

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Universal Service Reform – Mobility Fund)	WT Docket No. 10-208
)	
PTI Pacifica, Inc. Request for Waiver and)	
Extension of Time of Mobility Fund Phase I)	
Construction Deadline For Three Census Tracts)	

**PTI PACIFICA, INC. THIRD SUPPLEMENT TO REQUEST FOR
WAIVER AND EXTENSION OF TIME OF MOBILITY FUND PHASE I
CONSTRUCTION DEADLINE FOR THREE CENSUS TRACTS**

PTI Pacifica, Inc. d/b/a IT&E (“PTI”) hereby supplements its request for a waiver of Section 54.1006(a) of the FCC’s rules and extension of the deadline by which it must complete construction of a mobile wireless network under Mobility Fund Phase I for three Census Tracts in the Commonwealth of the Northern Mariana Islands (“CNMI”), one Census Tract on each of CNMI’s three largest inhabited islands.¹ As PTI previously informed the Commission, construction of two of the three Census Tracts – the Rota and Marpi (Saipan) Census Tracts – was completed in late 2016.² Extenuating circumstances, however, continue to delay PTI’s

¹ PTI Pacifica, Inc. Request for Waiver and Extension of Time of Mobility Fund Phase I Construction Deadline For Three Census Tracts, WT Docket No. 10-208 (filed May 16, 2016) (“Waiver and Extension Request”); PTI Pacifica, Inc. Supplement to Request for Waiver and Extension of Time of Mobility Fund Phase I Construction Deadline For Three Census Tracts, WT Docket No. 10-208 (filed August 15, 2017) (“Supplement”); PTI Pacifica, Inc. Second Supplement to Request for Waiver and Extension of Time of Mobility Fund Phase I Construction Deadline For Three Census Tracts, WT Docket No. 10-208 (filed August 7, 2018) (“Second Supplement”). The three largest inhabited islands of CNMI are Saipan, Rota, and Tinian; but the populations of Rota and Tinian are only in the range of 3,000 inhabitants each.

² Census Tract 69100950100 in Rota, CNMI is associated with Study Area Code 658001 (the “Rota Census Tract”). Census Tract 69110000100 in Saipan, CNMI is associated with Study Area Code 658002 (the “Marpi Census Tract”).

completion of the network build out of the Tinian Census Tract.³ Accordingly, PTI requests an additional one year – until August 16, 2020 – to complete construction of the Tinian Census Tract.

I. BACKGROUND

As further explained in its Waiver and Extension Request, PTI was the winning bidder under Mobility Fund Phase I in seven Census Tracts in the CNMI. PTI had finished constructing a mobile network in four of the seven Census Tracts by the August 16, 2016 buildout deadline. The special and challenging nature of the local terrain, the fact that many of the so-called “roads” in the CNMI are actually inaccessible and unserved by commercial power, and other circumstances beyond PTI’s control prevented PTI from finishing the network build out of the Rota, Marpi, and Tinian Census Tracts by August 16, 2016. Accordingly, PTI sought a waiver of Section 54.1006(a) of the FCC’s rules and a one-year extension until August 16, 2017 to complete construction of a mobile wireless network in these Census Tracts. It also sought a waiver and extension of time of Section 54.1006(f) of the FCC’s rules so that it would not be required to repay the Mobility Fund Phase I support it has already received in connection with any of the three Census Tracts, or to pay an additional performance default payment, prior to the requested extended deadline.⁴

As previously reported in its Supplement and Second Supplement, PTI constructed a mobile network covering over 75 percent of the Marpi Census Tract using mobile sites, which became operational on June 14, 2016 (shortly prior to the original buildout deadline).⁵ PTI also

³ Census Tract 69120950200 in Tinian, CNMI is associated with Study Area Code 658007 (the “Tinian Census Tract”).

⁴ 47 C.F.R. § 54.1006(f).

⁵ As previously explained in the Waiver and Extension Request and Supplement, PTI experienced significant delays obtaining approval to construct communications towers on land

finished construction of a mobile network covering well over 75 percent of the Rota Census Tract by October 22, 2016 (a little more than two months after the original build out deadline). PTI has submitted to USAC the appropriate data and payment requests for the Marpi and Rota Census Tracts, and is now waiting for USAC to conduct its final drive tests of these areas.

II. STATUS OF BUILD OUT IN THE TINIAN CENSUS TRACT

PTI has continued to diligently and aggressively pursue meeting the Mobility Fund Phase I coverage requirements in the Tinian Census Tract and remains committed to providing 4G LTE mobile service to these remote areas with very sparse populations.

