TEXAS BROADBAND
DEVELOPMENT OFFICE

# Texas Broadband Equity, Access, and Deployment (BEAD) Program

## Final Proposal

October 2025

OFFICE OF THE COMPTROLLER
TEXAS

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## Overview

The Texas Broadband Development Office (BDO) is pleased to submit its Broadband Equity, Access, and Deployment (BEAD) Final Proposal. This Final Proposal and the Subgrantee Selection Process described within have been executed in alignment with the BEAD Program Notice of Funding Opportunity (NOFO) and the BEAD Restructuring Policy Notice (RPN) as released by the National Telecommunications and Information Administration (NTIA).

After launching the Benefit of the Bargain (BOTB) Round on June 26, Texas received over 4,000 applications, which collectively covered the vast majority of available Project Area Units (PAUs). The applications represented requests for over $6.4 billion in funding and averaged six competing projects per broadband serviceable location (BSL), with an average of $2,700 in BEAD support requested per location. The BDO adapted its Subgrantee Selection Process to align with the required processes and successfully delivered on key outcomes, resulting in coverage of 240,200 BSLs. The BDO implemented an open and competitive application process, administered a state-mandated challenge procedures, conducted rigorous application reviews and used a structured evaluation rubric to rank proposals and make preliminary awards.

Texas' BOTB Round resulted in preliminary awards for 22 applicants, for a total awarded BEAD subsidy amount of $1,271,233,724. In connection with these awards, subgrantees have committed to deploy qualifying broadband service to 123,349 locations (122,168 BSLs and 1,181 CAIs) using end-to-end fiber technology, 53,653 locations (52,055 BSLs and 1,598 CAIs) by fixed wireless technology and 65,977 locations by satellite technology. The BEAD awards complement existing federal and state programs, setting Texas on a path towards strong, statewide broadband coverage and universal connectivity.

## Final Proposal Data Submission

**0.1 Attachment (Required): Complete and submit the Subgrantees CSV file (named "fp_subgrantees.csv") using the NTIA template provided.**

See Attachment A: Subgrantees CSV.

**0.2 Attachment (Required): Complete and submit the Deployment Projects CSV file (named "fp_deployment_projects.csv") using the NTIA template provided.**

See Attachment B: Deployment Projects CSV.

**0.3 Attachment (Required): Complete and submit the Locations CSV file (named "fp_locations.csv") using the NTIA template provided. The Location IDs in this list must match the NTIA-approved final list of eligible locations.**

See Attachment C: Locations CSV.

**0.4 Attachment (Required: Complete and submit the No BEAD Locations CSV file (named fp_no_BEAD_locations.csv") using the NTIA template provided. The Location IDs in this list must match the NTIA-approved final list of eligible locations.**

See Attachment D: No BEAD Locations CSV.

**0.5 Question (Y/N): If the Eligible Entity intends to use BEAD funds to serve CAIs, does the Eligible Entity certify that it ensures coverage of broadband service to all unserved and underserved locations, as identified in the NTIA-approved final list of eligible locations and required under 47 U.S.C. § 1702(h)(2)?**

Yes.

**0.6 Attachment (Required – Conditional on a 'Yes' Response to Intake Question 0.5): Complete and submit the CAIs CSV file (named "fp_cai.csv") using the NTIA template provided. Although CAIs are not included under (f)(1) deployment projects, to confirm the Eligible Entity's compliance with the BEAD prioritization framework and identify BEAD-funded CAIs, the NTIA template is required. The Eligible Entity must only include CAIs funded via BEAD in this list; the Eligible Entity may not propose funding CAIs that were not present on the approved final list from the Eligible Entity's Challenge Process results.**

See Attachment E: CAIs CSV.

## Requirement 1: Subgrantee Selection Process Outcomes

**1.1 Text Box: Describe how the Eligible Entity's deployment Subgrantee Selection Process undertaken is consistent with that approved by NTIA in Volume II of the Initial Proposal as modified by the BEAD Restructuring Policy Notice.**

The BDO's Subgrantee Selection Process was consistent with Volume II of the state's IPVII, as modified by the RPN released on June 6, 2025.

To ensure strict alignment with the RPN, the BDO made several changes to the design of its initial BEAD Program. These updates included:

- adopting a technology-neutral approach to subgrantee selection, allowing all technologies meeting the BEAD minimum performance standards to be considered,
- eliminating regulatory barriers and certain non-statutory requirements as directed by the RPN,
- adjusting the state's list of eligible community anchor institutions (CAIs); and,
- including an accelerated BOTB Round and instituting a scoring rubric that complies directly with the RPN.

The BDO published an updated BEAD NOFA on June 26 to reflect these required changes and hosted a live webinar in June to assist applicants with navigating the changed requirements. The office also published responses to over 100 potential applicant questions regarding the updated NOFA in early July.

As required by the RPN, unlicensed fixed wireless providers were given an opportunity to provide evidence demonstrating that BEAD funding is unnecessary for the locations they serve. The BDO evaluated the information submitted by these providers and removed locations from the state's BEAD-eligibility list if the supporting documentation sufficiently demonstrated that a location was currently served. This process ensured that locations currently served by unlicensed fixed wireless service, and which met the technical specifications outlined in the RPN, were excluded from BEAD project awards.

As provided in IPVII, applicants were required to submit pre-qualification applications (Forms 1 and 2). Applicants were afforded the opportunity to submit these forms in advance of and during the BOTB Round, with applicants being given the opportunity to cure any issues prior to submitting their project applications. These forms sought to capture applicant information that was consistent across all projects, including documentation regarding an applicant's financial and managerial capacity to deliver on broadband projects funded through Texas BEAD subgrants (e.g., financial statements, organization chart, compliance with laws). The BDO worked with third-party financial experts to assess applicants' capacity to manage large infrastructure projects funded by Texas BEAD subgrants and removed from consideration those applicants the BDO determined did not have the financial or managerial capacity to manage large infrastructure projects.

On July 9, the BDO launched its BOTB Round, which served as the only application round. As part of this process, applicants who had not already completed the pre-qualification forms were required to do so and all applicants were required to submit project-specific information for each project as part of Form 3. Project-specific information applicants were required to provide included identifying the Project Area Units (PAUs) they proposed to cover, a project narrative, a detailed budget justification and the applicant's proposed project plan and milestones. Applications were accepted through July 22.

During this application period, the BDO received 4,539 applications covering 3,352 BEAD-eligible PAUs across the state. As provided by the RPN, applicants were permitted to exclude from their applications those locations they did not want to serve (e.g., if serving them was prohibitively expensive). Applicants also had the option to include a severability matrix to identify a subset of PAUs within their proposed project areas that they were willing to serve, allowing for greater competitiveness during future deconfliction rounds.

