

CONNECT NEW MEXICO COUNCIL MEETING

Hybrid Meeting

Thursday, August 15, 2024, 1:30 – 3:30 PM

In-person location 411 S. Capitol St., Santa Fe, NM 87501, Room 311

1. WELCOME AND CALL TO ORDER

The meeting of the Connect New Mexico Council was called to order by Shawna Rosales, at 1:38 pm, on Thursday, August 15, 2024, in Santa Fe, New Mexico. Ms. Rosales introduced herself and reviewed general rules and procedures regarding the meeting.

MEMBERS PRESENT-

Luis Reyes, Co-Chair	Steve Grey
Eli Guinnee	Jim Ruybal
Leonard Manzanares	Godfrey Enjady
Launa Waller	Isaac Bush
Katherine Crociata	

MEMBERS ABSENT-

Joseph Navarette
Ovidiu Viorica

OTHERS PRESENT

Shawna Rosales, OBAE Administrative Assistance
Renee Narvaiz, DoIT, Public Information Manager
Natalie Runyan, GIS
Drew Lovelace, OBAE Director
Eric Rodgers (OBAE), Sandeep Taxali (OBAE), Neala Krueger (OBAE), Cass Brulotte (OBAE Counsel), Gar Clarke, Matejka Santillanes, Bruce Wetherbee, Diana Molina, Kitty Clemens, S. Heaton, Corey Nelson, Manh Pham, Rosalie Trujillo, Mitch Hibbard, Victory Quintana, Erica Valdez (OBAE), Jennifer Somers, Sonora Rodriguez, David Leaco, Christopher Rodriguez

2. APPROVAL OF MEETING AGENDA AND MINUTES

MOTION: Ms. Rosales called for a motion to approve the agenda as presented. Mr. Guinnee so moved, seconded by Ms. Crociata.

VOTE: There being no opposition the Agenda was approved.

MOTION: Ms. Rosales called for a motion to approve the minutes of the June 20, 2024 meeting. Mr. Grey so moved, seconded by Mr. Bush.

VOTE: There being no opposition the minutes were approved.

3. CHAIR UPDATES/COMMENTS – Acting Chair Luis Reyes

Mr. Reyes wished Ms. Sekaquaptewa a speedy recovery and noted that he will be assuming the duties of the Chair until her return. He congratulated OBAE on their endeavor with the Statewide Education Network, as well as preparation for the BEAD applications.

4. Working Group Updates

Digital Equity Access and Inclusion Working Group – Eli Guinnee

Mr. Guinnee reported that this working group continues to meet every other week and that Mr. Bo Ford and Ms. Catherine Nicolaou co-chair this group and are doing an amazing job doing so. He added that OBAE is always represented to provide updates. Ms. Nicolaou and Mr. Ford are developing another annual summit on digital equity, which he believes will be in Albuquerque in September, with more details forthcoming. He also reported that the NOFO for the competitive grants from the Digital Equity Act has been released and the deadline to apply for the competitive funds is 09/23/2024, with the total fund amount being \$1.25 billion. Organizations can apply directly to NTIA as these funds will not go through OBAE. He added that the minimum grant amount is \$5 million and the maximum amount is \$12 million. Compared to the funds that OBAE is currently managing for the capacity grants, these are quite large grants. A point of discussion at the last meeting was that a group of some of the attendees would be getting together to look how they might work together on a collaborative grant which would meet the \$5 million minimum. He estimated that, given the total grant funding available in this, that on average there would be three grants issued per state, and he expressed hope for getting some of these large grants for New Mexico. The expectation is to have all of these funds paid out by April 2025, and the program is for four years from the dates that the awards are granted. He noted that political subdivisions can apply as well as Native America Tribes, foundations, community anchor institutions, education agencies, workforce development programs and any combination of these entities. He stated he would put a link to the NOFO in the Zoom chat for those interested. If anyone has questions he would be glad to attempt to answer those and that there are also many knowledgeable individuals from OBAE in the meeting today who are available to answer questions.

Chair Reyes asked if there were any questions from the Council on this and there were none. Chair Reyes thanked Mr. Guinnee for this update.

