

**IBO**

# **CHALLENGE PROCESS**

Indiana BEAD  
Rebuttal Phase Webinar

# Agenda

Challenge Process Overview

Challenge Phase Recap

Rebuttal Phase Overview

Rebuttal Phase Evidence

Rebuttal Submission

Questions

# CHALLENGE PROCESS GOALS

The Challenge Process is the Indiana Broadband Office's **opportunity to gather the most accurate data possible** before awarding BEAD funds to internet service providers.



Crowdsources evidence to ensure the IBO can identify all unserved and underserved locations.



Ensures that those who know their communities best can provide accurate information and help the IBO best allocate its resources.



Provides the IBO with a comprehensive list of eligible locations before beginning subgrantee selection.



# CHALLENGE PROCESS TIMING

March 4 - April 17  
Challenge Phase

April 18 - May 1  
Challenge  
Review

May 2 - June 1  
Rebuttal Phase

June 2 – July 1  
Final  
Determinations

# CHALLENGE PHASE RECAP

**1,162**

Total Challenges Submitted

**285,211**

Locations Challenged

**45**

Participating Challengers

Type	# Submitted
Availability	729
Planned/Existing Service	148
Enforceable Comm.	108
Location is a CAI	108
Business Service Only	38
Speed	30



29 Internet Service Providers



11 Non-Profits

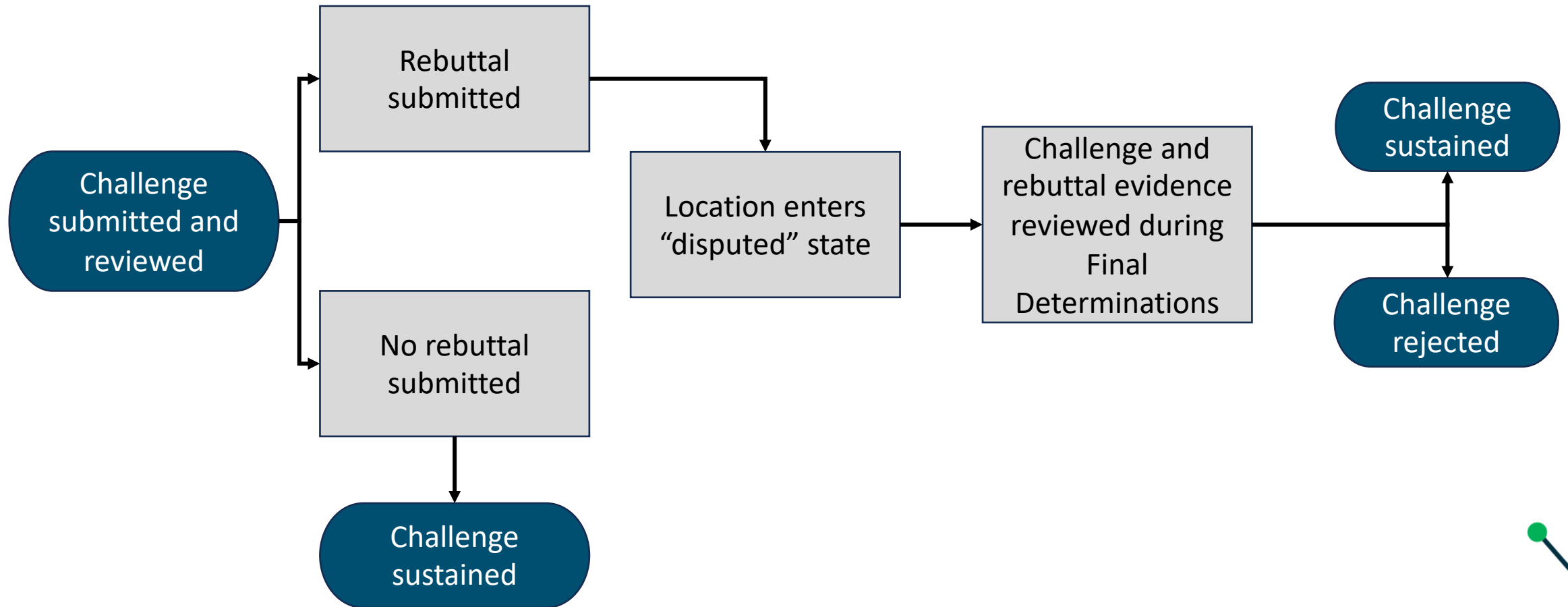


9 Units of Local Government

# WHAT IS THE REBUTTAL PHASE?

- The rebuttal phase is an opportunity for permissible challengers to review challenged locations and submit rebuttal evidence if they believe a challenge to be incorrect.
- *All* permissible challengers can participate in the rebuttal phase.
- Provider service level challenges can only be rebutted by the challenged internet service provider.
  - Ex: Availability, speed, business service only.
- All other challenges can be rebutted by any permissible challenger.
  - Ex: Planned/existing service, enforceable commitment, location is a CAI

# REBUTTAL PROCESS FLOW



# PREPARING FOR REBUTTALS

- Permissible challengers can review challenges against them and challenges that all challengers can respond to
- Challengers can see the following information about each challenge:
  - Locations being challenged (and if any locations in original challenge were rejected)
  - Challenge type
  - Entity that submitted the challenge
  - The provider being challenged (if applicable)
  - The technology being challenged (if applicable)
- Permissible challenger *cannot* see the challenge evidence submitted





# PREPARING FOR REBUTTALS

- Permissible challengers will submit rebuttals by challenge and can choose to rebut only certain locations from each challenge
- Using the same evidence for multiple rebuttals is acceptable, but the evidence will need to be submitted for each applicable challenge
- Rebuttal evidence will not be reviewed until the Final Determination phase – if you have questions about minimally acceptable evidence, please reach out to the IBO
