

## SCRPS Status Update

FCC Form 5640

OMB Control No. 3060-1270

File No. SC-SU0002790

### Applicant Information

|                 |                             |                    |                   |
|-----------------|-----------------------------|--------------------|-------------------|
| Applicant FRN   | 0031656358                  | Applicant Address  | 1224 W PLATTE AVE |
| Applicant Name  | NE Colorado Cellular Inc    | Applicant City     | FORT MORGAN       |
| Applicant Email | mike.felicissimo@viaero.com | Applicant State    | CO                |
| Applicant Phone | 9705423605                  | Applicant ZIP Code | 80701             |

### 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  | Summit Ridge Group, LLC | Contact Address  | 49 West 38th Street, 12th Floor |
| Contact Email | SRG-RnR@SummitRidgeGro  | Contact City     | New York                        |
| Contact Phone | 2124334800              | Contact State    | NY                              |
|               |                         | Contact ZIP Code | 10018                           |

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

2024-07-08

## 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.

**Overview:**Viaero has progressed methodically; however, a lack of funding jeopardizes the integrity of the entire program. Without more funds, Viaero cannot commit to working beyond the initial 225 sites out of 887 currently in progress and will suspend its deployment by the end of Q3 2024.

**Site Prep Status:**Viaero began the site work required before Ericsson's installation activity. Viaero has also established internal procedures for executing the project plan, including setting quality control standards for supervising vendors. To date, Viaero has completed the following: Electrical:684/714, Shelter Upgrades:14/14, Concrete Pads:17/71, Access Road Prep:6/40, Generator Replacements:383/511, Permitting:662/885, Lease Negotiations:30/90, NEPA/NHPA:570/595.

**Core Deployment Status:Major Milestone Achieved:** Core deployment was completed in Fort Morgan and Grand Island switching centers, all migrations were completed, stabilization was completed, and integration of RAN/Transport Network has begun.

Viaero and Ericsson recognized the need to start the Core Project before the application was approved. Both companies agreed to start the full Core in 8/2021, ordering hardware and starting the high-level design. To date, the Core is 100% completed. All onsite hardware and software have been delivered, installed, and commissioned. Integration and Acceptance Testing is 100% completed. The ATP is 100% completed. Traffic on Huawei Core has been migrated to Ericsson Core, completed in 3/2023. Monitoring and Stabilization have been completed. Ericsson's LTE Sites have started to be turned up on the Ericsson Cores. All LTE RAN Ericsson and Huawei have been rehomed to the Ericsson Cores. The only portion of the Huawei core still connected or operational is related to the CBRS spectrum and RAN equipment. Until all Huawei CBRS RAN is replaced, the Huawei core must be on air for such CBRS RAN equipment. It is connected to the Huawei Domain proxy, which connects to the SAS server. The Huawei Cores will be destroyed upon completion of the replacement of all Huawei CBRS RAN equipment.

**RAN Deployment Status:**Viaero and Ericsson started the RAN Project in a limited scope in 10/2021. This scope included individual RAN site surveys using drones where practical, RF Design, limited hardware ordering, site hardware configurations, cutover planning, and limited Construction Drawings of the baseline cluster. The baseline cluster began installation of RAN equipment in 7/2022. 177 Sites were cut over to date, with 154 sites having all covered equipment removed. Viaero is working to completely remove and close out 176 Sites by the end of Q3 2024. Of the total application, consisting of 66 clusters within the 22 FRNs, this should close out the first 4 clusters, with other components of the network being completed for the remaining clusters underway for a total of 225 sites, either with RAN or MW, which will include work on 22 more clusters. Lack of program funding or 3rd party funding sources currently precludes additional construction beyond the 225 sites planned to date.

The status of the RAN Deployment of the Ericsson LTE network is the following:RFDS Completed:878/887, CDs Approved:590/887, CX NTPs Received:384/887, CX Start:305/887, CX End:233/887, Integration Completed:177/887,Cutover Completed:177/887,Covered Equipment Removed:154/887.

