

CONNECT NEW MEXICO COUNCIL MEETING

Virtual

WEDNESDAY, May 17, 2023, 2:00-4:00 PM

1. WELCOME AND CALL TO ORDER

Video recording time: 00:00:08

The meeting of the Connect New Mexico Council was called to order by Renee Narvaiz, at 2:00 pm, on Wednesday, May 17, 2023, in Santa Fe, New Mexico. Ms. Narvaiz introduced herself and reviewed general rules and procedures regarding the meeting.

MEMBERS PRESENT-10

Kimball Sekaquaptewa, Chair
Eli Guinnee
Secretary Peter Mantos
Ovidiu Viorica
Jim Ruybal
Godfrey Enjady
Launa Waller
Katherine Crociata
Steve Grey
Joseph Navarette

MEMBERS ABSENT-4

Leonard Manzanares
Bogi Malecki
Luis Reyes, Co-Chair
Tico Charlee

OTHERS PRESENT

Renee Narvaiz, IT, Public Information Officer
Natalie Runyan, GIS
Joanne Hovis, T. Fremin, Johnny Montoya, Mitch Hibbard, Jerry Smith, M. Schulhof, Annamia Mourning, Jessica Hitzman, Nathan Cogburn, Kate Sneed, Todd Baran, Marco, Steph Poston, Scott Kusselson, Clint Harden

2. APPROVAL OF MEETING AGENDA AND MINUTES

Video recording time: 00:01:50

MOTION A motion was made by Eli Guinnee and seconded by Launa Waller to approve the agenda as presented.

VOTE No opposition, motion passed.

Ms. Narvaiz stated minutes for meetings from 02/15/2023, 03/29/2023 and 04/19/2023 were sent to members via e-mail for review and she had not received any edits for these prior to today's meeting. Ms. Narvaiz then asked for a motion to approve the minutes of 02/15/2023.

MOTION: A motion was made by Launa Waller to approve the minutes of the 02/15/2023 meeting and seconded by Katherine Crociata.

VOTE No opposition, motion passed.

Ms. Narvaiz then asked for a motion to approve the minutes of 03/29/2023.

MOTION: A motion was made by Secretary Peter Mantos to approve the minutes of the 03/29/2023 meeting.

Kimball Sekaquaptewa requested that the minutes be amended to include a notation regarding the discussion and expectations with respect to the Tribal/State collaboration as it relates to the Rulemaking process. This was so noted by Ms. Narvaiz. Secretary Mantos withdrew his original motion and then moved to approve the minutes with the proposed amendment, seconded by Eli Guinnee.

VOTE No opposition, motion passed.

Ms. Narvaiz then asked for a motion to approve the minutes of 04/19/2023.

MOTION A motion was made by Joseph Navarette and seconded by Ovidiu Viorica to approve the minutes of the 04/19/2023 meeting.

VOTE No opposition, motion passed by general consent.

3. CHAIR UPDATES/COMMENTS

Video recording time: 00:05:15

Kimball Sekaquaptewa-

Welcomed the group to the meeting. Ms. Sekaquaptewa noted the increase in work required for the current round of funding and expressed her appreciation for the commitment and time spent by members in this regard.

She also noted the upcoming state-sponsored event scheduled for May 24th at Buffalo Thunder Resort, with participation by NTIA partners, and possibly the congressional delegation. She encouraged everyone to register and attend.

4. Change to the Meeting Day and Time, Discussion (3rd Thursday afternoons)

Video recording time: 00:07:28

Kimball Sekaquaptewa- Stated she has an ongoing time conflict with her work obligations and requested consideration for changing the day and time for this meeting. She asked if the third Thursday of the month would work for the other members of the Council. She asked Todd Baran if it would be possible to start the new schedule beginning in June.

Baran - Replied that an adjustment in the June schedule could be done in terms of a "special meeting", but a resolution would be required to make this a permanent change, and a special notice would need to be made for the June meeting day change.

Kimball – Asked if any other members had an issue with this change.

Natalie Runyan - Stated this had been discussed and agreed upon in a staff meeting.

Secretary Mantos – Asked for confirmation if this was on the 3rd Thursday and at what time.

Kimball – Affirmed the 3rd Thursday, from 2-4 p.m., unless there is substantial conflict, so she is asking for a change in the standing meeting time to the 3rd Thursday afternoon of each month.

