

## **BEAD: Benefit of the Bargain Round | Kansas Office of Broadband Public Comments – In received order.**

**Organization Represented: International Brotherhood of Electrical Workers – Brian Threadgold**

“On behalf of the 6,611 active members of the International Brotherhood of Electrical Workers (IBEW) in the state of Kansas, I write to respectfully submit the IBEW’s comments on the state’s plan to implement the federal Broadband Equity, Access and Deployment (BEAD) program, specifically, the so-called “Benefit of the Bargain” round.

As you know, BEAD represents the critical buildout of the telecommunications network called for in the Bipartisan Infrastructure Law and its \$65 billion investment in expanding high-speed internet access and adoption.

Nationally, the IBEW represents approximately 36,000 permanent employees working for telecommunications companies as well as thousands of construction workers who perform contract work for internet service providers. Historically playing a significant role in the telecommunications industry, the IBEW is one of the largest labor unions representing workers for incumbent local exchange carrier providers, the largest building trade in the telecommunications sector, and as a labor representative for workers manufacturing and assembling telecommunications equipment. IBEW’s reach extends to every corner of the United States, representing workers in multiple other industries such as railroad, utility, broadcasting and government.

SpaceX/Starlink has bid on BEAD projects in Kansas, and the IBEW believes that selecting this company as a subgrantee for BEAD projects would be the wrong choice. The Bipartisan Infrastructure Law requires BEAD funds to only be used on projects that provide minimum broadband speeds of 100 Mbps download/20 Mbps upload, which is the FCC’s definition of broadband. According to a recent study<sup>1</sup>, only 17.4% of SpaceX/Starlink subscribers in the United States had broadband speeds meeting this requirement.

Another recent analysis of SpaceX/Starlink capacity by Penn State University<sup>2</sup> showed that SpaceX/Starlink’s network reaches its capacity if there are more than 6.6 subscribers within a square mile.

In addition, SpaceX/Starlink add no infrastructure to local communities, creates no local jobs, and the long-term costs to the citizens of Kansas for this service will be higher than other technologies such as fiber broadband.

IBEW members look forward to working with Kansas to create good-paying jobs through the once-in-a-generation investment closing the digital divide. Please contact IBEW 7TH District International Representative, Brian Threadgold at (202) 412-3288, or [Brian\\_Threadgold@ibew.org](mailto:Brian_Threadgold@ibew.org). Together, we can ensure that all citizens of Kansas have

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access to affordable, reliable high-speed broadband and a network worthy of the 21st century.”

### **Organization Represented: EducationSuperHighway – Sean Gerner**

“EducationSuperHighway is a national non-profit working to close the 20-25% digital divide concentrated in public and affordable housing multi-dwelling units (MDUs).

We understand that the Final Proposal does not include specific plans for any remaining BEAD funds, given the absence of NTIA guidance on future eligible non-deployment uses. We recommend KOBD demonstrate to NTIA that Kansas intends to use its remaining BEAD funds for subsequent investment in activities that were not covered in the initial BEAD deployment phase. This will ensure remaining funds are not considered “unused” and therefore not subject to USC §1702(c)(5)(C)(ii) for “Failure to use full allocation” at this time. For example:

"Pursuant to 47 U.S.C. § 1702 (f), the State of Kansas intends to use its full BEAD allocation through a comprehensive set of eligible activities, including those described in this Final Proposal as well as future activities consistent with the uses authorized by statute and subject to forthcoming guidance from the Assistant Secretary of Commerce for Communications and Information. Accordingly, any remaining funds should not be considered unused but rather reserved for these future eligible program activities."

