

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Leaco Rural Telephone Cooperative, Inc.,
and
Pine Belt Cellular, Inc.,
Requests for Waiver of the Construction Deadline
and Reporting Deadline Rules for Mobility Fund
Phase I
WT Docket No. 10-208

ORDER

Adopted: August 17, 2016

Released: August 17, 2016

By the Chief, Auctions and Spectrum Access Division:

I. INTRODUCTION

1. In this Order, we waive performance deadlines for two recipients of Mobility Fund Phase I (Auction 901) support who were required to complete the buildout of their supported 3G networks within two years of being authorized for support. Leaco Rural Telephone Cooperative, Inc. (Leaco), and Pine Belt Cellular, Inc. (Pine Belt), each seek waiver of their construction deadlines and/or waiver of the testing and reporting deadlines associated with some of their Auction 901 winning bids because each encountered unusual delays beyond their control in their construction processes. For the reasons discussed fully below, we grant a waiver of their respective construction, testing, and reporting deadlines through the dates Leaco and Pine Belt have requested.

II. BACKGROUND

A. Mobility Fund I

2. In the USF/ICC Transformation Order, the Commission comprehensively reformed and modernized the high-cost component of the Universal Service Fund (USF) by adopting, among other things, a universal service support mechanism dedicated expressly to mobile services – the Mobility Fund. Phase I of the Mobility Fund used competitive bidding – a reverse auction – to allocate to winning bidders up to \$300 million in one-time universal service support to deploy mobile voice and broadband services. Winning bidders committed to extend the availability of mobile voice and broadband services on networks that provide third generation or better performance (often called “advanced” or “3G”), or to accelerate the deployment of fourth-generation (“4G”) wireless networks in areas that lacked such services.1 Prior to the start of the auction, bidders were cautioned that they were responsible “for investigating and evaluating all technical and marketplace factors that may have a bearing on ... bid[s] in

1 Connect America Fund et al.; WC Docket Nos. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17773, para. 299 (2011) aff’d sub nom., In re: FCC 11-161, 753 F.3d 1015 (10th Cir. 2014) (USF/ICC Transformation Order).

Auction 901.”<sup>2</sup> Bidders were further advised that “[e]ach bidder is responsible for assuring that, if it wins the support, it will be able to build and operate facilities in accordance with the Mobility Fund obligations and the Commission’s rules generally.”<sup>3</sup>

3. Mobility Fund Phase I rules require winning bidders to provide service to at least seventy-five percent (75%) or more of the designated eligible road miles within the relevant area covered by their winning bids.<sup>4</sup> Winning bidders committing to provide service over a 3G network are required to do so within two years of being authorized to receive support.<sup>5</sup> Winning bidders committing to provide service over a 4G network are required to do so within three years of being authorized to receive support.<sup>6</sup>

4. Mobility Fund Phase I rules further provide that support is disbursed to authorized winning bidders in up to three stages. The first disbursement of one-third of the total winning bid amount is made when the winning bidder is authorized to receive support.<sup>7</sup> A recipient becomes eligible to receive a second disbursement when it submits a report demonstrating coverage of 50 percent of the coverage requirements of section 54.1006 of the Commission’s rules.<sup>8</sup> A recipient becomes eligible to receive the final disbursement when it meets the final coverage requirements by the deadline specified in section 54.1006 of the Commission’s rules.<sup>9</sup>

5. To protect the integrity of the Mobility Fund Phase I reverse auction and to safeguard against additional costs to the Commission, a winning bidder that has been authorized to receive Mobility Fund I support will be subject to a performance default payment if it fails or is unable to meet its minimum coverage requirement by the specified deadline, fails to meet other service requirements, or fails to fulfill any other term or condition of Mobility Fund Phase I support.<sup>10</sup> For each performance default, a winning bidder must repay all disbursements received for the area covered by that winning bid, together with an additional default payment of ten percent of the total amount of support for which it is eligible in the area covered by the defaulted winning bid.<sup>11</sup>