  - Even if a challenger submits sufficient rebuttal evidence, the challenge evidence submitted may still outweigh the rebuttal evidence

# REBUTTAL EVIDENCE

## PROVIDER SERVICE LEVEL – ONLY CHALLENGED PROVIDERS CAN REBUT

	Description	Example Evidence
<b>Availability</b>	If rebutting an availability challenge, you are submitting evidence that service at or above 100/20 is available at the location for a standard installation fee and within 10 days of a request.	<ul style="list-style-type: none"><li>• A copy of the customer's bill</li><li>• A screenshot of your website showing that the service is available</li><li>• Proof of correspondence with the customer that shows service is now available</li><li>• A map showing that the address is clearly within the service area</li></ul>

# REBUTTAL EVIDENCE

## PROVIDER SERVICE LEVEL – ONLY CHALLENGED PROVIDERS CAN REBUT

	Description	Required Evidence
<b>Speed</b>	If rebutting a speed challenge, you must have countervailing speed test evidence showing sufficient speeds at or above 100/20	<ul style="list-style-type: none"><li>• Proof of three speed tests taken on three different days</li></ul>

# REBUTTAL EVIDENCE

## PROVIDER SERVICE LEVEL – ONLY CHALLENGED PROVIDERS CAN REBUT

	Description	Example Evidence
<b>Business Service Only</b>	If rebutting a business service only challenge, you are submitting evidence that residential service is also available at the location.	<ul style="list-style-type: none"><li>• Any evidence that the service listed in the BDC is available at the location and marketed to consumers</li><li>• A screenshot of the provider website showing that residential service is available</li><li>• A copy of correspondence with the location that includes an offer for residential service</li></ul>

# REBUTTAL EVIDENCE

## ALL PERMISSIBLE CHALLENGERS CAN REBUT

	Description	Example Evidence
<b>Enforceable Commitment</b>	If rebutting an enforceable commitment challenge, you are submitting evidence that the provider will be unable to meet the commitment.	<ul style="list-style-type: none"><li>• Any documentation that the provider has defaulted on the commitment</li><li>• Any documentation that the provider is not building out the commitment to a BEAD-sufficient level</li><li>• Any documentation that the provider is otherwise unable to meet the commitment</li></ul>

# REBUTTAL EVIDENCE

## ALL PERMISSIBLE CHALLENGERS CAN REBUT

	Description	Example Evidence
<b>Planned or Existing Service</b>	If rebutting a planned or existing service challenge, you are providing evidence that the provider does not serve that location or is no longer planning to build to that location.	<ul style="list-style-type: none"><li>• Any documentation that the provider is no longer planning that deployment<ul style="list-style-type: none"><li>• Any documentation that the deployment will not be complete by June 30, 2024</li><li>• Any documentation that the deployment will not meet the required technology or performance requirements</li></ul></li></ul>