After identifying all qualified applicants, the BDO, in collaboration with its third-party technical and financial experts, reviewed all Form 3 applications. The BDO evaluated all applicants requesting Priority status using the methodology described in Requirement 12 of this document. All projects that were deemed to propose excessive costs were removed from consideration. All Priority projects were then considered as a group, using the mandatory scoring rubric and resolving overlapping applications following the deconfliction approach outlined in the IPVII, including the use of optional severability matrices where available. Candidates were evaluated on their ability to meet the Priority definition outlined in Section 3.1 of the RPN, minimal BEAD Outlay per location, and (if overlapping with other applications within 15 percent minimal BEAD Outlay per location) secondary scoring criteria. This allowed the BDO to maintain compliance with the RPN through direct operationalization of the scoring rubric prescribed in Section 3.4. The two factors in the BDO's rubric were Speed to Deployment (a maximum of five points) and Speed of Network and Other Technical Capabilities (a maximum of 95 points).

In instances where an applicant had not provided all information required for the BDO to evaluate their ability to meet BEAD Program standards or the Priority definition, the office gave applicants an opportunity to revise their application to provide the necessary information for evaluation. This practice allowed the BDO to maintain the most competitive applicant pool for the state.

At the conclusion of this initial selection process, a total of 234,226 BSLs were included in preliminary application selections (not including CAIs and accounting for the removal of No BEAD locations), or approximately 97.5 percent of all eligible BSLs. To ensure universal coverage, the remaining 5,974 BSLs and 3,244 BEAD-eligible CAIs were offered to preliminarily selected applicants via the Special Process for Still Not Covered Locations as described in Texas' BEAD NOFA. All applicants selected for preliminary awards were given the opportunity to competitively bid to cover select Still Not Covered BSLs and additional CAIs within the state. During this process, the BDO received 880 PAU-level bids covering all remaining BSLs from 14 applicants. Additionally, coverage was extended to an additional 988 CAIs, resulting in 58 percent CAI coverage.

If approved by NTIA, the proposed awards would achieve universal coverage in Texas for all unserved and underserved locations, as well as a majority of CAIs, significantly below the amount originally allocated to Texas. Should NTIA later determine that Eligible Entities, such as Texas, can allocate their remaining funds for non-deployment activities to support the BEAD Program's buildouts, the BDO will ensure that these funds are obligated and spent in accordance with any future guidance from NTIA regarding non-deployment expenditures.

**Consistency of Texas' Subgrantee Selection Process with the Approved Initial Proposal and BEAD Restructuring Policy Notice**

The BDO conducted its deployment Subgrantee Selection Process under the BEAD Program in alignment with the approach outlined in its IPVII, as modified by the RPN. The process was implemented through the competitive grant cycle initiated with the publication of Texas' BEAD NOFA on June 26, NTIA's BEAD NOFO from May 2022, as well as the restructured program parameters directed by NTIA within the RPN. The following description outlines the execution of key procedural elements.

**1. Timeline and Phasing**

The BDO began accepting Form 3 applications for the BOTB Round on July 9 and concluded on July 22. The timeline for the Subgrantee Selection Process, including the BOTB Round, as identified in the published NOFA, is shown below:

| Date | Activity |
|---|---|
| June 26 | BEAD NOFA issued. |
| June 26 | First day to submit questions regarding BEAD NOFA or application. |
| June 30 | Deadline for submitting questions regarding BEAD NOFA or application. |
| July 8 | Publication of BEAD NOFA question responses. |
| July 9 | Application BOTB: First day to submit applications. |
| July 22 | Application BOTB: Last day to submit applications. |
| July 23 | Application Challenge Period: First day to submit application challenges. |
| Aug. 22 | Application Challenge Period: Last day to submit application challenges. |

The Form 3 application window was followed immediately by a state challenge period, as required by Texas statute, and a Special Process for Still Not Covered Locations, which ran through Sept. 30. These phases were aligned with the sequencing approach described in IPVII, which was adjusted to accommodate the timeline prescribed by the RPN.

On Aug. 15, NTIA granted the BDO an extension to submit the Final Proposal, moving the deadline from Sept. 4 to Oct. 27. Application evaluation and deconfliction occurred in August and September, while the Special Process for Still Not Covered Locations occurred from Sept. 26-30 to address the remaining eligible BSLs not selected during the BOTB Round.

**2. Project Area Definitions**

As outlined in IPVII, applicants were permitted to propose their own project areas, using predefined PAUs which consisted of non-overlapping aggregations of BSLs, in order to facilitate modular evaluation of proposed builds. PAUs were created primarily along census tract boundaries, but the BDO provided an opportunity for stakeholder input into PAU boundaries, where creating smaller units were needed because of geography or other considerations. As required by the RPN, applicants were allowed to exclude from their applications BSLs that the applicant determined were excessively high-cost locations or would otherwise render the project economically unviable for the technology being used. Applicants seeking to remove any unserved or underserved areas from their proposed project were required to explicitly identify the BSLs slated for removal. Additionally, applicants were required to provide a written justification outlining the reasons for excluding these locations to ensure that the exclusions aligned with the permissible criteria established in the RPN.

Summary of submitted Form 3 applications during the BOTB Round:

- Applications were received for:
  - 3,294 (98.2 percent) of 3,352 total eligible PAUs.
  - 244,823 (99.9 percent) of 245,036 total eligible BSLs.
  - 3,261 of the state's CAIs, resulting in coverage of 2,911 CAIs.
- 4,539 applications were received across technology types:
  - 3,748 applications included exclusively non-geostationary satellite orbit (NGSO).
  - 469 applications included exclusively fiber to the premises (FTTP).
  - 70 applications included exclusively licensed fixed wireless (LFW).
  - 7 applications included exclusively unlicensed fixed wireless (ULFW).
  - 245 applications offered a hybrid solution (i.e. a combination of technologies).
    - 206 applications included a combination of LFW and ULFW.
    - 11 applications included a combination of FTTP, LFW and ULFW.
    - 3 applications included a combination of FTTP and ULFW.
    - 25 applications included a combination of FTTP and LFW.
- 1,818 applications (40 percent) removed at least one location.
- Of the 58 PAUs that did not receive an application during the BOTB Round, most were small, with a range of one to 21 BSLs.

Through its BEAD NOFO, NTIA advocated that states should rigorously explore ways to cover a project's cost with contributions outside of the BEAD Program funding. Texas also identified that the 25 percent match requirement for the BEAD Program was restrictive for small and medium-sized providers. These two factors led the BDO to establish the Texas Match Assistance Program (TMAP). TMAP was designed to provide state match assistance of up to half the required federal match. This strategic approach minimized the private investment required from applicants to meet the BEAD matching funds requirement, making it easier for them to successfully participate in the program. Funded through the state's Broadband Infrastructure Fund, a voter-approved constitutional amendment designed to expand broadband access in the state, TMAP ensured that more applicants had a chance to take advantage of this program by ensuring greater economic viability.

All BEAD applicants had the option to opt into TMAP funding for each project but could only do so if they maintained the integrity of each PAU by not removing one or more eligible locations, as outlined in Section III.C.2 of Texas' BEAD NOFA. In total, approximately $168 million from TMAP has been provisionally awarded through the Subgrantee Selection Process, pending NTIA's approval of this proposal.

