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FCC Fabric Versioning Policy for ARPA SLFRF Grant Awards
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Background

Many Internet Service Providers (ISPs) have worked diligently with the South Carolina Broadband Office (SCBBO) to update and refine the Federal Communication Commission's (FCC's) Broadband Serviceable Location (BSL) fabric on behalf of the State of South Carolina.

To obtain the most accurate representation of all BSLs statewide, tens of thousands of point locations have been added, modified, and/or removed from the fabric since the FCC established the Broadband Data Collection (BDC) program started in 2022. Beginning in June 2022, the FCC makes new versions of the fabric available in June and December each year.

For the first five to ten cycles of the BDC, the SCBBO anticipates significant changes to the fabric. As an example, in the first cycle of the BDC between June 2022 (v1) and December 2023 (v2), the State of South Carolina went from 2,107,436 to 2,126,065 BSLs – an overall increase of 18,629 locations.

Adding to this complexity, even if the overall number of BSLs remains constant, the FCC also allows BSLs to be modified via a Challenge Process. In other words, a BSL's latitude and longitude may change, and the point will shift in space. In addition, other BSL attributes may change over time like the physical street address, unit count and structure type.

Since ARPA projects are funded using the then-current FCC fabric version, it is likely that BSLs will be different now than they were when a grant was awarded. This may have an impact on the ultimate number of homes and businesses which will have access upon completion of the funded project. In addition, some of the fabric changes may require engineering modifications for a project to retain original goals.

For the benefit of all South Carolinians, the SCBBO needs to routinely reconcile BSL fabric modifications across all funded projects. As a result, this policy is aimed at defining a proactive process whereby the SCBBO can work together with each grantee to ensure fidelity to original project requirements.

Therefore, the objectives of this document are to:

- Document the delta that may exist for a project between funded versus current BSL fabric locations
- Maintain fidelity to original project goals and coverage requirements
- Accurately reflect any BSL deletions or additions

- Describe how BSL fabric updates will routinely be tracked and maintained during construction
- Define a process whereby ISPs can notify the SCBBO of material issues due to fabric modifications

Analyzing BSL Fabric Changes

From this point forward, the SCBBO will download the South Carolina BSL fabric bi-annually when a new vintage is published by the FCC. Once downloaded, the SCBBO will identify the current BSL locations within each funded project area and then compare it to the original list of funded locations from fully executed grant agreements. During the comparison, there are four scenarios that may occur. The current funded BSL list may be:

- **Unchanged** - No BSLs were added or deleted; and/or,
- **Additions** - New BSLs were added; and/or,
- **Deletions** - BSLs were deleted; and/or,
- **Modified** – BSLs may have shifted or were otherwise modified

Tracking the Delta Change

When the SCBBO determines FCC fabric differentials, project specific BSL locations that were **added** will be separately uploaded to an ISP's directory in Citrix for review.

Due to volume and complexity, the SCBBO **will not be able to analyze modifications** to FCC BSLs that were included in funded projects. Each grantee will be responsible for monitoring BSL modifications within their funded projects.

With a goal to maintain fidelity to original project extents and coverage requirements, based on the provisions outlined in the ARPA SLFRF guidelines and grant agreements, the following conditions may exist separately or in combination with one another. The project may be:

- **Unchanged** - If no BSLs were added or deleted, no further action may be necessary; however, each ISP is responsible – by doing their own analysis (see below) - for making sure to account for the potential of BSL modifications.

- **Additions** - If BSLs were added to the project, the new Location IDs will be noted in the SCBBO project management guide and added to the post construction list of addresses. The SCBBO will provide this amended list to grantees for completion and final reporting to US Treasury.

    o If the increase in BSLs occurs in a <u>priority area</u> or an <u>unserved portion of the proposed project service area</u>, unless otherwise specified in a grant agreement, the SCBBO requires all new Location IDs to be added to the build. In addition, consumers must be provided access with no additional aid in construction cost.

- **Deletions** - If BSLs were removed from the project, unless challenged in writing by an ISP, the appropriate Location IDs will be noted in the SCBBO project management guide and remain part of the project.

- **Modifications** – By default, the SCBBO does not consider BSL modifications to have a material impact on the project area and no further action is required. However, if an ISP performs their own analysis and determines that BSLs modifications have resulted in material changes, the ISP should immediately notify the SCBBO in writing and request a discussion on next steps.