# REBUTTAL EVIDENCE

## ALL PERMISSIBLE CHALLENGERS CAN REBUT

	Description	Example Evidence
<b>Location is a CAI</b>	If rebutting a CAI challenge, you are providing evidence that the location is not actually a community anchor institution.	<ul style="list-style-type: none"><li>• Any evidence that the location does not fall within the definitions of a CAI set by the IBO</li><li>• Any evidence that the location is no longer in operation</li></ul>



**IBO**

# **CHALLENGE PROCESS**

Rebuttal Phase Submission



# DASHBOARD

## Indiana Broadband Challenge Dashboard

 Invite Teammate

Rebuttal Submission

The Indiana broadband challenge process is now open! Prepare your challenges and rebuttals to ensure your community can get the broadband they deserve.

The Indiana broadband challenge process is an essential step conducted prior to deploying BEAD funding. Participation in the challenge process helps ensure that the map data is accurate and is a key step in making sure that grant funding reaches communities in need.

[Learn more](#) 

 CHALLENGES  
SUBMITTED

0

 CHALLENGES IN  
REVIEW

0

 PROCESSED  
CHALLENGES

0

 CHALLENGES  
WITHDRAWN

0

 REBUTTALS  
SUBMITTED

0

[My Submitted Challenges \(0\)](#)

Challenges Received (0)

Open For Rebuttal (1)

My Rebutted Challenges (0)

In Review (0)

Processed ( ...

[+ Add Challenge](#)

Search by challenge ID / entity



Challenged ... 

Challenge T... 

Locations 

Rebuttals 

Date Submit... 

Status

Details



# DASHBOARD

## Indiana Broadband Challenge Dashboard

 Invite Teammate

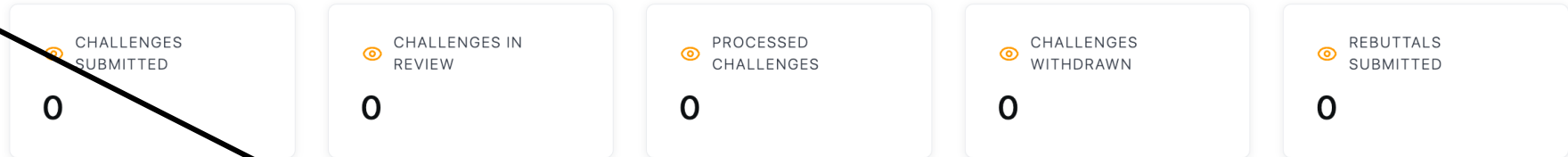
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[Learn more](#) 

Challenges against a specific provider, only challenged provider can see and rebut



[My Submitted Challenges \(0\)](#)

**Challenges Received (0)**

Open For Rebuttal (1)

My Rebutted Challenges (0)

In Review (0)

Processed (0)

[+ Add Challenge](#)

Search by challenge ID / entity



Challenged ...	Challenge T...	Locations	Rebuttals	Date Submit...	Status	Details
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# DASHBOARD

## Indiana Broadband Challenge Dashboard

 Invite Teammate

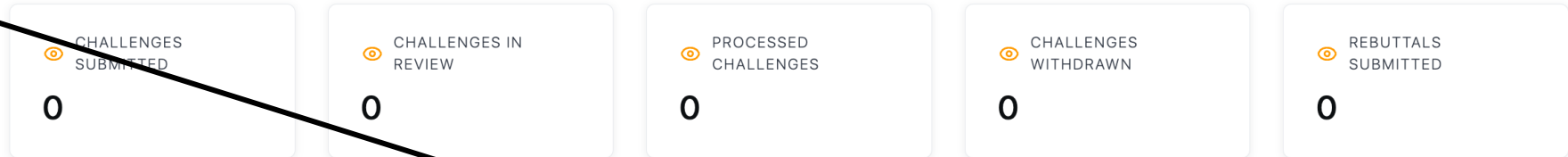
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[Learn more](#) 

Challenges that all challengers can see and rebut



[My Submitted Challenges \(0\)](#)

Challenges Received (0)

**Open For Rebuttal (1)**

My Rebutted Challenges (0)

In Review (0)

Processed (0)

[+ Add Challenge](#)

