Northwest Colorado
COUNCIL OF GOVERNMENTS

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THE FUTURE OF NWCCOG BROADBAND PROGRAM AND THE FUTURE OF PROJECT THOR THE COLORADO BROADBAND OFFICE NOW HAS A PLAN, WHAT DOES THAT MEAN FOR NWCCOG?

Jon Stavney, NWCCOG Executive Director
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The Colorado Broadband Office released the **Draft Middle-Mile Due Diligence & Strategic Roadmap Report** which is also called the CBO Middle Mile Report. NWCCOG has pushed for such a plan for more than 3 years as DOLA shuttered broadband and CBO appeared the heir. Project THOR network is an expansive critical network for communities across NW Colorado operated on a lean 10-year budget with reserves, and a solid operating model and equipment platform. Each of the next 5 years, THOR progressively covering more of the cost of the NWCCOG Regional Broadband Director position, with a crucial contribution each year from Member Dues (which was a requirement of DOLA funding). We continue to coordinate and discuss options for interoperability and shared governance with Regions 9 and 10. Various options being explored include Project THOR absorbing operations of those networks. It would be a heavy lift, requiring more staffing, perhaps another infusion from NWCCOG. This state report lands at an opportune time. With a new Governor, (likely the current Attorney General who knows Project THOR), more emphasis may be put on state broadband development and the on CBO. The state report provides an off-ramp for NWCCOG in the mid-term future.

Possible Action Items in Red.

The Colorado Broadband Office (CBO), through its Advance Colorado Broadband initiative, has released a draft "Middle-Mile Due Diligence and Strategic Roadmap" (dated July 24, 2026) for public comment. NWCCOG broadband staff participated substantially in the development of this draft through multiple working sessions with the state team and its consultant, and NWCCOG (as Region 12, owner of Project THOR) is named throughout as a core stakeholder. This memo summarizes the state's proposal and flags the decisions and comment opportunities it creates for NWCCOG.

1. Summary of the State's Proposal

The draft makes the case that Colorado's middle-mile landscape—currently a set of independent regional networks in Regions 9, 10, and 12—is fragmented, inconsistently funded, and difficult to scale. Notably, the report's own due diligence identifies Project THOR (Region 12) as the financially strongest of the three, operating with positive net income on roughly \$1.5–\$1.8M in annual revenue, while Regions 9 and 10 are described as operating at a deficit and dependent on grants. To address the fragmentation, CBO proposes a **phased evolution toward a coordinated, and ultimately consolidated, statewide middle-mile network**:

- **Phase 1 (Months 0–6) — Foundation & Mobilization:** Stand up working groups between the Regions and CBO; design the consortium charter, technical/interoperability standards, and commercial frameworks; package priority corridors for procurement; and confirm capital funding (BEAD non-deployment funds, state allocations, and alternative sources).
- **Phase 2 (Years 1–2) — Coordination, Deployment & Transition Prep:** Formalize a **Consortium (Coordination) Model** in which regions retain ownership and decision authority; begin Design-Build of top priority corridors (e.g., US Hwy 160 and State Hwy 145); and define the decision-gate metrics that would trigger consolidation.
- **Phase 3 (Years 3–5+) — Integration & Statewide Expansion:** Transition to a consolidated statewide **Governing Board** overseeing a single **Operate-Maintain-Commercialize (OMC)** private partner, with asset ownership and operational authority moving from the regions to the Governing Board.

The roadmap is explicitly gated. Progression between phases depends on stakeholder alignment, demonstrated value, legal feasibility, and legislative enablement (the draft anticipates socializing enabling legislation in the 2027 session and introducing it in 2028). The draft also proposes leveraging CDOT excess dark fiber and estimates roughly \$32M in CAPEX across five priority corridors, with modeled annual revenues of \$685K (low case) to \$1.34M (high case).

The central tension for NWCCOG: the end-state model would move Project THOR from a locally owned, locally governed asset toward a consolidated Governing Board and a third-party OMC operator. The draft repeatedly commits to "equitable representation for founding regional stakeholders" and "preserved regional influence," but the direction of travel is from regional ownership to statewide control.

