BROADBAND OFFICE

SC BEAD Selection and Gating

Guidance on providing the SCBBO with all remaining gating documentation



South Carolina Office of Regulatory Staff | September 2, 2025

Disclaimer

Please be advised that these discussions are informal and intended to provide general guidance only. They do not supersede, replace, or amend any information contained within the BEAD Restructuring Policy Notice, Guidelines, Notice of Funding Opportunity (NOFO), or any related policy notices. This session is intended to clarify application requirements for NTIA-required gating for selected Applicants. We are unable to provide advice, offer opinions, or give legal counsel. For formal questions and comprehensive clarification, please refer to the Frequently Asked Questions (FAQs) section of our website

Confidentiality

No one is Provisionally Selected at this time - Programmatic information is to be treated as confidential until the SC BEAD Final Proposal is released for Public Comment

(est. Sept. 19, 2025)

The SCBBO continues to receive updated guidance from NTIA and premature disclosure may put your award at risk.

Agenda

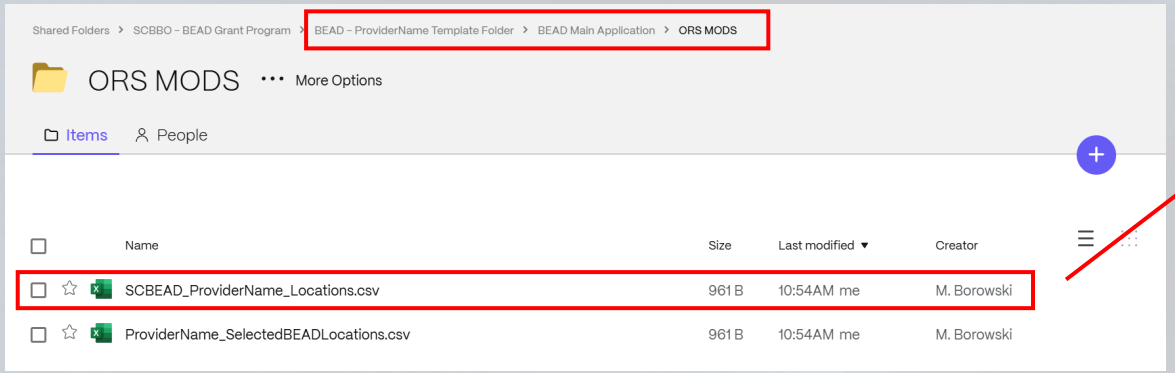
1. Applicant(s) Current Status
2. Remaining Gating Documentation Required
3. How to Submit Required Documentation
4. Best Practices
5. SC BEAD Major Milestone Dates
6. Q&A

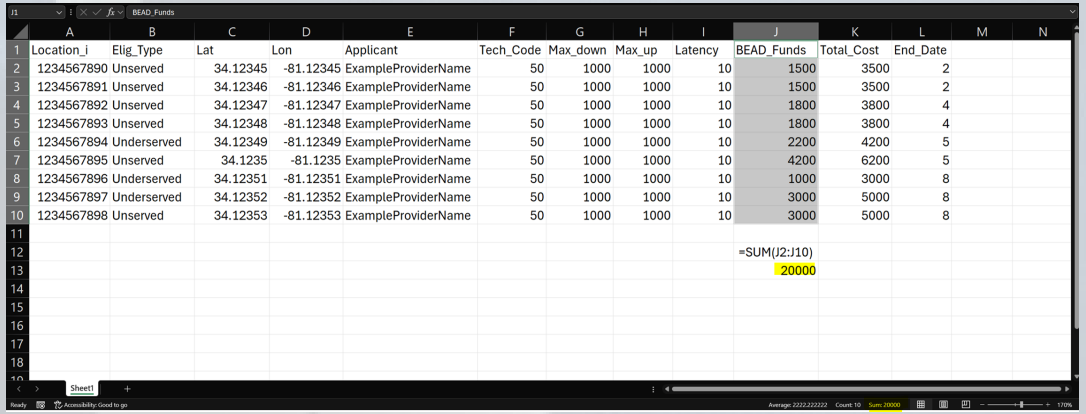
Applicant(s) Current Status

SC BEAD Applicants that have chosen to move forward with locations selected by the SCBBO are to provide additional gating documentation in accordance with NTIA BEAD requirements.