Search by challenge ID / entity



Challenged ...	Challenge T...	Locations	Rebuttals	Date Submit...	Status	Details
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Rebuttal Submission

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[Learn more](#) 

 CHALLENGES  
SUBMITTED

0

 CHALLENGES IN  
REVIEW

0

 PROCESSED  
CHALLENGES

0

 CHALLENGES  
WITHDRAWN

0

 REBUTTALS  
SUBMITTED

0

My Submitted Challenges (0)

Challenges Received (0)

**Open For Rebuttal (1)**

My Rebutted Challenges (0)

In Review (0)

Processed (0)

 Add Challenge

1 Result

Search by challenge ID / entity



Challenged By	Challenged Entity	Challenge Type	Locations	Rebuttals	Date Submitted
Mulberry Cooperative Telephone Company, Inc. IN-1000	-	Planned Service	24 <ul style="list-style-type: none"><li>3 Passed</li><li>21 Rebutted</li></ul>	1	18 Apr '24 at 3:00

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# CHALLENGE VIEW

## Indiana Broadband Challenge Map

Layers Zones

TERRITORY

- Zone boundaries  
Boundaries of your zone areas

DEMAND POINTS

- Broadband serviceable locations  
Fabric map of broadband serviceable locations

BEAD ELIGIBILITY (PRE-CHALLENGE)

- Unserved
- Underserved
- Served
- Funded

BUILDING TYPE

- Residential
- Business
- Residential & Business
- Enterprise
- Group Quarters

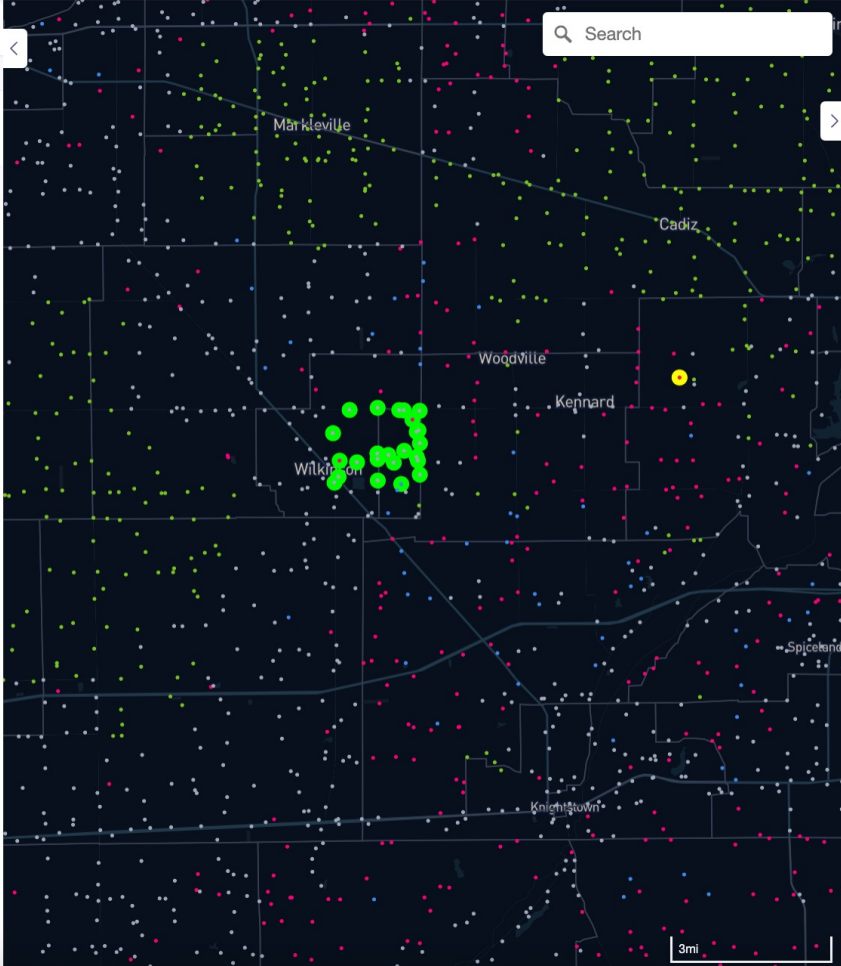
COMMUNITY ANCHOR INSTITUTIONS

- Schools
- Higher Education
- Library
- Government Buildings
- Healthcare Provider
- Public Safety
- Community Support Org
- Public Housing
- Unclassified CAI

UNIT COUNT

ANCHOR INSTITUTION

- Not a CAI
- CAI



IN-1000

Initial Processed

### Mulberry Cooperative Telephone Company, Inc. Challenge Details

Details Locations Rebuttals

SUBMITTED BY:  
Mulberry Cooperative Telephone Company, Inc.