2. Relationship to Funding the Regional Broadband Director Position (Next 3–5 Years)

The roadmap has direct implications for the sustainability of the Regional Broadband Director role over the planning horizon:

- **The roadmap assumes—and effectively requires—sustained regional staff capacity.** Phase 1 and Phase 2 name Regions (9, 10, 12) as leads or key supports on governance, network development, technical interoperability, and commercialization workstreams. The report's own due diligence repeatedly flags that regions run "lean" and lack spare capacity for a multi-year statewide initiative. NWCCOG's participation in the consortium is not feasible without a funded Director position.
- **Phase 1/2 create a potential funding argument.** Because CBO is asking regions to staff working groups, standards development, and procurement packaging, there is a credible basis to seek CBO/state support, consortium cost-sharing, or grant funding to underwrite regional coordination labor—i.e., part of the Director's scope—during the 0–2 year window. NWCCOG should press for this explicitly (see Section 4).
- **Project THOR revenue remains the anchor.** THOR's positive net income currently supports NWCCOG's broadband mandate. So long as NWCCOG retains ownership and revenue during the Consortium phase (Phases 1–2), the existing THOR-supported funding model for the Director can continue largely intact.
- **Phase 3 is the risk point for the position.** If/when operations transition to an OMC partner and assets/authority move to a statewide Governing Board, the revenue and operational rationale that currently funds a NWCCOG-employed Director could shift to the Governing Board or OMC entity. The Director role could evolve from "operator/coordinator of THOR" toward "NWCCOG's representative to / oversight of the statewide entity"—a different (and potentially differently funded) job. NWCCOG should ensure any consolidation agreement addresses the continuity, funding source, and reporting line of regional broadband staff.

Bottom line: In the near term (0–3 years) the roadmap is broadly compatible with—and can even strengthen the case for—continued funding of the Director through a combination of THOR revenue and potential state/consortium support. In the 3–5+ year term, funding continuity for the position should be treated as an explicit negotiation item, not an assumption.

3. Decision Points for the NWCCOG Council

The draft, if it advances, will surface several decisions for the Council over the next 3–5 years:

1. **Whether to support and comment on CBO Middle Mile Plan**
2. **Whether to lean-in and express our position to incoming Governor**
3. **Whether to participate** in the formalized consortium and sign the enabling instruments (IGAs/MOUs) contemplated in Phase 2—and on what conditions regarding cost-sharing, representation, and exit rights.
4. **How far along the governance continuum to go**—i.e., endorsing the Consortium (Coordination) Model (ownership retained) is a materially different commitment than endorsing eventual consolidation under a statewide Governing Board (ownership/authority transferred). The Council should decide what, if any, decision gates it requires before consenting to move beyond coordination.
5. **Position on Project THOR assets and ownership**—whether NWCCOG is willing, in principle, to contemplate transferring ownership or operational control of THOR (and/or its stakeholder-funded segments) to a statewide entity, and what protections (revenue continuity, stakeholder consent, local service guarantees) would be preconditions.
6. **Position on the OMC operating model**—whether NWCCOG supports moving THOR's day-to-day operations from the current NWCCOG/Aspen SmartNetworks arrangement to a single statewide OMC operator, and how that affects existing contracts and the Aspen relationship.
7. **Staffing and funding decisions**—confirming continued funding of the Regional Broadband Director for the coordination phase and directing staff to secure state/consortium support for the added coordination workload.
8. **Governance—**See Next Section
9. **Comment authorization**—whether to submit formal comments on the draft (see Section 4), and who signs them (Council, Executive Committee, or staff).

