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Date: October 28, 2026
To: Texas Broadband Development Office

Re: Comments on the September 2026 Strategic Plan Blueprint

Thank you for the opportunity to comment on the Broadband Development Office's Strategic Plan Blueprint. I support the Comptroller's proposals to eliminate the Texas Middle Mile Program, make program development and grant awards more open and transparent, and engage industry stakeholders and local communities more intentionally. These proposals emphasize accountability and the responsible use of taxpayer resources. My principal recommendations are to recognize the progress Texas has made in reducing unserved and underserved locations through public and private investment; prioritize execution of existing deployment commitments; improve the completeness and accuracy of location data; reconsider future Pole Replacement Program expenditures; assess whether remaining Broadband Infrastructure Fund (BIF) resources are needed in the near term; and ensure stakeholder engagement informs agency decisions. The BDO should measure its success by broadband availability and adoption outcomes, not by the amount of grant funding awarded or spent.

I. Comments on strategic objectives

Critically, the document should distinguish policy outcomes from execution. The BDO should measure strategic progress by verified reductions in unserved and underserved locations and improvements in adoption, not by dollars awarded or spent. Separately, it should measure how it administers existing grants to ensure that it is being done competently, lawfully, and on time.

The BDO should examine how state broadband policy has influenced private investment and how that investment should inform future strategy. Increased scrutiny of unserved and underserved areas and the prospect of publicly subsidized competition may have encouraged incumbent and competitive providers to accelerate privately funded construction before the state made its first deployment awards. The office should quantify any such effect where evidence permits, distinguish correlation from causation, and explain how private investment changes the need for additional deployment subsidies. A historical comparison should separately identify changes attributable to privately funded construction, federal obligations, state-funded projects, and mapping revisions.

Reduce unserved and underserved locations through existing commitments and private investment

The BDO should prioritize completion and verification of network deployments under existing public commitments and reasonably anticipated private deployment. Before contemplating

additional state deployment grants, it should assess how RDOF, Enhanced A-CAM, BOOT, BEAD, and ongoing private investments will change the number and distribution of unserved and underserved locations. The BDO should suspend new discretionary state-funded deployment awards during this assessment, rather than open new rounds merely because money remains available. This pause should not impede existing binding commitments or lawful action to complete at-risk projects. Its conclusions should inform the Legislature rather than presume an ongoing deployment-subsidy program.

The BDO has reported BIF allocations and commitments and should publish a reconciled inventory of legally obligated and uncommitted balances, its proposed near-term uses, and the expected benefits. This would enable the Comptroller to assess whether the state needs the remaining resources to meet its broadband objectives. BEAD required less state matching assistance than originally anticipated. If the BDO cannot demonstrate a near-term need for uncommitted resources, the Comptroller should work with the Legislature to determine whether and how the state could lawfully redirect those balances toward more immediate priorities, rather than retaining them against an undefined future need. Article III, §49-d-16 of the Texas Constitution dedicates BIF money to specified purposes; any earlier redirection to other uses must account for constitutional restrictions, existing obligations, and any necessary legislative or constitutional action. [1]

Improve location-data completeness and accuracy

The BDO should assess the completeness and accuracy of FCC and state location records and distinguish active service from enforceable future commitments. It should investigate anomalies involving schools and other community anchor institutions that use dedicated rather than mass-market broadband, including cases where nearby fiber suggests a possible mapping error without conclusively proving serviceability. Texas Government Code §490I.0104(c) directs the BDO to establish procedures and a data-collection process for participation in FCC location-data challenges. While encouraging stakeholder challenges, the BDO should proactively submit or support corrections instead of relying mainly on individual complaints. To the extent practicable, it should report correction rates, unresolved discrepancies, data limitations, and update dates. Before relying on location data for funding decisions, it should resolve material discrepancies and document remaining uncertainty. [2]

Measure affordability and identify barriers to adoption

Texas law expressly assigns the BDO responsibilities concerning broadband adoption, affordability, and use. The plan should address these as enduring policy objectives even after major network deployment ends. The BDO should establish evidence-based adoption and consumer-cost baselines, compare urban and rural markets, and examine why households with available service do not subscribe or cannot maintain service. [2]

Start with the Texas Digital Opportunity Plan and existing surveys, then target additional research on price, devices, digital skills, accessibility, awareness, technical support, and perceived usefulness. Evidence from California and survey methods used in North Carolina may inform this work, but the BDO should not assume other states' findings apply to Texas. Within twelve months, the BDO should report to the Legislature on barriers, feasible non-subsidy interventions, estimated costs, responsible entities, and recommended statutory changes. It should continue periodic

affordability and adoption reporting after deployment programs conclude without presuming new subsidies or rate-setting authority. [3]

Make stakeholder engagement and public reporting useful

Connect each outreach activity to a specific agency decision or data-quality objective, and explain how the input affected the result. Maintain a simple public dashboard that distinguishes currently available service, contracted construction, and disputed or unresolved location records. Favor understandable measures, including changes in verified service availability, project delays, and adoption. Do not present cost per newly connected location as a universal measure of value because project conditions and private investment complicate attribution. Offer a consumer-facing website where Texans can identify providers that report service at their location and submit evidence when those claims appear incorrect.