SUBMITTED ON:  
18 Apr '24 at 3:22 pm

INITIAL REVIEWED ON:  
18 Apr '24 at 3:23 pm

REBUTTED ON:  
18 Apr '24 at 3:26 pm

CHALLENGE TYPE:  
Planned Service

CHALLENGE TYPE DESCRIPTION:  
The challenger has knowledge that broadband will be deployed at this location by June 30, 2024, without an enforceable commitment or a provider is building out broadband offering performance beyond the requirements of an enforceable commitment.

TECHNOLOGY:  
Optical Carrier / Fiber To The Premises

SERVICE AVAILABILITY:  
Business and Residential

ADVERTISED DOWNLOAD SPEED:  
100 Mbps

ADVERTISED UPLOAD SPEED:  
100 Mbps

Details and locations tabs show information about the original challenge. Challengers cannot see the challenge evidence.

# CHALLENGE VIEW

## Indiana Broadband Challenge Map

Layers Zones

TERRITORY

- Zone boundaries  
Boundaries of your zone areas

DEMAND POINTS

- Broadband serviceable locations  
Fabric map of broadband serviceable locations

BEAD ELIGIBILITY (PRE-CHALLENGE)

- Unserved
- Served
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- Funded

BUILDING TYPE

- Residential
- Residential & Business
- Group Quarters
- Business
- Enterprise

COMMUNITY ANCHOR INSTITUTIONS

- Schools
- Library
- Healthcare Provider
- Community Support Org
- Unclassified CAI
- Higher Education
- Government Buildings
- Public Safety
- Public Housing

UNIT COUNT

ANCHOR INSTITUTION

- Not a CAI
- CAI

IN-1000

Initial Processed

### Mulberry Cooperative Telephone Company, Inc. Challenge Details

Details Locations Rebuttals

Download Locations Spreadsheet

24 Results

Location	Status	Locate
1112263907 623 White St Shirley, IN 47384	Passed	Locate
1112224853 11611 E State Road 234 Shirley, IN 47384	Passed	Locate
1112225578 10854 E 700 N Wilkinson, IN 46186	Passed	Locate
409 Main Street Shirley, IN 47384	Passed	Locate
1112225619 10723 E State Road 234 Wilkinson, IN 46186	Passed	Locate
1112264069		

Details and locations tabs show information about the original challenge. Challengers cannot see the challenge evidence.

# REBUTTAL SUBMISSION

## Indiana Broadband Challenge Map

Rebuttal Submission

Layers Zones

TERRITORY

Zone boundaries  
Boundaries of your zone areas

DEMAND POINTS

Broadband serviceable locations  
Fabric map of broadband serviceable locations

BEAD ELIGIBILITY (PRE-CHALLENGE)

<input checked="" type="checkbox"/> Unserved	<input checked="" type="checkbox"/> Underserved
<input checked="" type="checkbox"/> Served	<input checked="" type="checkbox"/> Funded