4. Who Makes Project THOR Decisions? (Governance Mechanism)

A threshold question is who inside NWCCOG should drive THOR strategy as the state initiative proceeds. Because the Meet Me Center hosts and other stakeholders pay into THOR and are the primary source of its utilization and revenue, decisions that could alter THOR's ownership, operations, or economics implicate their interests directly. Several mechanisms are available:

- **Defer to the paying Stakeholder group.** Rationale: those who fund and rely on the network have the strongest financial and operational stake, and buy-in from them is essential to any consolidation. Risk: THOR is a NWCCOG-owned asset and a NWCCOG governance responsibility; fully deferring strategic direction to stakeholders could blur accountability and complicate NWCCOG's fiduciary and legal obligations.
- **Create a blended working group** of NWCCOG Executive Committee members and THOR Stakeholders. Rationale: pairs NWCCOG's ownership authority and fiduciary role with direct stakeholder voice; produces recommendations with both legitimacy and financial buy-in; mirrors the "specialized subcommittee" structure the state roadmap itself contemplates. This is generally the recommended path—it keeps decision authority with NWCCOG while ensuring the paying stakeholders are formally at the table on any ownership/operations change.
- **Leave strategic planning to staff**, with the Council simply understanding and continuing to fund the Director position. Rationale: efficient, leverages staff expertise, and avoids over-engineering governance for what are still early-stage discussions. Risk: decisions of this magnitude (potential asset transfer, change of operator, statewide consolidation) likely exceed a "staff-only" mandate and warrant Executive Committee/Council and stakeholder engagement at key gates

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5. Comments NWCCOG May Want to Submit on the CBO Draft Report

Given NWCCOG's role as Region 12 and owner of the strongest-performing network in the study, NWCCOG is well positioned to shape the draft. Suggested comment themes:

- **Insist that the final Report also address active role of CBO with other state agencies such as CDOT** which owns the fiber network, charges for use of public asset, but has no vision for operating a network themselves, has little funding for additional fiber, and apparently no strategic direction to do so at all, let alone one that benefits regional broadband for communities on the routes.
- **Note that Project THOR stakeholders have been funding the network as a co-op managed by NWCCOG, and that priority should be made to reduce their cost burden in proportion to releases of local control,** that reducing CDOT IRU costs, and subsidizing Regional Broadband Director role, understanding the transition to that position as a state asset comes with a cost. That savings could be a good faith cost reduction to those stakeholders who have been upholding the network financially since the beginning and have concerns about change. Some cost models circulating have Project THOR, which covers Op-Ex as well as saving for future Cap-X for the network using that financial position to subsidize portions of a possible future larger regional or state network, now operating in the red. This may be possible, but it should come with planned financial benefit to the original stakeholders, and recognition of their sunken costs in the network.
- **Protect regional ownership and local control through the Consortium phase.** Ask that the draft state more firmly that Phases 1–2 preserve regional ownership, revenue, and decision authority, and insist that consolidation requires affirmative regional consent—not merely "equitable representation."
- **Make consolidation and OMC transition genuinely optional and gated.** Recommend explicit language that the Governing Board / OMC end-state is one option contingent on clearly defined, region-approved decision gates and legislative enablement. This aligns with the survey results in Appendix C, where stakeholders were split (15 Yes / 11 No) on a state-integrated network.
- **Recognize and fund regional staff capacity.** Request that CBO commit to funding or cost-sharing regional coordination labor (including the Regional Broadband Director function) during Phases 1–2, consistent with the report's own finding that regions lack spare capacity to staff a statewide initiative.
- **Credit and build on Project THOR as the proven model.** Ask the draft to more explicitly position THOR's cost-sharing and participation-based revenue model as

the template for the statewide framework—and protect THOR's existing stakeholder agreements.

- **Clarify treatment of stakeholder-funded assets.** Request that the roadmap address how segments and facilities funded by THOR stakeholders would be valued, protected, or compensated in any consolidation—and require stakeholder consent for changes affecting them.
- **Address revenue continuity and the funding of regional broadband roles.** Ask that any consolidation framework specify how existing regional revenue streams (which today fund local broadband staff and services) are sustained or replaced, so NWCCOG's broadband capacity is not stranded during transition.
- **Honor the "inventory first" stakeholder guidance.** Reinforce the survey theme that existing public, private, and regional infrastructure should be inventoried and leveraged before new public construction is directed to a corridor. Address the implications of "no overbuild" on a network based on auto-re-routing to alternate circuits in case of an outage.
- **Confirm CDOT dark fiber and funding assumptions.** Note that the CAPEX/OPEX and revenue figures are high-level and benchmark-based; request that regional cost realities (mountain terrain, permitting) and revenue-share arrangements with CDOT be reflected before figures are relied upon for decisions.

