September 3, 2026

Will Counihan
Texas Comptroller of Public Accounts
Via Electronic Mail

Subject: Follow up from August 26 Meeting

Dear Will and Comptroller Staff:

Thank you for the excellent meeting last Wednesday August 26 and for the opportunity to seek additional feedback from Texas Broadband Association (TBBA) members regarding foundational changes at the Broadband Development Office (BDO). We sincerely appreciate the open dialogue and offer the following additional feedback for your consideration as you prepare the strategic plan outline for the Texas Senate. Also, we would like to reemphasize the suggestions that we made in our July 24 letter to the BDO, which is included herewith for your reference. TBBA stands by those recommendations and continues to feel that they are important threshold considerations as the BDO develops its plan. With respect to additional areas of feedback that were sought at the 8/26 meeting, please see below:

1. **Pre-NOFA Program Discussions**

CPA indicated at our meeting that it plans to release any future draft NOFA for a 2-week preview period prior to official publication. As mentioned in the meeting, TBBA has concern that a 2-week preview period is insufficient for the dialogue and stakeholder input necessary to formulate new funding programs. We suggest the BDO look to other state agencies who are routinely formulating grant programs with stakeholder feedback. Some examples include the work sessions held by the Public Utility Commission to receive feedback on the Texas Energy Fund and informational sessions held by the Texas Water Development Board to receive feedback on the development of its new funding programs.

2. **Continuance of the Middle Mile Program**

TBBA members agree that the need for a continued Texas Middle Mile Program should be carefully evaluated against existing and planned public and private infrastructure. Any future

investment should address a clearly demonstrated infrastructure gap and be informed by a robust stakeholder process and meaningful challenge process. It should uniformly avoid duplicating existing or planned infrastructure and should direct limited state resources only toward those areas where a clearly demonstrated need exists that won't otherwise be served by the private market.

3. **Mapping**

While TBBA supports efforts by the BDO to more accurately inform the public of awards status and regularly review location-based data in Texas to ensure served locations are removed from eligibility maps, TBBA members feel that the BDO should not develop a separate state broadband map or recreate a separate underlying broadband-availability dataset. Instead, the location fabric, reported service availability, and federal and state funding data underlying the Federal Communications Commission (FCC) Broadband Data Collection (BDC) maps should remain the common starting point for determining broadband availability and funding eligibility in Texas. Using this consistent baseline, the BDO may supplement and display the FCC's mapping data through publicly available Texas-specific maps showing state broadband awards and project status, including the ability to export such location-level detail directly from the mapping system so that the public can easily monitor broadband buildouts.

4. **Broadband Infrastructure Fund (BIF)**

TBBA members continue to support the feedback given to BDO on July 24 with respect to utilization of the remainder of the BIF. This feedback is copied below:

> As reflected above, TBBA recommends that the BDO initiate a public stakeholder process to determine the best uses for the remainder of the state BIF and develop a Strategic Plan therefor. A Strategic Plan is warranted given the considerable amount of taxpayer dollars remaining in the BIF and the need to maximize those tax dollars to best achieve the goal of connecting Texans. TBBA requests that BDO's initiation of a public stakeholder process consider the following:
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> - Other state BDOs are effectively utilizing broadband funds to speed broadband deployment and alleviate issues relating to permitting, pole attachments, and easement access and could be utilized as models for Texas' use of BIF. Some readily available examples include: Arizona's permitting dashboard; a permitting toolkit created by the state of Arkansas; California's best practices permitting manual; and the regular awardee meetings held by the Alabama BDO.
> - BIF funds will be necessary to serve those Texans who remain unserved or underserved following the completion of BEAD, whether due to default, program limitations, updated location data, or new development. The BDO should establish a

reserve fund for this purpose, as state funding may be the only available option following the exhaustion of allocated BEAD funds.

With respect to the potential availability of BEAD non-deployment funds: if NTIA announces that states may retain BEAD non-deployment funds, we request that you convene stakeholders to provide input on potential uses at that time. Until guidance is released outlining approved uses for BEAD non-deployment funds, it is impossible to speculate as to potential ways to best utilize such funding.

TBBA members emphasize that the considerable balance of the BIF and the potential availability BEAD non-deployment funds warrant a thoughtful, deliberative public process to determine future uses. While we await guidance from NTIA regarding use of non-deployment funds, TBBA membership continues to explore opportunities to harness the considerable remaining funds to serve Texas' interests, including critical infrastructure hardening and emergency response.

Thank you again for the opportunity to share feedback following the meeting. Please do not hesitate to reach out if you have any questions on any of the above recommendations.

Sincerely,

Tina O'Jibway
President, Texas Broadband Association