Tribal Working Group – Godfrey Enjady

Mr. Enjady stated that this working group had been meeting twice per month previously, but recently have only met once per month, the last meeting having occurred this past Wednesday. They are still examining avenues for working with tribes to help them better understand what broadband is and to help them move forward. They are endeavoring to inform tribes about all the grants available. He referred to the GAO reports with respect to the capacity of NTIA working with tribes and that Valerie or Steph may have links to those reports. He reported that these meetings usually have 15-20 participants, sometimes more, and that these meetings are addressing what the tribes need to prepare for in the next round and what they need to be doing currently, such as permitting. They are discussing standards, building networks according to what should be done, as NTIA did not give any kind of standard space, units or instructions on how to install a lot of these networks. They are hoping to adopt standards to follow for contracting and building of these networks.

Chair Reyes thanked Mr. Enjady for this report and then asked if he could give an update on the situation in Ruidoso after the forest fire.

Mr. Enjady recapped the events he had previously reported concerning the immediate aftermath of the South Fork and Salt Fires, and the steps taken to restore services. He described the formation of an Emergency Broadband Operations Team (EBOT) and that despite initial evacuation of all technical personnel approximately 98% of services were back in operation by day 5, due in large part to the combined efforts of many other telecommunication carriers such as Penasco Valley Telecom, Tularosa Basin Telecom,

Plateau Wireless and ENMR, who were all instrumental in this effort and thanked all of them for their efforts and participation. The EBOT has also endeavored to formulate a system of redundant services to avoid another situation such as this. They continue to have Teams or Zoom meetings on Fridays. He added that the EBOT team concept has been handed over to OBAE so that hopefully this concept can be replicated in other areas across the state.

Mr. Reyes thanked Mr. Enjady for this report and asked if there were any comments.

Ms. Crociata thanked Mr. Enjady for all his work and staying the course throughout this disaster.

Director Lovelace added that a post-fire OBAE meeting is scheduled for later in the month.

Mapping, Data & Evaluation Working Group – Natalie Runyan

Ms. Runyan noted that the Chair of this group, Mr. Mantos, has retired, so the chair is vacant at this time, and that she expects this to be addressed in a later agenda topic today. However, the group continues to meet bi-weekly, from 11:00 a.m. to noon on alternating Fridays, with the next meeting schedule for tomorrow and then again on 08/30/24. She commented on the BEAD challenge and that the state-based challenge is wrapping up with the final data assessment currently in progress. They are working on a detailed timeline of some actual implementation dates so the maps will show a more realistic perspective on when people can expect to be served for each year. She noted that this is a multijurisdictional process and gave details of the work involved.

Mr. Reyes thanked Ms. Runyan for her report and called for any questions. There were none.

PROPS Working Group -

Mr. Reyes asked if there was anyone available to report for this working group.

Director Lovelace commented that Mr. Viorica, the chair of this subcommittee, has been on vacation, as well as heavily involved with activities related to the State Education Network, so he does not believe this group has met over the last couple of months.

Mr. Reyes asked Director Lovelace if this Subcommittee will continue to meet, especially in light of the anticipated funding from BEAD as well as the State Legislature, with respect to the pole attachment issue. Mr. Reyes stated he did not know if the pole attachment issue has been resolved, but he believed it would be critical to at least have a discussion or have a committee discuss this, whether this will be resolved with or without legislation. Director Lovelace stated his belief that Mr. Viorica intends to continue this Subcommittee, but there has not been a lot of progress due to other priorities at the current time and would defer to Mr. Viorica on this, but this is his awareness of the situation at this time.

Mr. Reyes thanked Director Lovelace for this information.

Mr. Reyes asked if there were any other Working Group Updates. There were none.