Timing / SCBBO Notification

Since time is of the essence, the SCBBO will make every effort to download new versions of the FCC BSL Fabric and analyze all funded projects as quickly as possible. As soon as the SCBBO notifies a grantee that changes to the fabric have impacted their project, each ISP will have 30 calendar days to respond to any issues or concerns as to the addition, deletion, or modification of BSLs pertaining to their project by sending an email to broadband@ors.sc.gov.

If no issues or concerns are raised after 30 calendar days, the SCBBO will assume the Grantee has accepted all BSL modifications to their funded project.

Grant Amendments

Depending on the magnitude of change, the SCBBO may require an amendment to an existing grant agreement to reconcile structure counts and associated exhibits. In addition, in certain circumstances, the SCBBO may authorize additional funding in the event an increase in BSLs where:

- The ISP did not originally intend to connect 100% of the homes within an unserved census block as prescribed in exhibit M
- The project service area did not cover the entire unserved census block and the BSL increase occurred outside of the project service area extents
- Other unforeseen circumstances exist

APPENDIX

Notable Provisions in the ARPA SLFRF Agreement and Guidelines

The ARPA SLFRF agreement and guidelines includes several provisions around the expectation of providing access to all existing homes and businesses. These include:

- Guidelines, Page 5 – Universal Service Provision - To be eligible for funding, a Project must meet the Universal Broadband Service requirements established in these Guidelines. Any deviation from the Universal Broadband Service requirements requires a written request by the Applicant and must be documented in the Funding Agreement for each Project.

- Guidelines, Page 3 – Definition of Universal Service - Universal Service – Telecommunications services including internet access, internet services, and internet connection services and other services that are identified by the FCC as eligible for federal universal service support mechanisms. See 47 U.S.C. 254(c), (h)(5)(A)(ii). Universal service is the principle that all Americans should have access to communications services. Since that time, universal service policies have helped make telephone service universally available, even in remote rural areas. Today, the FCC recognizes high-speed Internet as the 21st Century's essential communications technology and is working to make broadband as universally available as telephone services, while continuing to support telephone services.

- Guidelines – Page 5 – Universal Service Broadband Requirement - Upon approval of a project under this grant program, all residents and businesses in the Project Service Area must be served in a manner that is non-discriminatory, at speeds equal to or greater than the minimum required in these Guidelines, and without additional construction or startup costs to the customer.

- Guidelines – Page 5 – Minimum Eligibility Criteria – Applicant must serve a minimum of 100% of the housing units in priority census block(s) and 80% or more of the housing units in unserved census block(s) outlined in their grant application upon completion of the project. Applicants must identify all housing units in a given census block.

- Guidelines – Page 6 – Minimum Eligibility Criteria – [Applicant must] Adhere to the South Carolina Universal Service Broadband Requirement.

- Grant Agreement – Page 4 - Installing broadband infrastructure and delivering service upon reasonable request in the approved areas designated in Exhibits A, L, and M ("Project Area"), to all existing homes and businesses located in the Project Area.

- Exhibit A - Grantee shall provide broadband infrastructure and connectivity to unserved South Carolina properties in project areas as outlined in Exhibit L and Exhibit M, which are sourced from uploaded Grantee Shapefiles referenced in the Grantee's approved application and associated attachments.

- Exhibit D – Application for Disbursement - By submitting this Application for Disbursement, Grantee certifies that 1) it has completed the Project, 2) that the Project is capable of providing reliable broadband service as outlined in the grant guidelines to the identified Project area, and 3) Grantee is entitled to a disbursement of funds from the South Carolina 2022 ARPA SLFRF 1.0 Broadband Grant Program and pursuant to the Grant Agreement. All invoices must include a signed statement by a Principal Officer of Grantee or other representative acceptable to ORS in its sole discretion certifying that all amounts set forth herein are true and accurate and in accordance with the Agreement.

- Exhibit L – Project Location Map – Varies by project, illustrates priority areas, unserved areas, proposed fiber/cable lines, structures as of the execution of the agreement.

- Exhibit M – List of 2020 Census Blocks – Varies by project, includes designation of priority census block versus unserved census block, percent served, total home structure count as of the execution of the agreement.