An infrastructure activity that remains BEAD-eligible after the latest NTIA policy guidance is “installing internet and Wi-Fi infrastructure or providing reduced-cost broadband within a multi-family residential building...” (47 USC §1702 (f)(4)). Twenty to 25 percent of the digital divide is concentrated in affordable MDUs, and future guidance for remaining BEAD funds may allow Eligible Entities to add activities that resolve in-building infrastructure bottlenecks (capacity and quality of wiring) within MDUs. If so, EducationSuperHighway recommends allocating approximately \$21M in remaining non-deployment funds to create a targeted capital improvement program that partners with property owners to upgrade their buildings - a program similar to South Carolina Broadband Office’s \$5M Non-Deployment Multiple Dwelling Unit Grant Program

([https://ors.sc.gov/sites/scors/files/Documents/Broadband/BEAD/Intake%20Summary-Volume%202-08-20-2024%2011-30-](https://ors.sc.gov/sites/scors/files/Documents/Broadband/BEAD/Intake%20Summary-Volume%202-08-20-2024%2011-30-EXECUTIVE%20OFFICE%20OF%20THE%20STATE%20OF%20SOUTH%20CAROLINA%20BROADBAND%20OFFICE%20GRN-000156.pdf)

[EXECUTIVE%20OFFICE%20OF%20THE%20STATE%20OF%20SOUTH%20CAROLINA%20BROADBAND%20OFFICE%20GRN-000156.pdf](https://ors.sc.gov/sites/scors/files/Documents/Broadband/BEAD/Intake%20Summary-Volume%202-08-20-2024%2011-30-EXECUTIVE%20OFFICE%20OF%20THE%20STATE%20OF%20SOUTH%20CAROLINA%20BROADBAND%20OFFICE%20GRN-000156.pdf)).

A recommended allocation of \$21M is consistent with successful MDU grant programs administered by other states and is appropriately scaled for the number of affordable and public housing MDUs in Kansas. Approximately 66% of residents in affordable and public

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housing MDUs do not subscribe to high-speed internet, highlighting the prevalence of the digital divide that persists in these communities.

14 states have committed \$579 million in funding to MDU connectivity, demonstrating an increased focus on the needs of households living in MDU housing. Through our ongoing work supporting the development and implementation of many of these states' MDU programs, we have incorporated insights and best practices into a comprehensive model MDU grant program that KOBD can quickly adopt or adapt (<https://www.educationsuperhighway.org/mdu-community-connect/>). We welcome the opportunity to discuss this model program in detail and explore ways to adapt it to meet the unique needs of Kansas residents living in MDUs.

To date, EducationSuperHighway has engaged with property owners representing 1,784 MDU units across Kansas who have expressed interest in participating in such a program, demonstrating clear demand from the community that is ready and willing to partner with the KOBD to close the MDU connectivity gap.

With an investment of \$21 million of the state's non-deployment funds, Kansas could bring connectivity to an estimated 18,700 MDU residents who lack the reliable home internet they need for students to participate in online learning, job seekers to search for employment opportunities, and individuals to access telehealth services and government resources."

### **Organization Represented: Miami County Economic Development - Janet McRae**

"We appreciate this proposal's efforts to support continued fiber in the ground projects. In addition to our unincorporated areas, the City of Fontana needs a reliable, high speed service for its city operations."

### **Constituent Name: Janet White**

"My current service has become unreliable and still expensive. I would like to see us get fiber in the ground and then I can pursue a remote work from home job."

### **Constituent Name: Marte tubbs**

"We need fiber."

### **Constituent Name: Lisa Waln**

"As a resident of Beagle KS I feel we need better internet service. I am a dialysis patient and must have dependable internet service to communicate my daily health data from my dialysis machine at home to my service clinic and Dr office on a daily basis. In addition I need reliable servive to work from home on days I am too unwell to travel. My current provider level of service is not dependable. Service "time outs", dropped connections and

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interruptions are a common issue almost daily if not more than once a day. I would like to offer my support for fiber in our area.”

### **Constituent Name: Art Umali**

“We have property south of Beagle that we have owned for 6 years now that we would love to build on. Our jobs depend on having reliable high speed connectivity and the lack of options is keeping us from committing to the move. I work in the technology field and my wife is in sales so we both consume a lot of bandwidth throughout the day. GIG+ speeds and the ability to grow and expand are a requirement.”

