

## SCRPS Status Update

FCC Form 5640

OMB Control No. 3060-1270

File No. SC-SU0003133

### Applicant Information

Applicant FRN 0023772445

Applicant Address 1106A Kingold Blvd

Applicant Name NfinityLink Communications, I Applicant City Snow Hill

Applicant Email jrich@infinitynetservices.net Applicant State NC

Applicant Phone 2527475682 Applicant ZIP Code 28580

### 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 John Craft

Contact Address 103 Herritage Xing

Contact Email jcraft@infinitylink.com

Contact City Snow Hill

Contact Phone 2525609914

Contact State NC

Contact ZIP Code 28580

\*Indicate which deadline you are meeting with this filing.

2025-01-03

## 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.

NfinityLink has issued purchase orders for replacement servers, power supplies, and structures required to replace existing cabinets that are not large enough to accommodate the compliant equipment and power supplies. We have purchased service vehicles for installation technicians to make site visits to remove noncompliant equipment and replace it with compliant equipment. We have purchase additional bucket trucks, a splice trailer and splice equipment to enable techs to complete splicing required due to split ratio changes, installation of replacement nodes, and other duties due to distance limitations that don't exist on GPON. It is necessary to overlay XGS-PON to migrate to Nokia (compliant equipment) to remove existing non-compliant equipment. NfinityLink recently submitted another Modification of Application for Funding that is required to continue progress toward compliance.

Recent legislation provides the remaining 60.5% of funding and reengineering and equipment acquisition has begun to reach 100% compliance and restore system capacity and fault tolerance that existed prior to the SCRP Program. Additional modifications will be required to acquire equipment essential to 100% program compliance and restoration of system capacity and fault tolerance. NfinityLink has submitted an extension request which is currently under final review, this and future extensions are necessary to allow adequate time to purchase, receive, and install equipment required for compliance. Long lead times for much of the critical will require additional extensions to complete the work. Timely review, approval, and reimbursements are essential to expedite compliance.

NfinityLink has experienced significant delays in processing and approval of Modifications and Reimbursements which prevents compliance with the program. Much of the last six months has been spent attempting to correct issues resulting from the approval of SC-MOD-AR0006118. All requested expenditures were approved in SC-MOD-AR0006118 based on our initial submission and justifications of costs. After approval, the SCRP portal associated cost justifications for many items with cost justification for precast concrete buildings required for remote cabinet replacements (which obviously would not have been approved during the review of SC-MOD-AR0006118 if the cost justification was totally unrelated to the purchase). As a result, subsequent requests for reimbursements for numerous claims were denied during FCC SCRP review due to this issue.

SC-MOD-AR0006700 was submitted to correct the issues that arose following the approval of SC-MOD-AR0006118, issues that were beyond our control. Numerous "IT glitches" deleted our equipment requiring the recreation of equipment in the SCRP portal and the resubmission of form 5640 to match the new equipment numbers. After nearly five months, SC-MOD-AR0006700 was finally approved on 11/08/2024.

Because of these issues, NfinityLink did not receive reimbursements from the program for more than five months (between 7/19/2024 to 12/20/2024). This unnecessary delay in receiving reimbursements prevented the purchase of additional equipment required for compliance, required significant administrative resources, and resulted in significant interest expenses (that should be reimbursable).

Finally, NfinityLink has also experienced issues during the reimbursement process in which equipment approved for acquisition by fund administrators (as evidenced by approval of modifications) are later denied or experience significant delays in receiving reimbursements due to having to justify the purchase again. NfinityLink has no problem or issue answering questions or providing information required to justify expenditures; but this process should be done prior to approval of Modifications. Once a modification is approved by SCRP Fund Administrator, NfinityLink acquires equipment or services required to comply with the program in expectation of expeditious processing of claims for previously approved equipment. Some

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

We have generally been able to find commercially available equipment, but have begun to experience longer than anticipated lead times, some as long as 56 weeks. Unfortunately, no alternative equipment is available that is compatible with other equipment that has been ordered or received.

\* 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.

As previously mentioned, NfinityLink Communications has devoted significant engineering and administrative resources in search of viable alternative solutions that would allow us to comply with the program based on the initial program allocation, a solution that significantly reduced our system capacity was the only viable option. It now appears that full funding will be restored to the program which will require additional time to re-engineer the system, purchase, acquire, and deploy the equipment and infrastructure required to restore the full system capacity, resilience, and redundancy that existed before the program began.

Following approval of our most recent modification request, orders have been placed for much of the equipment needed for compliance. Unfortunately, some of this equipment has long lead times, which require an extension as it will not arrive until weeks after the current deadline. Some equipment recently approved for purchase have lead times of more than 40 weeks which will require additional extensions in the future. After taking delivery of the new equipment, additional time will be required to remove and replace existing equipment with compliant equipment. We have also experienced functionality issues with some critical equipment that delayed the deployment process.

Much of the last six months has been spent attempting to correct issues that resulted following the approval of SC-MOD-AR0006118. All requested expenditures were approved in SC-MOD-AR0006118 based on our initial submission and justifications of costs. After approval, the SCRP portal somehow associated cost justifications for many items with cost justification for precast concrete buildings required for remote cabinet replacements (which obviously would not have been approved during the review of SC-MOD-AR0006118 if the cost justification was totally unrelated to the purchase). As a result, subsequent requests for reimbursements for numerous claims were denied during FCC SCRP review due to this issue.

As a result, an additional Modification of Application for funding (SC-MOD-AR0006700) was submitted to correct the issues that arose following the approval of SC-MOD-AR0006118, issues that were beyond our control. The delay resulted in part to numerous "IT glitches" that deleted our equipment on more than one occasion requiring the recreation of equipment in the SCRP portal and the resubmission of form 5640 to match the new equipment numbers. After nearly five months, SC-MOD-AR0006700 was finally approved on 11/08/2024. Because of these issues, NfinityLink did not receive reimbursements from the program for more than five months (between 7/19/2024 to 12/20/2024). This unnecessary delay in receiving reimbursements prevented the purchase of additional equipment required for compliance, required significant administrative resources, and resulted in significant interest expenses (that should be reimbursable).

Based on the above rationale, NfinityLink Communications, Inc. has requested a six-month extension to allow additional time to work toward total compliance with the program that includes system capacities and redundancies that existed prior to 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?

36

\*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?

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\*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?

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\*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.

Delays in progress are primarily due to long lead times for some equipment and issues obtaining reimbursements in a timely manner.

## 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      John Craft

Certifier Phone    2525609914

Certifier Name    John Craft

Certifier Email    jcraft@infinitylink.com

Certifier Title    Chief Administrative Officer

Date Signed      2025-01-16