

**STATE OF NEW MEXICO
OFFICE OF BROADBAND ACCESS AND EXPANSION**

**AGREEMENT #: CNMF0824A08
AMENDMENT #1**

THIS **AMENDMENT** is made by and between the State of New Mexico, Office of Broadband Access and Expansion, administratively attached to the Department of Information Technology, hereinafter referred to “OBAE” and **Peñasco Valley Telephone Cooperative, Inc.**, hereinafter referred to as the “Grantee” and collectively referred to as the “Parties”.

WHEREAS the Parties initially executed Connect New Mexico Grant Agreement # CNMF0824A08 on September 11, 2024.

WHEREAS, pursuant to the Subsection 63 of Section 5 of the General Appropriation Act of 2025, the expenditure authority for the Connect New Mexico Fund was extended through June 30, 2026.

WHEREAS, the federal Affordable Connectivity Program (ACP) ended in 2024.

The purpose of this Amendment is to extend the performance period of this grant from June 30, 2025 to June 30, 2026, and update the legal compliance obligations regarding the ACP.

IT IS MUTUALLY AGREED BETWEEN THE PARTIES THAT THE FOLLOWING PROVISIONS OF THE ABOVE-REFERENCED CONTRACT ARE AMENDED AS FOLLOWS

ARTICLE 5 – EFFECTIVE DATE; PERIOD OF PERFORMANCE; BUDGET PERIOD

- C. Subaward Budget Period Start and End Date. The budget period shall start upon the Effective Date and shall end no later than **June 30, 2026** (hereinafter “**Budget Period**”). The Department will provide reimbursement for all eligible expenses incurred after the Effective Date. Costs incurred by Grantee after **June 30, 2026** will not be eligible for reimbursement, and Grantee must submit to the State of New Mexico, no later than 90 calendar days (or an earlier date as agreed upon in writing by Grantee and the State of New Mexico) after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the award.

ARTICLE 7 – LEGAL COMPLIANCE

- A. 14. Grantee is required to, for at least five (5) years from the date of Substantial Completion, offer a low-cost broadband service plan with typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps with typical latency measurements of no more than 100 milliseconds; and not subject to data caps, surcharges imposed by Grantee, or usage-based throttling. During the five (5) year period:
 - a. Grantee shall be required to participate in any state or federal successor to the Affordable Connectivity Program in effect during the five-year period.

- b. The low-cost broadband plan shall charge the end-user no more than \$50 a month inclusive of all taxes, fees, and charges, or the allowable amount under any successor Affordable Connectivity Program, whichever is lower.
- c. End users shall be deemed eligible for the low-cost broadband service plan upon demonstrating either current enrollment in New Mexico Medicaid, SNAP, or other State of New Mexico Income Assistance Program, or an income under 200% of the Federal Poverty Level.
- d. End users shall be eligible for no-cost upgrades if the provider later offers the low-cost plan with higher speeds.

EXHIBIT D – Project Schedule is amended and incorporated herein to reflect the extended performance period.

All other articles and deliverables of the original agreement remain the same.

IN WITNESS WHEREOF, the parties have duly executed this Amendment as of the date of execution by the final signatory.

GRANTEE

By: DocuSigned by:
James Meyers
E88B8BD1C2B7424... _____ 5/22/2025
 James Myers _____ Date
 Chief Executive Officer

OFFICE OF BROADBAND ACCESS AND EXPANSION

By: Signed by:
Manny Barreras
32A0D0696C7C493... _____ 5/30/2025
 Manny Barreras _____ Date
 Acting Director of Broadband
 State of New Mexico Chief Information Officer
 Cabinet Secretary Department of Information Technology

Approved for financial sufficiency:

By: Signed by:
Lisa Jennings
9895C3FF24BE46F... _____ 5/29/2025
 Lisa Jennings _____ Date
 Mobile Chief Financial Officer

Approved for legal sufficiency:

By: DocuSigned by:
Cassandra Brulotte
C0140201B6F94E1... _____ 5/22/2025
 Cass Brulotte _____ Date
 General Counsel



Connect New Mexico Fund	
Exhibit D - Project Schedule	
Recipient	Penasco Valley Telephone Cooperative
Project Name	PVT - Special Project
Id/No	CNMF0824A08

WBS No.	Project Area - Activity (e.g., tasks, actions)	Status (List)	Target Start Date (Month / Year)	Target End Date (Month / Year)	Other brief relevant input (e.g., critical dependencies, strategy to ensure on-time completion, early planning steps, etc.)
1.0	Market Assessment	N/A	N/A	N/A	
1.1	N/A	N/A	N/A	N/A	
2.0	Network and Engineering Design	N/A	N/A	N/A	
2.1	N/A	N/A	N/A	N/A	
3.0	Permitting (right of way, easements, etc.)	N/A	N/A	N/A	
3.1	N/A	N/A	N/A	N/A	
4.0	Environmental Assessment	N/A	N/A	N/A	
4.1	N/A	N/A	N/A	N/A	
5.0	Site Preparation	In Progress	10/1/2024	6/30/2026	
5.1	Utility Owner site work preparation for pole updates	In progress	10/1/2024	6/30/2026	Initiated after the Utility Owner approves the plans
5.2	Utility Pole Make Ready Work	In progress	10/1/2024	6/30/2026	Initiated after the site preparation work is complete
6.0	Workforce Development	N/A	N/A	N/A	
6.1	N/A	N/A	N/A	N/A	
7.0	Vendor Selection and Procurement	Completed	7/1/2024	7/30/2024	
7.1	Vendor Selection Process	Completed	7/1/2024	7/30/2024	Plan for vendors to be selected to align with the permit approval; Coop
8.0	Network Deployment/ Construction	In Progress	12/1/2024	6/30/2026	
8.1	Construction Activities	In progress	12/1/2024	6/30/2026	"Construction begins following the construction permits. Activities anticipated as part of this task are as follows: pole installation"
8.2	Final Walkthrough, Punchlist of Items, and Corrections	Not started	5/1/2025	6/30/2026	Initiated after the poles have been replaced

WBS No.	Project Area - Activity (e.g., tasks, actions)	Status (List)	Target Start Date (Month / Year)	Target End Date (Month / Year)	Other brief relevant input (e.g., critical dependencies, strategy to ensure on-time competition, early planning steps, etc.)
8.3	Project closure	Not started	6/1/2025	6/30/2026	This is an administrative activity and will be done once the punch list of items has been corrected.
9.0	Network Testing	N/A	N/A	N/A	
9.1	N/A	N/A	N/A	N/A	
10.0	Development and Launch of Marketing Strategy and Sales Programs	N/A	N/A	N/A	
10.1	N/A	N/A	N/A	N/A	
11.0	Development and Launch of Adoption Assistance Programs	N/A	N/A	N/A	
11.1	N/A	N/A	N/A	N/A	
12.0	Launch of Commercial Service	N/A	N/A	N/A	
12.1	N/A	N/A	N/A	N/A	
13.0	Customer Installations	N/A	N/A	N/A	
13.1	Solicit Services to Customer Premises	N/a	N/A	N/A	