range of datasets to gather information on which locations are currently served in Montana. An applicant can apply for a location that reflects service on the ConnectMT map if the applicant shows in its application that the locations proposed to be served by the applicant are unserved or underserved, and gives evidence of such to a location.

Will the ConnectMT program challenge process alter any of the census blocks that the U.S. Treasury and or the FCC deem as unserved?

Yes, if locations in a census block are determined to be served via the ConnectMT challenge process, those locations will no longer be eligible for award allocation under the ConnectMT program, however, it will not deem the entire census block as served. The ConnectMT program will coordinate its reporting of served locations with federal agencies, including the US Treasury Department, and US Department of Commerce's National Telecommunications and Information Administration (NTIA) on a periodic basis in order to meet requirements of the American Rescue Plan Act (ARPA). However, the ConnectMT program does not control federal programs or federal agencies' determinations of served locations.

Where can I find a list of areas or locations that were challenged in the ConnectMT challenge process?

The ConnectMT program will release a public notice of all challenged locations that were received and the determination that was made. This information will be listed on the ConnectMT website at connectmt.mt.gov.

How can I try to stop a challenge of a particular area or location?

Only applicants can file a reply in the challenge process. Replies will be due 5 business days after the ConnectMT provides written notice to an applicant that a challenge has been made to the application. Keep checking the ConnectMT website challenge section for public notices.