

## SCRPS Status Update

FCC Form 5640

OMB Control No. 3060-1270

File No. SC-SU0003030

### Applicant Information

Applicant FRN 0031735541

Applicant Address 400 Northridge Road

Applicant Name Commnet Wireless, LLC

Applicant City Atlanta

Applicant Email rranaraja@atni.com

Applicant State GA

Applicant Phone 5014481249

Applicant ZIP Code 30350

### 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 10300 Eaton Place, Unit 440

Contact Email sc.external.rfi.atn-commnet@v

Contact City Fairfax

Contact Phone 703-239-3299

Contact State VA

Contact ZIP Code 22030

\*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.

Commnet has conducted work on the removal of covered equipment since the submission of the last form. Commnet has removed 2 sites worth covered equipment since the last 90 day report.

Commnet has conducted work on the disposal of covered equipment since the submission of the last form. Commnet has disposed of 7 sites worth of covered equipment since the submission of the last form.

Commnet has conducted work on the replacement of covered equipment since the submission of the last form. Commnet has conducted work on the replacement of covered equipment by working with our construction vendors to continue work on applications, compliance, leasing, permits, NTPs and construction. Commnet has installed 2 sites worth of covered equipment since the last 90 day report.

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

Commnet 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. Antennas are now running 4-6 months to be received. Given the 40% funding and increased costs, the Build Plan becomes increasingly difficult to execute.

Commnet 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.

Commnet has experienced significant delays in navigating the linear process of submission of modifications that limit submission of reimbursement requests until the applicable FRN has been modified. As a result, Commnet 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. This is a significant burden on a company of our size and has required debt servicing, contractual disputes and protracted negotiations. Importantly, these impacts are reducing coverage in underserved and unserved areas including significant tribal geographies.

Commnet is currently experiencing additional delays attributable to redundant RFIs concerning an approved modification. Application modifications are submitted to align with the required build plan. These modifications, along with any subsequent RFIs, are reviewed and approved by engineers and industry experts.

Reimbursements submitted in alignment with the approved application modification have frequently generated redundant RFIs from E&Y reviewers and accountants, requesting supporting justification that was already addressed during the modification review. The E&Y reviewers and accountants appear to be unfamiliar with standard practices within the telecommunications sector.

For instance, when SCRP-related project work necessitates contractors to install new steel platforms, replace conduit, monitor avian activity as mandated by federal and state laws, install and relocate cell site routers, engage in solar design activities to accommodate the additional power requirements from newly installed RAN equipment, install GPS on towers as required by the FCC, and conduct multiple structural analyses due to failures, we encounter numerous RFIs questioning the necessity of these costs. These costs are explicitly detailed as eligible expenses in the final catalog dated December 17th, 2021.

Commnet acknowledges the reviewers' right to seek follow-up questions and clarifications. However, we find ourselves in a position where we are effectively educating reviewers who are not well-versed in industry norms. This redundancy causes delays in reimbursement and imposes an undue burden on the company in terms of both time and expense to support RFI handling.

## 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?

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\*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.

With the 40% allocation, Commnet has had to change its goal of replacing all Covered Equipment and had to re-evaluate the overall timeline and build plans. As we have reported, the initial 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 7, 2023. Since then there is still no more clarity about whether or not we will get the remaining 60% of our allocation. This continual uncertainty causes execution uncertainty and delays throughout the process. Furthermore, the reimbursement process delays has caused even more strain on the 40% allocation.

At this time, Commnet estimates that, due 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 original linear process of modifications and reimbursement requests that limit multiple overlapping changes, to now a dual tracked system that takes months and several RFIs to get a minimal reimbursement, the overall completion of the project will likely extend past the timeline currently set forth for the program and imposed by statute. The FCC granted Commnet two 6 month extensions to the original completion date. Notwithstanding this extension, entitlement/permitting delays, 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. Additionally, these highly remote regions often require permitting from multiple, different agencies that are not always operating in harmony and some are experiencing significant delays in processing like FAA, BLM, NPS, Forest Service. Considering the impending conclusion of the program, our limited construction window, lengthy and multiple permitting processes, as well as the availability of materials and significant revision of the project plan continues to create significant challenges.

## 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	2024-12-18		