### **Constituent Name: M. Gailey**

“I feel it a grave mistake to award so much money to wireless technology. Fiber is as future proof as you can get. Sending money back to DC is irresponsible to the citizens of Kansas. Should have spent every dime on fiber as possible.”

### **Constituent Name: JudeAnne Heath**

“Dear Mr. Abston,

My name is JudeAnne Heath and I'm a constituent from Olathe, KS. I'm writing about the U.S. Department of Commerce and NTIA's updated guidance to BEAD's non-deployment programs. The updated guidance does not include details on BEAD's non-deployment programs while not requiring states to report planned non-deployment uses. Without targeted and culturally competent broadband adoption programs, investments made into broadband infrastructure may be wasted. We need both the physical infrastructure AND the programs that help people get online and empowered. Studies prove that adoption focused programs (digital skilling, literacy, training and other empowerment programs) are key to bridging the digital divide in our state. While experts assume that BEAD non-deployment guidance will come in the fall, we are asking that your office should still account for digital opportunity initiatives in your final proposal submission. I'm asking that our state's plan should explicitly state that should funds remain in allocation, that your office reserves the right to use the funds on activities outlined in the Infrastructure Investment Jobs Act of 2021. While I applaud efforts like the ADOPT program in our state, BEAD offers our state the once in a lifetime opportunity to bridge the digital divide and uplift all our communities towards economic prosperity.

Thank you”

### **Constituent Name: Edie Diediker**

“We need better internet. Need faster and cheaper.”

### **Organization Represented: Space Exploration Technologies Corp – Erica Myers**

“Kansas Commerce Office of Broadband Development

Re: Space Exploration Technologies Corp. (SpaceX) Comments on Kansas

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Office of Broadband Development's Final Proposal:

SpaceX highlights the following information in Kansas's proposal:

Low-Earth Orbit Satellite

% Households 2.96%

% Program Budget 0.93%

Total Spend \$2.3M

Weighted-Average Per-Location Price \$2,956\*

All Other Technologies Providers

% Households 97.04%

% Program Budget 99.07%

Total Spend \$250.3M

Weighted-Average Per-Location Price \$9,562

Awards > 10 Times the

Cost of the Lowest Offer &

Awards > \$10,000 Per Location

% Households 45.88%

% Program Budget 89.58%

Total Spend \$226.2M

Weighted-Average Per-Location Price \$18,293

Based on the average per-location price for each proposed project.\*Kansas appears to have selected a high number of multi-dwelling units from among SpaceX's offer to serve virtually every Kansas BEAD location at \$1500 per unit. As shown above, nearly 90% of Kansas's proposed spending exceeds both \$10,000 per location, and ten times the lowest bid received. This includes the following awards:

- 81 locations for \$2,592,000 (\$32,000/location)
- 189 locations for \$5,781,444 (\$30,590/location)
- 702 locations for \$19,966,406 (\$28,442/location)
- 295 locations for \$7,842,929 (\$26,586/location)
- 3246 locations for \$68,162,286 (\$20,999/location)
- 7419 locations for \$115,890,548 (\$15,621/location)

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- 169 locations for \$2,571,181 (\$15,214/location)

Kansas proposes to spend \$222 million dollars to serve these locations. SpaceX offered to serve these same locations for approximately \$18 million dollars. NTIA should carefully review Kansas's proposal, reject unnecessary spending, and require Kansas to recompute these locations to achieve the Benefit of the Bargain and bring internet to those who need it in months, not years."

**Constituent Name: Laura courtney**

"Price ? More Info! "

**Constituent Name: John Bumgarner**

"We have few options for reliable internet service in our rural community. We would be very receptive for high speed internet service that is dependable."

**Constituent Name: Roxann J. Thomas**

"We live in southern Miami County and from what I can tell by the map we aren't getting fiber. Rural areas need affordable and reliable internet service the same as urban areas. We also often have jobs that rely on dependable high-speed internet."

**Constituent Name: Vicki Belt**

"Any internet service we can possibly use is unreliable at best. There is no doubt we need a reliable and affordable internet. So much of today's business requests require dependable service."

