

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

**AGREEMENT #: CNMF0824A13  
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 # CNMF0824A13 on September 16, 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 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 5/30/2025  
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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 5/30/2025  
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Lisa Jennings Date  
Mobile Chief Financial Officer

Approved for legal sufficiency:

By: DocuSigned by:  
Cassandra Brulotte 5/30/2025  
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Cass Brulotte Date  
General Counsel

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<b>Connect New Mexico Fund</b>	
<b>Exhibit D - Project Schedule</b>	
<b>Recipient</b>	<b>Resound Networks</b>
<b>Project Name</b>	<b>Raton FTTH</b>
<b>Id/No</b>	<b>CNMF0824A13</b>

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.)
<b>1.0</b>	<b>Market Assessment</b>	<b>In Progress</b>	<b>10/22/2024</b>	<b>ongoing</b>	
1.1	Digital Survey & Outreach	In progress	10/22/2024	ongoing	Engage with community via online platforms and in person to assess market need and key stakeholders.
1.2	Local Survey & Outreach	In progress	10/22/2024	ongoing	Conduct door-to-door surveys to understand specific community needs.
1.3	Stakeholder Meetings	In progress	10/22/2024	ongoing	Regular meetings with local businesses, schools, and government entities.
<b>2.0</b>	<b>Network and Engineering Design</b>	<b>In Progress</b>	<b>10/22/2024</b>	<b>5/18/2025</b>	
2.1	High-Level Design Approval	Completed	10/22/2024	11/15/2024	High-level network design including main fiber routes and hub locations.
2.2	Detailed Design Development	In progress	3/1/2025	4/18/2025	Development of detailed network designs, including splice points and
2.3	Site Walks & Design Validation	In progress	4/18/2025	5/18/2025	Physical verification of proposed routes and design assumptions.
<b>3.0</b>	<b>Permitting (right of way, easements, etc.)</b>	<b>Not Started</b>	<b>4/18/2025</b>	<b>7/17/2025</b>	
3.1	Permit Applications	Not started	4/18/2025	5/18/2025	Submission of permit applications for aerial and buried construction.
3.2	ROW Negotiations	Not started	4/18/2025	7/17/2025	Discussions with property owners for easements and municipalities for public ROW.
3.3	Permit & ROW Acquisition	Not started	4/18/2025	7/17/2025	Completion of permitting process and acquisition of all necessary ROW
<b>4.0</b>	<b>Environmental Assessment</b>	<b>In Progress</b>	<b>10/22/2024</b>	<b>9/16/2025</b>	
4.1	Environmental Impact Study	Completed	10/22/2024	12/30/2024	No Significant Issues Identified
4.2	Structural Pole Analysis	Not started	7/18/2025	9/16/2025	
<b>5.0</b>	<b>Site Preparation</b>	<b>In Progress</b>	<b>2/1/2025</b>	<b>7/24/2025</b>	
5.1	Material Procurement	In progress	2/1/2025	7/1/2025	Ordering of fiber cables, conduits, poles, and other construction materials.

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5.2	Construction Team Mobilization	Not started	4/25/2025	7/24/2025	Organizing and deploying construction teams for the start of physical work.
<b>6.0</b>	<b>Workforce Development</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	
6.1	N/A	N/A	N/A	N/A	
<b>7.0</b>	<b>Vendor Selection and Procurement</b>	<b>Completed</b>	<b>10/22/2024</b>	<b>1/23/2025</b>	
7.1	Develop RFPs for Equipment	Completed	10/22/2024	11/15/2024	Preparation of Request for Proposals for network equipment.
7.2	Develop RFPs for Construction Services	Completed	10/22/2024	11/15/2024	Preparation of RFPs for selecting construction firms.
7.3	Vendor & Contractor Selection	Completed	11/15/2024	1/23/2025	Evaluation and selection based on bids received.
<b>8.0</b>	<b>Network Deployment/ Construction</b>	<b>In Progress</b>	<b>4/25/2025</b>	<b>3/21/2026</b>	
8.1	Pole Make-Ready Work	Not started	4/25/2025	8/23/2025	Adjustments and replacements of poles for aerial deployment.
8.2	Trenching & Conduit Installation	Not started	8/23/2025	12/21/2025	Excavation and installation of conduits for buried segments.
8.3	Fiber Cable Installation	Not started	8/23/2025	12/21/2025	Laying and splicing of fiber optic cables for both aerial and buried segments.
8.4	Network Hardware Installation	Not started	12/21/2025	3/21/2026	Installation of splitters, cabinets, and other network hardware.
<b>9.0</b>	<b>Network Testing</b>	<b>Not Started</b>	<b>3/21/2026</b>	<b>7/4/2026</b>	
9.1	Initial Network Testing	Not Started	3/21/2026	5/20/2026	Testing of fiber optic links and network equipment for functionality.
9.2	Network Optimization	Not Started	5/20/2026	7/4/2026	"Adjustments based on testing outcomes to optimize network performance."
<b>10.0</b>	<b>Development and Launch of Marketing Strategy and Sales Programs</b>	<b>Not Started</b>	<b>4/1/2026</b>	<b>9/30/2026</b>	
10.1	Marketing Campaign Launch	Not started	4/1/2026	9/30/2026	Start of marketing activities to announce FTTH service availability.
<b>11.0</b>	<b>Development and Launch of Adoption Assistance Programs</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	
11.1	N/A	N/A	N/A	N/A	
<b>12.0</b>	<b>Launch of Commercial Service</b>	<b>Not Started</b>	<b>7/4/2026</b>	<b>12/30/2026</b>	
12.1	Customer Premises Equipment Setup	Not started	7/4/2026	11/2/2026	Installation of CPE at customer homes and businesses.
12.2	Service Activation	Not started	8/3/2026	12/30/2026	Official activation and launch of FTTH services to customers.
12.3	Ongoing Network Maintenance	Not started	7/4/2026	Ongoing	Regular maintenance and trouble-shooting to ensure service quality.

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13.0	Customer Installations	Not Started	8/3/2026	ongoing	
13.1	TBD	Not started	8/3/2026	ongoing	