**October 23, 2026**

**Ernest Teves**
**Broadband Director**
**Texas Broadband Development Office**
Office of the Texas Comptroller of Public Accounts
Austin, Texas

Via Email: broadband@cpa.texas.gov
Email Subject: Strategic Plan Feedback

**RE: Fiber2Go® Comments on the Texas Broadband Development Office Strategic Plan Blueprint**

Dear Mr. Teves:

**Fiber2Go®** respectfully submits these comments in response to the Texas Broadband Development Office's request for public feedback on its draft Strategic Plan Blueprint, with comments due October 30, 2026.

**Fiber2Go®** supports the Blueprint's stated objectives of improving transparency, accountability, competitive selection, regional engagement, fiscal discipline, and opportunities for smaller Texas broadband providers. The Blueprint correctly recognizes that meaningful reforms are needed in applicant challenges, scoring transparency, project justification, stakeholder participation, and grant oversight.

These comments are based on **Fiber2Go®**'s direct experience assisting South Texas counties with BEAD participation; involvement with Texas Middle Mile opportunities; preparation, at no charge to participating counties, of preliminary broadband feasibility studies and infrastructure concepts; and subsequent efforts to obtain public records concerning program evaluation, scoring, and award decisions.

Our purpose is not to revisit prior award decisions simply because **Fiber2Go®** or participating counties were not selected. Rather, it is to identify structural issues that should be addressed in the final Strategic Plan so future programs provide meaningful opportunities for counties, regional providers, smaller Texas carriers, and public-private partnerships to compete on transparent and technically sound terms.

## I. Planning, County Participation, and Technical Assistance

The Blueprint should measure broadband planning by whether it produces timely, usable infrastructure opportunities—not merely by whether reports are eventually completed.

### A. Measure Technical Assistance by Results

BDO committed approximately $6 million to technical assistance for roughly thirty-two counties through an outside engineering consultant. The key performance question is whether counties received usable planning and engineering work in time to compete for BEAD and other funding opportunities. A report delivered after a major application deadline has limited value as a grant-preparation tool.

The final Strategic Plan should require BDO to publish, for each technical-assistance engagement:

- the date the county entered the program and the date each major deliverable was completed;
- the amount expended for that county;
- whether the work was delivered before relevant grant deadlines;
- whether the county used the work in an infrastructure application; and
- whether the planning effort resulted in an award, construction project, or other measurable deployment outcome.

### B. Create a County-to-Deployment Pathway

Regional meetings and COG coordination are useful, but counties also need a practical pathway from planning to deployment. The final Strategic Plan should establish a County Broadband Infrastructure Participation Framework allowing counties to work transparently with qualified carriers, utilities, engineering firms, and regional coalitions through public-private partnerships or similar lawful structures.

**Fiber2Go®** worked with multiple South Texas counties and prepared preliminary feasibility and infrastructure concepts at no charge to those counties to support BEAD participation. None of the resulting applications received an award. The State should evaluate whether program design, scoring, financial qualifications, or administrative procedures unintentionally create barriers for county-supported projects and smaller or regional providers.

### C. Use Reeves County as a Planning-to-Award Accountability Case Study

Reeves County received BDO technical-assistance planning and later obtained a provisional Texas Middle Mile award that the current Comptroller is reviewing for alignment with the statutory objective of serving unserved and underserved locations. Without prejudging Reeves County, BDO should examine whether planning, eligibility review, engineering validation, award evaluation, and post-award oversight were sufficiently connected.

The final Strategic Plan should link the full chain of accountability:

**planning → feasibility → eligibility → application → engineering validation → award → construction → performance measurement.**

## II. Fair Competition and Small-Provider Participation

A program may be formally open to all providers yet still operate in a way that disproportionately favors applicants with the largest balance sheets, statewide footprints, or access to capital. The final Strategic Plan should address whether smaller and regional providers have a realistic opportunity to compete—not merely whether they are technically eligible to apply.