**Organization Represented: Cherokee County Economic Development Corporation – Dale Helwig**

"The area identified by IdeaTech in Cherokee County has long faced challenges with connectivity and inconsistent service. Introducing reliable fiber optic infrastructure in these regions will provide significant benefits to local businesses, many of which currently struggle with internet issues. Additionally, families in the area will see improved service for essential activities such as remote work, online learning, and enhanced streaming experiences.

We fully support IdeaTech's efforts, as this project will not only strengthen the business environment in Cherokee County but also elevate the overall quality of life for its residents.

Thank you for your time and consideration."

**Constituent Name: Jack Garner**

"Would like too see this in all Cherokee county and be able too offer this to anyone but in all reality the eastern half of the county is where the biggest share of rural residents reside!!!"

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### **Constituent Name: Myra Carlisle Frazier**

“Our County suffers from a dwindling population. Optic Internet coverage to our underserved rural areas would help enhance our housing and other economic development. Currently, an increase in population is hindered by some who would like to relocate to our County but are unable to because they need high speed internet for work at home jobs.”

### **Organization Represented: Baxter Springs Chamber of Commerce – Pamela Mitchell**

“Ideatek has been such a great addition to the community. The rural areas are really in need of this service too. There has been a lot of people asking about it. It would be wonderful if they could move it out into those areas.”

### **Constituent Name: Charles Brand**

“There is a great need for fiber internet. The current phone/internet carrier, BrightSpeed, is very poor with very poor speeds. They provide both phone and internet and package the deal. We recently were without phone service for six weeks in a three month period but the internet worked. We ported the telephone line into one of our cell phones as we had that number for 55 years and didn't want to lose those that still called on it. When that happened they also cancelled our account and turned off the internet. I called and they told me that they did not provide service at our residence. They did the day before but no longer did. Our cell phones use a booster to get service at our home but has to have internet, so we were without internet and phone service. We now have Starlink. I posted my displeasure on Facebook and I am amazed by the number of people that commented and those that have contacted me about Starlink. I have three friends that are without service and are being told that a technician will be there in over 3 weeks. They, like us, are elderly and are completely isolated without service. We cannot get emergency weather calls and cannot place or receive calls concerning our daily health issues. There is certainly a critical need for good, reliable internet service in this area (309 on the map). I have contacted the KCC on this issue and was told that there were MANY reports from the Osawatomie area about BrightSpeed service.”

### **Constituent Name: Kerry Myles**

“Having fiber available in the city of Fontana would be absolutely wonderful. As it is now, the city is unable to provide adequate basic services, including security and safety of the community's residents due to a lack of high speed internet being available. We are seeing increasing numbers of people working remotely and having to struggle with being able to meet their basic needs due to a lack of internet availability. I am strongly in favor of this proposal.”

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### **Organization Represented: Vernonburg Group – Alexander Jeffery**

“Vernonburg Group LLC files these comments in response to Kansas’s draft Broadband, Equity, Access, and Deployment (BEAD) Final Proposal. As explained below, Vernonburg Group applauds KOBD for embracing the full range of technology to ensure that all unserved and underserved locations across the Sunflower State will have access to the internet. Further, we encourage Kansas to notify the National Telecommunications and Information Administration that it intends to use the remaining \$198.8 million of its BEAD allocation to pursue other important statutory objectives as outlined by the bipartisan Congress, including broadband adoption efforts.

Vernonburg Group is a consulting firm comprised of telecommunications specialists who are working to bring about a world with meaningful internet connectivity for every person and community. We have worked with a myriad of stakeholders over the past three years to help them plan on how best to leverage BEAD in closing the digital divide. Vernonburg Group believes that all Kansans should be able to take full advantage of the newly-expanded broadband networks—so that farmers can integrate smart technologies into their operations, more families can reach healthcare providers, and students and educators across the state can thrive inside and out of the classroom.