Launa Waller - Asked if the time could be changed to 1-3 p.m. from 2-4 p.m., for logistical reasons.

Kimball – Stated she was open to the change to 1-3 p.m.

Katherine - Stated 3rd Thursday works for her. She actually prefers the 2-4 p.m. time, but she can

work with a different time.

Kimball – Noted Godfrey Enjady and Natalie Runyan gave “thumbs up” in the chat for 1-3 p.m., and Steve is also open. She asked Katherine if she could do the 1-3 p.m. time. Kathrine agreed. Kimball noted this could be revisited if that time period becomes problematic.

Baran – Restated the Committee will be skipping the next regular meeting, which would be the 4th week, with a special meeting on the 5th week and at that meeting a resolution would be adopted designating the regular meeting to occur every 4 weeks after that.

Kimball – Noted next meeting will be a special meeting on the 3rd Thursday of June, at 1-3 p.m., and moving forward the regular meeting will be on the 3rd Thursday of each month, 1-3 p.m.

Baran – Agreed, that was his understanding.

5. 3-Year Plan – Comments from members - Kimball Sekaquaptewa-

Video Recording time: 00:11:31

Kimball – Plan submitted to the State in order to meet the first of the year deadline, noting this Council and other stakeholders were offered the opportunity to comment, not as edits, but as feedback in terms of amending the 3-Year Plan, provide input for the 5-Year Plan or do nothing. Kimball noted that directions for the Council were unique in that members could review the plan but submit feedback via email individually, but not as a group to avoid the rolling quorum and not violate the open meeting law. With respect to this format Kimball queried the possibility of a special meeting in the near future to discuss the 3-Year Plan, since the 5-Year Plan is now being discussed by the OBAE staff, consultants and CTC. She would like to get the Council members input as the “boots on the ground” representatives in this realm during this planning phase. She noted that she had sent out an email on Monday as a reminder to read the 3-Year Plan. She then asked for feedback from other Council members

Godfrey Enjady – Asked for clarification with the 3-Year Plan and the 5-Year Plan, stating he believed the NTIAB plan only requested a 5-Year Plan, and whether these plans co-exist.

Kimball – 3-Year Plan is part of the enabling Legislation under HB10, with respect to the Council’s role in digital equity and accountability, but SB93 also addressed Broadband Planning, and gave details of the reporting times pertaining to these, and the BEAD plan is a 5-Year Plan, therefore they are overlapping, but not exactly the same.

Godfrey Enjady – Asked if this was a publicly reviewed plan or an in-house reviewed plan.

Kimball – If this goes to the Legislature that would be a public document.

Ovidiu Viorica – Shared a more detailed explanation, noting that the intent for both of these plans is to consolidate the information related to the status of broadband deployment and effective usage for the state, which is the first step at the state level. He also stated that these plans are public and they are published on the Office of Broadband website, and are intended to guide the actions at the state level of how 100% connectivity is going to be accomplished within a reasonable period of time. He continued, noting that the BEAD has its own requirements related to developing and publishing plans in a peered fashion and these are split primarily into two categories, which the CTC team could probably describe better than he. He then reviewed that the 5-Year Plan is due at the end of August and is intended to inform the NTIA with respect to what the state intends to do in relation to broadband expansion, and that there is also a companion plan focused on digital equity. He also explained that after the 5-Year Plan there is an initial proposal and a final proposal, in sequence, that

will more greatly define the mechanics of how the BEAD funding will be utilized to address all the unserved locations identified in New Mexico, as part of the FCC fabric, and subsequently addressing the underserved locations, as opposed to the below 253 for unserved, and underserved is between 253 speeds and 100 X 20, and then anchor institutions can be brought up to 1GB symmetrical, which are the goals in the BEAD notice of funding opportunity. Mr. Viorica then explained that there are six plans required by the notice of funding opportunity, three related to infrastructure and three related to digital equity, teaching and helping people use broadband effectively, and at the state level there is the digital equity as well as the infrastructure 3-Year Strategic Plan and with all of these plans it does get very confusing. He did note that the 3-Year Plan is expected to feed into the 5-Year Plan that then goes into the Initial Proposal which in turn feeds into the Final Proposal. He suggested trying to consolidate and possibly align the due dates for the state plans with the due dates for the federal plans, otherwise there will be a lot of different plans published, requiring a lot of man-hours; a lot of different documents prepared and published with much the same purpose. Mr. Viorica stated his belief that the 3-Year Plan is a good document and is very comprehensive and one of the best he has seen and it encapsulates most of the initiative, however, there have been some good documents produced in the past. He stated that he believes the current 3-Year Plan provides a solid foundation for the 5-Year Plan, and expressed his desire to see a reduction in the amount of work at the state level by consolidating these plans to avoid duplication of efforts. He concluded by stating he hoped this provided some clarity.

