

The background of the cover is a photograph of a lush green cornfield in the foreground, with a line of trees and a sunset in the distance. The sun is a bright orange circle on the horizon, casting a warm glow across the sky. The sky is filled with soft, wispy clouds in shades of orange, yellow, and blue.

# FINAL PROPOSAL

NTIA APPROVED

DECEMBER 2025

## Nebraska's Final Proposal Overview

The Nebraska Broadband Office (NBO) has drafted the following Final Proposal as required for the Broadband Equity, Access, and Deployment (BEAD) program by the National Telecommunications and Information Administration (NTIA). The Final Proposal outlines NBO's plan for using the non-administrative BEAD funding allocated to Nebraska to enhance broadband access statewide.

## Public Comment

NBO values the thoughts and suggestions of the public. NBO invited the public to comment on this draft of Nebraska's Final Proposal for the Broadband, Equity, Access, and Deployment (BEAD) program. Comments were submitted on NBO's website from September 3, 2025, through September 10, 2025, at 11:59 p.m. CST.

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## Final Proposal Data Submission

**0.1. Attachment (Required):** Complete and submit the Subgrantees CSV file (named “*fp\_subgrantees.csv*”) using the NTIA template provided.

Attached. See Exhibit A.

**0.2. Attachment (Required):** Complete and submit the Deployment Projects CSV file (named “*fp\_deployment\_projects.csv*”) using the NTIA template provided.

Attached. See Exhibit B.

**0.3. Attachment (Required):** 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.

Attached. See Exhibit C.

**0.4 Attachment (Required):** 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.

Attached. See Exhibit D.

**0.5 Question (Y/N):** 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 upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2)?

Yes, NBO intends to use BEAD funds to serve Community Anchor Institutions (CAIs). NBO certifies that it ensures coverage of broadband service to all unserved and underserved locations, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2)?

**0.6 Attachment (Required – Conditional on a ‘Yes’ Response to Intake Question 0.5):** 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.

Attached. See Exhibit E.



## Subgrantee Selection Process Outcomes (Requirement 1)

### **1.1 Text Box: 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 Nebraska Broadband Office's subgrantee selection process was consistent with that approved by NTIA in Volume II of the Initial Proposal as modified by the BEAD Restructuring Policy Notice (RPN). NBO determined that a Request for Applications (RFA) process was best as it communicated the complex requirements associated with the Nebraska Broadband Equity, Access, & Deployment (NBEAD) program to prospective applicants.

Per IPV2 NBO's subgrantee selection process would begin with an Organizational Application (OA) stage that ensured applicant competence, designating those that passed as approved applicants. This was followed by a Project Application (PA) stage where approved applicants could apply for award(s). NBO developed Defined Project Areas (DPAs) to organize Nebraska's inventory of broadband serviceable locations (BSLs) for application. DPAs were optimized to enable priority broadband projects<sup>1</sup>, have the optimal lowest cost per passing within all DPAs, and encourage provider participation. For the initial Subgrantee Selection round, Nebraska's 29,597 BSLs were divided into 133 DPAs. NBO was in the process of administering its first project application stage when the RPN was released on June 6, 2025<sup>2</sup>.

Prior to the release of the RPN, NBO carried out an unlicensed fixed wireless (ULFW) verification process based on the BEAD Alternative Technology guidance to allow applications proposing any technology, not just fiber, in the first round. NBO identified location IDs from the FCC Fabric dataset that were reported as having qualified ULFW service and present on NBO's approved location inventory. NBO directly contacted the relevant ULFW providers on March 24, 2025, regarding BSLs that are reported as being served by them and notified them of the opportunity to respond affirmatively within 7 days. Providers that responded affirmatively were provided with a document requesting Location ID, Company, Upload/Download Speed, Latency, and if the location was funded through an enforceable commitment. Respondents had 30 days to complete and submit this file. Through this verification process 7,497 BSLs were determined to have ULFW service<sup>3</sup>.

NBO paused its Subgrantee Selection Process on June 6 to make necessary changes to comply with the RPN. These changes were communicated to stakeholders via NBO's email distribution list. On June 18 NBO held a technical assistance call with round one applicants and entities that had expressed interest in applying in the RPN required "Benefit of the Bargain" (BoB) round. NBO discussed the updated program schedule and changes to the organizational and project applications resulting from the RPN<sup>4</sup>. On June 19, NBO posted an updated Request for Applications (RFA) that reflected the changes made to comply with the RPN to its website. The

<sup>1</sup> As defined prior to the BEAD Restructuring Policy Notice.