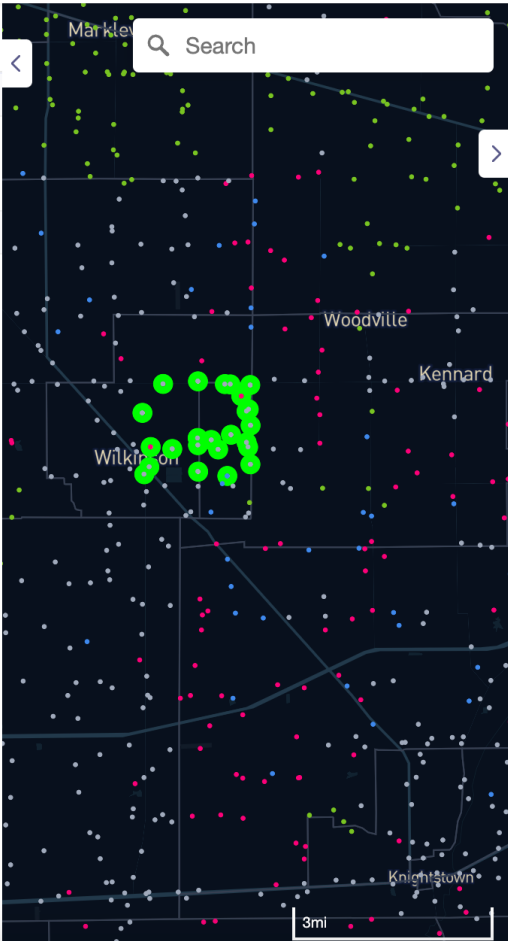
BUILDING TYPE

<input checked="" type="checkbox"/> Residential	<input checked="" type="checkbox"/> Business
<input checked="" type="checkbox"/> Residential & Business	<input checked="" type="checkbox"/> Enterprise
<input checked="" type="checkbox"/> Group Quarters	

COMMUNITY ANCHOR INSTITUTIONS

<input checked="" type="checkbox"/> Schools	<input checked="" type="checkbox"/> Higher Education
<input checked="" type="checkbox"/> Library	<input checked="" type="checkbox"/> Government Buildings
<input checked="" type="checkbox"/> Healthcare Provider	<input checked="" type="checkbox"/> Public Safety
<input checked="" type="checkbox"/> Community Support Org	<input checked="" type="checkbox"/> Public Housing
<input checked="" type="checkbox"/> Unclassified CAI	

Search



Markleville

Woodville

Wilkeson

Knights town

3mi

IN-1000

Initial Processed

### Mulberry Cooperative Telephone Company, Inc. Challenge Details

Details Locations **Rebuttals**

You haven't submitted a rebuttal yet. Got some evidence?

[Rebut Challenge Now!](#)



# REBUTTAL SUBMISSION

## ← Challenge Rebuttal

1. Select Locations To Rebut > 2. Provide Evidence To Support Rebuttal > 3. Sign A Rebuttal Attestation

Select the locations to be included in the rebuttal



### Select Locations to Rebut for this Planned Service Challenge

Select All

Unselect All

24 Results

Action	Locations
<input checked="" type="checkbox"/>	1112263907 623 White St Shirley, IN 47384
<input checked="" type="checkbox"/>	1112224853 11611 E State Road 234 Shirley, IN 47384
<input checked="" type="checkbox"/>	1112225578 10854 E 700 N Wilkinson, IN 46186
<input checked="" type="checkbox"/>	409 Main Street Shirley, IN 47384
	1112225619