Kimball – Very helpful, providing explanation of the dates, etc. She noted that Steve Grey was requesting a spreadsheet of the plans and the dates they are due, and she agreed this would be very helpful to send out to all the Council members. She commented that this plan does a good job of presenting the topics. She noted that the Council and other stakeholders will have an opportunity to comment, which is the current phase of the plan, and gave details as to the funding processes. She asked Mr. Viorica for clarification on the progression of the 5-Year Plan, the Initial Proposal and the Final Proposal.

Viorica – Initial Proposal is due 180 days after the amount of money is announced for New Mexico, how much money BEAD is going to dedicate to New Mexico Broadband Infrastructure, and then the Initial Proposal will be reviewed by NTIA and there will be back-and-forth between the state and the NTIA team as to how the money will be used to actually address all the unserved and then underserved, and possibly anchor institutions, then the Final Proposal is submitted to NTIA under the common understanding between the State of New Mexico and the NTIA on how the BEAD funding will be utilized and distributed, and this process is expected to take one calendar year from this summer, when the amount of money for New Mexico will be announced. He qualified this statement by saying he hoped he had the time-span and the deadlines correct.

Kimball – Asked if the time between the Initial and Final Proposals would be when the State would release the BEAD NOFO, with designation for provider, tribe, local government, etc., with an amount and project name, or does the Final Proposal only designate the NOFO to be subsequently released, and when would individual projects be approved by NTIA.

Viorica – This is information that CTC can cover best and they are prepared to do so, and this is part of their current engagement. He did note that the expectation is that when the money starts to arrive, toward the end of 2024, this is when the NOFO will begin to be issued by the State, the entity who will manage the funding and the process of funding distribution to all eligible entities. BEAD funding most likely issued after approval of Final Proposal; queried JoAnne Hovis as to accuracy of his description.

Hovis – Commented he was 99% correct, very close. Nothing set in stone until NTIA approves Final Proposal. State can execute provisional grant program once Initial Proposal approved, then go through grant program and bundle results into the Final Proposal for NTIA approval; grants are then

no longer provisional but can be officially funded by the state and funds start to go out to awardees. She noted additional nuances, such as 20% of funding may be available based on the plan if NTIA approves after Initial Proposal rather than Final Proposal. New rules being released continually, somewhat of a “moving target”, generally the status is planning this year, including grant program design, grant plan execution next year on a provisional basis and then funds starting to flow toward the end of 2024 or in 2025.

Kimball – One concerning factor, not knowing how to calculate high-cost factor for New Mexico on FCC map. When might a dollar amount be identified or should this be defined locally.

Hovis – Will cover some of this in her presentation later today, but the allocation will probably not be determined until June 30th, how much the NTIA has assigned per high-cost location and how much will be coming to New Mexico. States have no control over definition of high-cost, NTIA will determine. NTIA will use statutory formula for the \$42.5 billion to be divided among all states and territories. This formula is based on the number of unserved locations and the number of high-cost, unserved locations, and NTIA will determine what constitutes a high-cost, unserved location and apply the formula based on the FCC map and distribute the \$42.5 billion among the states. This analysis will be announced on June 30th, which begins the timeline for preparing the Initial Proposal, data analysis, modeling and analytics needed for the Initial Proposal. Therefore, planning for the Initial Proposal begins at that point.

Kimball – Not simple, especially KPI. Had hoped this group would help set forth what the KPIs are. Lots of nuance in the middle. What happens if not enough funding received? What would priorities be at that point? How best to use funding available?

Katherine Crociata – Do suggestions for changes or additions need to be done today?

Kimball – If using Excel spreadsheet to send directly to OBAE it cannot be sent to any other Council members to avoid rolling quorum. However, would like to have a separate plan as a Council to submit to OBAE for better documentation. Will answer additional questions today then set up special meeting to go over individual comments for consolidation then submit to OBAE.