## **B. The Parties**

6. *Pine Belt*. On June 20, 2013, the Wireless Telecommunications and Wireline Competition Bureaus authorized Pine Belt to receive support for its 15 winning bids in Auction 901, up to approximately \$10.2 million.<sup>12</sup> Pine Belt had a deadline of June 21, 2015, to complete construction of a

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<sup>2</sup> *Mobility Fund Phase I Auction Scheduled for September 27, 2012; Notice and Filing Requirements and Other Procedures for Auction 901*, Public Notice, AU Docket No. 12-25, 27 FCC Rcd 4725, 4748 para. 71 (WTB/WCB 2012) (*Auction 901 Procedures Public Notice*).

<sup>3</sup> *Id.*

<sup>4</sup> A winning bidder is required to provide service covering at least 75 percent of the eligible road miles within the area covered by its winning bid, and will receive Mobility Fund support only for the actual road miles covered, up to 100 percent, within that area. *USF/ICC Transformation Order*, 26 FCC Rcd at 17793, para. 367.

<sup>5</sup> 47 C.F.R. § 54.1006(a).

<sup>6</sup> 47 C.F.R. § 54.1006(b).

<sup>7</sup> 47 C.F.R. § 54.1008(b)(1).

<sup>8</sup> 47 C.F.R. § 54.1008(b)(2). Recipients are not required to request a second disbursement, and may instead request the remainder of their total support as a final disbursement upon completion of construction, after demonstrating coverage that meets the applicable requirements of section 54.1006.

<sup>9</sup> 47 C.F.R. § 54.1008(b)(3).

<sup>10</sup> *USF/ICC Transformation Order*, 26 FCC Rcd at 17814, para. 4661.

<sup>11</sup> See 47 C.F.R. § 54.1006(f); *Auction 901 Procedures Public Notice*, 27 FCC Rcd at 4777 para. 189.

<sup>12</sup> See *Mobility Fund Phase I Auction Closes; Winning Bidders Announced for Auction 901*, Public Notice, AU Docket No. 12-25, 27 FCC Rcd 12031 (2012) (*Auction 901 Closing Public Notice*); *Mobility Fund Phase I Support*

3G network, drive testing, and submission of reports demonstrating coverage.<sup>13</sup> Pine Belt received an initial disbursement of \$3,412,458.19, which is one-third of its winning bid amounts. Subsequently, Pine Belt successfully completed construction and submitted testing data for nine of the areas covered by its winning bids (also called “study areas”) by the deadline, and received the final payments for those study areas.<sup>14</sup>

7. For the remaining six study areas, Pine Belt filed a waiver seeking 60 days beyond the June 2015 deadline to complete its drive testing and submit reports demonstrating coverage to be eligible to receive its final support disbursements for these winning bids.<sup>15</sup> In its Waiver Request, Pine Belt explains that although it timely completed the construction of all six study areas, it experienced unavoidable delays during its construction process that left it with insufficient time to complete all of its drive testing and coverage reporting by the June 2015 deadline.<sup>16</sup> Pine Belt asserts that based upon its prior experience, it believed its project descriptions factored in a reasonable amount of time to complete negotiations with Tribal governments;<sup>17</sup> however, it received a far higher number of responses requiring Tribal consultation than it anticipated, many of which required additional information and time to secure the necessary final approvals for construction.<sup>18</sup> Pine Belt asserts that the unexpected volume of these negotiations delayed its construction by three-and-1/2 months.<sup>19</sup>

8. Pine Belt also represents that it experienced unusual equipment delays that compounded the unavoidable delays it faced during construction and prevented its ability to begin drive testing on schedule. For example, Pine Belt claims that its equipment vendor failed to properly fulfill and deliver a November 2014 order for six months.<sup>20</sup> Pine Belt also contends another vendor lost track of an essential delivery that had been scheduled to arrive by early May 2015, further impeding its ability to undertake and conclude its drive testing and coverage reporting within its original deadline of June 2015.<sup>21</sup>

9. During the pendency of its Waiver Request, Pine Belt informed the Commission that it completed its required drive testing and submitted reports demonstrating its coverage for all six study

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*Authorized for 39 Winning Bids; Defaults on Four Auction 901 Winning Bids Determined*, Public Notice, 28 FCC Rcd 8934 (WTB/WCB 2013).