6. Strategic Opportunity with the Incoming Administration

A change in the Governor's office presents a significant opportunity to strengthen the state's middle-mile posture. A leading candidate is the current Colorado Attorney General, whose staff have been engaged in this middle-mile planning effort from the outset, and whose consumer-protection orientation is well suited to the policy questions a public middle-mile network raises. NWCCOG has an interest in an incoming administration that is a clear, active proponent of state-funded and state-coordinated middle mile—both to advance the roadmap and to guard the public interest against incumbent interests that benefit from the status quo. The elements below outline what strong executive support could look like; several draw directly on gaps and dependencies identified in the CBO draft.

Executive endorsement and interagency mandate:

- **Voice clear support for CBO's middle-mile strategy** and its role as the statewide coordinating authority, giving the roadmap political durability across budget cycles and legislative sessions.

- **Mandate interagency collaboration with CBO.** The draft repeatedly notes CBO's authority gaps and its dependence on other agencies (CDOT ROW and dark fiber, DORA, DOLA, DNR). An executive directive requiring state agencies to coordinate with CBO would remove a key dependency the report flags as unresolved.
- **Direct CDOT to prioritize fiber in state highway corridors with community service in mind**, guided by a strategic plan driven by CBO rather than incidental placement—turning CDOT ROW and excess dark fiber (already central to the draft's corridor and CAPEX assumptions) into a deliberate statewide asset.

Anchor-tenant demand from state and local public users (a direct answer to the draft's finding that revenue growth is constrained by a thin customer base):

- **Direct state agencies that consume broadband locally to purchase from public regional middle-mile networks where available**—Judicial, Colorado State Patrol/CDPS, and CDOT facilities are natural early candidates—providing steady, predictable anchor-tenant revenue that helps sustain regional networks like Project THOR.
- **Encourage school districts and other publicly funded institutions to do the same**, coordinating with E-Rate eligibility (a constraint the draft explicitly flags) so public dollars reinforce public infrastructure.

Consistent open access and commercialization statewide:

- **Support CBO coordination of a consistent statewide commercialization and open-access framework**, so ISP access terms, pricing transparency, and interconnection are uniform across regions rather than negotiated network-by-network—directly addressing the fragmentation the draft identifies.
- **Leverage the public network to extend service to marginally viable areas** by collaborating with cell-tower owners and ISPs—using public middle-mile investment to lower the cost of last-mile and wireless deployment where the private market alone will not reach.

A legal and consumer-protection framework for public middle mile:

- **Codify the open-access nature of state middle mile in law**, giving the non-discriminatory, wholesale-only model the durable statutory footing the draft says is still needed (the report notes CBO's authority to own, operate, and commercialize a network may require legislative enablement, including TABOR considerations).
- **Pair open access with forward-looking consumer protections**—addressing AI-related harms, cybercrime, network security, and fraud—so that a publicly enabled network is also a trusted and secure one. This is a natural fit for a consumer-

protection-minded executive and differentiates a public network from purely commercial infrastructure.

Taken together, these elements—clear executive backing for CBO, an interagency collaboration mandate, public anchor-tenant demand, consistent statewide open access, and a consumer-protection legal framework—would constitute a strong, forward-leaning stance for the incoming administration and would materially de-risk the very dependencies (legal authority, funding, interagency coordination, revenue) that the CBO draft identifies as its principal open questions. NWCCOG may wish to signal its support directly; a draft letter to the candidate follows this memo.

7. Recommended Next Steps

10. Authorize staff to continue engagement with CBO and to submit formal comments reflecting Section 5 (final signatory to be determined by the Council/Executive Committee).
11. Confirm continued funding of the Regional Broadband Director position for the coordination phase, and direct staff to pursue state/consortium support for the added workload.
12. Establish a blended NWCCOG Executive Committee + THOR Stakeholder working group to review and recommend on any change to THOR's ownership, operations, or participation in a statewide entity, with final approval reserved to the Council.
13. Treat any move beyond the Consortium (Coordination) Model as a distinct, gated decision requiring stakeholder engagement and Council approval.

