

## **Anti-Collusion and Prohibited Communication Certification**

The following provisions shall apply to any Entity seeking approval to apply for BEAD subgrant awards in Louisiana (“BEAD subgrant applicant”) and shall commence on July 31, 2024:

1. A BEAD subgrant applicant shall not communicate directly or indirectly any information related to BEAD applications or application strategies with any “other BEAD subgrant applicants” as described below.
2. A “BEAD subgrant applicant” includes all entities and their respective controlling interests that are part of a joint application or consortium agreement applying to participate in the BEAD subgrant process. A “controlling interest” means any ownership in any BEAD subgrant applicant amounting to ten percent or more of that entity, and all officers and directors of that entity. The identity of all holding a controlling interest shall be disclosed to the State in the Qualification Submission. There shall be no restrictions on the type or size of entities that may submit a joint application or consortium agreement bid as a BEAD subgrant applicant.
3. The prohibitions herein do not prohibit entities that are part of a given joint bidding or consortium agreement, as disclosed to the State in the Qualification Submission Window, from communicating with each other. Such members of a joint bidding or consortium agreement are free to communicate with each other both prior to and throughout the BEAD subgrant application process. They may not, however, submit independent BEAD subgrant applications separate from those of the joint bidding entity or consortium, given the requirements of this Certification.
4. The BEAD subgrant applicant shall not engage in third-party and/or public communications that provide direct or indirect information related to BEAD applications or application strategies, including but not limited to, Parish Governments, other state or local governmental entities, or the general public.
5. Communications to third-party professional advisors, including Outside Attorneys, Financial Advisers or Lenders, and Consultants are permissible, provided that the BEAD subgrant applicant takes steps necessary to prevent the third party from becoming a conduit for communicating application information or application strategies to other BEAD subgrant applicants. For example, BEAD-related communications to third-party advisors are permissible to the extent such third parties enter into agreements with the applicant that include protections such as Non-Disclosure Agreements, internal firewalls or other internal compliance mechanisms, or other arrangements consistent with the provisions of this Certification.
6. Communicating directly or indirectly that an entity has or has not filed a Qualification Submission to participate in the Louisiana BEAD subgrant process does not violate the commitments in this Certification. Filing a Qualification Submission is a prerequisite to applying for BEAD subgrant funds, but the mere fact that a Qualified Submission has been filed does not require the entity to submit a Round 1 application, nor does it reveal an applicant’s specific application or application strategies.

7. **Routine Business Communications Do Not Violate These Commitments If They Do Not Convey BEAD Application Information or Application Strategies.** If no BEAD-related communications occur during normal course business activities, other information conveyed in the course of such routine business communications would not be considered communications regarding applications or application strategies. Absent express statements related to applications or application strategies, communications regarding legitimate, non-BEAD-related business topics are unlikely to support reliable inferences by other covered entities regarding bids or bidding strategies and therefore are permissible.
8. The BEAD subgrant applicant has an affirmative obligation to self-report any violations of these restrictions.
9. If the BEAD subgrant applicant has violated these rules, a penalty may be imposed to rescind a BEAD subgrant award and/or cause the Company to be ineligible for the BEAD Program in Louisiana.

These certifications shall remain in effect until the Office of Broadband Development announces their expiration via a “Conclusion of the BEAD Anti-Collusion and Prohibited Communication Period” Public Notice, to be released shortly after the conclusion of the BEAD subgrant award process established in Louisiana’s final approved Initial Proposal Volume 2.

The BEAD subgrant applicant, \_\_\_\_\_, hereby certifies to the Office of Broadband Development and Connectivity that it has not communicated and will not communicate with any party concerning the applications and/or bidding strategies, except as pursuant to the rules outlined above.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
BEAD subgrant applicant