<sup>2</sup> See NBO BEAD Initial Proposal Vol. 2, pages 23 – 26 for details of NBO's planned Subgrantee Selection Process prior to modification by the BEAD Restructuring Policy Notice.

<sup>3</sup> Per the BEAD Restructuring Policy Notice these locations were removed from Nebraska's inventory in the Benefit of the Bargain Round(s).

<sup>4</sup> A recording of this is available at [https://youtu.be/BG\\_j3VV5FA4](https://youtu.be/BG_j3VV5FA4).

BoB round DPA map was developed using similar criteria to those used in developing the initial map while accounting for RPN required modifications to Nebraska's BSL inventory resulting in a 50% decrease in total BSLs. On June 23, NBO posted the updated DPA map of 14,032 BSLs across 177 DPAs to its website. All these significant program updates were communicated to stakeholders via NBO's distribution list.

NBO's initial BoB round consisted of an overlapping OA period (June 26 to July 7) and a PA period (June 26 to July 9). Per Nebraska's approved Initial Proposal, only approved applicants could submit a project application. As required by the RPN, NBO accepted new organizational applications from entities interested in participating in the BoB round that did not participate in the original organizational application period.

Following the closure of the project application period on July 10, NBO began to evaluate applications using the primary and secondary scoring criteria established by the RPN. On July 15, NTIA released additional guidance regarding Subgrantee Selection<sup>5</sup>. Due to its potential impact on NBO's then ongoing process, NBO again paused Subgrantee Selection to evaluate and consider the guidance to ensure NBO's compliance and alignment with BEAD program goals. Based on that guidance, NBO reevaluated and updated its Priority Project determination methodology<sup>6</sup>. The NBEAD RFA was amended to reflect these changes via amendment on August 7<sup>7</sup>.

Following this update, NBO staff evaluated and scored the BoB applications it received and identified DPAs which lacked qualified application(s). NBO determined based on that that a second BoB round was required. As part of the second BoB round, NBO sought applications for DPAs whose Priority Project determination had changed and BSLs that had been excluded from applications in the first round. All applicants that had shown interest in a reclassified DPA or excluded BSLs by previously applying were reengaged by NBO to consider applying again for it. Simultaneously to the second BoB round, NBO held a Community Anchor Institution round open to all applicants. NBO updated its list of eligible CAI locations, identifying 114 locations that no longer met the definition of a CAI per the RPN stating they were not government property. These rounds began on August 5, 2025, and concluded on August 15, 2025. NBO then opened a second more target round for applicants who demonstrated interest. NBO then proceeded to direct negotiations for the BSLs that had not received an application to this point to find a service solution at the end of the second BoB round.

Once concluded, NBO staff evaluated and scored both BoB round applications, CAI Round applications, and negotiation materials. Finally, NBO staff made award recommendations based on the RPN scoring criteria. The Nebraska Broadband Director made preliminary award decisions.

As of the submission of this Final Proposal, the Nebraska Broadband Office (NBO) has identified approximately \$324.5 million in remaining BEAD funds to be allocated to eligible non-

<sup>5</sup> See 3.23, BEAD FAQ V12, [https://broadbandusa.ntia.gov/sites/default/files/2025-07/BEAD\\_FAQs\\_v12\\_7182025.pdf](https://broadbandusa.ntia.gov/sites/default/files/2025-07/BEAD_FAQs_v12_7182025.pdf). Also included in BEAD Final Proposal Guidance V2.1, [https://broadbandusa.ntia.gov/sites/default/files/2025-07/DOC\\_NTIA\\_Final\\_Proposal\\_Eligible\\_Entity\\_Guidance\\_Final\\_BEAD\\_Restructuring\\_v2.1\\_71825.pdf](https://broadbandusa.ntia.gov/sites/default/files/2025-07/DOC_NTIA_Final_Proposal_Eligible_Entity_Guidance_Final_BEAD_Restructuring_v2.1_71825.pdf).

<sup>6</sup> See response to Requirement 12 – Substantiation of Priority Broadband Projects for further details.