As we explained in detail in our blog following release of the Restructuring Policy Notice, pursuant to the Infrastructure Investment and Jobs Act (47 U.S.C. § 1702(f)), the state of Kansas is fully authorized to use remaining funds for non-deployment purposes. By clearly communicating to NTIA that Kansas intends to make use of its full allocation, perhaps as part of a cover letter accompanying the Final Proposal or in one of the fields on the form, the state can better preserve its opportunity to secure these resources for essential initiatives to address Kansas’s broadband adoption gap.

These additional funds are crucial because, as our recently published paper *Avoiding the Overbuild Trap*, many households remain offline because of barriers related to cost, skills, trust, or perceived relevance—not because of a lack of infrastructure. We found that comprehensive programs targeting these barriers with digital navigators, digital skilling, and service/device affordability reach twice as many households per dollar spent, compared to network deployment alone.

Volume II of Kansas' Initial BEAD Proposal outlines several innovative and productive means of spending the remaining funds. Kansas' approved plan addresses its critical broadband workforce shortage by dedicating \$6.765 million in BEAD funding to a comprehensive statewide program that includes creating technical training pilots, apprenticeships, K-12 curriculum, and re-entry programs for justice-involved individuals (page 70). This focus on building the necessary talent pipeline alongside network



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construction, complete with support services like childcare and transportation stipends to remove participation barriers, represents a proactive and holistic approach to ensuring successful deployment. None of these commitments need to be retracted—on the contrary, the millions of BEAD dollars that remain represent an unparalleled opportunity to fund these objectives without sacrificing deployment goals.

With \$198.8 million still unallocated, Kansas has the statutory authority to act, as well as the funds to make innovative solutions a reality. Pairing the newly awarded deployment projects with targeted adoption investments ensures that the bipartisan promise of BEAD is fulfilled: not only to connect all Kansans to the internet, but to empower them to thrive in the economic, educational, and civic life of the state. By making clear in your submission of the Final Proposal that Kansas intends to fully use its BEAD allocation, you can ensure that its broadband future and digital economy deliver lasting value to every community throughout the Sunflower State.”

### **Organization Represented: Butler Rural Electric Cooperative Assn. Inc. - Braeden Seifert-Bulat**

“KOBD,

Butler would like to submit a comment requesting clarification on the preliminary awards listed in the Final Proposal Draft. Butler applied to PFAs 7, 29, 30, 100, 101, 113, 119, 120, and 316, and has been selected for the awarding of PFAs 7, 100, and 101 with proposed Fiber and Fixed Wireless Technology. Upon investigation of the PFAs that Butler was not awarded, it appears that there are PFAs, specifically PFAs 119, 120 and 316, that have been awarded to applicants with a proposed Fiber Technology solution, where Butler had submitted a lower cost Fixed Wireless Technology solution. Moreover, there are PFAs, specifically PFAs 29, 30, and 113, that have been awarded to applicants with an undisclosed Fixed Wireless Solution, where Butler had submitted a Fixed Wireless Solution as well.

Referencing the NTIA Policy Notice as of June 6, 2025, KOBD has outlined many requirements including Technology Neutrality, Priority Broadband Project Status, Primary Criteria (Minimal BEAD Program Outlay), and Secondary Criteria (Speed to Deployment, Speed of Network and Other Technical Capabilities, and Preliminary/Provisional Subgrantees).

During the application process, Butler took the necessary steps to ensure their proposed projects, and their respective technologies, satisfied the outlined requirements set by NTIA and KOBD and checked all the necessary boxes. Butler's Fixed Wireless Solution for PFAs 29, 30, 113, 119, 120, and 316 utilized a Tech Code 72-based Tarana equipment, which

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satisfies the Priority Broadband Project requirements and hereby meets the definition "...a project that provides broadband service at speeds of no less than 100 megabits per second for downloads and 20 megabits per second for uploads, has a latency less than or equal to 100 milliseconds, and can easily scale speeds over time to meet the evolving connectivity needs of households and businesses and support the deployment of 5G, successor wireless technologies, and other advance services."