Crociata – Agreed.

Kimball – Need more detailed input on New Mexico Council Funds. Inconsistencies in reference to role of the Council, i.e., Digital Equity working group was not referenced in digital equity conversation and she did not see Regional Projects or Mapping, but she might be mistaken. Would like better identification of the Council’s role within the plan.

Kimball – Additional comments or questions? None.

6. Rulemaking Update – Todd Baran, Melissa Gutierrez, Tribal consultations amendment Video Recording time: 00:40:09

Baran – Next set of rules in pipeline will govern challenges to actions by OBAE, DOIT or the Council, relating to grant program establishment or administration, and ideally these will go into effect in late June or early July, as they can be promulgated as emergency rules and there will be a 90 day window to convert these to full-time rules. There is a draft available.

Questions:

- How much involvement does the Council want in reviewing these rules?
- How to accomplish that engagement?

These rules are highly prescriptive and very much directed at lawyers:
How you file your complaint.
Format of complaint.
What complaint can be about.
Who you file the complaint with.
What happens to complaint after filing.

These rules will be almost all procedural, little substantive, practically no impact on any of the Council's activities. Mr. Baran stated he is uncertain if the Council needs to have the kind of engagement as with the last set of rule-making. Presenting this to determine if there is any interest for engagement in the drafting and review process of this set of rules or if the Council prefers to let these move forward through DOIT.

Kimball – Expressed preference to have this go through the rule-making group again, in particular with regard to overbuilding, challenge process and remediation for dispute resolution.

Runyan – Questions reference to Tribal Consultation Amendment on Agenda under this section and Mr. Baran mentioned grant applications. Asked for clarification as to what Mr. Baran is referring to.

Baran – Discussing dispute resolution rules which will govern those wishing to challenge actions of the Council, OBAE or DOIT in connection with the grant program.

Runyan – Subheading for item #6 states “Tribal consultations amendment”, is this a typo?

Kimball – Not a typo, still on primary part of item #6.

Baran – Noted that Kimball addressed the tribal amendment issue earlier in the meeting, referring to the amendment to the minutes concerning the discussion at the special meeting. Current discussion here is in reference to dispute resolutions.

Kimball – Asked when these dispute resolution rules will be available for review.

Baran – Uncertain, no good ETA at this time. Procedural rules to be done first. OBAE bringing in a new attorney. Uncertain if this will create more capacity or not. Will hopefully have a better estimate after they are onboard.

Kimball – When will this attorney be coming on?

Baran – Governor's office has interviews scheduled for next week. Possibly mid-June.

Kimball – Amendment perceived to be short, hopefully forthcoming sooner than later. This is time-bound, correct? Tribal/State Collaboration Act seems to be anchored at the agency level. Need to look at 5-Year Plan timeline and what kind of tribal consultation should be included in the engagement pieces, but also in the asset mapping, if tribes are concerned about their data and agreements need to be created to share data. Tribal/State Collaboration Act provides important information tied to other parts of our work.

Baran – Not at that meeting and not aware of how detailed the expectation is; no followup discussion with the working group. May move a little faster once more context provided. A simple amendment could move quickly. Any issues with stakeholders may delay.

Kimball – Can be brought up in Monday working group. Was just in the summary of the special meeting conversation and discussion.

Baran – Possibly include amendment in the notice of proposed rule-making for the Procedural Rules, but will have to clarify. Can schedule time for this and send out drafts to the grant working group in advance of the meeting, probably not this coming Monday but the Monday following that if that is desired.

Kimball – Thanked Mr. Baran for doing this.

i. Kimball – Reminder of July 1st CNMC \$1 million funds. Asked Renee who proposed this agenda item.

Narvaiz – Does not recall

Kimball – Has something to do with timing of the NOFO for Connect New Mexico Funds. Do we want this NOFO to be like the pilot? What did we learn from the pilot? Who got funded? What did they get funding for?

PRC perhaps coming up for another round of funding, does not remember exact timing. Perhaps look at their last 4 years? Who and what have they been funding?

What are the priorities for the \$70 million?