**Transport Deployment Status:**Viaero and Ericsson agreed to start the Transport Project in 10/2021, with a limited scope. Including individual site surveys using drones where practical, link design, PCN coordination with the FCC, limited Construction Drawings, IP design, link hardware configurations, and limited hardware orders.

Transport Deployment of the Ericsson transport network status is the following:NTP MW Link:528/597, PCN Complete:477/597, NTP Construction:295/597, Construction Start:187/597, Build Complete:158/597. 138 Paths Covered Equipment removed, 66 sites have fully removed the prohibited transport equipment.

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

The pro-rated funding has required Viaero to limit equipment orders. Viaero remains concerned about future equipment availability when order quantities increase, particularly if the project funding is not resolved in a timely manner. Suppose the reimbursement fund is not fully funded in the coming months; Viaero will be forced to cancel or postpone equipment orders due to an inability to pay invoices without the assurance of reimbursement. Additionally, it has been difficult to identify and hire qualified, experienced telecommunications engineers and project managers. Training inexperienced individuals will put pressure on Viaero's build deadlines, which may require a deadline extension.

\* 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.

Viaero is also constrained by the SCRP funding limitation. Unless resolved, this challenge will pose an increasing threat to Viaero's timeline to complete the program in the coming months.

Direct Challenges to the Speed and Efficiencies of the Rip and Replace Program:

1. Labor Shortages—Pro-rated funding and the 39.5% appropriation now necessitate reduced tower crews. Consequently, existing Ericsson contracted crews are being removed from this Project and assigned to other (non-Viaero) ongoing deployments across the country. Finding qualified crews to complete this project will become challenging when funding resumes.
2. Lack of Full Funding – Viaero estimates current funding will require slowing and suspending the deployment activities by the end of Q3 2024. Re-starting once full funding is provided will be time-consuming and will add additional costs to the program. Viaero has committed nearly all of its 39.5% allocation. Approximately 55 to 60 % of the available funding has been reimbursed, and 20% is in process. In addition to the invoices in the reimbursement process, Viaero estimates another 20 to 25% of Viaero's current work underway that will result in invoicing and, thus, submission for reimbursement that will take place in the next 90 days. With this complete view, the suspension of the project within the next 90 days or shortly after is highly likely, unless additional funding is timely secured. Restarting deployment will add extra costs to remobilize and schedule crews, potential contract re-negotiations with contractors, and increased costs due to inflation.

Without full funding for the program, Viaero will be unable to finish the removal, replacement, and disposal process, leaving approximately 75% of Viaero's network with Covered Equipment, due to partial construction or sites that have not completed deployment. This equipment is no longer supported and could result in issues that cannot be resolved should a site, card, or other component of the network go down, which will not only affect these rural customer's ability to continue to receive mobile and broadband services, but could also affect their ability to access critical functions such as dialing 911 or Viaero customers' ability to work, access their educational material online, participate in telehealth resources, etc. For many of Viaero's towers, Viaero continues to serve as the carrier of last resort. This project has also impacted Viaero's ability to expand or grow its network, as significant resources and time have been devoted to swapping out the equipment. Continuous network construction for this program impacts Viaero's customers as this project is continually causing network performance issues. Ongoing construction, and any further delay in getting full funding will also prolong this project creating continued negative impacts to Viaero's business.

#### Reimbursement Processes

- a. Suspension of Reimbursements during application amendments.

The challenges above have added burden, complexity, and additional cost to the reimbursement process. Viaero encourages the FCC and Congress to ensure full funding for the Program is appropriated as soon as possible to avoid the need to suspend and then restart 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?

18

\*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?

20

\*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?

10

\*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.

Please see above responses.

## 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 | Michael Felicissimo | Certifier Phone | 9705423605                  |
| Certifier Name      | Michael Felicissimo | Certifier Email | mike.felicissimo@viaero.com |
| Certifier Title     | President           |                 |                             |
| Date Signed         | 2024-07-08          |                 |                             |