5. Vacant Council Member Positions – Jason Clack, OBAE Legal Counsel

Mr. Clack stated that there are several vacant council member positions that need to be filled. He noted that he believed Secretary Sambandam would like to appoint him to fill the DoIT position and he has been directed to an online form for the Governor's Office, the Office of Boards and Commissions, which is how they want to track the Executive Agency appointments, and they are currently working on adding this Council to the list of Councils and Boards on that form. He stated his intention to check this form out tomorrow to fill out for himself, and if this is successful this can be sent out to the rest of the current Council members for circulation to those agencies with a vacant seat on this Council. He added that he did not believe vacancies for public members, appointed by members of the Legislature, would need to go through this process, but would simply receive appointment by their sponsoring member of the Legislature.

Mr. Reyes asked Mr. Clack how many Council seats are currently vacant. Ms. Rosales stated she would check and get this information to Mr. Clack. While awaiting this information Mr. Reyes asked if there were any potential vacancies that the Council might need to be concerned with. Ms. Crociata stated her interest in the Council being more inclusive of higher education representation on the Council as these vacancies are addressed. Mr. Clack thanked Ms. Crociata for this comment and this has been discussed, and this is one of the positions that will need contact with higher education for a new appointment. Mr. Clack stated that it appears there are three positions that need to be filled; the higher education position, the DoIT position which he hopes to fill and the position that Mr. Viorica was filling, now with his move to OBAE. He noted that he will be working on filling those three positions.

Mr. Reyes thanked Mr. Clack for this report and called for any further questions or comments from the Council on this item. There were none.

6. Role of the Council in the Future – Jason Clack/Luis Reyes

Mr. Reyes stated that he put this on the agenda as he has concerns about what the role of the Council is going forward, and that it seems the role of this Council has been diminished to really an advisory group, and even in that capacity very little advice has been asked of the Council, so he wonders what the relevance of the Council is at this time. He commented that since there would be use of public funds in the role of broadband as an essential service, that the intent was that the Council would fill a more advisory and consent role to make sure that all segments of the state and all different demographic areas of the state were covered. He stated he was not inferring that this was not happening, but as a Council member he does not know. He wanted to have a candid discussion with both the Council and the public if this was really the intent, to diminish this Council, which was vetted by legislation, to just advise when OBAE wanted advice, not on very serious issues. He stated he is seeking comment from the other Council members on this, whether there is a need for conversations with legislators about re-establishing the intent of this Council, and if this was strictly to be an advisory board then determine ways to be more active in the rural broadband process roll-out. He then asked if there needed to be discussion by the Council or if the opinion is that things are working okay. He opened the floor for discussion.

Ms. Crociata stated that having worked on the original enabling legislation the intent was not for the Council to be completely advisory. She stated that she believed there was "some spot in the middle that we kind of missed along the way", and that she tends to agree with Mr. Reyes, and she is unsure how to get back to that point and that it would be worth engaging the legislative sponsors in a conversation about this, as she has heard this subject come up a few times. She stated that she understands the need to move quickly on funding for projects, getting the money out there and getting things moving along so that the Council is not slowing

down the process. She again stated that she felt like there was “a spot in middle that somehow has been lost”. She reiterated the need to go back to the enabling legislation to determine what the intent was.

Ms. Waller stated that this was “well said” by Ms. Crociata, and this aligned with her thoughts as well. She shared that she believes this has moved far away from what the legislative sponsors had envisioned for this group and there needs to be more in-depth examination of where this started and where things stand at present. She agreed that there is a “sweet spot in the middle”, and with the concept of going back to those original sponsors to revisit this issue. She noted that things have moved so far away from the original intent that there seems to be a loss of interest, with the inability to reach a quorum for meetings at times, etc., and this lack of participation may be a reflection of that.

Mr. Reyes called for any additional questions or comments.

Mr. Clack stated that he has worked on the draft of the MOU between the Council and OBAE, which is not ready for discussion yet, but hopefully this will fill some of these gaps until more legislative clarification can be obtained on the role, and this MOU should better define the roles of the Council and the Office, which may help address some of the confusion related to the communication issues. This can be further discussed in the working group to get a discussion draft ready for official consideration and discussion by the Council.