II. Comments on near-term tactical objectives

Manage grants and potential defaults with flexibility and accountability

Defaults and withdrawals in federal subsidy programs, particularly RDOF, demonstrate that expected deployments may not materialize. Enhanced A-CAM obligations also require monitoring, although the cited evidence does not establish a comparable default rate. The BDO should maintain a location-level risk watchlist and respond early to threatened awardee non-performance. [4]

The BDO should preserve flexibility to address threatened defaults and nonperformance. Where applicable law and agreements permit, it should work with an awardee on a viable corrective action plan, amend milestones or extend deadlines, increase oversight or withhold payments, terminate an agreement and recover funds, select another qualified provider, or pursue another lawful completion method. It should choose the remedy most likely to deliver service and protect taxpayer funds. It should document the authority, rationale, alternatives, and expected results of material interventions.

Reconsider retroactive pole-replacement reimbursements

The blueprint proposes a third Pole Replacement Program round to reimburse investments completed when no NOFA or application period was open and no state award commitment existed. Although Texas Government Code §403.553 allows reimbursement of qualifying historical pole-replacement expenditures, statutory eligibility does not by itself establish that retrospective awards for independently completed projects would accelerate deployment or deliver incremental taxpayer value. The BDO should explain the measurable public benefit of each proposed reimbursement beyond compensating private costs already incurred. If it no longer sees sufficient value to justify a fourth round, it should explain why a retrospective third round is nevertheless a sound use of the remaining Pole Replacement Fund balance. Before opening another round, the BDO should obtain a documented legal determination addressing the award structure, applicable rules, and constitutional public-purpose requirements. It should also examine its obligations under existing awards and whether any unused fund balance may lawfully return to the BIF. Absent a compelling legal and taxpayer-value justification, it should not proceed with new retrospective awards. [5]

Provide semiannual reports for each legislative district

Twice a year, provide each state senator and representative with a concise report about broadband conditions and program execution within that member's district. Show verified unserved and underserved locations, service newly available, committed-but-unbuilt deployments, at-risk projects and corrective actions, unresolved mapping issues, and reliable affordability and adoption indicators. Separate completed, contractually committed, and privately planned projects.

Publish an actionable implementation schedule

Within 90 days, the BDO should publish a reconciled funding and obligations inventory, a project-level risk watchlist, and a location-data exceptions list; document its legal and taxpayer-value review of pole replacement; and assign responsible offices and completion dates to these deliverables. Over the following 6–12 months, it should establish a systematic mapping-correction process, publish findings on the effects of existing public and private investment, issue the first district reports, and prepare an adoption and affordability assessment for the Legislature.

III. Performance measures and accountability

Report strategic outcomes separately from execution results. Strategic measures should track verified changes in the number of unserved and underserved locations, broadband adoption, affordability, and adoption barriers. Execution measures should track grant milestones, actual service activation, the resolution of mapping errors, grants at risk, cures, terminations, recoveries, and timely closeout. For each indicator, identify the data source, reporting period, definition, and material limitations.

References and supporting notes

[1] Texas Constitution, art. III, §49-d-16 (Broadband Infrastructure Fund): https://statutes.capitol.texas.gov/Docs/CN/htm/CN.3.htm

[2] Texas Government Code Chapter 490I, particularly §§490I.0103, .0104(c), .0105 and .0107: https://statutes.capitol.texas.gov/Docs/GV/htm/GV.490I.htm

[3] Texas BDO Digital Opportunity materials and surveys: https://comptroller.texas.gov/programs/broadband/funding/digital-opportunity/index.php ; California statewide digital equity telephone survey: https://broadbandforall.cdt.ca.gov/california-statewide-digital-equity-telephone-survey/ ; North Carolina 2026 survey: https://www.ncbroadband.gov/survey-2026

[4] U.S. Government Accountability Office, Broadband Deployment (GAO-26-107725, 2026): https://www.gao.gov/products/gao-26-107725. FCC Enhanced A-CAM Order, FCC 23-60: https://docs.fcc.gov/public/attachments/FCC-23-60A1_Rcd.pdf

[5] Texas Government Code §403.553; 34 TAC §§16.3–16.4; Texas Constitution, art. III, §§51, 52 and 52-a. Statutory eligibility for historic costs does not resolve the constitutional assessment of a particular award.

Thanks again for the opportunity to comment on the plan.

Jim Bellina
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AMA Communications