<sup>7</sup> See <https://broadband.nebraska.gov/media/1hcehyvj/bob-round-rfa-amendment-final-8-4-2025.pdf>

deployment activities under Section IV.B.7.a.iii of the NOFO. Per Section 5 of the Restructuring Policy Notice, NBO understands that BEAD funding for non-deployment activities is subject to future NTIA and NIST Grants Office guidance. NBO has identified three priority initiatives to enhance access to information statewide should use of remaining BEAD funds be authorized for non-deployment activities. These initiatives would promote precision agriculture technology adoption and effective use, expand access to cutting edge medical care and training, and uniquely position Nebraska to fully benefit from the burgeoning AI-driven economy.

Nebraska is a nationwide leader in agriculture and intends to continue to be a leader. Precision agriculture technology has become and will continue to be an essential tool for 21st century farmers. Remote sensing technologies can inform producers when and where to apply irrigation, fertilizer, and pesticides, thereby preserving critical inputs, reducing costs as well as overapplication and its adverse effects. The NFarms Initiative at the University of Nebraska-Lincoln is pioneering the future of precision agriculture technologies, presenting an immediate collaborative opportunity. NBO proposes to support Nebraska's position as a leader in agriculture by seeking to expand access to and the adoption of precision agriculture technologies to producers statewide.

Nebraska is also fortunate to have leaders in cutting-edge healthcare technology within the University of Nebraska system. The successful use of a surgical robot, the product of public and private collaboration developed by the University of Nebraska, aboard the International Space Station made headlines in 2024. Such technology has clear applications with immense benefits for rural communities, such as creating access to medical procedures in areas that may not have existed before. This expansion to access will demand sophisticated networks that are secure, resilient, and low latency. NBO proposes to invest in the health of Nebraskans by pursuing statewide expansion of access to these and other cutting-edge healthcare technologies and the robust networks necessary to support them.

Lastly, NBO recognizes the increasingly paramount role AI will play in Nebraska's economy; however, the benefits of AI will not naturally distribute themselves evenly. It is far too easy to imagine a scenario where urban areas are more advantaged than rural areas in terms of access to the benefits of AI. To bridge potential gaps, NBO proposes collaborating with public and private partners to identify opportunities to invest in the physical (internet exchange points, data centers, etc.) and human (effective use, workforce, adoption, etc.) infrastructure AI will need to flourish across all of Nebraska.

NBO respectfully requests authorization to use its remaining BEAD funds for non-deployment activities to pursue these investment opportunities for the benefit of all Nebraskans.

## **1.2 Textbox: 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.**

NBO ensured the NBEAD process was fair by being consistent and equal in treatment of NBEAD applicants. NBO maintained transparency regarding the opportunity to participate in NBEAD, key NBEAD dates and deadlines, and other NBEAD Program details. The opportunity to participate in NBEAD was consistently communicated via updates to NBO's website, newsletters sent to a distribution list of nearly 2,000 emails focused on public, government, and provider

stakeholders. Additionally, a press release coincided with NBO initiating its pre-RPN subgrantee selection process. NBO was transparent with all interested applicants as to key program dates, milestones, and application requirements via the NBO website. All interested applicants were encouraged to monitor NBO's website closely for updates. The NBEAD RFA also laid out key program dates, milestones, requirements, and detailed how NBO would review and score applications. All interested applicants had equal access to the NBEAD RFA as it was published publicly on NBO's website. NBO allowed applicants to submit questions in writing throughout the subgrantee selection process, and questions were publicly responded to in writing on NBO's Frequently Asked Questions page. No potential applicant, or applicant once Subgrantee Selection was initiated, was shown preferential treatment or otherwise unduly advantaged by NBO that was not otherwise presented or available to all other NBEAD participants as well.

NBO ensured the NBEAD process was open by not discriminating against or favoring any interested or potential participant. IPV2 invited the participation of "of any organization authorized to provide broadband services ... allowed by Nebraska law". NBO engaged in outreach to communities and potential applicants to, in part, notify them of the opportunity to participate in NBEAD. NBO maintained an email distribution list of stakeholders that included potential applicants. No organization or individual interested in being added to this distribution list was denied inclusion. Program updates, including the opportunity to participate, were communicated to all members of this distribution list. Furthermore, applicants were subject to the same application content requirements and deadlines regardless of organization type or any other factor. NBO further achieved openness in the NBEAD process by holding three separate Organizational Application periods – an initial round Organizational Application period, a Benefit of the Bargain round Organizational Application period, and a Community Anchor Institution round Organizational Application. This presented interested organizations with three separate opportunities to initiate participation in NBEAD. This benefited NBEAD as NBO received applications in each Organizational Application round. NBO received 27 Organizational Applications in the initial Organizational Application period, 4 in the BoB round Organizational Application period, and 1 in the Community Anchor Institution round Organizational Application period for a total of 32 Organizational Applications received.