### A. Make Financial Capacity Project-Specific

Financial capacity should be evaluated against the size, schedule, reimbursement structure, and risk of the project proposed. A smaller carrier should not effectively be required to demonstrate the same balance-sheet capacity as a national incumbent when proposing a smaller, milestone-based project. The proper question is whether the applicant can finance and complete the specific project.

### B. Prevent Provider Match from Becoming a Proxy for Corporate Size

Voluntary provider match can reduce public cost, but excessive scoring weight can turn infrastructure competition into a balance-sheet competition. BDO should cap or normalize the scoring advantage attributable to voluntary match so that it does not overwhelm infrastructure durability, capacity, reliability, project readiness, local support, affordability, or long-term operating commitment.

### C. Preserve Match Assistance and Proportionate Performance Security

**Fiber2Go®** supports the Blueprint's use of match assistance and alternatives to traditional letters of credit. Security should reflect the State's actual financial exposure at each stage. Reimbursement-based programs should also use frequent, predictable payment cycles so smaller providers are not forced to finance months of construction solely because of administrative delay.

### D. Evaluate the Complete Project Team, Not Corporate Scale Alone

Technical capability may be demonstrated through the applicant's engineering, construction, financing, vendor, subcontractor, and public-partner team. BDO should distinguish corporate size from the ability to deliver the proposed project successfully.

### E. Measure Who Competes and Who Wins

For each major funding program, BDO should publish aggregate data on applicants, awards, funds requested and awarded, provider category, technology, average match, and cost per location. This would allow the Legislature and taxpayers to evaluate whether programs are producing genuine competition or concentrating awards among a small number of large providers.

### F. Apply Fair Competition to Supplemental, Reassigned, and De-Obligated Funding

These principles should apply to supplemental BEAD, replacement awards after default, de-obligated projects, future BIF programs, and restructured middle-mile initiatives. When material facts, locations, technology, or economics change, BDO should consider whether a new competitive process is appropriate rather than automatically transferring the opportunity to an existing awardee.

## III. Technology Selection, Texas Fiber Preference, and Hybrid-Network Evaluation

The Blueprint correctly recognizes that federal policy eliminated the former federal fiber preference while Texas law continues to provide a preference for end-to-end fiber, subject to statutory exceptions. The final Strategic Plan should convert that principle into a transparent and technically competent evaluation framework.

### A. Establish a Standard Fiber-Preference Test

Whenever a qualifying fiber proposal competes with a non-fiber proposal for the same locations, BDO should document: total project cost, public cost per location, provider match, expected useful life, capacity, scalability, latency, reliability, high-cost status, and the specific statutory basis for selecting a non-fiber alternative. The determination should become part of the public administrative record.

### B. Evaluate Long-Term Public Value, Not Only Initial Subsidy

Lowest initial subsidy is not necessarily lowest long-term public cost. BDO should compare technologies over an equivalent lifecycle and distinguish between funding that creates permanent infrastructure in Texas and funding that primarily purchases access to existing capacity. Cost-per-location should be supplemented by a long-term infrastructure-value measure considering useful life, replacement cycle, capacity, upgradeability, recurring costs, resilience, and residual asset value.

### C. Make High-Cost and Technology Decisions Location-Specific

High-cost determinations should be based on actual route mileage, density, terrain, rights-of-way, existing conduit or fiber, permitting, crossings, and engineered cost information—not a generalized assumption that fiber is too expensive. Technology should be evaluated at the smallest reasonable geographic level so a few costly locations do not prevent fiber deployment to many economically reachable locations.

### D. Evaluate Hybrid Proposals by Component

Future programs must establish clear standards for hybrid architectures. During the BEAD process, **Fiber2Go®** submitted county-supported proposals combining fiber and fixed wireless. BDO treated an initial 2 Gbps wireless backhaul figure as if capacity were limited to approximately twenty 100 Mbps users and used that assumption to disqualify hybrid proposals, without separately evaluating the fiber-served locations or the planned expansion of wireless capacity to 5 Gbps and 10 Gbps.

A hybrid proposal should be evaluated by technology and location. A disputed wireless assumption should not automatically invalidate compliant fiber portions. BDO should be able to make partial awards for separable, qualifying portions of a proposal when doing so does not materially alter project viability.