Applicant(s) Current Status

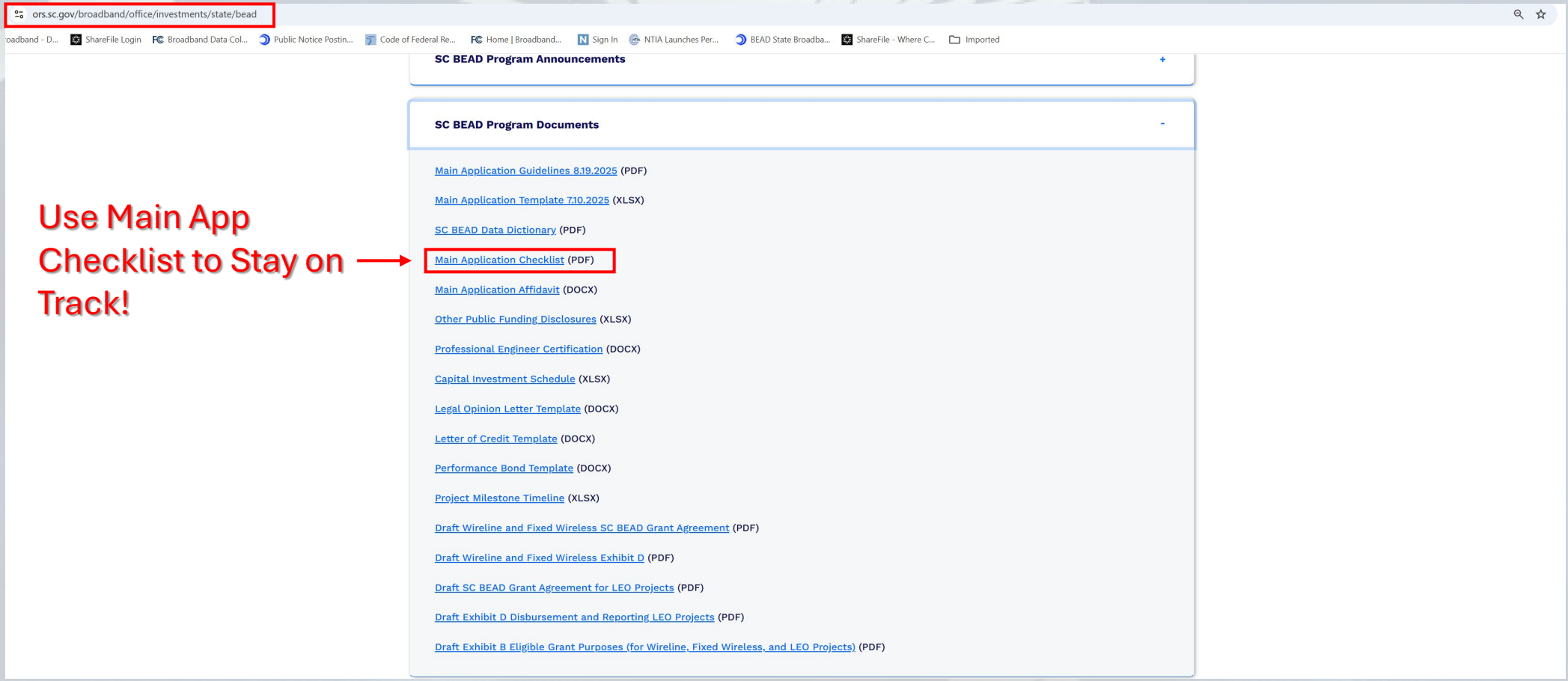
- Selected BSLs / Total (proposed) BEAD funds award and where to find the file
- Use as a basis for compilation of all remaining gating requirements





	A	B	C	D	E	F	G	H	I	J	K	L
1	Location_i	Elig_Type	Lat	Lon	Applicant	Tech_Code	Max_down	Max_up	Latency	BEAD_Funds	Total_Cost	End_Date
2	1234567890	Unserved	34.12345	-81.12345	ExampleProviderName	50	1000	1000	10	1500	3500	2
3	1234567891	Unserved	34.12346	-81.12346	ExampleProviderName	50	1000	1000	10	1500	3500	2
4	1234567892	Unserved	34.12347	-81.12347	ExampleProviderName	50	1000	1000	10	1800	3800	4
5	1234567893	Unserved	34.12348	-81.12348	ExampleProviderName	50	1000	1000	10	1800	3800	4
6	1234567894	Underserved	34.12349	-81.12349	ExampleProviderName	50	1000	1000	10	2200	4200	5
7	1234567895	Unserved	34.1235	-81.1235	ExampleProviderName	50	1000	1000	10	4200	6200	5
8	1234567896	Underserved	34.12351	-81.12351	ExampleProviderName	50	1000	1000	10	1000	3000	8
9	1234567897	Underserved	34.12352	-81.12352	ExampleProviderName	50	1000	1000	10	3000	5000	8
10	1234567898	Unserved	34.12353	-81.12353	ExampleProviderName	50	1000	1000	10	3000	5000	8
11												
12										=SUM(J2:J10)		
13										20000		