← Cancel

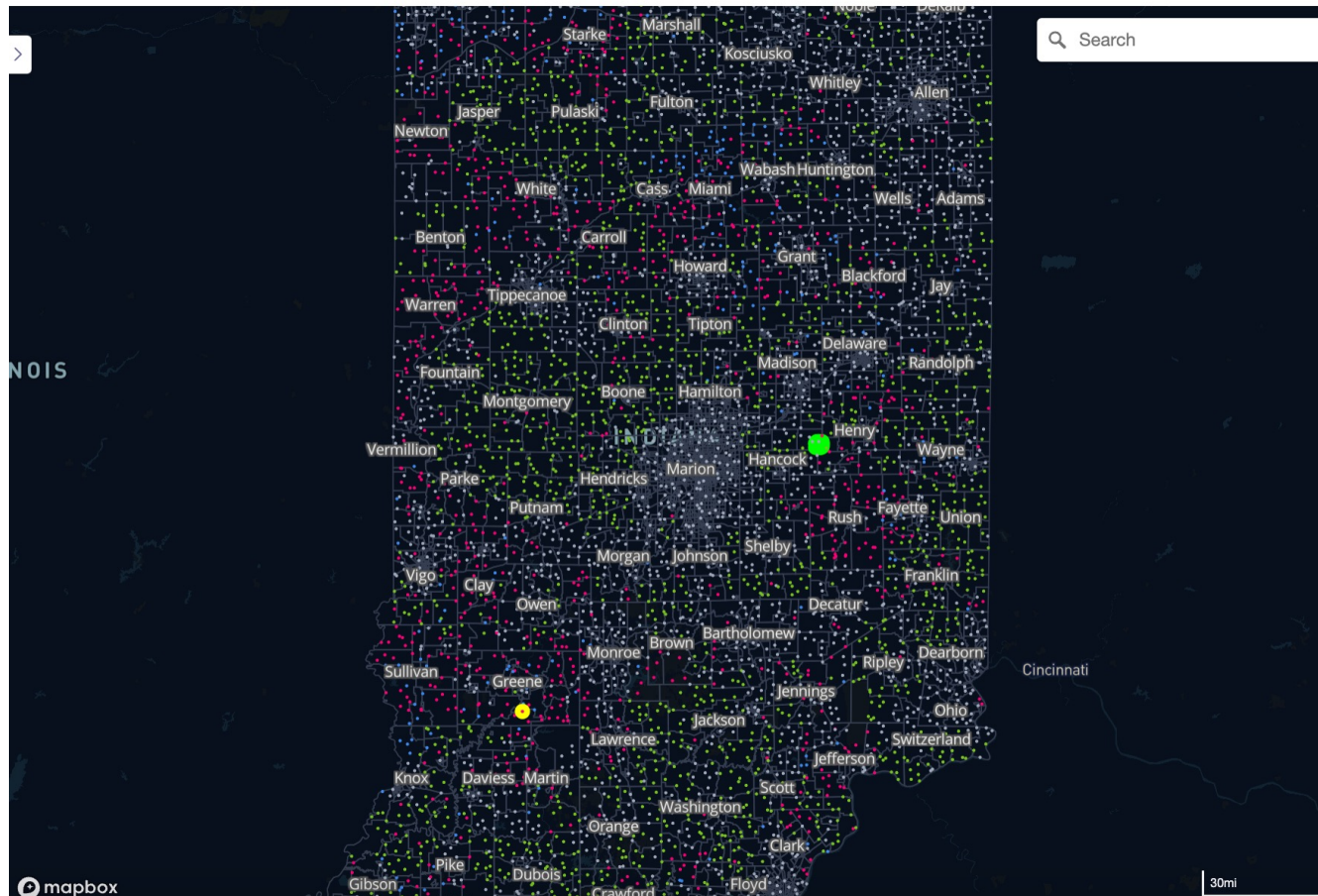
Next →



# REBUTTAL SUBMISSION

## ← Challenge Rebuttal

1. Select Locations To Rebut > 2. Provide Evidence To Support Rebuttal > 3. Sign A Rebuttal Attestation



## Provide Evidence & Documentation for your Planned Service Rebuttal

### Rebutting 24 Location(s)

Please submit evidence to support your rebuttal. The state broadband office reserves the right to request more information at any point in the challenge process. For questions that require file upload, please compress all files over 100MB in size to a .zip file. Total file upload size is capped at 500MB.

#### \* 1. Upload Rebuttal Evidence

Upload evidence that demonstrates that the planned service cannot be deployed by June 30, 2024, such evidence that necessary permits, reviews, or other pre-construction requirements have not been met.

Click or drag file to this area to upload  
Support for a single or bulk upload.