To address overlap and ensure a fair and objective selection process and to provide applicants with maximum flexibility to express their most cost-effective project area designs, applicants had the option to submit severability matrices. Through these matrices they could indicate a variety of subprojects that they would be willing to serve if their original project was minimized due to deconfliction. A subproject involves a commitment to serve a subset of the PAUs included in the full project, with accompanying budgets, match commitments and BEAD Outlay in the BOTB Round. Only 421 applications (9 percent) submitted severability matrices, potentially allowing the BDO to better maximize value and coverage for the state.

**3. Application Evaluations**

Texas applied applicant-gating criteria using the information provided by applicants in Forms 1 and 2 to determine which applicants and projects were eligible for BEAD funding. Then, among the projects meeting this first criterion, the BDO reviewed and scored Form 3 applications using the Texas BEAD scoring rubric in compliance with the RPN. It conducted this process while considering Priority Broadband Project and Non-priority Broadband Project status, reserving the right to select a lower-cost, Non-priority Broadband Project if a competing Priority Broadband Project would incur excessive costs.

**Priority Broadband Project**: As directed by the RPN, Priority Broadband Projects are defined as a broadband deployment project that meets several technical and scalability criteria stipulated by statute and the BEAD NOFO. Specifically, the proposed project provides broadband service at speeds of no less than 100 megabits per second (Mbps) for downloads and 20 Mbps for uploads and has a latency of less than or equal to 100 milliseconds. Beyond this, Priority Broadband Projects must be capable of easily scaling speeds over time to accommodate evolving connectivity needs, such as supporting 5G and its successor wireless technologies, and other advanced services. The BDO evaluated the speed and scaling requirements in a technology-neutral manner, assessing applications on each project's merit. Priority status was later used to rank applications during the deconfliction process, with Priority Broadband Projects assigned a higher status than Non-priority Broadband Projects. Refer to Requirement 12 for additional details regarding substantiation of Priority Broadband Projects.

**Primary Criteria:** When deciding among competing applications covering the same general project areas, the BDO chose the option with the lowest cost, based on the minimal BEAD Outlay, assuming applications had the same Priority status and relative coverage.

**Minimal BEAD Program Outlay:** As required by the RPN, the BDO evaluated Priority and Non-priority applications with the goal of selecting the combination of project proposals with the lowest overall cost to the BEAD Program, which sometimes involved selecting a proposal that was not the lowest-cost option for a given set of BSLs, but is part of the combination of selected projects with the lowest overall cost to the BEAD Program. When comparing competing proposals, the BDO assessed the total BEAD funding that would be required to complete the project (i.e., the total project cost minus the applicant's proposed match) and the cost to the BEAD Program per location (i.e., the total BEAD funding that would be required to complete the project divided by the number of BSLs the project would serve). The cost to the BEAD Program per location became the first basis for a consistent like-for-like comparison of the projects offering to serve each PAU.

In situations where the BEAD Outlay per location fell within 15 percent of the lowest-cost project for a given PAU and for a given tier of Priority or Non-priority, the BDO considered additional factors. In these cases, the BDO used a scoring rubric to evaluate competing applications based on secondary criteria.

The two factors in the rubric were Speed to Deployment and Speed of Network and Other Technical Capabilities:

- **Speed of Network and Other Technical Capabilities (95 points):** Speed, latency and other technical capabilities of the technologies proposed by prospective subgrantees.

  Points for Speed of Network and Other Technical Capabilities were awarded based on two sub-criteria that were added together: Speed of Network at Deployment and Speed of Network Post-Deployment.

  <u>Speed of Network at Deployment</u>

  - **85 points:** Applicant proposed providing upload and download speeds of at least 2 Gigabits per second (Gbps) symmetrical and latency equal to or below 100 milliseconds.
  - **30 points:** Applicant proposed providing upload and download speeds of at least 1 Gbps symmetrical and latency equal to or below 100 milliseconds.
  - **5 points:** Applicant proposed providing speeds of at least 500 Mbps symmetrical and latency equal to or below 100 milliseconds.
  - **0 points:** Applicant proposed providing upload and download speeds below 500 Mbps symmetrical and latency equal to or below 100 milliseconds.

  <u>Speed of Network Post-deployment</u>

  - **10 points:** Applicant committed to provide escalating service at speeds of 2 Gbps symmetrical within eight years of entering the grant agreement with the state.
  - **5 points:** Applicant committed to provide escalating service at speeds of 1 Gbps symmetrical and latency equal to or below 100 milliseconds within eight years of entering the grant agreement with the state.
  - **3 points:** Applicant committed to provide escalating service at speeds of 500 Mbps symmetrical and latency equal to or below 100 milliseconds within eight years of entering the grant agreement with the state.
  - **0 points:** Applicant committed to provide speeds below 500 Mbps symmetrical and latency equal to or below 100 milliseconds within eight years of entering the grant agreement with the state.

- **Speed to Deployment (5 points):** The prospective subgrantee's binding commitment to provision service by a date certain that is earlier than four years after the date on which the subgrantee will receive the subgrant, subject to contractual penalties. Greater consideration can be awarded to prospective subgrantees promising an earlier service provision date.

  Points for Speed to Deployment were awarded as follows:

  - **5 points:** Applicant provided a binding commitment to provide service by a date earlier than two years from the date on which the grant agreement is signed.
  - **3 points:** Applicant provided a binding commitment to provide service by a date earlier than three years from the date on which the grant agreement is signed.

- **0 points:** Applicant did not provide a binding commitment to provide service by an earlier date than required by the grant agreement.

**4. Deconfliction**

After initial applicant evaluation, the BDO executed a deconfliction process to assign awards in a way that resolved overlapping PAUs while maintaining compliance with the RPN through direct operationalization of the scoring rubric prescribed in Section 3.4 of the RPN.

The BDO used the following inputs during the deconfliction process:

- minimal BEAD Program Outlay per Location;
- applicant's rubric score;
- applicant's general project area; and
- severability matrices (if provided by the applicant).

All applications that passed the gating review were assigned to one of two candidate pools:

**First Candidate Pool — Priority Broadband Projects**

- Projects meeting the Priority Broadband Definition as described in Requirement 12.
- All technology types were considered.
- Projects had a cost per location below the state's established Extremely High Cost per Location Threshold, where the BDO determined the cost of the project was excessive.
- Projects where the cost to serve specific locations was deemed reasonable, i.e., projects where the BDO determined the cost to be excessive were removed from consideration.

**Second Candidate Pool — Non-priority Broadband Projects**

- Projects not meeting the Priority Broadband Definition as described in Requirement 12.
- All technology types were considered.
- Projects where the cost to serve specific locations was deemed reasonable, i.e., projects where the BDO determined the cost to be excessive were removed from consideration.

For each candidate pool, deconfliction occurred in three steps.

**Step One:** Make preliminary awards based on minimal BEAD Outlay per location or rubric score.

All qualifying applications were placed in the candidate pool, with the BDO making preliminary selections of:

- applications that had no overlapping project areas with other applicants within the candidate pool; and,
- applications that had the lowest Minimal BEAD Outlay per Location when compared to other projects with which they overlap within the candidate pool. If projects had a Minimal BEAD Outlay per Location within 15 percent of each other, then the application with the highest rubric score was awarded.