Mr. Reyes thanked Mr. Clack for this information. Mr. Reyes asked that additional comments could be prepared and shared with the Council to pass along to Mr. Clack as the work on the MOU continues, to better define the relationship between the Council and OBAE. He agreed with the idea to revisit the original sponsors to ensure adhering to the intent they supported in the original legislation, and he will be reaching out to the Council on how to facilitate those discussions with the legislators.

Mr. Enjady noted that the “playing field has kind of been set with NTIA and OBAE, being the lead agencies”, but he believes this Council needs to continue to work in the role of oversight as the Council members were appointed from different areas of the state to provide some kind of leadership role, as intended by those making the appointments. He added that when BEAD “hits”, there will be a lot of areas that really do not understand what is going on. This Council will be that voice for them, moving forward. The Council should be prepared for that role and the role just needs to be re-examined within the statute. The goal is to provide broadband to New Mexico, which has been achieved to some extent, and started with this Council when OBAE consisted of only one to three people in the beginning. As OBAE has come into their role, and under the Governor’s appointments of building up this area the first and second phase of the BEAD funding has been achieved. He noted that New Mexico is probably leading the nation in the consultation process for tribes within the state. He added that there is a fantastic group of people on this Council and why not “lean on them” to make sure that BEAD gets distributed correctly. OBAE may have staff with a lot of expertise, but this Council was appointed to make sure that things progress correctly. He reiterated that this Council needs to be an oversight group to make sure everything gets done, especially with respect to the groups that will be putting in new broadband connectivity across the state and there needs to be a pathway for reporting discrepancies as well as successes. He added that this will be a good process, broadband is a great thing so this Council needs to stay the course and be part of this.

Mr. Reyes thanked Mr. Enjady for his comments.

Mr. Grey stated that he would like to echo some of the previous comments and that these concerns were voiced at the last Council meeting. He again stated that he agreed with these comments and that he believes that the legislators who put this in place did have a different intent and that that intent is not really being followed at this time, particularly the oversight. He noted that he has heard that the attorneys from OBAE are kind of driving things and making some key decisions, and expressed his concern about whether this is their role. He added that the Council members, within their respective regions, know what is best for their constituents, and the oversight component is missing. He stated things should not continue to go forward as is, there is a need for clarification from the legislators and sponsors regarding this and let them direct the Council as they did in the beginning.

Mr. Reyes thanked Mr. Grey for his comments and called for additional comments. Mr. Reyes stated that meetings with the sponsors will be facilitated and will make sure that the Council is engaged in this process.

Mr. Enjady added a comment with respect to the Ruidoso fire situation. He wanted to give special praise to Matejka Santillanes and her husband, Jay, and the New Mexico Exchange Carrier Group for their help, as well as a number of volunteers from Senator Lujan's office and the FCC emergency team. He also thanked Ms. Waller and her team for all that they did.

7. OBAE Updates – Director Drew Lovelace/ Sandeep Taxali

Director Lovelace reported that the Initial Proposal, Volume 2 was approved by NTIA, effective July 26th, with institution of the one-year timeline to move forward on the BEAD program. Things are now in the public comment for project area units, which should be released in the next week or so. They are also in the process of getting the data from the challenge process back to NTIA and are now awaiting the Version 4 of the FCC fabric to see how that aligns with the challenge process, and they have been given a two week extension to be able to marry those two pieces of information together and turn that in to get the final DSL counts for the NOFO to be released later this year. He stated that things look good, however, they had major concerns last week as they attended Mountain Connect, where states that led the charge on turning in the initial proposal, states like Louisiana, Kansas, Colorado and Nevada, were in a position where NTIA had been sitting on the data for their DSL challenge process for almost five or six months and those have finally started to be approved by NTIA, so they are in a position where hopefully NTIA will be offering those states some sort of extension on the one-year timeline. He is hopeful that as the true-up between version 4 of the fabric and the challenge process is finished out that there will be a turnaround time of about one month, which seems to be the current cadence.

With respect to the Digital Equity Fund the closeout for the planning grant has occurred. They have submitted the information to NTIA for the state grant, the \$8.6 million amount discussed at the last meeting, and they are awaiting approvals on this grant as well. He also mentioned the competitive grant previously noted by Mr. Guinnee. OBAE will be releasing their NOFO after final approvals are received from NTIA on the state capacity grant.