#### \* 2. Please provide a description of the evidence you are submitting.

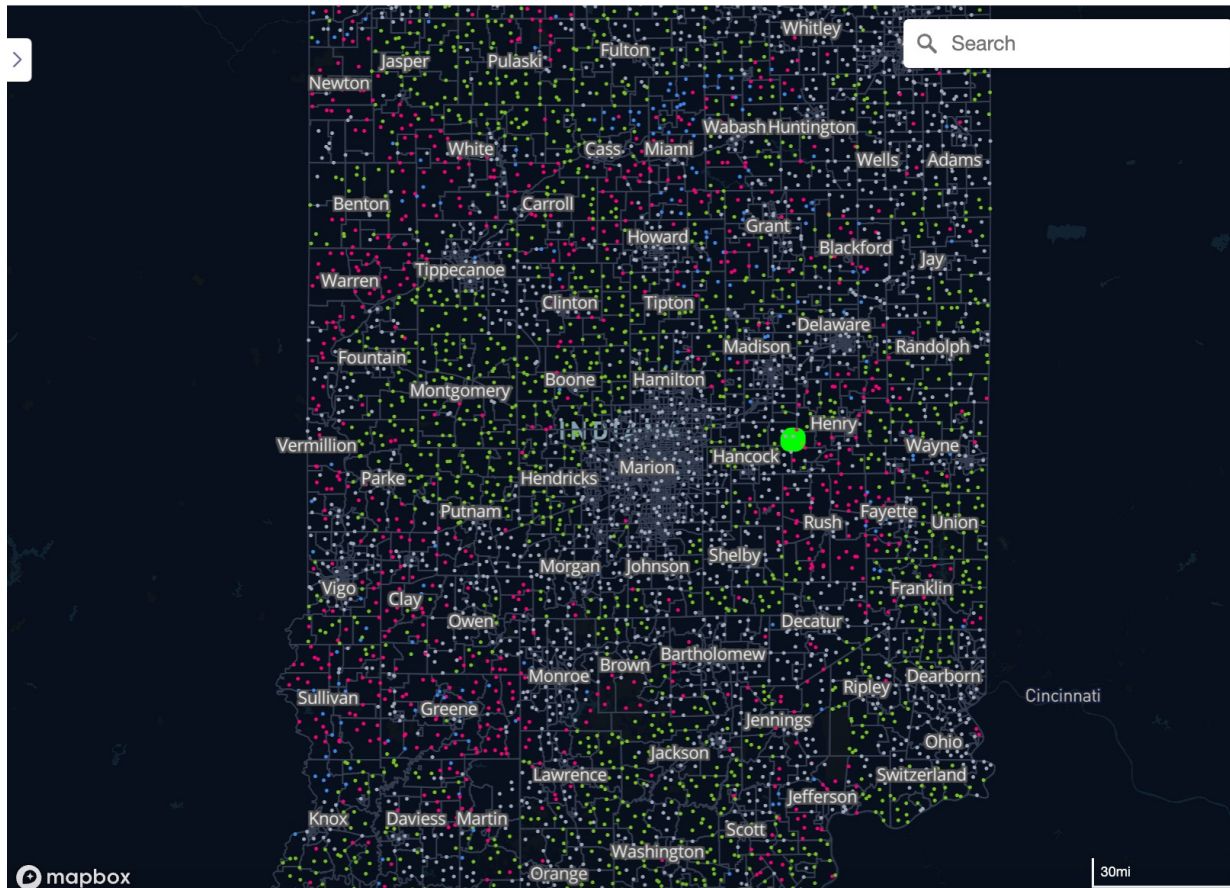
← Back

Next →

# REBUTTAL SUBMISSION

## ← Challenge Rebuttal

1. Select Locations To Rebut > 2. Provide Evidence To Support Rebuttal > 3. Sign A Rebuttal Attestation



Please complete and sign the required Rebuttal Attestation verifying the validity of your rebuttal submission data.

I certify that I have legal authority to submit this rebuttal on behalf of TEST.

By signing this attestation, I certify to the best of my knowledge and belief that the rebuttal is true, complete, and accurate. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).

I confirm

← Back

Submit Rebuttal

# DASHBOARD

## Indiana Broadband Challenge Dashboard

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[Learn more](#)

 CHALLENGES SUBMITTED

0

 CHALLENGES IN REVIEW

0

 PROCESSED CHALLENGES

0

 CHALLENGES WITHDRAWN

0

 REBUTTALS SUBMITTED

1

My Submitted Challenges (0)

Challenges Received (0)

Open For Rebuttal (0)

**My Rebutted Challenges (1)**

In Review (0)

Processed (0)


Withdrawn (0)

[+ Add Challenge](#)

1 Result

Search by challenge ID / entity



Challenged By	Challenged Entity	Challenge Type	Locations	Rebuttals	Date Submitted	Status
Mulberry Cooperative Telephone Company, Inc. IN-1000	-	Planned Service	24  45 Rebutted	2	18 Apr '24 at 3:22 pm	Initial Process

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# CHALLENGE PROCESS TIMING RECAP

March 4 - April 17  
Challenge Phase



April 18 - May 1  
Challenge  
Review



May 2 - June 1  
Rebuttal Phase

June 2 – July 1  
Final  
Determinations

# RESOURCES

- Webinar recording and slides will be posted at: <https://www.in.gov/indianabroadband/>
- Written Rebuttal Phase guide will also be available on IBO website
- Email [IBOChallenge@iot.IN.gov](mailto:IBOChallenge@iot.IN.gov) with any questions
- Representatives from the IBO will be available for virtual meetings or phone calls about the Rebuttal Phase