NBO ensured the NBEAD process was competitive by striving to achieve broad participation in NBEAD. To this end, NBO focused its efforts to engage and encourage providers to participate to be as wide-reaching as possible. Additionally, many of the same facets that ensured the NBEAD process was fair and open contributed to a competitive process as well. Since all providers had equal access to the same information and updates from NBO, no single provider or type of provider was unfairly advantaged at any stage of the NBEAD process. The BEAD RPN scoring criteria implemented by NBO further promoted a competitive process by structuring evaluation of competitive applications such that providers had the opportunity to develop applications with competitiveness in mind. The scoring criteria was included in materials applicants were encouraged to review, enabling applicants with the knowledge they should consider in developing and submitting competitive applications.

NBO ensured that reviewers were trained and qualified to review NBEAD applications. Four members of NBO staff served as application reviewers; up to five staff members were responsible for screening applications for completeness at one time, and three staff members were responsible for the scoring process. NBO's Grants and Budget Administrator served as a supervisor to reviewers, maintaining oversight of all stages of the review process. To ensure that reviewers were trained, specific screening and scoring training materials were created by



NBO's Grants and Budget Administrator and provided to reviewers prior to access to any application. Recognizing the potential for novel issues not covered by training, reviewers were encouraged to seek guidance from NBO's Grants and Budget Administrator during the review process as needed to resolve questions.

NBO staff were qualified to review most components of applications. However, NBO recognized that it lacked in-house staff qualified to review the specialized engineering and National Environmental Protection Act (NEPA) components. While these components were not required in NBEAD's Benefit of the Bargain Round application submissions, experts were contracted to assist in review of these components prior to execution of the subgrant.

To ensure reviewers were objective, NBO used the scoring criteria required by the RPN. This eliminated the potential for subjectivity to factor in the review and scoring of applications. Reviewers were required to complete and sign Conflict of Interest (COI) disclosure forms prior to being given access to any application to protect the objectivity of the process. The COI disclosure form bound reviewers to report and make NBO's Grants and Budget Administrator aware of potential conflicts of interest as they arise. When made aware of such potential conflicts of interest, NBO's Grants and Budget Administrator would decide as to if the reviewer should be relieved of reviewing that application and an alternate reviewer be made responsible. These components ensured NBO's reviewers were objective in their review of NBEAD applications.

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

NBO affirms that when no application was initially received, it followed a procedure consistent with the process outlined and approved in Nebraska's Initial Proposal Volume 2.

**1.4 Text Box: 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.**

Not applicable. NBO adopted the statutory CAI definition contained in the Infrastructure Investment and Jobs Act for use in NBEAD<sup>8</sup>, which conforms with the requirements of Section 4 of the BEAD Restructuring Policy Notice.

**1.5 Question (Y/N): 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.**

NBO 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. These records will also 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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<sup>8</sup> See NBO Initial Proposal Vol. 1, <https://broadband.nebraska.gov/media/1n0lrjrg/nbo-ipv1-ntia-reviewed.pdf>; NBEAD Acronyms & Glossary, <https://broadband.nebraska.gov/media/wavhs5ke/glossary.pdf>

## Timeline for Implementation (Requirement 3)

**3.1 Textbox: 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 for its award, 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.**

NBO affirms that it has taken measures to: (a) ensure that each subgrantees 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 from NBO; (b) ensure that all BEAD subgrant activities are completed at least 120 days prior to the end of the period of performance for NBO's award, in accordance with 2 C.F.R. 200.344; and (c) ensure that all programmatic BEAD grant activities undertaken by NBO are completed by the end of the period of performance for its award, in accordance with 2 C.F.R. 200.344.

## Oversight and Accountability Practices (Requirement 4)

### **4.1: Question (Y/N): Does the Eligible Entity have a public waste, fraud, and abuse hotline and a plan to publicize the contact information for this hotline?**

Yes. Nebraska's public waste, fraud, and abuse hotline is housed with the Auditor of Public Accounts and may be accessed at 1-800-842-8348 or via an anonymous form at [https://auditors.nebraska.gov/SAE\\_E-Mail.html](https://auditors.nebraska.gov/SAE_E-Mail.html). NBO has published the hotline information widely across its website and has consistently included it in emails, newsletters, and other communications to stakeholders. The NBEAD subgrant includes a clause<sup>9</sup> that requires subgrantees to publicize this information and submit to NBO copies of materials used for this purpose at least once per project year.