Director Lovelace noted that he needed to leave the meeting to attend another meeting and would be asking Mr. Sandeep Taxali to report on the Connect New Mexico Fund. He added that with respect to the GWEP fund, using all the rules from the Council, they were able to go through an application based award system for the assistance grants, with \$1.4 million of the grant engineering and planning funds allocated at this point, with contracts out for wave one, and wave two will go out when the 21 day period expires, with seven or eight entities in the curing process at this time, but there will still be \$3.7-3.8 million which will need to go out. He

gave a reminder that tribal entities are eligible to apply for this funding, as well as local public bodies, electrical co-ops and telephone co-ops.

With respect to staffing the Office is holding currently at about 25 employees. He again noted the retirement of Vanessa Willock, general counsel for the office, on July 1st. He expressed appreciation for her service and wished her well. He reported that Ms. Cass Brulotte has been subbing in as the staff attorney and has been very helpful in that regard. With respect to the vacancy rate he noted that there are currently three vacancies, which is approximately 15%, relatively low. He added that the Office continues to create new positions to meet demand, along with the different programs, which differs substantially from other agencies. He reported that Richard Govea, Project Manager Bureau Chief, just sent out offer letters for the last of the project manager positions that were created, so there will be new staff coming on board as project managers. He noted that Annamia Mourning, his executive assistant and assistant to the prior director, and who had become the data lead in the Office, has taken a position with CYFD doing data analytics. He wished her well and noted she will soon be finishing her degree in data analytics. This means that there will be a vacancy in the executive assistant role as well, which he hopes to fill in the next couple of weeks.

He noted that the State Education Network went live on July 1st and Mr. Ovidiu Viorica participated in the ribbon cutting at 21st Century Charter School with a great turnout. There are now two districts and six schools connected, with a phase two RFP moving forward.

Director Lovelace then turned the report over to Mr. Taxali for the Connect New Mexico updates.

Mr. Taxali introduced himself to the Council. He gave a review of the history of the Connect New Mexico Fund, which was established by the Connect New Mexico Act in December 2021, with the NOFO issued in December 2023, with the window closing on March 18th. This fund involves \$70 million, with the NOFO identifying fiberoptic networks as being the priority technology, but other technologies were welcomed where fiber is impractical to deploy due to barriers related to geography, topography or excessive cost. There were a number of non-fiber applications. There were a total of 37 applications, constituting approximately \$119 million in funding requests, which is an approximate 70% oversubscription. This was complimented by over \$100 million in matching funds. These projects included middle-mile and last-mile, and generally the last-mile projects aimed to connect 48,000 units, but obviously all of these cannot be funded. With respect to the entity types which applied 70% were private ISPs, 17% were tribal affiliated and 14% were co-op affiliated. The technology mix was 60% fiber based, 26% roughly fixed wireless, 10% HAPS and 4% were hybrid fiber/fixed wireless. These percentages are based on the budgets requested. In terms of scope, 87% were last-mile, 8% were middle-mile and 5% were hybrid last/middle-mile. He noted that all of the information he is sharing today is what can be shared publicly at this point. In terms of the applicants, Resound Networks was a heavy participator with 17 applications, representing \$40 million, about 33% of the allocation pool, Comcast submitted 4 applications, there was heavy pueblo participation with five pueblos submitting applications, Isleta, Picuris, Tesuque and San Ildefonso for a middle-mile project, and Laguna for a last mile/middle mile project. Smith Bagley also participated for a project on the Navajo Nation. PVTC submitted two applications. Sequoia, a private firm, submitted an application to upgrade a conduit on I-25. Quest submitted two applications, Sky submitted a couple of applications, Jemez Mountain Electric Co-Op submitted one application and Valley Telephone Co-operative submitted an applications. Review of the projects began in early April with three reviewers assigned per project, some being OBAE staff and three contractors. He reviewed the scoring process, which included eight major categories; project impact, community engagement, economic

