



## **Understanding BABA BEAD Compliance for Batteries & Power Systems in Broadband Networks**

### **1. NTIA Waiver for Power Systems**

- The NTIA waiver explicitly includes "power systems" as exempt from BABA requirements.
- If batteries are classified as part of a power system, they could logically be covered under this exemption.

### **2. Are Batteries Explicitly Mentioned in the Waiver?**

- The waiver does not specifically mention batteries as exempt. However, when a battery is an integral component of a power system, it could be argued that it falls under the exemption.

### **3. Industry Precedent & Regulatory Interpretation**

- Other federal programs, such as the DOE's waiver for Battery Energy Storage Systems (BESS), indicate that batteries are sometimes treated separately from power systems and are exempt under that program.

### **4. How FTTx Providers Can Approach This**

- **Strong Case for Exemption:** If procuring batteries as part of a complete power system (e.g., UPS, rectifiers, integrated backup solutions), providers can argue they are included under the power systems exemption.
- **Waiver Application if Needed:** If regulators dispute the classification, broadband providers could apply for a waiver, citing:
  - The cost-prohibitive nature of domestic lithium-based batteries.
  - The lack of sufficient U.S. manufacturing capacity.
  - The necessity of batteries for continuous power reliability in broadband networks.

### **Conclusion**

- Batteries may qualify as exempt if they are part of a power system.
- Clarification from NTIA or DOC may be needed to solidify exemption status.
- PSI batteries: COO- Vietnam
- PSI power supplies: COO-Taiwan

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