Once these preliminary awards were made, those applications were removed from the candidate pool, and all locations served by the preliminarily selected applications were removed from the list of eligible locations for all other projects, consistent with Section 3.4 of the RPN.

**Step Two:** Determine Eligibility of Remaining Applications in Candidate Pool

The BDO used applicant-provided severability matrices to revise the footprints of the remaining applications, ensuring that each application contained only locations that did not overlap with preliminarily awarded projects. Applications were removed from the candidate pool if:

- a proposed project did not provide a severability matrix to the BDO, indicating that the applicant would only accept an award for that project area if it included all locations proposed; or,
- a proposed project included a severability matrix that indicated there were no subprojects comprising locations still available that the applicant would accept for that project area.

**Step Three:** Recalculate the Minimal BEAD Outlay per Location and Rubric Score for Remaining Applications.

The Minimal BEAD Outlay per Location and rubric score for remaining applications were recalculated to reflect changes to an application using the applicant-provided severability matrix.

The BDO repeated the process, rerunning steps one, two and three, continuing to make preliminary awards until there were no remaining applications in the candidate pool. After all possible awards were made in the first candidate pool, the BDO moved to the second candidate pool. Deconfliction steps one, two and three were repeated for the second candidate pool, until all applications had been awarded or removed.

This approach did not guarantee the subprojects with the highest overall scores were always selected in cases of overlap — some were necessarily excluded to avoid duplicative funding of PAUs. However, the procedure was both transparent and replicable, and aligns with NTIA guidance that “select[ing] the combination of project proposals with the lowest overall cost to the Program…may involve selecting a proposal that is not the lowest-cost option for a given set of BSLs but is part of the combination of selected projects with the lowest overall cost to the Program.” (RPN, 2025, Section 3.4).

Texas’ deconfliction process was designed to leverage the scalability of projects across PAUs to secure cost-effective and commercially sound broadband deployment projects, while at the same time adjusting projects, with the consent of applicants, to achieve a large statewide coverage footprint and avoiding *ex post* negotiations. The deconfliction process was adapted for speed in response to the RPN by reducing the planned four candidate pools to two (Priority and Non-priority). This change also reflected Texas’ increased confidence that BEAD funds would be sufficient to cover all the unserved and underserved BSLs in the state.

**5. Universal Coverage Strategy**

Texas' commitment to achieving statewide universal broadband coverage, as outlined in its IPVII, is the guiding principle for all aspects of the BEAD Program implementation. The state's strategy began with a crucial recognition: the vast majority of Texas' approximately 14 million BSLs already had access to broadband speeds of at least 100/20 Mbps before the BOTB Round.

Specifically, over half (55 percent) of all BSLs in the state had access to FTTP service. Additionally, 77 percent had access to Cable Modem or Hybrid Fiber-Coaxial (HFC) technology. Together, these advanced wireline technologies capable of delivering speeds of 100/20 Mbps or greater covered 88 percent of the state's BSLs.

Furthermore, federal data indicated that almost 71 percent of all BSLs in Texas had access to gigabit download service via FTTP and/or Cable Modem/HFC before the BOTB Round.

Fixed wireless also has a significant footprint in Texas, with approximately 85 percent of BSLs having some level of access. Of these, 63 percent can reportedly receive speeds of 100/20 Mbps or faster. While less common, some wireless providers even claim to offer gigabit download speeds to BSLs.

Under the pre-restructuring rules for the BEAD Program, 57 percent of Texas' BSLs with access to broadband service with speeds at or greater than 100/20 Mbps via LFW service were considered served and disqualified from BEAD eligibility. Approximately 20 percent of locations in Texas reportedly have access to speeds at or greater than 100/20 Mbps from ULFW providers; although these locations were initially not considered served and had no effect on BEAD eligibility. This determination changed after the release of the RPN.

As directed by the RPN, Texas initiated a process allowing ULFW providers to validate their coverage claims for locations that would otherwise be BEAD-eligible. These providers had reported their 100/20 Mbps coverage to the Federal Communications Commission and were requested to provide the BDO supporting documentation within the timeframe required by the RPN. As a result of this validation process, 429 BSLs were recategorized as served and removed from the BEAD-eligible list.

This extensive pre-existing broadband infrastructure highlights a critical point: the digital divide in Texas is not primarily a matter of a lack of any coverage, but rather a divide that exists in specific, underserved areas. This reality underscores the importance of the BEAD Program's focus on targeted investments to close these remaining gaps and ensure universal access for all Texans.

A more significant factor in reducing the quantity of BEAD-eligible locations in Texas was the number of preexisting enforceable federal and state commitments to deploy qualifying broadband. These funding programs include the Rural Digital Opportunity Fund, Enhanced Alternative Connect America Cost Model (Enhanced ACAM) and Connect America Fund (CAF II), as well as Texas' Bringing Online Opportunities to Texas (BOOT) Program, funded in part by the Coronavirus Capital Projects Fund (CPF). Altogether, these programs included approximately 600,000 BSLs in Texas that were determined ineligible for the BEAD Program. This number cannot simply be deducted from the number of BEAD-eligible BSLs, because not all the BSLs covered by enforceable commitments were still unserved at the time that BEAD eligibility was determined. Where current coverage gaps overlapped with preexisting enforceable broadband deployment commitments that had not been completed but were still on track, those locations were removed from BEAD eligibility to avoid duplicative funding.

In December 2024, the BDO initiated a BEAD-compliant availability challenge process, which resulted in a further reduction in the number of BEAD-eligible locations. Most locations removed from eligibility during this process (over 112,000 BSLs) were due to Planned Service Challenges submitted by internet service providers (ISPs) in the state. These ISPs indicated that they had short-term plans to quickly deploy qualifying broadband service to locations that would have otherwise been considered BEAD eligible and utilized the challenge process to notify the state of a lack of need for BEAD subsidies to those locations in light of an imminent unsubsidized buildout. The challenge process also brought to light additional enforceable commitments to deploy that had not previously been identified. Some submitted availability challenges were not upheld, and just over 11,000 BSLs were added to the eligibility list after the availability challenge window closed. The net effect of the challenge process was a substantial reduction. About one-third of BSLs in the BEAD footprint were removed following the successful and compliant BEAD availability challenge process.