efficiency, project readiness, organizational qualifications, marketing and service strategy, adoption assistance programs and long-term sustainability, with these eight categories being split into 25 sub-categories, a very meticulous framework. Of the 37 projects, 26% entered curing, representing approximately 70% of the funding pool. He gave a brief description of the reasons projects did not enter into the curing process, but an attempt was made to get as many as possible into the curing process. He stated that there was also a challenge process to evaluate the possibilities of overlap, which took quite a bit of time and has resulted in a delay or timeline discrepancy of about a month and a half. He stated that there was a briefing with the Governor on the status of these projects at the end of July and notifications have been going out to applicants of the provisional award, with the grant award agreements going out in the very near term. The provisional awardees are not public information at this time, but will be in the near future. Due to the fact that some Council members are directly or indirectly affiliated with some of the applicants he will defer to Ms. Brulotte on what can or cannot be shared, but given that he would be happy to answer questions.

Mr. Reyes thanked Mr. Taxali for this report and called for any questions.

Ms. Waller asked Mr. Taxali if a list of applicants is available prior to the disposition of the grant awards, and where this information could be found on the Connect New Mexico website.

Mr. Taxali stated that the only information available on the website at this time is the maps of the proposed project areas, with a brief description of the project. He described the award notification and acceptance process, which would be followed by a press release that will go up on the website.

Ms. Brulotte added that everything is still confidential at this point.

Ms. Waller stated she was trying to make a comparison between the New Mexico PRC Broadband grant program and this one, where with the PRC program, once the application deadline is closed, they put out a list of the applicants. She queried whether there was any information regarding the applicants prior to the award announcement.

Mr. Taxali stated that on the New Mexico Broadband map there are actual proposed project areas for every applicant, with a brief description of that application. Mr. Brulotte confirmed this, but the details of the awarded projects and those not awarded will not be made public until all the applications are final and the awards have been made.

Ms. Waller thanked them for this explanation.

Mr. Enjady asked if New Mexico companies were given extra points for being New Mexico based.

Mr. Taxali stated that this is not considered directly but does reflect in the areas related to leveraging of existing assets, commitment to local workforce participation, etc.

Mr. Enjady commented that since NTIA has not provided any standards for the build-out of these networks, this is an area where this Council can be part of the process, providing oversight to make sure things continue to progress and get the grants "out the door". He suggested that this needs to be "reclassified", especially from a legal standpoint, making sure that things stay within statute.

Ms. Waller noted that her understanding is that the last group of Connect New Mexico grants

awarded have a deadline of June 2025 for build-out. She asked if those companies are ready to roll with this, has disbursement of this funding already begun, are agreements in place? A second part to her question is whether there is still a plan to ask for an extension of the legislation for that funding and which organization would be leading that attempt.

Ms. Brulotte replied that because the grant agreements have not been finalized no reimbursements can be issued yet. Work is in progress on these agreements now and all of the current awardees are aware that the current expenditure deadline is the end of the fiscal year, as Ms. Waller noted, but this is the expenditure deadline and does not require that the project be completed at that time. Since this is a concern the plan is to include in the grant agreement that these funds will be utilized first and the awardees can use their matching funds at the end in an effort to accommodate this, since many of these projects will take an extended period of time to complete. She added that OBAE will definitely be asking for an extension on that expenditure deadline and welcomes any support that the Council is able to give toward getting this extension.

Mr. Enjady commented that this one-year timeframe to build out prevented a few companies from submitting applications. He added that permitting alone can sometimes take as much as two years. He asked if this funding might be rolled back because projects could not be done in the designated timeframe. He is attempting to give these companies some assistance moving through the process and stated this seemed a bit unfair. He commented that he understands the timeframe to spend these funds is now, but unfortunately the permitting process cannot be done in just one year.

Mr. Reyes replied that this may be one of the issues included in the intent of this Council to visit with legislators now, to get this addressed in the upcoming session.

Mr. Enjady agreed with Mr. Reyes as he feels some companies, ISPs or other groups that wanted to apply were left behind because of this.

