

SCRPS Status Update

FCC Form 5640

OMB Control No. 3060-1270

File No. SC-SU0002294

Applicant Information

Applicant FRN 0020444741

Applicant Address 500 Cummings Center

Applicant Name NTUA Wireless, LLC

Applicant City Beverly

Applicant Email FCCRegulatory@atni.com

Applicant State MA

Applicant Phone 9786191300

Applicant ZIP Code 01915

Contact Information



Is the contact the same as the contact listed on the Application Request for Funding Allocation? If not, please list below.

Contact Name Sam Hariton

Contact Address 4031 University Dr., 2nd Floor

Contact Email sc.external.rfi.atn-ntua@wideli

Contact City Fairfax

Contact Phone 703-239-3299

Contact State VA

Contact ZIP Code 22030

*Indicate which deadline you are meeting with this filing.

2024-01-06

Explanation of Effort and Availability of Commercial Equipment

*Provide an explanation of efforts undertaken, and challenges encountered, in permanently removing, replacing, and disposing of covered communications equipment or service.

Due to the prorated allocation of only 40% of funding appropriated to cover the costs of this program, NTUAW has been forced to reevaluate its Build Plan and restructure the replacement strategy for the Covered Equipment. With limited funding and no certainty regarding the timing of receiving full funding for this program, NTUAW has commenced a build plan where we can only replace the equipment at certain sites, instead of the entire network, to stay within the allocated budget. Consequently, there are now 13 of 80 sites for which NTUAW will need to remove and destroy the Covered Equipment without replacing the covered equipment, impacting both the coverage and services we provide.

NTUAW has permission to start on 4 sites of 67 that will have RAN Replaced. This is because the NTUAW areas are very challenging to complete due to the highly rural nature of the area and the difficulty in mobilizing construction crews to such remote locations. In addition, many of the tower sites occupied by NTUAW require the landlord to complete a structural analysis before construction, and despite ongoing and continued follow-up, the work needed by the landlord to undertake such a structural analysis has not yet been completed. Due to limited resources at both NTUA and its landlord, all leases continue to take an extended time to complete. All work completed to date was to remove covered equipment that we will not be redeploying RAN due to 40% allocation.

NTUAW has conducted work on the removal of covered equipment since the submission of the last form. NTUAW has removed 1 site's worth of covered equipment since the last 90-day report. NTUAW has not disposed of any covered equipment since the submission of the last form; but, has destroyed 6% of the Covered Equipment from its network. NTUAW strategically delays shipment until a complete consignment is assembled for our designated vendor, thereby optimizing cost efficiency. NTUAW has conducted work on the replacement of covered equipment by working with our Pre pre-construction vendor to obtain completed applications, compliance, leasing, permits, and NTP's.

*Explain whether you are finding commercially available equipment in the marketplace. If not, then explain efforts taken to obtain replacement equipment.

NTUAW is working with multiple vendors to source the materials needed to replace the Covered Equipment. While we are finding the equipment to be commercially available, some of the equipment lead time is growing as the project moves forward. The largest impact we have encountered has been cost increases and delays in the delivery of materials. For example, cabinet delivery is currently slated for 5-6 months. NTUAW has pushed out the construction schedule to accommodate the long timelines and is focusing on getting all of the site acquisition and permitting work completed so that when equipment is delivered, it is ready to commence construction work to replace and remove the Covered Equipment.

* If there is additional information relevant to the preceding questions or that you believe the Commission should be aware of, please include the information below.

Timeline Deviation:

With the 40% allocation, NTUAW has had to change its goal of replacing all Covered Equipment and had to re-evaluate the overall timeline and build plans. The process to reevaluate the overall timeline and build plan alone took nearly three months, leading to delays to NTUAW in its scheduled initial reimbursement request, which was timely provided on July 14, 2023. At this time, NTUAW estimates that, due to several factors, including (i) the time it needed to re-evaluate overall build plans due to lack of funding, (ii) equipment shipping delays, (iii) permitting delays, and (iv) the linear process of modifications and reimbursement requests that limit multiple overlapping changes, the overall completion of the project will likely extend past the timeline currently set forth for the program and imposed by statute. Funding uncertainty, sourcing of materials, and seasonality of construction continue to negatively impact our overall completion timeline, and scope of the proposed project. Owing to the rural geographical characteristics of our network, a considerable number of our cellular sites are in highly remote regions that may be difficult to access due to snow cover or obstruction of access roads. As a result, access to many sites with Covered Equipment is only available in a short seasonal window for construction that falls within summer months and can be limited to four to five months a year depending on seasonal weather. Considering the impending conclusion of the program by July 2024, our limited construction window as well as the availability of materials and significant revision of the project plan continues to create significant challenges.