Remaining Gating Documentation Required



Use Main App Checklist to Stay on Track!

https://ors.sc.gov/sites/scors/files/Documents/Broadband/BEAD/Main%20Application%20Checklist.pdf

Remaining Gating Documentation Required Cont'd

Attachments Due if Chosen for a Prospective Subaward ~~(potentially due later):~~

☐ **Financial Capability Attachments** [BEAD Main Application and Financial Capability Attachments subfolder]

☐A letter from a bank that meets eligibility requirements consistent with those set forth in 47 C.F.R. § 54.804(c)(2) committing to issue an irrevocable standby Letter of Credit, in the required form (see SCBBO model Letter of Credit template). Or if a performance bond is chosen, the Applicant must submit a letter from a certified surety on federal bonds committing to issue the Applicant a performance bond upon award.

☐ Legal Opinion Letter - *Reminder for applicants providing a letter of credit:*
The Applicant, at the time of Selection, prior to award, will be required to obtain a Letter of Credit accompanied by an opinion letter from third party legal counsel. The opinion letter must clearly state the following: subject only to customary assumptions, limitations, and qualifications, that in a proceeding under Title 11 of the United States Code, 11 U.S.C. § 101 et seq. (the "Bankruptcy Code"), the bankruptcy court would not treat the Letter of Credit or proceeds of the Letter of Credit as property of the winning subgrantee's bankruptcy estate under Section 541 of the Bankruptcy Code. When a Letter of Credit is submitted, include an Opinion Letter from legal counsel asserting that in bankruptcy proceedings the Letter of Credit or its proceeds will not be treated as the subgrantee's bankruptcy estate property, subject only to customary assumptions, limitations, and qualifications.

☐ **Business plans with sufficient detail to evidence Project sustainability**

☐ **Evidence of having the necessary funds to cover all project costs that exceed the amount of the grant**

3

1. Letter for LOC OR Letter from a certified surety for Bond
2. IF LOC – Legal Opinion Letter
3. Business Plans evidencing project sustainability
4. Evidence of funds available to cover all project costs (e.g. recent bank statement along with recent bank reconciliation)
5. Audited Financials (Updates)

For Applicants that have not provided audited financials or provided unaudited financial statements at the time of Pre-Qualification:

☐ Financial statements audited by independent certified public accountant for the prior fiscal or calendar year

☐ Single Audits and/or any other audits related to federal funding within the past 5 (five) years (if applicable).

The Letter for the LOC or BOND – Due now

Actual LOC or BOND IS NOT currently due
No Template for the Letter - Three Requirements:

1. Issuing Bank or Certified Surety must commit to issue an irrevocable standby LOC or Performance Bond
2. The commitment letter shall at a minimum include the dollar amount
   - LOC = 10% of the subaward amount
   - BOND = 100% of the subaward amount
3. Issuing Bank or Surety agrees to follow the terms and conditions of the template letter of credit or template performance bond

Remaining Gating Documentation Required Cont'd

☐ **Managerial Capability Attachments** [BEAD Main Application and Managerial Capability Attachments subfolder]

6. ☐ One-page resumes for key management personnel and certifying engineers, including, name, tile, relevant licenses including the license number, and three examples of relevant experiences, as well as contractors and subcontractors

- One page per resume, per "Key Management Personnel"
- Within the page there should be examples of relevant work experience related to role on project team
- Certifying Engineers are considered "Key Management Personnel"
- Contractors and Subcontractors should be included if considered "Key Management Personnel"

