

**§ 143B-1373.3. Wireless broadband grants.**

(a) As used in this section, the definitions contained in G.S. 143B-1373(a) apply, with the exception of the following:

- (1) **Broadband service.** – For the purposes of this section, wireless internet access service with transmission speeds of at least 100 megabits per second (Mbps) download and at least 20 megabits per second upload (100:20), and a latency sufficient to support real-time, interactive applications. The term does not include satellite-based internet access service.
- (2) **Eligible project.** – An eligible project is a discrete and specific project located in an unserved economically distressed area seeking to provide broadband service to homes, businesses, and community anchor points not currently served. If a contiguous project area crosses from one eligible county into one or more eligible adjacent counties, for the purposes of this section, the project shall be deemed to be located in the county where the greatest number of unserved households are proposed to be served. End users that are capable of receiving broadband service outside of the project area shall not be counted for purposes of scoring project applications.
- (3) **Infrastructure.** – All equipment, machinery, supplies, or other tangible real or personal property used in connection with the provision of broadband service to end users. The term also includes easements, rights-of-way, and buildings or structures owned or leased by the entity that are made available for location or collocation purposes.
- (4) **Infrastructure costs.** – Costs directly related to the construction of broadband infrastructure for the extension of broadband service for an eligible project, including installation, acquiring or updating easements, backhaul infrastructure, and testing costs. The term also includes engineering and any other costs associated with the initial procurement of a location or collocation site for the purpose of installing infrastructure on public or private property and costs required to be paid during the construction period of the project to secure leased location or collocation facilities to be used for the delivery of broadband to an end user. The term does not include overhead or administrative costs or annual lease payments for location or collocation sites that are (i) outside of the project area or (ii) within the project area but paid after construction is completed.
- (5) **Unserved area.** – A designated geographic area in which eighty percent (80%) or more of homes, businesses, and community anchor points lack access to broadband service. Areas where a private provider has been designated to receive funds through other State- or federally funded programs designed specifically for broadband deployment shall be considered served if such funding is intended to result in construction of broadband in the area within 18 months or for the duration of the federal funding program for that area, or if the funding recipient is otherwise in good standing with the funding agency's regulations governing the funding program.

(b) The Office shall accept and score applications and award grants for eligible projects under this section in the manner prescribed in G.S. 143B-1373, with the exception of the following:

- (1) Protests of applications made under this section may be submitted in accordance with the provisions in G.S. 143B-1373(e), except that a provider may protest that a proposed project area does not meet the definition of unserved provided in this section.

- (2) Cost per household or business. – The Office shall give additional points to projects that minimize the infrastructure cost of the proposed project per household or business, based upon information available to the Office. Points shall be given to projects based upon the estimated cost per household or business as follows:

- a. For projects proposed in the Piedmont or Coastal Plain Region:

<b>Est. Cost per Household/Business</b>	<b>Points</b>
Up to \$1,000	9
\$1,000, up to \$2,000	8
\$2,000, up to \$3,500	7
\$3,500, up to \$5,000	6
\$5,000, up to \$6,000	5
\$6,000 and over	0

- b. For projects located in the Mountain Region:

<b>Est. Cost per Household/Business</b>	<b>Points</b>
Up to \$1,500	9
\$1,500, up to \$2,500	8
\$2,500, up to \$4,500	7
\$4,500, up to \$6,000	6
\$6,000, up to \$7,000	5
\$7,000 and over	0

- (3) Speed to market. – The Office shall give additional points to projects that minimize the time to begin providing broadband service to end users. Points shall be given to projects based upon the estimated speed to market as follows:

<b>Service Time to End Users</b>	<b>Points</b>
Up to six months	9
Six months, up to one year	8
One year, up to two years	7
Two years and over	0

- (4) Base speed multiplier. – Projects that will provide minimum download and minimum upload speeds shall have the aggregate points given under subdivisions (2) and (3) of this subsection and subdivisions (1) through (4) of G.S. 143B-1373(g) multiplied by a factor at the level indicated in the table below:

<b>Minimum Download:</b>	<b>Score Multiplier</b>
<b>Minimum Upload</b>	
100:20 Mbps. up to 300:50 Mbps.	1.00
300:50 Mbps., or greater	3.00

- (5) The Office shall give additional points to projects as follows:

- a. Four points for a project that also provides customers mobile broadband within the same project area.

- b. Ten points for projects that do not require new tower construction.
- c. Five points for projects (i) constructing up to four new towers and (ii) that have an estimated cost per household or business under three thousand five hundred dollars (\$3,500) in the Piedmont or Coastal Plain Region or under six thousand dollars (\$6,000) in the Mountain Region.

(c) The Office shall allocate up to five million dollars (\$5,000,000) each fiscal year in State funds for grants under this section. The Office shall utilize ungranted funds under this section to award grants under G.S. 143B-1373. (2022-74, s. 38.2.)