Additional information:

NTUAW has experienced significant delays in navigating the linear process of submission of modifications that limit the submission of reimbursement requests until the applicable FRN has been modified. As a result, NTUAW has had to advance material amounts to pay vendors as it is experiencing a 2-to-12-week delay in moving from submission of an invoice to modification of line items to approval of the reimbursement request and ultimately funding of the reimbursement. While this is leading to a delay in the overall timeline and threatening the company's ability to comply within the year deadline, it is also imposing a cash funding burden on the company that may lead to further delays as the company cannot continue to pay vendors for materials and services in advance of reimbursement through the program.

Program Compliance

*Indicate whether recipient has fully complied with (or is in the process of complying with) all requirements of the Reimbursement Program.

Yes No

*Indicate whether recipient has permanently removed from its communications network all covered communications equipment or services that were in the recipient's network as of the date of the submission of the recipient's application request for funding.

Yes No

If recipient has not yet completed the removal process, what estimated percentage of the removal process have you completed?

9

*Indicate whether recipient has replaced all covered communications equipment or services that were in the recipient's network as of the date of the submission of the recipient's application request for funding.

Yes No

If recipient has not yet completed the replacement process, what estimated percentage of the replacement process have you completed?

0

*Indicate whether recipient has disposed of all covered communications equipment or services that were in the recipient's network as of the date of the submission of the recipient's application request for funding.

Yes No

If recipient has not yet completed the disposal process, what estimated percentage of the disposal process have you completed?

6

*Indicate whether recipient has fully complied with (or is in the process of complying with) the timeline submitted by the recipient. If not, provide explanation for deviation.

Yes No

*The filer has indicated no to a question in this section, please provide additional information.

Certifications

*By checking the box and providing the electronic signature where indicated below, the Certifying Official on behalf of the filer certifies under penalty of perjury that:

(1) The Certifying Official is authorized to submit this status report on behalf of the above-named filer and, based on information known to me or provided to me by employees responsible for the information being submitted, the information set forth in this status report has been examined and is true, accurate, and complete, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. The Certifying Official acknowledges that any false, fictitious, or fraudulent information or statement, or the omission of any material fact on this status report or on any other document submitted by the filer may subject the filer and the undersigned to punishment by fine or forfeiture under the Communications Act (47 U.S.C. §§ 502, 503(b), 1606), or fine or imprisonment under Title 18 of the United States Code (18 U.S.C. § 1001, §§ 286-287, and § 1343), or can lead to liability under the False Claims Act (31 U.S.C. §§ 3729-3733, and §§ 3801-3812). (2) The filer is in compliance with the statute, rules, and orders governing the Reimbursement Program, including but not limited to allocations, draw downs, payments, obligations and expenditures of money, and the Certifying Official acknowledges that failure to be in compliance and remain in compliance with those statutes, rules, and orders may result in the denial of funding, cancellation of funding commitments, and/or recoupment of past disbursements. The Certifying Official acknowledges that the filer will maintain detailed records, including receipts, of all costs eligible for reimbursement actually incurred for a period of 10 years; and will file all required documentation for its expenses. The Certifying Official acknowledges that failure to comply with the statute, rules, and orders governing the Reimbursement Program could result in civil or criminal prosecution by law enforcement authorities.

Certifier Information

| | | | |
|---------------------|------------------|-----------------|----------------------------|
| Certifier Signature | Elisa Flachsmann | Certifier Phone | 3032507189 |
| Certifier Name | Elisa Flachsmann | Certifier Email | elisa.flachsmann@commnetbr |
| Certifier Title | Director | | |
| Date Signed | 2024-01-05 | | |