Mr. Taxali commented that an FAQ was written on this legislative mandate and this addressed the June 30, 2025, deadline for expenditures, as Ms. Brulotte previously noted, that an attempt would be made to "front load" the grants for this reason, and an extension would be requested for a standard extension to build these projects, which generally is three years and this could possibly go out as far as 2027 or 2028. All of this information is in the NOFO. He commented that through the combined efforts of having the Council work with the OBAE team and other stakeholders and ultimately the awardees, he and Ms. Brulotte are confident that this will happen, but they are not the ones to ultimately make that decision. He stated that the contracts will read that these are fixed price awards and the project must be completed, and if an extension is not allowed by the legislature, and all grant funds have not been expended by June 30, 2025, then more matching contributions would be necessary. This would probably have more impact on the fiber-based projects as opposed to the fixed wireless projects. This will essentially be a balancing act over the next few months and having the full support of the Council and its members individually will be instrumental.

Mr. Reyes thanked Mr. Taxali for his explanation and comments.

Ms. Brulotte responded to a question in the Zoom chat. The question asked if money could be expended without a final oversight review. Ms. Brulotte stated that the process will be set up on a reimbursement basis. For example; with a fixed wireless project that needs to build a new tower, they would do so and at various increments, at their discretion, they would submit appropriate paperwork providing evidence that they did complete the work, spent the funds

and then OBAE would reimburse in accordance with the terms of the grant agreement. She added that there will also be additional reporting required on a quarterly basis to check the status of the overall project build. This would constitute two levels of oversight; first being the initial reimbursement request, which could be denied if it is not proper or it does not appear that the work being billed for had been completed, or even clerical inaccuracies, and then there would be the quarterly as well as annual review of the project status.

Mr. Enjady added that he was not inferring that the vetting process was wrong, just the term, which required companies to weigh the risk.

Ms. Brulotte addressed another question from the Zoom chat which asked; “How does this comport with the FY25 issues you all spoke of”. Ms. Brulotte stated that for this initial wave of reimbursement, assuming that the legislature is not willing to extend the deadline, OBAE would only be able to pay for expenses incurred through June 30th, even if the request was received after this date, as long as the expense was incurred by June 30th. This is the reason for the plan to have the grant agreements set up for the match to occur at the end rather than co-occurring throughout the project, allowing for maximum payment of the grant funding in the early phases in order to “front load” these projects.

Mr. Reyes thanked Ms. Brulotte for this explanation. He asked Mr. Taxali if he had any further information to share.

Mr. Taxali commented that the pilot program served as a platform to learn from and noted the excellent work provided previously by Gar Clarke. He noted that a key takeaway is that there is a lot of fluidity and movement at all levels in terms of the DSLs. He commented on the collaboration with colleagues at the PRC to make sure there are no overlaps between their respective programs and there has been a downward trend in the number of unserved and underserved locations, which is good news, however, this does complicate matters to a degree in making sure deployments are not funded which would overlap projects already funded. With BEAD things will be different because the mapping challenge process has preceded launch of the program. He also noted that there had been a lot of movement at the applicant level between March and the current time due to marketplace movement. He added that with all of the complexities involved things are a little behind where his office would like to be, but they are now in the mode of fast-tracking the notifications and noted the great work done by Ms. Brulotte in getting the award agreements prepared. He stated that as more information is made available about the projects being funded and the communities being impacted he believed everyone will be really pleased.

Mr. Reyes thanked Mr. Taxali for these comments and all his work.

8. Public Comment – Luis Reyes

Mr. Bruce Wetherbee, Editor of The Candle, thanked everyone for the work they are doing and noted that this is not an easy task. He stated he would be reporting on this meeting and some of the issues raised, and asked if someone could contact him outside of the meeting for clarification of the funding issues discussed today so he can be sure he is reporting on this accurately. He put his email address and phone number in the Zoom chat so someone could follow up on his request.

Mr. Reyes replied that the appropriate personnel will be contacting him.

9. Adjournment – Luis Reyes

Chair Reyes called for a motion to adjourn. Mr. Godfrey so moved, seconded by _____
There being no opposition the meeting was adjourned at 3:05 p.m.