Viorica – Connect New Mexico Fund was allocated \$100 million, a combination of \$70 million from the General Fund, \$25 million dedicated to school broadband upgrades and \$5 million related to tribal assistance. Work so far has been developing the rules so a notice of funding can be issued to determine how those funds can be distributed. Rules are in place and allow any kind of use, similar to the ARPA funding, the \$123 million pilot grant program, or it could be different. If the approach is going to be different the new notice of funding opportunity will have to be developed or at least tweaked and redefined with all the associated steps. The question then is; what is the desire of this Council and the Office of Broadband Access and Expansion, and what is possible with regard to a reasonable time frame when this funding will be available for development and implementation of projects. Mr. Viorica commented that he did not believe Ms. Schlegel or Mr. Taxali would be available for today's meeting due to schedule conflicts, and that Ms. Annamia Mourning will probably be providing the OBAE update later in this meeting. He continued stating that his opinion is to wait and see the funding announcement, or how the funding will be distributed sooner rather than later, noting references he has heard expressing eagerness to see this funding put to use since projects will take a great deal of time to implement, and he is very much in agreement with this approach. With regard to the PRC, he commented that the legislation requires the PRC to coordinate with OBAE and this Council, and he believed the deadline is October 1st to announce their deadline, but in his opinion this does not seem like enough time. He also noted that the existing rules for the PRC program do not meet the current federal requirements for connectivity, which may result in PRC projects which could be funded or may already be funded which will not meet the requirement of at least underserved, as the current PRC program only has the 25/3 requirement and 10/1 for mobile broadband. Definitely needs to be some coordination with the PRC in its new format, and the three new members they have are probably just starting their learning process and developing structures. Their process needs to be revisited and this coordination needs to occur so the two programs will work together as opposed to having projects that do not meet current requirements for federal projects and additional work would be required in areas that have been funded previously. With respect to state funding he expressed his desire to see this put in place as quickly as possible.

Baran – During the legislative process conversations led to language working with LFC, CFA and legislators, to create the most flexible pool of funds possible. The \$100 million, subject to allotments for different “macro-level uses”, has an extreme amount of flexibility, such as setting up a matching funds grant program, job training, education, etc., anything within the state-wide broadband plan, not necessarily infrastructure.

Kimball – Thanked Mr. Viorica and Mr. Baran for their comments. Agreed that there is much more that can be done other than simply extending the pilot. Kimball recognized Ms. Runyan’s comment that this should be \$100 million, NOT \$1 million.

Ms. Kimball asked Mr. Viorica for his thoughts with respect to the \$25 million for education; is this allocated or still under planning.

Viorica – This amount is not allocated yet. This funding can only be used for schools and school use. He queried could that or should that be used to connect students and teachers back to the school and school networks, should this supplement the work currently in process with respect to the statewide education network and speed up the implementation of this. He reminded the Council that the statewide education network is an effort to connect all schools with secure internet while coordinating and collaborating with internet service providers, meaning this is a state-coordinated network but is not a state-owned network. Should this funding be used to strengthening the cybersecurity components of the internet connectivity for the schools? All of these are open questions and all of these possibilities are being explored. He expects some decisions or recommendations to be forthcoming soon for this Council and OBAE, with the caveat that this \$25 million is only available for the schools. He reminded the Council that the schools already have fiber infrastructure due to work over approximately the last nine years, and there are still four school sites with projects that have been funded and are in process, with the expectation that by year’s end all public schools will have fiberoptic available to them, scalable infrastructure. He questioned whether tribal schools are part of this pool and noted there are several other questions related to how this is supposed to look. He recommended speed-up of the state-wide education network and work on developing cybersecurity solutions which will first serve the schools and then serve as the pilot and model for all others, knowing that the schools are already more advanced in terms of connectivity.

Kimball – Council will have additional input through advisory capacity and review of these plans.

Godfrey – Is this something outside the realm of E-rate services provided, with respect to funding? If this is duplicative funding would it be better to use this funding in another area? Also asked Natalie if every other Wednesday is the schedule for the _____ working group meeting, which would be next Wednesday, during the conference at Buffalo Thunder.

