

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

**AGREEMENT #: CNMF0924A14
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 **Resound Networks, LLC** hereinafter referred to as the “Grantee” and collectively referred to as the “Parties”.

WHEREAS the Parties initially executed Connect New Mexico Grant Agreement # CNMF0924A14 on November 8, 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.

WHEREAS Resound Networks registered with the State of New Mexico SHARE system as Resound Networks, LLC.

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

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 references to “Resound Networks” are hereby changed to “Resound Networks, LLC.”

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.

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GRANTEE

By: DocuSigned by:
Tyson Curtis 5/29/2025
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Tyson Curtis Date
Chief Executive Officer

OFFICE OF BROADBAND ACCESS AND EXPANSION

By: Signed by:
Manny Barreras 5/30/2025
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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 5/29/2025
9895C3FF24BE46E...
Lisa Jennings Date
Mobile Chief Financial Officer

Approved for legal sufficiency:

By: DocuSigned by:
Cassandra Brulotte 5/29/2025
C0140201B6F94E1...
Cass Brulotte Date
General Counsel



Connect New Mexico Fund	
Exhibit D - Project Schedule	
Recipient	Resound Networks
Project Name	Luna FW
Id/No	CNMF0924A14

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.)
1.0	Market Assessment	In Progress	11/14/2024	ongoing	
1.1	Digital Survey & Outreach	In progress	11/14/2024	ongoing	Began at the release of NOFO to understand community needs.
1.2	Local Survey & Outreach	In progress	11/14/2024	ongoing	Direct community engagement to define service requirements. Marketing & Sales Team will engage after Construction Commences
1.3	Ongoing community engagement efforts	In progress	11/14/2024	ongoing	On going engagement with primary stakeholders and government entities.
2.0	Network and Engineering Design	Completed	11/14/2024	2/24/2025	
2.1	RF Engineering Design	Completed	11/14/2024	12/30/2024	Completion of designs included in submitted designs.
2.2	Middle-mile fiber optic & point-to-point design	Completed	11/14/2024	12/30/2024	Completion of point-to-point designs, confirming availability at leased sites.
2.3	Tower site selection & RAD center securement	Completed	11/14/2024	2/24/2025	Verification of tower sites and RAD centers' availability.
3.0	Permitting (right of way, easements, etc.)	In Progress	2/24/2025	8/14/2025	
3.1	Land/Space Lease – Per tower location (new construct and lease)	Completed	2/24/2025	4/15/2025	Execution of leases identified in the network design phase.
3.2	Utility Coordination	In progress	4/15/2025	5/15/2025	Coordination to begin post-lease execution.
3.3	Electrical Permitting – PerJurisdiction	In progress	5/16/2025	8/14/2025	Engage in jurisdictional processes for electrical permitting.
3.4	Building Permit – Per tower location	In progress	5/16/2025	8/14/2025	Obtain building permits as required for both leased towers and new constructions.
4.0	Environmental Assessment	Completed	11/8/2024	3/31/2025	
4.1	FAA Assessment/ASR Confirmation	Completed	11/8/2024	12/30/2024	FAA location confirmation and FCC ASR confirmation.
4.2	Structural Analysis of towers/designs	Completed	11/8/2024	3/31/2025	Structural integrity analysis for new and existing towers.
4.3	NEPA (if required)	Completed	11/8/2024	3/31/2025	Assessments conducted if required for new construction locations. Using all Collocation on Existing Towers. Utilize best practices for migratory birds

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5.0	Site Preparation	In Progress	3/31/2025	10/13/2025	
5.1	Tower Base Pouring & Construction (as needed for new tower constructs)	Completed	3/31/2025	3/31/2025	Not Required
5.2	Tower construction & stacking (as needed for new tower constructs)	Completed	3/31/2025	3/31/2025	Not Required
5.3	Equipment cabinet placement	Not started	8/14/2025	10/13/2025	Installation of equipment cabinets on-premises
6.0	Workforce Development	Not Started	4/1/2026	ongoing	
6.1	Engage technical colleges and job centers	Not started	4/1/2026	ongoing	Initiation of job training and internship programs.
6.2	Host interns and new hires for training	Not started	4/1/2026	ongoing	Extensive onboarding and training for new staff.
7.0	Vendor Selection and Procurement	In Progress	10/13/2025	11/12/2025	
7.1	Initial order of equipment with vendors	In progress	10/13/2025	11/12/2025	Confirm order details and logistics for network equipment.
7.2	Receive all components and verify quantities	In progress	10/13/2025	11/12/2025	Inventory management and component verification.
8.0	Network Deployment/ Construction	Not Started	11/12/2025	1/11/2026	
8.1	Install network components in cabinets	Not started	11/12/2025	1/11/2026	Field testing to ensure expected network performance.
9.0	Network Testing	Not Started	3/21/2026	7/4/2026	
9.1	RF field testing to confirm coverage/capacity	Not started	3/21/2026	5/20/2026	Testing of fiber optic links and network equipment for functionality.
10.0	Development and Launch of Marketing Strategy and Sales Programs	Not Started	1/11/2026	6/13/2026	
10.1	Engage local & county EDC	Not started	1/11/2026	6/13/2026	Begin marketing efforts to promote the upcoming service.
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	Not Started	4/1/2026	6/30/2026	
12.1	Review coverage with service technicians	Not started	4/1/2026	6/30/2026	Final coverage review to ensure network readiness.

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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.)
13.0	Customer Installations	Not Started	4/1/2026	6/30/2026	
13.1	Customer Installations	Not started	4/1/2026	6/30/2026	Start of customer installations upon network completion.