Butler has submitted ample written technological evidence from Tarana Wireless with their applications, proving their technology does satisfy and exceed the service, scalability, and supporting requirements. Please see the statement below from Tarana Wireless, reinforcing their Priority Broadband Technology status.

On behalf of Butler, I want to thank you for your efforts in bridging the digital divide in the state of Kansas. As a broadband provider, Butler is committed to delivering reliable, affordable, high-speed internet access to the communities we serve, and we bid in Kansas's BEAD program hoping to continue those efforts.

We are surprised and disappointed to learn that our next-generation FWA (ngFWA) application for BEAD was not considered for a priority broadband award. Our ngFWA deployments consistently exceed the NTIA's priority threshold of 100 Mbps upload and 20 Mbps download, while also delivering low latency, scalable capacity, and the ability to grow incrementally as community demand increases. This balanced performance across both downlink and uplink is critical for remote work, telehealth, distance learning, and small business operations. Unlike LEO satellite providers, whose shared orbital capacity often limits performance and uplink speeds, ngFWA ensures consistent, reliable service for the households and businesses we connect. Moreover, because ngFWA can be deployed rapidly in Year One of BEAD, Kansas families can benefit from reliable, scalable, priority broadband service immediately, rather than waiting years for fiber construction timelines or risking capacity and launch schedule limitations associated with LEO satellite service.

We believe the BEAD program is not just about expanding access, but about creating sustainable broadband ecosystems that will support local economies for decades to come. Investment in terrestrial infrastructure, such as ngFWA would allow BEAD funds to help close the digital divide, while generating economic stimulus for Colorado communities, through job creation and long-term workforce development.

We respectfully urge the Kansas Broadband Office to reconsider ngFWA technology as a priority broadband technology. Given that it significantly exceeds the NTIA's minimum requirements for priority broadband, ngFWA is well positioned to deliver sustainable, scalable, future-proof connectivity to Kansas communities today and into the future.

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Considering that Butler's Fixed Wireless Solution is categorized as a Priority Broadband Project, Butler is requesting clarification for as to why PFAs 29, 30, 113, 119, 120, and 316 were awarded to a different applicant that is utilizing either a Fixed Wireless solution or the higher-cost technology solution. Per the Benefit of the Bargain Preliminary Results Summary, the applicant that won PFAs 119, 120, and 316 has committed to serving all BSL's at approximately \$15,620 per BSL. Taking this information into account, Butler's costs per BSL in each PFA were significantly lower, and more importantly, the other applicant's solutions do not appear to be within 15% of Butler's project costs, which is the threshold at which Scoring moves on to the Secondary Criteria. If this is the case and there was not a submitted Priority Broadband application within 15% of our submission, then why would additional bids have been considered?

Butler anticipates their proposed projects can be cumulatively completed within one (1) calendar year, with individual PFAs ranging anywhere from 30 days to 180 days of construction. This timeline far outpaces the Speed to Deployment for the average fiber-to-the-home solution.

Furthermore, Butler is requesting clarification regarding the technology of the applicant that has been awarded PFAs 29, 30, and 113. As stated above, if Butler's Fixed Wireless Technology solution is believed to be categorized as a Priority Broadband Project, was Butler within 15% of the other applicant's project cost, allowing for the Secondary Criteria project scoring? Butler's existing footprint is geographically close to these PFAs, allowing for fast deployment and customer turn-up, outpacing the Speed to Deployment of providers migrating in to deploy brand new infrastructure.

Butler believes that their proposed projects and technologies have satisfied the Priority Broadband Project requirements in a cost-efficient and timely manner, which is why we are requesting clarification regarding the awarding of PFAs 119, 120, and 316 to another applicant that had significantly higher project costs, and the awarding of PFAs 29, 30, and 113 to another applicant that cannot match Butler's Speed to Deployment.