The process resulted in a final BEAD-eligible list of 245,035 BSLs, where each BSL lacked access to reliable broadband service with speeds of at least 100/20 Mbps without a planned service obligation and lacked an enforceable federal or state-funded broadband deployment commitment to deploy qualifying broadband. Based primarily on Census tract geography, these BSLs were classified into PAUs. The BSLs were in 3,222 Census tracts and grouped into 3,352 PAUs, following a rigorous PAU subdividing process based on land area or cost-to-serve thresholds. PAUs varied greatly in size, as shown below[1]:

| Number of PAUs | Location Range per PAU | Total Eligible BSLs |
|---|---|---|
| 540 | 1 location | 540 |
| 299 | 2 locations | 598 |
| 455 | 3 to 5 locations | 1,787 |
| 352 | 6 to 10 locations | 2,720 |
| 799 | 11 to 50 locations | 19,852 |
| 282 | 51 to 100 locations | 19,971 |
| 319 | 101 to 250 locations | 51,530 |
| 204 | 251 to 500 locations | 72,118 |
| 86 | 501 to 1,000 locations | 56,430 |
| 16 | More than 1,000 locations | 19,489 |

Of the total 245,035 eligible BSLs, 167,806 (68.5 percent) were classified as unserved and 77,229 (31.5 percent) as underserved. During the BOTB Round, BSLs classified as unserved and underserved were treated equally to comply with the RPN.

The universal coverage strategy was completed through the Special Process for Still Not Covered Locations as outlined in Section IV.A of Texas' BEAD NOFA. This process began concurrently with the state-mandated application challenge process. Provisionally awarded applicants from the BOTB Round were contacted and allowed to submit narrowly targeted proposals to fill in coverage gaps, informed by the public release of PAUs left unawarded during the initial selection cycle. This two-pass structure is consistent with Section 4 of the RPN's direction to resolve all locations expediently while minimizing the risk of overbuilding or funding redundancy.

**6. Conformance and Change Management**

In Texas, addressing the digital divide has been a critical focus. To this end, procedural changes were implemented in direct response to the RPN. These changes include the technology-neutral application of the Priority Broadband Project concept, the introduction of a new rubric, and the simplification of the deconfliction

[1] Does not include CAIs

process to fit an accelerated timeline. These adaptations preserved the core goals and concepts outlined in IPVII, while updating the execution mechanisms to align with NTIA's new requirements.

**Conclusion**

The Subgrantee Selection Process for the BOTB Round was conducted in accordance with both Texas' approved IPVII and the requirements outlined in the RPN. This process, which utilized modular project areas, objective scoring, and deterministic deconfliction, was designed to ensure that all preliminary awards are fair, non-duplicative and align with NTIA's expectations for transparency and value. This structured approach directly addresses the state's digital divide by targeting underserved areas efficiently.

Texas remains committed to executing this program in a way that fulfills all federal obligations and, most importantly, achieves its goal of ensuring universal broadband access for all residents.

**1.2 Text Box: Describe the steps that the Eligible Entity took to ensure a fair, open, and competitive process, including processes in place to ensure training, qualifications, and objectiveness of reviewers.**

The BDO implemented a fair, open and competitive process to solicit and select subgrantees for broadband expansion through the BEAD Program. By dedicating resources to potential applicants and ensuring transparency throughout the planning and application phases, the BDO maximized participation and created an efficient selection process to bring connectivity to all unserved and underserved locations across Texas.

The BDO took significant steps to prevent collusion, bias, conflicts of interest and arbitrary decisions that could undermine the integrity of the process. All applicants were required to complete a mandatory conflict of interest and disclosure statement, which included information about proposed personnel with prior employment history at the Texas Comptroller of Public Accounts or with the State of Texas, as well as other potential conflicts.

To ensure a fair, open and competitive process, the BDO offered comprehensive support to all applicants:

- **Resources:** A comprehensive application and resource guide was made available to all applicants, detailing the requirements for the three forms in the application.
- **Technical Assistance:** A help desk provided technical support for the application portal. The BDO also ran a pre-registration phase that allowed applicants to receive feedback on specific application components to ensure applicants were able to maximize their time completing the Form 3 application rather than curing pre-qualification materials.
- **Outreach and Education:** In spring 2025, the BDO hosted an eight-part webinar series to prepare applicants for the process. After the RPN was published, the BDO hosted and posted an additional webinar in June 2025 with program updates and a revised timeline. This ensured all potential applicants had access to the most current program requirements and scoring criteria.
- **Tech Neutral:** Applications were accepted and evaluated on a fully technology-neutral basis. The application window was shared with potential applicants in advance, including at the BDO's monthly Industry Roundtable, giving all potential applicants the same amount of time to prepare and submit applications. TMAP was also made available to all applicants, providing an equal opportunity to reduce financial barriers to participation.

- **Competition:** To promote a competitive process, the BDO accepted applications from a wide variety of commercial broadband providers and consortia. The BDO reviewed applications and, whenever possible, offered curing to prevent applications from being rejected solely for technical compliance issues.

The BDO implemented a multi-layered review structure to ensure transparency, impartiality and technical rigor. This structure is composed of BDO program staff, support staff from the Comptroller's Office and external contractors, who are broadband specialists with significant technical expertise.

Technical evaluators conducted the initial round of application evaluations, focusing on a comprehensive review of each submission's technical and programmatic merits. Following this, BDO program staff performed a secondary analysis of the initial assessments. This two-tiered review process ensured both consistency and accountability in decision-making, with all final award decisions made by the BDO. All applications were scored in strict compliance with the RPN and Texas' BEAD NOFA.

A screening process led to the exclusion of several applicants who presented an excessive risk of non-performance based on their submissions. Four providers were excluded due to documented financial risk factors such as liquidity, debt, cash flow and/or profitability. Another applicant was excluded on managerial grounds because their materials showed the company was structured as an informal alliance without the joint capability to ensure accountability for the use of BEAD funds and the achievement of program goals.

To maintain scoring consistency, all BDO and Comptroller staff involved in the review process received specific training on how to assess BEAD applications in accordance with program guidelines, federal requirements and grant management best practices. The scoring rubric, updated to align with the RPN, relied on objective criteria to reduce bias and arbitrariness. The BDO considered the proposed level of coverage and the minimum BEAD Outlay, and in cases with multiple applications, the scoring rubric and objective criteria were used to make a final decision.

By committing to this rigorous and comprehensive process, the BDO is taking a critical step toward closing the digital divide and ensuring that every Texan has access to the high-speed internet needed to participate in the modern economy.

**1.3 Text Box: Affirm that, when no application was initially received, the Eligible Entity followed a procedure consistent with the process approved in the Initial Proposal.**

Affirmed.

**1.4 Text Box: If applicable, describe the Eligible Entity's methodology for revising its eligible CAI list to conform with Section 4 of the BEAD Restructuring Policy Notice.**

The BDO reviewed the eligible CAI list to ensure all locations listed met the definition provided in Section 4 of the RPN. A total of 11 CAIs were removed from the initial list of eligible CAIs as they did not meet the definition of Community Support as defined by the RPN.

**1.5 Question (Y/N): Certify that the Eligible Entity will retain all subgrantee records in accordance with 2 C.F.R. § 200.334 at all times, including retaining subgrantee records for a period of at least 3 years from the date of submission of the subgrant's final expenditure report. This should include all subgrantee network designs, diagrams, project costs, build-out timelines and milestones for project implementation, and capital investment schedules submitted as a part of the application process.**

Yes. The BDO will retain all subgrantee records in accordance with 2 C.F.R. § 200.334 at all times, including retaining subgrantee records for a period of at least three years from the date of submission of the subgrantee's final expenditure report.