Viorica – Yes, E-rate provides funding for a lot of the work discussed here, however, many aspects of broadband connectivity for schools is not covered under E-rate. Services not covered under E-rate; 1) redundant connections – not allowed, 2) cybersecurity beyond a basic firewall – which is inadequate in today’s world, 3) connectivity for students and teachers when they are not on school campuses. These are important areas where the state funding, available now, could be effectively used to strengthen and expand connectivity for students, teachers and school sites and provide better network security, which are all high priorities. This is an opportunity to make significant progress in this area and then use what is learned to help tribal entities and municipalities, and work with private ISPs who provide connectivity for students and teachers, creating an ecosystem which will benefit broadband accessibility across the state. He asked if this answered the question.

Godfrey – Yes, it does. Suggested stipulating that this funding would cover anything that E-rate does not provide, especially for public schools and tribal entities. Noted different ways tribal schools have been funded in the past, i.e. Verizon plan with old T1 and T3 hardware, and dated connectivity, no longer effective, etc., updates need to happen. FCC has a tribal E-rate libraries fund which is in process.

Kimball – Schools in the smallest communities play a big role in connecting New Mexico. Noted exclusions with respect to BIA requirements. However, tribal schools feed into the New Mexico public school system and separating eligibility of BIA, tribal schools and/or tribal education department within the pueblos creates lost opportunities. Some state programs have been more open to including these entities and this creates an opening. Encouraged this team to consider, at least on the technology side, to think how everyone could be served. She also noted that education does not stop at the property line of the school, is in homes; homework apps, etc. Also, sustainability issues now; Chromebooks purchased during pandemic nearing end-of-life. How will those be replaced? How to support in-home educational internet access. Permanent in-home infrastructure needed statewide. Infrastructure grants will provide some of this, but there are other entities to include. Important to encourage tribal networks and local governments to join the conversation. She stated ECF was a good program and gave details. Need to open conversation to help schools in efforts to support their students at home and make this eligible under one of the upcoming programs.

Godfrey – Have not seen any support for first responders. In Mescalero he is currently building a wireless network to use the 2.5 GHz spectrum with units in tribal conservation, fire and rescue and parts of BIA to access this network. Trying to build a seamless network with FirstNet to accomplish this. Looking for funding for extra equipment to install this. Noted need during wildfires. Network already exists and works well. Satellite unit available for use when usual networks interrupted during fires, etc. Is there anything pending that addresses this need?

Kimball – Thinks this is an initiative or topic in the back of the 3-Year Plan, but should be elevated. How does all of this fit together? Did FirstNet and AT&T get \$7 billion to build a public safety network?

Godfrey – They have been invited to the conference and are supposed to be there on Wednesday. This will be the state program director for FirstNet.

Kimball – Will be good to see what they can offer. Glad that Godfrey has met with them.

Katherine – She is no longer working with AT&T, but they do provide annual reports on growth, expansion and network build-out in New Mexico. A significant amount has been invested this year and is glad they will be at the conference.

Kimball – Asked if Godfrey and Katherine could collaborate to send an invitation to FirstNet/AT&T to attend a Council meeting. Could one of them also provide access to the annual reports Katherine mentioned to share at a future meeting.

Katherine – Happy to help facilitate this.

Viorica – Agreed that the unmet needs of public safety and emergency response should be researched and how this Council can assist. Would like to learn more from those well-versed in these areas. Would like to see presentation about PRC priorities with respect to broadband and how to more closely collaborate with their program on all aspects of broadband, not just the rural universal service fund, the awards and the grant program they are leading, but also the PRC

regulatory framework, such as access to utility poles, and all other areas that would relate to broadband expansion, which could affect the work of this Council, now or in the future. Extend invitation to PRC to attend Council meeting or request to attend PRC meetings regarding these areas.

Kimball – Will plan for this. May need help with contacts. Will work with Renee and OBAE on these agenda items and presentations.

Any more thoughts or questions pertaining to item #6? None.

7. **OBAE update** – Annamia Mourning for Kelly Schlegel

Video recording time: 01:16:02

i. Job openings:

All job openings can be found on State Personnel website. Links will be provided following this report.

Three current roles live on the website at this time and will close on May 21st:

- 1) Broadband Admin Specialist
- 2) ARPA Coordinator
- 3) BEAD Coordinator

Recently received three project manager offer letters which were accepted, so those will be on-boarded in the near future.

Also selected a Grants Manager and awaiting that offer letter acceptance.