### **Organization Represented: Twin Valley – Bill McVey**

“Twin Valley, unfortunately, is in a position of only being able to comment on the lack of transparency in the award process. In raising this concern with KOBD, they tend to recite NTIA rules and guidance verbiage, but NTIA gave state broadband offices significant discretion in terms of how they applied the criteria that NTIA provided. Throughout the application process, KOBD gave numerous examples of how applicants might interpret how KOBD would utilize the factors, but they erred on the side of ambiguity and left it up to the applicants to guess, versus releasing the methodology for how they would score applications. In evaluating the high-level pre-award data, it is hard to discern the policy

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outcomes KOBD was trying to achieve with the discretion NTIA provided. This is particularly evident when the applicant that received the most award dollars had an average cost per location of approximately \$15,600/location predominantly in western Kansas where there are fewer trees making wireless, on average, a more appropriate technology. One of Twin Valley's fiber PFA's was deemed Priority but two were not that utilized exactly the same technology, had very similar densities, and had more economically viable communities. The town KOBD awarded with fiber has 58 people, not households, but was deemed a priority compared to two other PFA's with significant businesses that are now relegated to fixed wireless. This calls into significant question how effective KOBD was at correctly identifying PFA's with high or low Priority Broadband Project "PRB" standards. KOBD has thus far refused to release the specific methodology for how their reviewers utilized this on an PFA basis. We don't know which ones were scored low, medium or high PBP. Why wasn't this released beforehand? The determination of PRB outlined in the KOBD Final Proposal Draft, while outlining the methodology, does not provide the public clear outputs or insight into the final determination of priority for each PFA. It also is flawed in methodology as it mentions using previous state and federal broadband deployment applications because those prior programs have varying rules and intended outcomes. In addition, the KOBD did not release application scoring data publicly for public comment. The public and applicants cannot determine how the submitted applications were scored without access to that information. Crucially, Section 12 ("Substantiation of Priority Broadband Projects") of KOBD's Final Proposal Draft (August 2025) establishes that Kansas applied a PFA-by-PFA methodology in determining Priority Broadband Projects (PBPs), weighing three statutory criteria: speed, scalability, and reliability. Decisions were tailored for each PFA, acknowledging local geography, demand, and technology requirements. We commend that KOBD deployed an objective, structured process aligned with BEAD Restructuring Policy Notice requirements. However, in keeping with the BEAD NOFO and transparency mandates, we urge KOBD to release the scoring details PFA by PFA including how each application performed on speed, scalability, and reliability. This transparency is essential to verify that the methodology was applied consistently and fairly. Twin Valley's answers were the same in all PFA's based on our designs. Presumably, there were competitive fixed wireless applications in other areas that had much higher cost per location for fiber technology. Why won't KOBD release the specific evaluation for the PFA's so there can be accountability? One of the common-sense policy outcomes should be to provide as many fiber connections as is budgetarily permissible and put those connections in economically viable areas for the decades to come since that is how long the infrastructure will last. The KOBD uses way more complicated use cases like "AI, grid modernization, precision agriculture, and data center developments." Those are only happening in economically viable communities.

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Lastly, the state broadband offices had the discretion to incorporate, as secondary criteria, the types of providers they would favor, e.g. tribal, municipally owned ISP's, community-based ISP's, etc. Kansas, apparently, refused to do this. Consequently, almost all the awardees have owners that are in different states and are predominantly private equity owned companies. Most of the economic development policies that we are aware of, prefer keeping investment inside of the state. Ongoing stewardship and accountability of those investments is best served with management teams and owners that reside here, not with limited partners of a large private equity firm, most of which have never visited Kansas, and are only focused on achieving an IRR% over 20% with little regard to meeting not only the letter but the spirit of the rules and law. We know one private equity firm just sold to another private equity firm during the application process. Which one is accountable on execution of these and previous grant rounds? In summary, it is impossible to effectively comment on the process versus just point out inconsistencies between awardees and policy outcomes that are apparent with the data that has been published. KOBD gives the criteria they use to evaluate but so far has not "shown their work." To ensure the transparency, compliance, and neutrality – we call on KOBD to release all non-proprietary application data and their internal scoring."