## Requirement 3: Timeline for Implementation

**3.1 Text Box: Has the Eligible Entity taken measures to: (a) ensure that each subgrantee will begin providing services to each customer that desires broadband service within the project area not later than four years after the date on which the subgrantee receives the subgrant; (b) ensure that all BEAD subgrant activities are completed at least 120 days prior to the end of the Eligible Entity's period of performance, in accordance with 2 C.F.R. 200.344; and (c) ensure that all programmatic BEAD grant activities undertaken by the Eligible Entity are completed by the end of the period of performance for its award, in accordance with 2 C.F.R. 200.344.**

Yes. The BDO will implement the following strategies to meet these commitments and accelerate the deployment of broadband infrastructure, which is crucial for closing the digital divide in Texas.

(a) **Ensuring timely service provision:** The BDO will ensure each BEAD subgrantee begins providing services to customers within their project area no later than four years after receiving the subgrant. This will be achieved through:

- **Risk-Based Oversight:** Conducting initial and ongoing risk assessments to classify projects as low, medium or high-risk. High-risk projects will receive enhanced oversight, including more frequent reporting and field visits.
- **Progress Monitoring:** Requiring subgrantees to submit, at a minimum, semi-annual progress reports, followed by timely review from the BDO.
- **Milestone Tracking:** Verifying the achievement of construction milestones through desk reviews of documentation and occasional site visits.
- **Payment Regulation:** Releasing BEAD subgrant funds to subgrantees on a prescribed schedule detailed in the BEAD Monitoring Plan. This schedule includes limited upfront payments to support cash flow, with a more back-loaded payment structure to ensure progress is verified before subsequent funds are transferred. While milestone-based payments are available, subgrantees cannot claim the full award amount until full deployment has been completed and verified.

All subgrant agreements will include specific speed-to-deployment commitments aligned with the Subgrantee Selection Process. While the baseline BEAD requirement is a four-year completion timeline, many subgrantees committed to accelerated timelines during the application stage to increase their competitiveness. These accelerated timelines will be reflected in their subgrant agreements. Out of 4,539 total applications, 4,354 indicated they would complete their work in less than 48 months. This commitment to faster deployment is a key step toward ensuring all Texans have access to the internet as quickly as possible.

(b) **Completing subgrant activities:** The BDO will ensure all BEAD-funded subgrant activities are completed at least 120 days before its own period of performance ends. This buffer period allows for the orderly submission of its grant reports to NTIA.

(c) **Completing BDO programmatic activities:** The BDO will ensure all its own programmatic activities are completed by the end of its period of performance. The detailed workflows for these oversight commitments are further described in the attached BEAD Monitoring Plan, as referenced in Requirement 4.

## Requirement 4: Oversight and Accountability Processes

**4.1 Question (Y/N): Does the Eligible Entity have a public waste, fraud, and abuse hotline, and a plan to publicize the contact information for this hotline?**

Yes.

**4.2 Attachments: Upload the following two required documents:**

**(1) BEAD Program monitoring plan;**
**(2) Agency policy documentation which includes the following practices: a. Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize) or on a basis determined by the terms and conditions of a fixed amount subaward agreement; and b. Timely subgrantee (to Eligible Entity) reporting mandates.**

Attachment F: BEAD Monitoring Plan.

Attachment G: Agency Policy Documentation

**4.3 Question (Y/N): Certify that the subgrant agreements will include, at a minimum, the following conditions:**
**a. Compliance with Section VII.E of the BEAD NOFO, as modified by the BEAD Restructuring Policy Notice, including timely subgrantee reporting mandates, including at least semiannual reporting, for the duration of the subgrant to track the effectiveness of the use of funds provided;**
**b. Compliance with obligations set forth in 2 C.F.R. Part 200 and the Department of Commerce Financial Assistance Standard Terms and Conditions;**
**c. Compliance with all relevant obligations in the Eligible Entity's approved Initial and Final Proposals, including the BEAD General Terms and Conditions and the Specific Award Conditions incorporated into the Eligible Entity's BEAD award;**
**d. Subgrantee accountability practices that include distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis;**

**e. Subgrantee accountability practices that include the use of clawback provisions between the Eligible Entity and any subgrantee (i.e., provisions allowing recoupment of funds previously disbursed);**
**f. Mandate for subgrantees to publicize telephone numbers and email addresses for the Eligible Entity's Office of Inspector General (or comparable entity) and/or subgrantees' internal ethics office (or comparable entity) for the purpose of reporting waste, fraud or abuse in the Program. This includes an acknowledgement of the responsibility to produce copies of materials used for such purposes upon request of the Federal Program Officer; and**
**g. Mechanisms to provide effective oversight, such as subgrantee accountability procedures and practices in use during subgrantee performance, financial management, compliance, and program performance at regular intervals to ensure that subgrantee performance is consistently assessed and tracked over time.**

Yes.

## Requirement 5: Local Coordination

**5.1 Text Box: Describe the public comment period and provide a high-level summary of the comments received by the Eligible Entity during the public comment period, including how the Eligible Entity addressed the comments.**

The BDO released the Final Proposal for public comment from Oct. 13-20. The BDO will provide a high-level summary of the comments received, including how the office addressed the comments, before submission to NTIA.

## Requirement 6: Challenge Process Results

**6.1 Question (Y/N): Certify that the Eligible Entity has successfully completed the BEAD Challenge Process and received approval of the results from NTIA.**

Yes.

**6.2 Text Box: Provide a link to the website where the Eligible Entity has publicly posted the final location classifications (unserved/underserved/CAIs) and note the date that it was publicly posted.**

The BDO publicly posted the final location classifications on April 14. The latest version of final location classifications can be found at https://register.broadband.texas.gov/register/bead (select the document "Eligible Locations with PAU ID (as of July 2025)").

## Requirement 7: Unserved and Underserved Locations

**7.1 Question (Y/N): Certify whether the Eligible Entity will ensure coverage of broadband service to all unserved locations within its jurisdiction, as identified in the NTIA-approved final list of eligible locations and required under 47 U.S.C. § 1702(h)(2).**

Yes.

**7.2 Text Box: If the Eligible Entity does not serve an unserved location because it is either financially incapable or has determined that costs to serve the location would be unreasonably excessive, explain and include a strong showing of how the Eligible Entity made that determination.**

Not Applicable (N/A).

**7.3 Attachment (Optional): If applicable to support the Eligible Entity's response to Question 7.2, provide relevant files supporting the Eligible Entity's determination.**

N/A.

**7.4 Question (Y/N): Certify whether the Eligible Entity will ensure coverage of broadband service to all underserved locations within its jurisdiction, as identified in the NTIA-approved final list of eligible locations and required under 47 U.S.C. §1702(h)(2).**

Yes.

**7.5 Text Box: If the Eligible Entity does not serve an underserved location because it is either financially incapable or has determined that costs to serve the location would be unreasonably excessive, explain and include a strong showing of how the Eligible Entity made that determination.**

N/A.

