



Federal Communications Commission  
Washington, D.C. 20554

April 7, 2022

Mr. Michael R. Kennedy  
Newmax, LLC dba Intermax Networks  
7400 Mineral Drive, Suite 300  
Coeur d Alene, ID 83815  
[mkennedy@intermaxteam.com](mailto:mkennedy@intermaxteam.com)

Dear Mr. Kennedy:

As a recipient of Connect America Fund Phase II (CAF II) Auction support, Newmax, LLC dba Intermax Networks is required to deploy broadband service to at least 40% of the total required locations for which you receive auction funding by December 31, 2022.<sup>1</sup>

For your filing due by March 1, 2022, reflecting broadband location deployment as of December 31, 2021, you certified in the USAC High Cost Universal Broadband (HUBB) portal to deploying to zero locations in the following SAC, 529027 (WA), for which you have been authorized to receive CAF II Auction funding. We note that support recipients are not required to wait until the end of a specific support year to meet their deployment milestones, recipients may request that USAC complete their verification process at any time, and that we encourage reporting of deployment data on an ongoing basis.<sup>2</sup>

Accordingly, we are concerned about your ability to meet the first required milestone in light of the remaining time this year for reaching compliance. As part of monitoring compliance with the program's obligations, we require that you explain how you will meet your initial deployment commitment.<sup>3</sup> Specifically, please provide us with a description of the areas and the number of locations you have deployed to in the SAC since December 31, 2021, and explain the efforts you will take between now and December 31, 2022 to reach the 40% milestone applicable to your authorized areas.

**You are directed to file your response within 30 calendar days** of the date of the letter in WC Docket No. 10-90 and AU Docket 17-182 through the Commission's Electronic Comment Filing System (ECFS).<sup>4</sup> Commission staff will review your response to determine if additional information requests, verification, and/or an audit is appropriate. Finally, we remind you that failing to satisfy high-cost program deployment obligations will result in withholding and/or recovery of support.<sup>5</sup>

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<sup>1</sup> 47 CFR § 54.310(c); see *Connect America Fund, Connect America Fund Phase II Auction*, WC Docket Nos. 10-90, 17-187, Order, 35 FCC Rcd 109, 109, para. 1 (WCB 2020).

<sup>2</sup> See *Connect America Fund et al*, WC Docket No. 10-90 et al, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 5949, 6011 (2016), para. 173 n.156 (“[I]t would be a ‘best practice’ to submit location information ‘no later than 30 days after service is initially offered to locations in satisfaction of deployment obligations.’”); see also *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 712, para. 56 n.156 (encouraging filing deployment data on a rolling basis).

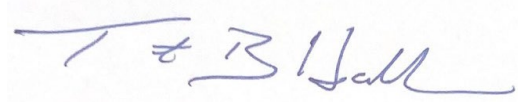
<sup>3</sup> See 47 CFR § 54.320.

<sup>4</sup> If your response will include business confidential information, contact staff in advance regarding the process for submitting this information.

<sup>5</sup> See 47 CFR § 54.320(d).

Please contact Jesse Jachman ([jesse.jachman@fcc.gov](mailto:jesse.jachman@fcc.gov)) Assistant Division Chief,  
Telecommunications Access Policy Division, Wireline Competition Bureau, with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Trent B. Harkrader". The signature is fluid and cursive, with the first name "Trent" being the most prominent part.

Trent B. Harkrader  
Chief  
Wireline Competition Bureau