### **4.2 Attachments: Upload the following two required documents:**

- 1. BEAD program monitoring plan**
- 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**

Attached. See Exhibit F for NBO's BEAD Program Monitoring Plan. See Exhibit G for NBO's agency policy documentation.

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<sup>9</sup> NBEAD Subgrant Addendum A – Terms & Conditions Sec. 44.3, pg. 20.



**4.3 Question (Y/N): 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 CFR 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.**

Yes. NBO certifies that the subgrant agreements will include, at a minimum, the following conditions:

- a. Compliance with Section VII.E of the BEAD NOFO, 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 CFR 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.

See Exhibit H for the draft Subgrantee Agreement.

## Local Coordination (Requirement 5)

**5.1 Text Box: 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.**

NBO launched a public comment period spanning seven days from September 3, 2025, to September 10, 2025. Public comments were accepted via an online form posted on NBO's website and advertised through NBO's stakeholder distribution list. NBO received 14 official public comments through the online form from broadband providers, local advocates, and constituents. This process was very fruitful and allowed NBO to respond directly to questions and concerns around the outcome of the BEAD subgrantee selection process. NBO organized these comments into three broad categories:

- Subgrantee Selection Process Outcomes
- Non-Deployment opportunities and unexpended funding
- Questions about data and data files

NBO is committed to maintaining a high level of transparency and accessibility. To facilitate this cause, NBO hosted a town hall on Friday, September 5, 2025, to address these known and anticipated concerns. This section will also cover comments received through the comment period and provide responses to these concerns. NBO plans on continuing to be transparent and accessible following the submission and approval of the final proposal, and NBO appreciates the large amount of interest in continuing to benefit education, business, agriculture, and enhance the daily lives of all Nebraskans.

### Subgrantee Selection Process Outcomes

By far the most common comment received during the public comment period was critical of the outcome of the subgrantee selection process. NBO received comments both arguing that NBO did not spend enough BEAD funding on fiber allocation, and that NBO spent too much funding on BEAD allocation, though a majority of comments came from the former.

NBO conducted Project Application Round 1 prior to the June 6<sup>th</sup> release of NTIA's Revised Policy Notice (RPN). This helps illustrate a proper comparison between outcomes under prior guidance and the new guidance present in the Benefit of the Bargain (BoB) Round. In Round 1, NBO received just under 300 applications, of which about 60% were fiber applications. In the BoB Round, NBO received more than twice the number of applications, but only 20% were fiber applications – meaning of all of the applications NBO received, only 6% were from fiber providers. That drastic decrease in fiber provider participation resulted in a lower fiber percentage outcome when compared to neighboring states.

NBO worked with engineers out of Virginia Tech, as well as its local engineering affiliate JEO, to consider tree canopy, slope, grade, and density of our 177 Defined Project Areas (DPAs).

This resulted in a four-tiered priority project system that identified areas that were less conducive to certain technologies based on those criteria. However, in many cases, NBO did not receive many fiber applications for tier 1 project areas, project areas less conducive to fixed

wireless and low earth orbit satellite technologies. NBO offered the opportunity for all providers who applied for a tier 1 priority DPA to modify their applications to a more conducive technology. In the end, NBO was only able to award fiber applications to those who actually submitted applications for these priority DPAs.

NBO also received comments concerning the ULFW process. For clarification, the ULFW process was conducted in spring of 2025, not winter of 2024. NBO verified data from the FCC BDC v6 map with providers following the NTIA outlined process – which was approved by NTIA both prior to and after the RPN. The only major change concerning the RPN and how NBO handled the ULFW verification process was when the ULFW-verified locations were to be removed from the inventory. In this case, it was to be done prior to the subgrantee selection process instead of upon completion.

In addition, NBO set its own internal threshold based on examples given in the RPN and verbal cautions from NTIA that projects with excessive cost per passing would be flagged for curing. Even with Nebraska's perceived low allocation, NTIA has indicated that several projects will be flagged in curing and will be requested to lower the cost per passing or potentially be awarded to a lower cost provider.