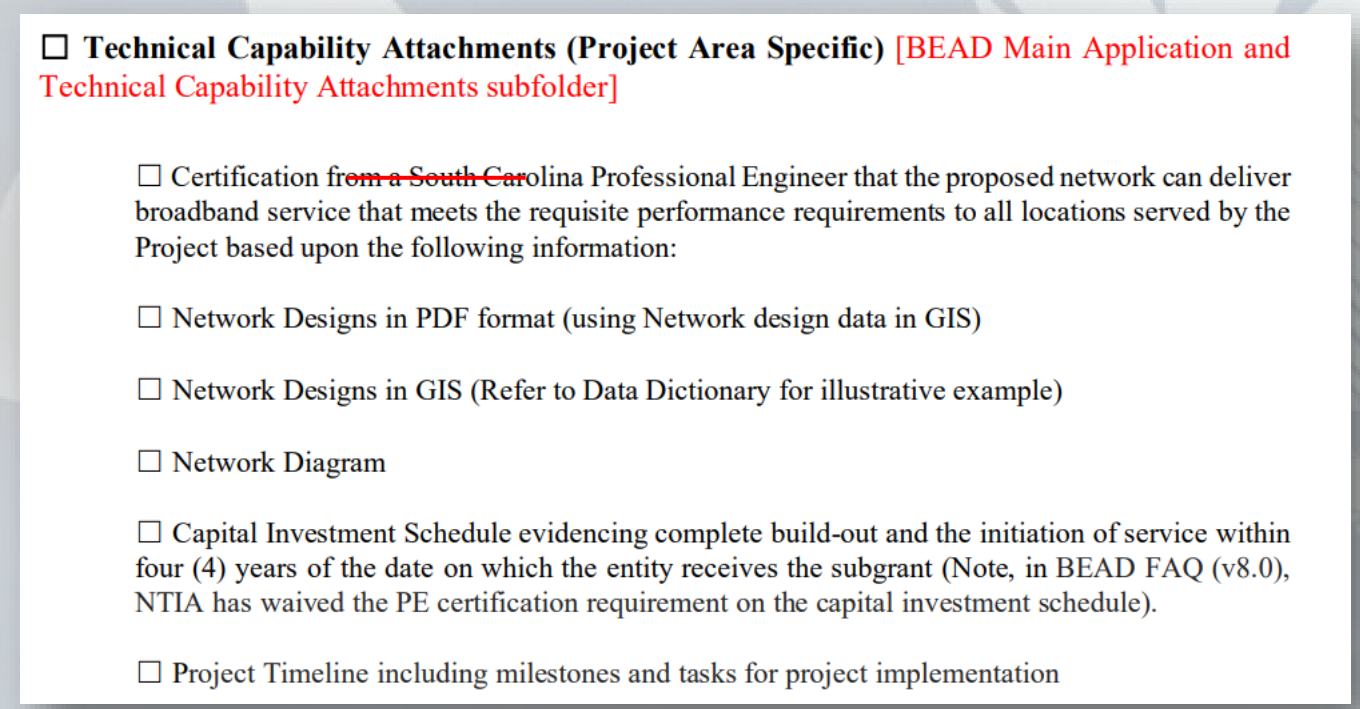
- Remember to fill out both tabs
- "Awarded Broadband Projects" (Anticipate seeing <u>active</u> State and County ARPA/RDOF/Reconnect awards)
- "Potential Broadband Projects" (Anticipate seeing non-active projects for which ISP has previously bid)
  - No need to include SC BEAD Bid

☐ **Other Public Funding Attachments** [BEAD Main Application and Other Public Funding Attachment subfolder]

https://ors.sc.gov/sites/scors/files/Documents/Broadband/BEAD/Other%20Public%20Funding%20Disclosures.xlsx

7. ☐ Other Public Funding Disclosures
   - Applicants must complete both tabs in the attachment: "Awarded Broadband Projects" and "Potential Broadband Projects"

Remaining Gating Documentation Required Cont'd



☐ **Technical Capability Attachments (Project Area Specific)** [BEAD Main Application and Technical Capability Attachments subfolder]

☐ Certification from a South Carolina Professional Engineer that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project based upon the following information:

☐ Network Designs in PDF format (using Network design data in GIS)

☐ Network Designs in GIS (Refer to Data Dictionary for illustrative example)

☐ Network Diagram

☐ Capital Investment Schedule evidencing complete build-out and the initiation of service within four (4) years of the date on which the entity receives the subgrant (Note, in BEAD FAQ (v8.0), NTIA has waived the PE certification requirement on the capital investment schedule).

☐ Project Timeline including milestones and tasks for project implementation

8. Certification letter from a Professional Engineer
9. PDF Map of Network Design
10. GIS Data (fully attributed) that created PDF Map (see data dictionary)
11. Network Diagram (PDF)
12. Capital Investment Schedule
13. Project Timeline

- Network Design should be high-level design in terms of scope and detail
- PE DOES NOT have to be Licensed in South Carolina

Best Practices

- Notify SCBBO immediately with issues
- Always use ShareFile for BEAD Attachments
  - Do not email BEAD@ors with gating documentation
  - Files SCBBO share with Applicant will be stored in “ORS MODS” folder
- Designate confidential files accordingly

SC BEAD Major Milestone Dates

- **9/10** (Wed) – **All Gating Due to SCBBO**
- **9/11-9/18 – Applicant Curing Phase**
- **9/19** (Fri) – Final Proposal Public Comment
- **9/27-9/28** (Sat/Sun) – Public Comment Review
- **9/29** (Mon) – Final Proposal Cleanup
- **9/30** (Tue) – **Final Proposal Submitted to NTIA**
- **~12/30 – NTIA Approval of SCBBO FP**

Q&A