Broadband Financial Coordinator job interviews scheduled to start Thursday, tomorrow.

ii. 5-year Plan Progress

- On track for the August 28th delivery.
- Six regional meetings held and supporting the community engagement requirements and the data gathering required for covered populations, counties, municipalities, anchor institutions and the tribes.
- Needs assessments, asset inventories, broadband projects and digital navigator projects are identified through the community engagement meetings and six surveys. These six surveys are on the Connect New Mexico website, link will be provided for easy access. Help needed from everyone to complete surveys. Please go online and complete survey appropriate to individual background.
- New FCC broadband map at end of May will be fed into CTC cost modeling effort.
- New license from CostQuest for New Mexico state data has also been received.
- OBAE now responding to modeling input requests from CTC. Cost model will be built out and used to predict best scenario for effective use of federal funding to serve the underserved, including underserved and unserved addresses and anchor institutions.

- Have also recently had good representation from counties, municipalities, New Mexico county organizations, first responders, schools, economic development, State Parks, State agencies, non-profits and ISPs.
- Engagement will continue via online webinars on special broadband topics, ISP meetings and tribal meetings. Register to attend these events on the Connect New Mexico website.
- All need to work together to ensure all voices are heard and included in the 5-Year Plan. When model results and draft are available for review, Council and working groups will be notified. This plan will follow the notice of funding outline, and includes workforce development programs and may require a new CNMC working group to facilitate.
- Governor would like inclusion of challenge goals, such as accelerating the usual 3-Year Development and Deployment Plan need for broadband build and including stop-gap provisions for communities while broadband bids occur.

iii. Digital Equity Plan Progress

- Much of the community engagement and data gathering under 5-Year Plan feeds into the Digital Equity Plan, which is due in December.
- Plan will build on serving the underserved with internet access by discussing the associated adoption issues, affordability planning, internet training programs, application training, bias allocation and multi-language programs
- Community engagement efforts help identify what good is already being accomplished in communities and what gaps need filling.
- Plan will follow the notice of funding outline as well.
- State Digital Equity Plan will be part of the NTIA Digital Equity Plan.
- Community engagement and digital equity working group are good resources for this plan.
- Project plans can be made available for these deliverables upon request.
- Links will be provided in the chat.

Kimball – Questions?

Katherine – Commended OBAE for all of the outreach, as well as the Community Outreach Subcommittee. There has been good attendance as far as members from counties and attendees have been very appreciative of the efforts by OBAE to show up at board meetings and offer explanation of the processes and how they (counties) can be involved.

Kimball – Great to hear. Also complimented CTC for their efforts in this regard.

8. **CTC Engagement Update** – Joanne Hovis, CTC President Video recording time: 01:23:11

- Ms. Hovis will review and a PowerPoint presentation describing how community engagement feeds into the broad set of plan preparation and puts the engagement into context with the timeline of plan preparation.
- BEAD will be a minimum of \$100 million, probably quite a few \$100 million. Allocation by state and territory will be announced June 30th, and will be dependent on how NTIA assigns a dollar figure to the unserved locations and the high-cost unserved locations, which is the basis of the formula.
- Priorities for BEAD are as follows:
 - Unserved locations
 - Underserved locations
 - Community anchor institutions.
 - Low income and affordable housing.

If funding available after these are covered then there are additional areas approved for funding, but most likely no state or territory will have funds left-over after these four areas are addressed.

- Reviewed PowerPoint:
Timeline reviewed: Planning this year, a Provisional Grant Program next year, Finalization of that Grant Program, Submission of the Final Proposal to NTIA for approval, after NTIA approval deployment in late 2024/2025. 20% perhaps available in early 2024, but most of the funding available in late 2024/early 2025.

Plans are a series of documents that build one upon the other and necessary to qualify for funding. Probably no scenario where NTIA will deny funds to a state, but will require plans from the states that satisfy NTIA. Changes and rewrites inevitable with plans ultimately approved and funds awarded.

5-Year Action Plan due in August.

Digital Equity Plan developed during this same time period, due in the Fall.

Gave details for development of 5-Year Plan and Digital Equity Plan.

Digital Equity Act Funds coming through OBAE once Digital Equity Plan is approved available in 2024, possibly late 2023.

\$1.25 billion from a direct federal grant program on a competitive basis will probably be made available in 2025 and hopefully the Digital Equity Plan will develop strategy to aid New Mexico organizations and entities in being well positioned to compete for these funds.