NBO additionally received comments critical of the funding for Community Anchor Institutions (CAIs). NBO published the list of CAIs that it was seeking to fund and received feedback from providers and community advocates indicating that over 70% of those CAIs were already served with gigabit symmetrical service. Therefore, any BEAD dollars allocated to those CAIs would constitute overbuilding, which is not permitted in the BEAD program. Furthermore, NBO established a similar high-cost threshold for CAIs. For example, an application to serve only one CAI for roughly one million dollars could not to be funded through this program.

Ultimately, NTIA will make the final decision on the awards provisionally selected through NBO's subgrantee selection process. NTIA may still decide not to approve some or all of the awards, including CAI awards, based on cost to connect. NBO will continue to work with NTIA and update any relevant documentation as NTIA makes determinations surrounding awards for Nebraska Broadband Serviceable Locations (BSLs) and CAIs.

### **Non-Deployment Opportunities and Unexpended Funding**

NBO received several comments highlighting the lack of plans detailing the use of unallocated BEAD funds. These comments include but are not limited to:

- suggestions to allocate funding towards funding infrastructure in multi-dwelling units (MDUs),
- subsidizing broadband access in low-income communities,
- digital skills training for communities in need, specifically aging communities,
- workforce development,
- precision agriculture initiatives,
- artificial intelligence,
- advanced manufacturing technologies.

NBO will be submitting a request for any remaining funds after allocating funds for deployment and administration to be used for non-deployment purposes. These purposes may include



examples such as precision agriculture technology, cutting-edge healthcare technology, and infrastructure to support AI development and access. Utilization of these funds is dependent upon NTIA approval. However, NBO will advocate for State to be able to access these funds in the near future to support use and access of broadband. More details on these potential initiatives can be found on pages 5 and 6 of the final proposal.

### **Questions about Data and Data files**

NBO appreciates the comments regarding any errors or inconsistencies within the several data files that were uploaded as a part of the final proposal. NBO has since updated these files and ensured that there is no outdated data, nor that any typos remain. However, comments were received specifically around three DPAs that NBO has not modified:

- CM61-BEAD-NE-CAI-ALO
- CM61-BEAD-NE-CAI-NNT
- CM61-BEAD-NE-CAI-QUI

NBO received comments asking about corresponding location IDs, and other comments suggesting that these projects were a part of the 14,032 BSLs connected with 100Mbps/20Mbps minimum service. To clarify, these projects are centered on CAIs, which in many cases do not have corresponding locations IDs. Furthermore, these locations are not broadband serviceable locations and should be considered apart from the other project areas. They are still funded through BEAD dollars but are in a different category.

## Challenge Process Results (Requirement 6)

**6.1. Question (Y/N): Certify that the Eligible Entity has successfully completed the BEAD Challenge Process and received approval of the results from NTIA.**

Yes. NBO certifies that it has successfully completed the BEAD Challenge Process and received written approval of its results from NTIA.

**6.2 Text Box: 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.**

NBO publicly posted the final location classifications resulting from the challenge process on its website on December 18, 2024. The active URL link where the final location classifications are posted is: <https://broadband.nebraska.gov/challenge/results/>.

## Unserved and Underserved Locations (Requirement 7)

**7.1. Question (Y/N):** 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, NBO certifies that it 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).

**7.2 Text Box:** 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.

Not applicable.

**7.3 Attachment (Optional):** If applicable to support the Eligible Entity's response to Question 7.2, provide relevant files supporting the Eligible Entity's determination.

Not applicable.

**7.4 Question (Y/N):** 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, NBO certifies it will ensure coverage of broadband service to all underserved locations within its jurisdiction, as identified upon the conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).

**7.5 Textbox:** 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.

Not applicable.

**7.6 Attachment (Optional):** If applicable to support the Eligible Entity's response to Question 7.5, provide relevant files supporting the Eligible Entity's determination.

Not applicable.

**7.7 Question (Y/N): 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 final list of eligible locations 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.**

Yes. NBO certifies that it has utilized the provided reason codes to investigate and account for locations that do not require BEAD funding; that NBO will utilize reason codes 1, 2, and 3 for the entire period of performance; and that NBO 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 final list of eligible locations through a BEAD project. NBO acknowledges that the documentation for each location must be relevant for the specific reason indicated by NBO in the fp\_no\_BEAD\_locations.csv file. NBO 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.