### E. Require a Technical Clarification and Cure Process

An application should not be disqualified because a reviewer interprets a technical assumption differently without first giving the applicant a reasonable opportunity to clarify information already contained in the proposal. The clarification process should identify the issue, disclose the material assumption or calculation, provide a defined response period, and preserve the final determination in the administrative record.

The process should distinguish among clerical corrections, technical clarification, supplemental documentation supporting an existing representation, permissible cure, and a material amendment that would improperly change the competitive proposal.

### F. Replace Automatic 24-Hour Responses with Reasonable, Proportionate Deadlines

During prior BDO processes, applicants were at times required to respond to requests for clarification, modification, or supplementation within approximately 24 hours, with potential disqualification for non-response. That may be adequate for a simple administrative confirmation, but it is often unreasonable for complex engineering, financial, county-coordination, or project-design issues.

The final Strategic Plan should establish response periods proportionate to complexity. Short deadlines should be reserved for routine matters; substantive engineering or financial requests should allow several business days or other reasonable time. Any

materially shorter deadline should identify the external statutory or federal constraint requiring it.

### G. Publish Evaluation Results and Apply Deadlines Consistently

Following each competition, applicants should receive their final score, component scores, material technical findings, reasons for disqualification, and evaluator assumptions that materially affected the result. BDO should also document clarification requests, deadlines, extension requests, and whether failure to respond affected eligibility. Uniform procedures reduce the risk—or appearance—of selective treatment and allow applicants to distinguish between competitive loss, technical noncompliance, financial disqualification, and a reviewer misunderstanding.

## IV. Transparency, Public Comments, Administrative Records, and Open-Records Practices

**Fiber2Go®** strongly supports the Blueprint's proposed improvements in scoring transparency, public accountability dashboards, published grant agreements, challenge determinations, and post-NOFA applicant conferences.

However, meaningful transparency should extend throughout the entire decision-making process—not only to final awards.

### A. Public Comments Should Be Published, Not Merely Summarized

BDO routinely invites public comments on major broadband programs. Historically, however, the public generally has been told how many comments were received and provided a summary of major themes rather than access to the actual submissions.

For example, the BEAD Initial Proposal reported that BDO received **109 unique comments** and summarized issues raised by commenters. The TMM Program similarly states that comments and supporting documentation were received and considered. Neither approach provides taxpayers with a readily accessible public docket containing the underlying comments.

The Strategic Plan Blueprint states that BDO intends to "Post all input received during the public comment period," but that commitment appears within the subsection addressing proposed rule changes.

The final Strategic Plan should establish a broader policy:

**All substantive public comments submitted in connection with BDO plans, NOFAs, grant programs, challenges, proposed rules, and other formal public-comment proceedings should be posted on the BDO website, subject only to legally required redactions.**

A public-comment docket should identify:

- commenter or organization;

- date received;
- comment submission;
- supporting attachments, where public;
- BDO response or disposition, where applicable; and
- whether the comment resulted in a program or policy change.

This requirement should apply to the comments currently being submitted on this Strategic Plan Blueprint.

Public participation is more meaningful when Texans can see not only what the agency ultimately decided, but also what other stakeholders proposed.

**B. Complete Evaluation Records Should Be Preserved**

Every competitive broadband program should produce a complete administrative record sufficient to explain how each material award or disqualification decision was reached.

At a minimum, the record should preserve:

- scoring sheets and component scores;
- reviewer technical findings;
- engineering assumptions;
- cost comparisons;
- technology-selection analyses;
- clarification and cure requests;
- applicant responses;
- challenge determinations;
- material correspondence affecting evaluation;
- financial-capacity findings;
- award recommendations; and
- final decision memoranda.

The Blueprint already proposes preservation of scoring records for possible reassignment following default. **Fiber2Go®** recommends applying that principle to **every original award decision as well.**

**C. Applicants Should Receive Their Evaluation Results Without an Open-Records Request**

An applicant should not have to initiate a lengthy Texas Public Information Act process merely to understand why its proposal was unsuccessful or disqualified.

