

**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. 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 August 16, 2016 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”).¹ As further discussed below, PTI has completed construction of the Rota Census Tract.² Extenuating circumstances, however, continue to delay PTI’s completion of the network build out of the Marpi and Tinian Census Tracts.³ Accordingly, PTI requests an additional one year – until August 16, 2018 – to complete construction of the Marpi and Tinian Census Tracts.

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”).

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

³ Census Tract 69110000100 in Saipan, CNMI is associated with Study Area Code 658002 (the “Marpi Census Tract”). Census Tract 69120950200 in Tinian, CNMI is associated with Study Area Code 658007 (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

II. STATUS OF BUILD OUT IN THE CENSUS TRACTS

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

A. The Rota Census Tract

The network built to serve the Rota Census Tract previously had four mobile sites that were brought into service by June 1, 2015. But after conducting extensive drive testing, it became clear to PTI that one additional cell site would be needed to cover at least 75 percent of

⁴ *Id.* § 54.1006(f).

the Census Tract. Siting of the additional required cell site, however, was limited by the lack of commercial power within the Census Tract, preventing PTI from finishing its network build out by August 16, 2016. Since the filing of its Waiver and Extension Request, PTI has been successful in locating a viable location for the necessary cell site and has constructed the site. A mobile network covering well over 75 percent of the Rota Census Tract was constructed as of October 22, 2016. PTI also has submitted the appropriate data and payment request with USAC.

B. The Marpi Census Tract

As previously explained in the Waiver and Extension Order, all land suitable for construction of communications towers in the Marpi Census Tract is public land controlled by the CNMI Department of Public Lands (the “DPL”). While PTI promptly submitted lease applications to the DPL, it has continued to face delays with obtaining permanent leases from the DPL, which has delayed its construction of the necessary towers and antenna to serve the Marpi Census Tract. Since the filing of the Waiver and Extension Order, DPL has approved PTI’s placement of temporary cell sites at certain locations. Accordingly, PTI has moved forward with constructing its network using mobile sites (e.g., cell sites on wheels), which became operational on June 14, 2016. PTI believes that the existing network covers around 75 percent or more of the Marpi Census Tract. However, PTI still plans on constructing permanent towers and antenna to serve the Marpi Census Tract, which will further increase coverage of the remote area, although the construction will not be completed by August 16, 2017. PTI continues to work with the DPL to obtain the necessary approvals. It also intends to continue operating the current mobile sites until its new facilities are constructed, thus it does not anticipate service disruptions.

C. The Tinian Census Tract

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 as explained in the Waiver and Extension Order, it experienced delays in constructing facilities that could cover the northern part of the island. Specifically, PTI had 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 called the North Field, but DoD had not acted on PTI’s request. Since then, PTI has found an alternative location on Mount Lasso, on land which is also administered by the DoD. PTI has been working with DoD on the necessary approvals to install antennas at the Mount Lasso site. It was recently informed by DoD and the CNMI Historic Preservation Office, however, that further environmental and historic site assessment surveys may be necessary prior to receiving approval to construct facilities at the site. Despite its best efforts, PTI will not be able to complete its network for the Tinian Census Tract by August 16, 2017.

III. EXTENDING THE BUILD OUT DEADLINE FOR THE MARPI AND TINIAN CENSUS TRACTS WOULD SERVE THE PUBLIC INTEREST

Good cause exists to extend the build out deadline set forth in Section 54.1006(a) of the rules for the Marpi and Tinian Census Tracts 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 these Census Tracts, 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 networks 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 has made significant progress in the past year –

including finishing the build out of the Rota Census Tract – notwithstanding the other challenges it faces by constructing networks in remote and isolated island territories.

PTI expects that the additional limited extension of time will provide it with sufficient time to finish its construction and meet its build out commitments in the Marpi and Tinian Census Tracts. As explained in the Waiver and Extension Request, 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. Moreover, 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.

IV. CONCLUSION

Extending the build out deadline for the Marpi and Tinian Census Tracts will allow PTI to finish constructing its wireless networks so that those living, working, and traveling in these areas have access to critical mobile broadband services.

Respectfully submitted,

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