Shared the timeline details once again with respect to data gathering, Initial Proposal and Final Proposal. This is very complex and NTIA has made changes.

- In-person stakeholder meetings will continue and seeks guidance on this. Anticipates meeting with full range of tribal stakeholders interested in meeting with OBAE and would provide staffing support to OBAE in this context.

- Will conduct residential phone survey over the summer, a statistical algorithm random sampling of residential households to better understand digital equity considerations, barriers and challenges, such as what prevents households from participating in broadband ecosystem.
- Statewide virtual meetings mentioned by Ms. Mourning previously. Asked for help disseminating information about these. There will be 12 meetings to help those attending understand the opportunity and the type of input and information being sought, as well as how it will affect them and their communities. This will include a wide range of entities; government agencies, anchor institutions, ISPs, nonprofits, community-based organizations as well as other entities that would represent the covered populations. These meetings are designed to provide information to stakeholders but also to gather information and input from those stakeholders, complimented by a set of questionnaires on the OBAE website, which were also mentioned by Ms. Mourning. Encouraged attendees today to let others know about these questionnaires/surveys.
- Drafts of the Initial Proposal and Digital Equity Plans will be made available for public comment to this Council, and also broadly for input, stated concerns and suggestions.
- Residential survey will hopefully provide useful data to serve as a baseline for understanding the current environment and track ongoing progress. Gave examples of types of data they hope to collect. Workforce development questionnaire also included in these surveys.

Kimball – Lots of information to process. Thanked Ms. Hovis for this presentation. Is there a data set that could be useful in smaller tribal plans?

Hovis – Hopes so. This is an area where guidance is needed to obtain as much data as possible in an appropriate manner, being respectful of this data, considering confidentiality and privacy issues. Hopefully analytics, asset inventory and strategy being developed will be useful across a wide range of programs. Expecting to learn more in the next few months, with the Council's guidance, with extensive outreach to tribal leadership to understand their priorities and secure as much input as possible.

Kimball – Working on how to engage tribes and pueblos. Questions with respect data sharing. How will it be used? Who ends up owning what? How to build trust as partners. Saw this first emerge in mapping and how important these partnerships will be. Learning more on the tribal side. Asked for volunteers to lead this conversation.

Viorica – Thanked Ms. Hovis for the great presentation. Important reminder of how much work there is to do. Need all to be involved. Severe deficit of expertise here in New Mexico.

Reminder; there is no tribal BEAD. There is a dedicated tribal connectivity program. Several tribes and pueblos were very aggressive in pursuing this funding and the fund was oversubscribed. More than ten tribally developed and led projects which have already been developed and funded by NTIA. There is a new window for the tribal connectivity program which will be announced in June. He hopes the tribes are working to develop new projects or additions to existing projects, as this could help tribes fill gaps or shortcomings of existing projects, or fund projects which were not previously funded. This will help solve the very

difficult issue of how to connect people on tribal lands. OBAE offers technical assistance. Alex Trujillo is very experienced and great to work with, and is already working with several tribes and pueblos developing projects.

Thanked Ms. Hovis for introducing the subject of sustainability. Commended Godfrey for leading the conversation, both within the state and nationally, with respect to sustainability. Sustainability will be impossible without additional funding for operations, especially for high-cost areas. Stated his belief that all of New Mexico qualifies as high-cost because of terrain, population distribution/sparsity, high poverty rate, etc. Funding for operations is critical. Need to find ways for predictable long-term funding for sustaining operations beyond the initial build-out with BEAD funding, state funding, tribal connectivity programs or other sources. Need for local workforce development to operate networks over time; this has to be part of sustainability. This is exciting, but the key is how to work together to seize this opportunity.

Kimball – Thanked Mr. Viorica for bringing this up, that sustainability involves more than just upgrading devices. What happens on day one after the grant period ends? Definite need for long-term conversations. The tribal connectivity program is another example that without seeing the NOFO there is no way to know what rules have been changed. Gave examples; there is life beyond BEAD. Consider other programs that can round out opportunities where some programs have inherent limitations.

9. Public Comment:

Video recording time: 01:56:15

No public comments.

10. Adjournment:

Video recording time: 01:56:39

Motion for adjournment: Ovidiu Viorica

2nd: Steve Grey

No opposition, meeting adjourned at 4:00 p.m.