**7.6 Attachment (Optional): If applicable to support the Eligible Entity's response to Question 7.5, provide relevant files supporting the Eligible Entity's determination.**

N/A.

**7.7 Question (Y/N): Certify that the Eligible Entity has utilized the provided reason codes to investigate and account for locations that do not require BEAD funding, that the Eligible Entity will utilize reason codes 1, 2, and 3 for the entire period of performance, and that the Eligible Entity will maintain documentation, following the guidelines provided by NTIA, to justify its determination if there is a reason to not serve any unserved or underserved location on the NTIA-approved final list of eligible locations through a BEAD project. The documentation for each location must be relevant for the specific reason indicated by the Eligible Entity in the**

**fp_no_BEAD_locations.csv file. The Eligible Entity shall provide the documentation for any such location for NTIA review, as requested during Final Proposal review or after the Final Proposal has been approved.**

Yes.

**7.8 Question (Y/N): Certify that the Eligible Entity has accounted for all enforceable commitments after the submission of its challenge results, including state enforceable commitments and federal enforceable commitments that the Eligible Entity was notified of and did not object to, and/or federally-funded awards for which the Eligible Entity has discretion over where they are spent (e.g., regional commission funding or Capital Projects Fund/State and Local Fiscal Recovery Funds), in its list of proposed projects.**

Yes.

## Requirement 11: Implementation Status of Plans for Cost and Barrier Reduction, Compliance with Labor Laws, Low-cost Plans, and Network Reliability and Resiliency

**11.1 Text Box: Provide the implementation status (Complete, In Progress, or Not Started) of plans described in the approved Initial Proposal Requirement 14 related to reducing costs and barriers to deployment.**

In its approved IPVII, Texas identified state government initiatives that could reduce costs and barriers to broadband deployment. This included collaboration with the Texas Department of Transportation (TxDOT) to share information and reduce barriers to deployment for industry. The implementation status of plans related to reducing costs and barriers to deployment is described below.

**Right-of-Way Utility and Leasing Information System (RULIS) — Complete**

TxDOT continues to administer RULIS, an electronic permitting system that has improved the efficiency of permitting in Texas since July 2023. By allowing requests to be handled electronically and automatically, RULIS helps streamline the deployment of broadband infrastructure.

**Joint Duct Bank Accommodation Program — Complete**

TxDOT continues to administer the Joint Duct Bank Accommodation Program, which provides shared conduit in state rights-of-way. This program implements the "dig-once" policy mandated by House Bill 2422 of the 86th Texas Legislature, reducing the need for multiple excavations and making broadband deployment more efficient.

**Texas Pole Replacement Program — In Progress**

The Texas Pole Replacement Program has awarded over $20 million in state funds to replace thousands of utility poles across the state. This initiative is crucial because pole access is a significant barrier to broadband deployment. Many existing poles are not equipped to handle additional connections due to issues like limited space, dilapidation or inability to support an increased workload. By providing up to $5,000 per pole in unserved areas, this program's geographic focus aligns with the BEAD Program, making it a vital component of the state's efforts to expand broadband access.

**11.2 Question (Y/N): Affirm that the Eligible Entity required subgrantees to certify compliance with existing federal labor and employment laws.**

Yes.

**11.3 Text Box (Optional – Conditional on a 'No' Response to Intake Question 11.2): If the Eligible Entity does not affirm that subgrantees were required to certify compliance with federal labor and employment laws, explain why the Eligible Entity was unable to do so.**

N/A.

**11.4 Question (Y/N): Certify that all subgrantees selected by the Eligible Entity will be required to offer a low-cost broadband service option for the duration of the 10-year Federal interest period.**

Yes.

**11.5 Text Box (Optional – Conditional on a 'No' Response to Intake Question 11.4): If the Eligible Entity does not certify that all subgrantees selected by the Eligible Entity will be required to offer a low-cost broadband service option for the duration of the 10-year Federal interest period, explain why the Eligible Entity was unable to do so.**

N/A.

**11.6 Question (Y/N): Certify that all subgrantees have planned for the reliability and resilience of BEAD-funded networks.**

Yes.

**11.7 Text Box (Optional – Conditional on a 'No' Response to Intake Question 11.6): If the Eligible Entity does not certify that subgrantees have planned for the reliability and resilience of BEAD-funded networks in their network designs, explain why the Eligible Entity was unable to do so.**

N/A.

## Requirement 12: Substantiation of Priority Broadband Projects

**12.1 Text Box: Describe how the Eligible Entity applied the definition of Priority Project as defined in the Infrastructure Act and the BEAD Restructuring Policy Notice.**

**Key Documentation and Requirements**

As part of their Form 3 application, applicants for the BEAD Program were required to submit details, including narrative responses, numerical data and supporting documents using provided templates. The BDO relied on these core documents to analyze and categorize projects as Priority or Non-priority.

**Core Documents and Data**

- **Project Workplan:** This included committed speeds and latency, operational capabilities, and a narrative describing network design, scalability and construction plans.
- **Technical Network Documentation:** Key elements were the Project Area and Network Route Diagram (in geospatial format), a Logical Network Drawing (detailing architecture, hardware and network layers), Scalability Documentation (future upgrade plans and capacity forecasts), and Network Resiliency and Outage Management Plans.
- **Engineering Certification:** A Professional Engineer Certification was required to verify that the proposed network would meet BEAD Program performance standards.
- **Technology-Specific Requirements:** Additional technical details were required based on the technology deployment type:
  - **FTTP:** Fiber strand count and deployment method.
  - **Fixed Wireless Access (FWA):** Tower details, spectrum use, capacity planning and interference mitigation.
  - **Coaxial Cable / HFC:** Data Over Cable Service Interface Specification (DOCSIS) versions and deployment mix (aerial vs. buried).
  - **NGSO:** Reserved capacity, equipment, latency mitigation and reliability.

**Evaluation Process**

The BDO's evaluation process determined a project’s eligibility and then assessed its speed, latency and scalability to assign it a Priority or Non-priority designation. The evaluation methodology was based on technology neutrality and technical merit, verified through expert review.

**All Technologies – Minimum Standards Review**

The BDO first confirmed whether each project was technically capable of meeting the minimum BEAD performance standards. Additionally, the BDO ensured that applications included all required evidence and technical information to determine a project’s classification.

- Projects that failed to meet the minimum standards were disqualified.
- Projects that met the minimum standards but lacked sufficient information for a scalability analysis were designated as Non-priority.
- Only projects that met the minimum requirements and provided the necessary information to gauge scalability were advanced for further analysis.

**All Technologies – Scalability Analysis**

The BDO analyzed the scalability of projects that passed the initial review. Scalability refers to a project's ability to easily increase speeds over time to meet evolving demands from technologies like 5G and other advanced services.