As detailed in its Waiver and Extension Request and its Supplements, PTI had previously constructed a mobile network covering a large portion of the Tinian Census Tract with multiple active cell sites by August 16, 2016, but experienced delays in constructing facilities that could cover the northern part of the island. PTI has been in negotiations since the award of Mobility Fund support with Department of Defense offices (the “DoD”) to construct a site on DoD-administered land. The DoD would not approve the first potential site, called the North Field. Accordingly, PTI shifted its focus to locating a site on Mount Lasso, which is also administered by the DoD.

PTI continues to work with DoD and the CNMI Historic Preservation Office (“HPO”) to identify the final location of the site and obtain the necessary approvals. Various locations on Mount Lasso ultimately were found unsuitable by the HPO because it was determined that they

managed by the CNMI Department of Public Lands (the “DPL”). The DPL, however, approved PTI’s placement of temporary cell sites at certain locations. Accordingly, PTI constructed a mobile network covering over 75 percent of the Marpi Census Tract using mobile sites (e.g., cell sites on wheels). PTI continues to work with the DPL to obtain approval to construct additional permanent towers and antennas to serve the Marpi Census Tract, which will further increase coverage of the remote area. Regardless, it intends to continue operating the current mobile sites until its new facilities are constructed, thus it does not anticipate service disruptions as a result of any new construction.

have historical significance. Another potential location on Mount Lasso was identified, and PTI received approval in June 2018 from the CNMI HPO and DoD to undertake a site survey of that location. PTI promptly completed that survey in July 2018 and submitted it to the DoD.

However, an historic site assessment survey also was necessary prior to receiving final approval by Government officials to construct facilities at the site. PTI obtained a short term lease from the DoD to perform the survey, and no historical artifacts were found at the site. PTI is now working to obtain a long term lease from the DoD to build a cell site at the location. Although PTI expects to complete construction of the Mount Lasso site within months of receiving the necessary Government approvals, PTI cannot predict how long the Government approval process will continue to take.

PTI has recently completed the installation of a new 700 MHz cell site on the southern end of Saipan, which extends coverage of the network in certain areas. But despite its best efforts, PTI does not anticipate at this time that it will be able to complete its network for the Tinian Census Tract by August 16, 2019.

III. EXTENDING THE BUILD OUT DEADLINE FOR THE TINIAN CENSUS TRACT WOULD SERVE THE PUBLIC INTEREST

Good cause exists to further extend the build out deadline set forth in Section 54.1006(a) of the rules for the Tinian Census Tract by one additional year, as well as extend the waiver of Section 54.1006(f) so that PTI would not be required to repay the Mobility Fund Phase I support it has already received in connection with this Census Tract, or to pay an additional performance default payment, prior to the requested extended deadline. As described above, PTI has continued in good faith to finish construction of its network in the Tinian Census Tract despite the ongoing unforeseen delays and non-action by the various Government agencies involved in acquiring the necessary approvals to build its facilities. Indeed, PTI continues to make progress

in the past year notwithstanding the challenges it faces by constructing networks in remote and isolated island territories. As of this filing, PTI has constructed networks covering over 75 percent of the six census tracts for which it was the winning bidder and is almost finished with construction of the Tinian Census Tract.

PTI expects that the additional limited extension of time will provide it with sufficient time to finish its construction and verify that it has met its build out commitments in the Tinian Census Tract. As explained in the Waiver and Extension Request and Supplement, strict adherence to the construction deadline in this case would be inconsistent with the public interest, particularly given the substantial progress PTI has made and the special, unforeseen circumstances here.⁶ As the Chairman of the Tinian and Aguiguan Legislative Delegation of the CNMI Legislature expressed to the DoD, PTI's "mobile coverage expansion is critical to the health and safety of the people of Tinian" because it is "impossible to make emergency calls for fire, public safety, or medical assistance" due to the lack of mobile coverage in the area.⁷ Consistent with the Commission's universal service policies, the extension of time will ensure faster deployment of mobile broadband service to these unserved rural areas than if the funds are reclaimed and redirected for other universal service purposes.

⁶ As the Commission is aware, the siting of wireless facilities can be a time and resource-intensive process that can involve federal and local agencies, as in this case, as well as historic preservation and environmental reviews. *See, e.g., Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Notice of Proposed Rulemaking and Notice of Inquiry, 32 FCC Rcd 3330 (2018) (examining the regulatory impediments to infrastructure investment and deployment); *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Third Report and Order and Declaratory Ruling, 33 FCC Rcd 7705 (2018) (same).

⁷ Letter from Sen. Jude U. Hofschneider, Chairman, Tinian and Aguiguan Legislative Delegation, Nineteenth Northern Marianas Commonwealth Legislature, to Rear Admiral Babette Bolivar, Commander, Joint Region Marianas, Department of Navy (Sept. 26, 2016).

IV. CONCLUSION

Extending the build out deadline for the Tinian Census Tract will allow PTI to finish constructing its wireless network so that those living, working, and traveling in the area have access to critical mobile broadband services, including access to emergency services.

Respectfully submitted,

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