Following completion of a competitive process, BDO should provide each applicant with its final scoring and material evaluation findings, subject to legitimate confidentiality protections involving competing applicants.

At minimum, applicants should know whether they:

- lost through competitive scoring;

- failed a technical requirement;
- were disqualified because of a particular assumption or deficiency;
- failed a financial qualification; or
- were displaced by another technology or lower-cost proposal.

This would also make the Blueprint's proposed post-NOFA conferences substantially more useful.

### D. Public-Records Practices Should Support—Not Substitute for—Program Transparency

**Fiber2Go®** has sought public records relating to prior broadband award decisions because sufficient information was not otherwise available to understand the evaluation process.

The final Strategic Plan should reduce the need for such requests by proactively publishing the records most important to public accountability.

Routine disclosure should include, where legally permissible:

- final scoring rubrics;
- awarded scores;
- project-level technology determinations;
- grant agreements;
- challenge decisions;
- cost-per-location calculations;
- applicant clarification procedures;
- major program evaluation criteria; and
- written explanations of material rescissions or de-obligations.

Open-records compliance remains important, but it should be the **backstop to transparency—not the primary mechanism through which applicants learn how public broadband funds were awarded.**

## V. Texas Middle Mile Program Accountability

The Blueprint raises significant concerns regarding the Texas Middle Mile ("TMM") Program and therefore presents an important opportunity for BDO to demonstrate the transparency principles proposed in the Strategic Plan.

The Blueprint states that initial TMM awards exceeded $113 million and involved Brownsville, Kerrville Public Utility Board, Reeves County, and Zayo Group. It further states that approximately **$61 million in provisional Zayo awards were rescinded on August 17, 2026**, and that the Brownsville and Reeves County projects are under review.

### A. Publish the Basis for Material TMM Award Changes

When a provisional award involving tens of millions of dollars is rescinded, the public should be able to understand why.

For each rescinded, reduced, or materially reviewed TMM project, BDO should publish:

- original requested amount;
- original score;
- proposed route and service area;
- identified existing middle-mile infrastructure;
- duplication analysis;
- public comments received concerning the project;
- material technical findings;
- basis for the original selection; and
- basis for rescission, reduction, or continued review.

This recommendation is particularly relevant because the TMM public-comment process specifically sought information concerning **existing infrastructure and possible duplication**.

### B. Reeves County Should Be Evaluated as a Planning-to-Award Case Study

As discussed in Section I, Reeves County also participated in the BDO Technical Assistance Program.

The fact that a state-supported planning effort subsequently contributed to or preceded an infrastructure award that is now under review provides an opportunity to evaluate whether BDO planning assistance, grant eligibility, engineering validation, and award review were sufficiently coordinated.

The purpose should not be to prejudge Reeves County. Rather, BDO should determine what lessons can be applied to future planning and infrastructure programs.

### C. Avoid Subsidizing Unnecessary Duplication

Middle-mile infrastructure can create substantial public value by increasing competition, reducing backhaul costs, connecting unserved areas, and increasing network resiliency.

It can also waste public funds if grants merely duplicate existing private infrastructure in substantially served areas without demonstrating additional public benefit.

The final Strategic Plan should therefore require that future middle-mile proposals demonstrate:

- documented infrastructure need;
- relationship to unserved or underserved locations;
- existing carrier availability;
- open-access or wholesale benefits, where applicable;
- redundancy and resiliency benefits;
- projected effect on last-mile deployment cost; and
- why public funding is necessary rather than private investment.

## VI. Future, Supplemental, De-Obligated, and Reassigned Funding Opportunities

The Blueprint states that approximately **$2 billion of Texas's BEAD allocation remains unobligated** and that NTIA's September 2026 Supplemental Deployment policy may create an additional deployment round for residual or newly eligible locations.

It also identifies approximately 2,000 eligible locations that were not funded in the approved Final Proposal.

These circumstances make it important for the final Strategic Plan to establish rules now for future funding opportunities.

### A. Supplemental Opportunities Should Be Open and Competitive

If Texas participates in the Supplemental Deployment process, qualified providers should be given a meaningful opportunity to compete.