Prepared for discussion. The CBO document is a draft released for public comment; details and timelines may change.

7. Draft Letter to Incoming Governor

DRAFT — for NWCCOG Council review

The Honorable Phil Weiser
Attorney General and Gubernatorial Candidate
[Campaign / Office Address]
[City, CO ZIP]

Dear General Weiser,

Congratulations on your victory in the Democratic Primary on the path to the Governor's Office. On behalf of the Northwest Colorado Council of Governments (NWCCOG) and the communities we serve across northwest Colorado, we write to remind you of the local & state investment already benefitting the region, and share our strong interest in the future of middle-mile broadband in our state—we are thrilled as we envision an incoming Governor who is a champion of public middle-mile broadband's potential.

NWCCOG owns and coordinates Project THOR, an open-access middle-mile network that connects local governments, internet service providers, healthcare facilities, and other anchor institutions across our region. Built close to a decade ago, out of local necessity where the private market were expensive, supported by poor, non-redundant infrastructure, and without options, THOR is now a proven model: a government-owned, wholesale-only, open-access network that enables—rather than competes with—last-mile providers on a sustainable, participation-based footing. We have been engaged from the outset in the Colorado Broadband Office's (CBO) Middle-Mile Initiative, we believe its recently released draft roadmap points Colorado in a promising direction, and we are proud that it envisions Project THOR as a backbone for an ambitious plan for more robust state involvement, funding and leadership.

Realizing that vision, however, depends on bold support from the Governor's Office for CBO. We believe as AG, that you and your team understand broadband, the nuances of public-private solutions, that the future resilience of rural Colorado and economic viability are anchored by equal level of service as Colorado's urban places.

The CBO's own analysis identifies its principal open questions as right in your wheelhouse: legal authority, sustainable funding for consumer benefit, interagency coordination, and public leadership in essential infrastructure—dependencies that an engaged Governor's office is uniquely positioned to resolve. We respectfully urge you, if elected, to consider the following:

- **Champion the final Middle Mile Plan** that emerges from the Draft Report, and adopt it as one of your strategic priorities underpinning so many vital sectors**.**

- **Clearly support CBO's role** so that funding for Middle Mile has durability across budgets and legislative sessions.
- **Direct state agencies to collaborate with CBO**—in particular, directing CDOT to place additional fiber in state highway corridors with community connectivity in mind, guided by a CBO-led strategic plan rather than incidental placement. Recognize CBO as the statewide coordinator of middle-mile strategy, directing other state agencies to utilize the public network in an organized manner across regional offices and management divisions
- **Recognize the essential public safety benefit** of existing regional networks already providing backhaul to cell towers, co-locating public safety and commercial tower use, and recognize the role Project THOR, for instance already ploys in providing service to three local 911 call centers, and support it has provided in disaster response. These efforts underscore what original DOLA funding stated in grant support for these networks, that they are an asset to the state, and the people of Colorado.
- **Direct procurement for State Agencies to utilize local public networks to sustain those networks** by directing agencies that consume broadband locally—such as Judicial, the Colorado State Patrol, and CDOT facilities—to purchase from public regional middle-mile networks where available, and by encouraging school districts to do the same.
- **Support a consistent statewide open-access and commercialization framework**, so ISP access terms and pricing are uniform across the state, and so public investment can be leveraged with cell-tower owners and ISPs to reach areas that are otherwise marginally viable to serve.
- **Champion a durable legal framework** that codifies the open-access nature of state middle mile and pairs it with forward-looking consumer protections—addressing AI-related harms, cybercrime, network security, and fraud—so that a publicly enabled network is also a trusted and secure one.

Your consumer-protection mindset is precisely the perspective for which this moment calls. A coordinated, open-access, publicly enabled middle-mile network can lower costs for providers, strengthen resiliency and emergency communications, and expand equitable access—while guarding against the incumbent interests that benefit from fragmentation and limited competition. NWCCOG stands ready to be a partner in this work, and we would welcome the opportunity to share what we have learned building and operating Project THOR.

Thank you for your consideration.

Respectfully,

[Name]
[Title], NWCCOG Council
On behalf of the NWCCOG Council