**7.8 Question (Y/N): 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.**

Yes. NBO has, to the best of its ability, coordinated with other state entities to identify and account for state enforceable commitments after the submission of its challenge results in its list of proposed projects.



## 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 Text Box: 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.**

Implementation of the plans described in Nebraska's approved Initial Proposal Requirement 14 is in progress.

**11.2 Question (Y/N): Affirm that the Eligible Entity required subgrantees to certify compliance with existing federal labor and employment laws.**

Yes, NBO certifies that it required subgrantees to certify compliance with existing federal labor and employment laws.

**11.3 Text Box (Optional - Conditional on a 'No' Response to Intake Question 11.2): 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.**

Not applicable.

**11.4 Question (Y/N): 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.**

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

**11.5 Text Box (Optional - Conditional on a 'No' Response to Intake Question 11.4): 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.**

Not applicable.

**11.6 Question (Y/N): Certify that all subgrantees have planned for the reliability and resilience of BEAD-funded networks.**

Yes, NBO certifies that all subgrantees have planned for the reliability and resilience of BEAD-funded networks.

**11.7 Text Box (Optional - Conditional on a 'No' Response to Intake Question 11.6): 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.**

Not applicable.

## Substantiation of Priority Broadband Projects (Requirement 12)

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

NBO initially applied the definition of Priority Project as defined in the Infrastructure Act and the BEAD Restructuring Policy Notice by adopting the BEAD NOFO definition as replaced by the BEAD Restructuring Policy Notice. Priority broadband projects are defined therein as:

“[A] project that 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.”

The NBEAD Project Application required applicants to indicate whether their proposed project was a Priority Project, or a Non-Priority Project as defined by the BEAD RPN. The answer provided by applicants to this requirement was used by NBO as its determination if a project was a Priority Broadband Project or a Non-Priority Broadband Project.

With the release of the BEAD FAQs V12, NTIA clarified that Priority Broadband Project status was project area dependent and may be influenced by conditions unique to each project area. Considering this, NBO reevaluated its methodology for determining Priority Projects and identified a need to better verify that applicants could meet the statutory definition of a Priority Project in the context of the specific DPA they applied for. NBO was confident that its existing methodology could evaluate the speed and latency component of the definition on a DPA level. However, NBO believed it was insufficient to fully evaluate the scalability of proposals, in accordance with the definition, on a DPA level.

NBO contracted with a third-party to conduct a statewide analysis of NBEAD DPA geography and density<sup>10</sup>. NBO also consulted with contracted engineering experts to determine thresholds for DPAs where failure to reliably meet NTIA minimum requirements became likely when served by different technologies. See Exhibit I for the engineering assessments.

Based on those determinations, NBO decided to move away from accepting applicant self-identification to define Priority Project and instead formally define it in the NBEAD RFA. NBO established the following project designations for NBEAD DPAs<sup>11</sup>:

- **Tier 1)** - DPAs that require broadband service at speeds of no less than 100 Mbps for downloads and 20 Mbps for uploads; have latency less than or equal to 100 ms; 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; and possess a Broadband Serviceable Location (BSL) density

<sup>10</sup> NTIA identified Project Area Geography and Project Area Density as examples of how Eligible Entities may analyze proposals to determine if they meet the statutory criteria for a Priority Broadband Project in the BEAD FAQs.

<sup>11</sup> Legal counsel was consulted regarding this course of action; counsel validated it.

cluster of six or more per square mile; and include statistically high proportions of locations with obstructions or topography challenges.

- **Tier 2** - DPA that require broadband service at speeds of no less than 100 Mbps for downloads and 20 Mbps for uploads; have latency less than or equal to 100 ms; 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; and possess a Broadband Serviceable Location (BSL) density cluster of six or more per square mile.
- **Tier 3** - DPAs that require broadband service at speeds of no less than 100 Mbps for downloads and 20 Mbps for uploads; have latency less than or equal to 100 ms; 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; and include statistically high proportions of locations with obstructions or topography challenges.
- **Tier 4** - DPAs that require broadband service at speeds of no less than 100 Mbps for downloads and 20 Mbps for uploads; have latency less than or equal to 100 ms; 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; and do not possess a Broadband Serviceable Location (BSL) density cluster of six or more per square mile and that include statistically high proportions of locations with obstructions or topography challenges.