Participation should not be limited automatically to the 22 existing BEAD awardees.

Providers that participated previously but did not receive an award—including smaller carriers, regional providers, and county-supported partnerships—should remain eligible where they satisfy the applicable requirements.

### B. Materially Changed Projects Should Be Recompeted Where Appropriate

Where an award is:

- rescinded;
- defaulted;
- de-obligated;
- materially reduced;
- geographically changed; or
- technologically redesigned,

BDO should determine whether the changed circumstances justify a new competitive process.

The existence of a prior ranking should not automatically determine the disposition of a materially different project.

### C. Previously Disqualified Applicants Should Not Be Permanently Excluded

A provider that was previously disqualified because of a technical assumption, financial condition, or program requirement should not automatically be excluded from a future competition where the applicable facts or rules have changed.

This is especially important where future BDO procedures incorporate the clarification, proportional financial review, partial-award, and hybrid-network principles recommended in these comments.

### D. Counties Should Have a Renewed Path to Participate

Future supplemental or state-funded rounds should also provide counties and regional coalitions with a practical opportunity to identify remaining gaps and develop projects with qualified providers.

Texas has already invested significant public and private resources in broadband planning. Future funding rounds should make productive use of that planning rather than requiring counties to restart the process each time a new program is announced.

## VII. Recommended Additions to the Final Strategic Plan

**Fiber2Go®** respectfully recommends that the final Strategic Plan incorporate the following principal reforms:

1. **Measure technical-assistance programs by deployment outcomes**, including whether plans were delivered before relevant grant deadlines and led to competitive infrastructure applications.
2. **Create a formal county-to-deployment framework** allowing counties and regional coalitions to partner with qualified telecommunications providers.
3. **Ensure proportional financial qualification and security requirements** so smaller carriers are evaluated according to the project proposed rather than the balance sheet of the largest incumbents.
4. **Prevent voluntary provider match from becoming determinative**, while continuing to recognize legitimate taxpayer savings.
5. **Establish a documented Texas Fiber-Preference Test** and lifecycle-value methodology for comparisons among fiber, fixed wireless, satellite, and other technologies.
6. **Create formal standards for hybrid proposals**, including technology-by-technology evaluation, partial awards, and reasonable clarification opportunities before disqualification.
7. **Replace unnecessarily short technical-response deadlines with complexity-based response periods**, applied consistently to every applicant.
8. **Provide applicants with written evaluation results** following each competitive funding process.
9. **Create a permanent public-comment docket** publishing comments and supporting materials received in BDO proceedings, subject to legally required redactions.
10. **Maintain and proactively disclose complete administrative records** sufficient to explain major award, disqualification, rescission, de-obligation, and technology-selection decisions.
11. **Publish the basis for material TMM rescissions and reviews**, including duplication analyses and relevant public comments.
12. **Ensure that supplemental, de-obligated, reassigned, and future funding opportunities remain meaningfully competitive**, including opportunities for previously unsuccessful qualified providers.

13. **Measure program competitiveness itself**, including participation and award outcomes among incumbents, regional carriers, small providers, county partnerships, and different technology categories.

## Conclusion

**Fiber2Go®** recognizes and supports the Blueprint's stated effort to improve transparency, accountability, competition, fiscal responsibility, and confidence in Texas broadband programs.

The recommendations presented in these comments are based on direct participation in broadband planning and grant processes and are intended to help ensure that the next generation of BDO programs benefits from lessons learned during prior funding rounds.

Texas has invested substantial federal and state resources in closing the digital divide. The State will obtain the greatest value from those investments when qualified providers can compete under clear and proportional rules, counties can convert planning into actual infrastructure, technology decisions are documented and defensible, and taxpayers can readily see how public input and public funds influence final decisions.

**Fiber2Go®** respectfully requests that the Texas Broadband Development Office consider these recommendations in preparing the final Strategic Plan to be delivered to the Texas Legislature in December 2026.

Respectfully submitted,

**Arn Ramirez**
President
**Fiber2Go®** Corp.
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