MONTANA BEAD PREQUALIFICATION

[Date]

Authorized Representative

Montana BEAD Program

Re: BEAD Program Application – Legal Opinion

 Dear Sir/Madam:

 We are counsel for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (the "Applicant.") In such capacity, we acted as counsel to the Applicant in connection with its ability to apply for an award under the Montana BEAD Program and in the review of the Grant Agreement, as referenced in the Notice of Funding Opportunity.

We are of the opinion that:

(a) Applicant is an “eligible provider” pursuant to the definition of “eligible provider” and requirements of 90-1-602, MCA, from Senate Bill 531, (2023), in that Applicant has authorization to do business in the state of Montana, either as a governmental unit or as a nongovernment entity which is duly registered to do business in Montana with the Montana Secretary of State;

(b) Applicant is an eligible provider of broadband service which has demonstrated that it has the technical, financial, and managerial resources and experience to provide broadband service or other communications service to customers in the State of Montana;

(c) Applicant is an eligible provider of broadband service which has the authority on behalf of the eligible provider: (1) to execute and deliver the Grant Agreement; and (2) to perform, on behalf of the eligible provider, all acts required to be done by it under said Grant Agreement;

(d) No legal proceedings, including violations of Federal labor laws, have been instituted or are pending against Applicant, the outcome of which would adversely affect Applicant's ability to perform the duties under the Grant Agreement;

(e) Applicant has the power to own its property and to pledge the collateral required by the Grant Agreement; and

(f) Applicant represents that it owns the following real property, attached as a schedule to this opinion. A lien accommodation is necessary on assets that would constitute Collateral under the award during the main round.

 Very truly yours,

 [Signature]