The classification of DPAs into these tiers achieved NBO's goal of fully evaluating the ability of proposals to meet the scalability requirements of a Priority Project on a DPA level. Applications were subject to review based on the tier of the DPA. Applications were considered non-priority when proposing a technology that NBO determined<sup>12</sup> faced a likely risk of failure to reliably meet NTIA minimum requirements given the conditions of the DPA being applied for.

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<sup>12</sup> See Exhibit I – Engineering Assessments



## Subgrantee Selection Certification (Requirement 13)

**13.1 Text Box: 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 BEAD Restructuring Policy Notice mandated NBO use Minimal BEAD Program Outlay as the primary scoring criteria, and speed to deployment, speed of network & other technical capabilities, and preliminary/provisional subgrantees as secondary scoring criteria.

For each competitive application, NBO applied the "Minimal Bead Program Outlay" primary scoring criteria by assessing both the total project cost and cost to BEAD per BSL. These represented two separate categories where up to 100 points would be awarded for each. Applications were ranked by the lowest proposed cost, with the lowest proposed cost awarded the maximum 100 points in each category. Subsequent ranks were awarded one less point than the previous rank (i.e., second lowest was awarded 99 points, third lowest was awarded 98 points, etc.). The maximum points awarded in the Primary Criteria were 200 for applications that proposed both the lowest total project cost and the lowest cost to BEAD per BSL. The application with the greatest score was recommended for award.

In cases where competitive applications proposed a project cost within 15% of the lowest-cost proposal received for the DPA on a per BSL basis, the additional secondary criteria from the RPN were applied. Per the RPN, further evaluation of competitive applications was done only when that condition was met. "Speed to Deployment" was assigned 30 points, "Speed of Network and Other Technical Capabilities" was assigned 20 points, and "Preliminary/Provisional Subgrantees" was assigned 1 point. Applications could score a maximum of an additional 51 points. Unlike the primary criteria, the "Speed to Deployment" and "Speed of Network and Other Technical Capabilities" secondary criteria were all-or-nothing where the application that proposed the best in category was awarded all points. Applications that proposed identical capabilities in these categories were both awarded points in that category. All applications submitted in the BoB round were awarded 1 point for "Provisionally Selected Subgrantees"<sup>13</sup>. When the secondary criteria were used to further evaluate competitive applications, the application with the greatest total score (Primary Criteria score plus the Secondary Criteria score) was recommended for award.

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<sup>13</sup> NBO included this in the published NBEAD RFA prior to additional guidance from NTIA clarifying the category did not need to be included if Eligible Entities had not made provisional awards prior to the BEAD Restructuring Policy Notice.

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

**14.1 Attachment (Required):** 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 chapter of the FirstNet Regional Programmatic Environmental Impact Statement (PEIS), available at <https://www.firstnet.gov/network/environmental-compliance/projects/regionalprogrammatic-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.

Attached. See Exhibit J.

## Consent from Tribal Entities (Requirement 15)

**15.1 Attachment(s) (Required if any deployment project is on Tribal Lands):**

**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.**

Currently NBO has not obtained the necessary Resolutions of Tribal Consent. NBO has contacted the tribal governments requiring Resolutions of Tribal Consent in a good faith effort to encourage, mediate, and expedite tribal consent. Per the Programmatic Waiver of Tribal Consent Deadline, NBO is required to submit only the Resolutions of Consent it has obtained by the time of Final Proposal submission and has six months from Final Proposal approval to acquire the required Resolutions of Tribal Consent.

## Prohibition on Excluding Provider Types (Requirement 16)

**16.1 Question (Y/N): 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)?**

Yes, NBO 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).

## Waivers

**17.1 Text Box: 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.'**

NBO submitted a waiver request addressing the required NOFO timeline of Final Proposal submission no later than 365 days after approval of the Initial Proposal as amended by the BEAD Restructuring Policy Notice requesting a 19-day extension on July 18, 2025. NBO was notified of NTIA approval of this waiver request on August 4, 2025.

NBO submitted a waiver request addressing the NOFO required 25% minimum for cost sharing/match for deployment projects using BEAD funds, requesting that the 25% subgrantee match requirement for project CM61-BEAD-NE-CAI-ALO be waived on September 19, 2025. NBO is awaiting NTIA's decision on this waiver request.

NBO is availing itself of NTIA's Programmatic Waiver for Tribal Consent.

**17.2 Attachment (Optional): 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.**

Not applicable.