For all proposed technologies (FTTP, FWA and NGSO), this review included an assessment of the applicant's:

- **Committed Speeds:** Projects were required to demonstrate a plan to achieve speeds of over 1 Gbps symmetrical within six to eight years. This was a minimum standard for meeting the RPN scalability requirements.
- **Narrative Plans:** Discussions regarding plans and commitment to long-term performance and scalability.
- **Implementation:** Plans for equipment deployment, upgrades, and adherence to protocols and standards.
- **Network Reliability:** Description of network reliability and outage management plans.
- **Middle-Mile and Backhaul:** The amount and types of middle-mile and backhaul facilities to support long-term scalability.

In an effort to comply with the RPN, projects that did not adequately demonstrate their commitment, technical capability and likelihood of success for scalability were classified as Non-priority.

**Technology-Specific Reviews: FWA and NGSO**

The BDO conducted additional, technology-specific analyses for projects proposing FWA and NGSO solutions.

**Fixed Wireless**

The BDO assessed applications offering FWA solutions using narratives, a specific Fixed Wireless Technology spreadsheet, and propagation maps showing signal strength. This data was used to determine a project's viability and its Priority/Non-priority status.

The BDO's assessment included:

- **Backhaul Viability:** Evaluating the capability of backhaul links to provide scalable service to proposed towers and hubs. This included their ability to expand capacity for future multi-gig, low-latency demand.
- **Deployment Strategy:** Reviewing the use of licensed fixed wireless in higher-density areas to ensure long-term scalability and reliable performance.
- **Equipment and Technology:** Assessing the type of equipment and use of modern technologies like beamforming and scalable radios.
- **Network Design Data:** Analyzing base station capacity, transmitter information and "link budgets" —the operational time and signal strength of a communication link.
- **Physical Infrastructure:** Reviewing the placement of existing and planned towers and network routes relative to eligible BSLs, considering terrain and topography that could impact performance.
- **Future Planning:** Evaluating plans to add towers, small cells, or additional capacity through long-term leases to support future scalability.

- **Fiber Connectivity:** Examining plans to own fiber backhaul facilities and partnerships with fiber providers for dedicated backhaul.

Applications that did not meet the engineering criteria for these items were classified as Non-priority.

**Satellite**

The BDO closely reviewed the technical assumptions and commitments from NGSO providers, including stated per-satellite throughput and inter-satellite link performance in a fully loaded, commercial environment. The BDO also verified the applicants' claims about reserved capacity for each served location.

When evaluating NGSO service in each unique PAU, the BDO considered a weighted combination of four key factors: BSL density, average slope, tree canopy and foliage density. This analysis assessed the impact on both uplink and downlink performance.

The BDO used a zonal statistical analysis and a weighted rating system to chart these factors. This process helped the team identify areas where NGSO service might face reliability challenges from blocked or weakened signals. The BDO then determined the total reliability risk levels, which informed decisions about priority broadband projects and helped in comparing NGSO with competing projects in a specific PAU.

## Requirement 13: Subgrantee Selection Certification

**13.1 Text Box: Provide a narrative summary of how the Eligible Entity applied the BEAD Restructuring Policy Notice's scoring criteria to each competitive project application and describe the weight assigned to each Secondary Criteria by the Eligible Entity.**

The BDO applied the RPN's scoring criteria to all applications. First, Texas applied gating criteria to determine eligibility for BEAD funding. Among eligible projects, the BDO used the Texas BEAD scoring rubric while considering Priority and Non-priority status.

In cases with competing applications for the same area, the BDO selected the option with the lowest cost, provided it was permitted by severability and deconfliction factors. If a project's cost per location was within 15 percent of the lowest-cost project, the BDO used a scoring rubric based on secondary criteria to evaluate competing applications.

The two factors in this rubric were:

- **Speed to Deployment (5 points):** The applicant's binding commitment to provide service earlier than four years after the subgrant is received, with greater consideration given to earlier dates.
- **Speed of Network and Other Technical Capabilities (95 points):** The speed, latency and other technical capabilities of the proposed technologies.

Further details on this scoring, including the point scale, are available in Requirement 1.

## Requirement 14: Environmental and Historical Preservation Documentation

**14.1 Attachment (Required): Submit a document which includes the following:**

**• Description of how the Eligible Entity will comply with applicable environmental and historic preservation (EHP) requirements, including a brief description of the methodology used to evaluate the Eligible Entity's subgrantee projects and project activities against NTIA's National Environmental Policy Act (NEPA) guidance. The methodology must reference how the Eligible Entity will use NTIA's Environmental Screening and Permitting Tracking Tool (ESAPTT) to create NEPA project records, evaluate the applicability of categorical exclusions, consider and document the presence (or absence) of Extraordinary Circumstances, and transmit information and draft NEPA documents to NTIA**
**for review and approval.**
**• Description of the Eligible Entity's plan to fulfill its obligations as a joint lead agency for NEPA under 42 U.S.C. 4336a, including its obligation to prepare or to supervise the preparation of all required environmental analyses and review documents.**
**•Evaluation of the sufficiency of the environmental analysis for your state or territory that is contained in the relevant chapter of the FirstNet Regional Programmatic Environmental Impact Statement (PEIS), available at https://www.firstnet.gov/network/environmental-compliance/projects/regional-programmatic-environmental-impact-statements.**
**•Evaluation of whether all deployment related activities anticipated for projects within your state or territory are covered by the actions described in the relevant FirstNet Regional PEIS.**
**•Description of the Eligible Entity's plan for applying specific award conditions or other strategies to ensure proper procedures and approvals are in place for disbursement of funds while projects await EHP clearances.**

Attachment H: Environmental and Historical Preservation Documentation

## Requirement 15: Consent from Tribal Entities

**15.1 Attachment(s) (Required if any deployment project is on Tribal Lands): Upload a Resolution of Consent from each Tribal Government (in PDF format) from which consent was obtained to deploy broadband on its Tribal Land. The Resolution(s) of Consent submitted by the Eligible Entity should include appropriate signatories and relevant context on the planned (f)(1) broadband deployment including the timeframe of the agreement. The Eligible Entity must include the name of the Resolution of Consent PDF in the Deployment Projects CSV file.**

N/A.

## Requirement 16: Prohibition on Excluding Provider Types

**16.1 Question (Y/N): Does the Eligible Entity certify that it did not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for a BEAD subgrant, consistent with the requirement at 47 U.S.C. § 1702(h)(1)(A)(iii)?**

Yes.

## Requirement 17: Waivers

**17.1 Text Box: If any waivers are in process and/or approved as part of the BEAD Initial Proposal or at any point prior to the submission of the Final Proposal, list the applicable requirement(s) addressed by the waiver(s) and date(s) of submission.**

The BDO submitted a waiver on July 25, requesting an extension of the Final Proposal submission deadline. NTIA granted the waiver request on Aug. 15, extending Texas' Final Proposal submission deadline from Sept. 4 to Oct. 27.

**17.2 Attachment (Optional): If not already submitted to NTIA, and the Eligible Entity needs to request a waiver for a BEAD Program requirement, upload a completed Waiver Request Form here. If documentation is already in process or has been approved by NTIA, the Eligible Entity does NOT have to upload waiver documentation again.**

N/A.