<sup>13</sup> See *id.* June 21, 2015 fell on a Sunday, so Pine Belt had until the following business day—Monday, June 22, 2015—to submit its drive test data.

<sup>14</sup> See Pine Belt Cellular, Inc. Request for Limited Waiver and Extension of Time, Mobility Fund Phase I Study Area Codes 258004 (Tract T01047956100); 258005 (Tract T01047956202); 258011 (Tract T01105686800); 258012 (Tract T01105687000); 258014 (Tract T01131035100); and 258015 (Tract T01131035200) (June 22, 2015) (Pine Belt Waiver Request). A carrier’s service area, where it operates and provides services in one state, is often referred to as a “study area” and is identified by a “study area code (SAC).” See, e.g., 47 C.F.R. § 54.207. For purposes of the Mobility Fund Phase I, a study area aligns with the area covered by a winning bid for which a Mobility Fund recipient has been awarded support.

<sup>15</sup> See Pine Belt Waiver Request.

<sup>16</sup> Pine Belt Waiver Request at 2.

<sup>17</sup> Pine Belt Waiver Request at 3.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> See *id.*

areas, reporting final results on August 11, 2015, and August 14, 2015.<sup>22</sup>

10. *Leaco*. Following Auction 901, on June 7, 2013, the Bureaus authorized Leaco to receive support for 12 winning bids up to approximately \$6.7 million.<sup>23</sup> Pursuant to the Commission's rules, Leaco was required to complete construction of its 3G network, drive testing, and submission of reports demonstrating coverage by June 8, 2015.<sup>24</sup> Leaco received an initial disbursement of \$2,245,050.34, which is one-third of its winning bid amounts.<sup>25</sup> By the June 8, 2015, deadline, Leaco successfully completed construction and submitted testing data for five of its 12 study areas, and it received the final payments for those study areas.<sup>26</sup> Leaco also informed the Universal Service Administrative Company (USAC) that it was in default on its performance obligations for another study area.<sup>27</sup>

11. With respect to its remaining six winning bids, Leaco submitted a Waiver Request seeking an additional 180 days beyond its June 2015 deadline to complete construction of a 3G network and to comply with its drive testing and reporting requirements to be eligible to receive its final support disbursements for these winning bids.<sup>28</sup> Leaco explains those study areas included "greenfield construction projects," which required construction of cell sites on some new towers as well as the installation of backhaul transport to Leaco's core network.<sup>29</sup> As support for its waiver request, Leaco cites lengthy governmental approval processes for site construction, environmental processing required under the National Environmental Policy Act (NEPA), various problems with vendors, and the loss of key personnel as the reasons it requires additional time to meet its MF I requirements.<sup>30</sup>

12. Maintaining that it designed its project schedule to include a "cushion" for expected minimal delays, Leaco asserts that the Commission's two-year performance obligations did not allow for the types of material and unforeseeable delays it encountered.<sup>31</sup> Leaco contends that it experienced unavoidable obstacles constructing sites on federally controlled lands due to permit processing delays

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<sup>22</sup> See Letter to Margaret W. Wiener, Chief, Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, from Robert A. Silverman, Pine Belt Update to Request for Limited Waiver and Extension of Time, (hand-delivered and emailed June 21, 2016).

<sup>23</sup> *Mobility Fund Phase I Support Authorized For Fourteen Winning Bids*, Public Notice, AU Docket No. 12-25, 28 FCC Rcd 8292 (WTB/WCB 2013) (*Leaco Phase I Authorization Public Notice*).

<sup>24</sup> See *Auction 901 Closing Public Notice*, 27 FCC Rcd 12031; *Leaco Phase I Authorization Public Notice*, 28 FCC Rcd 8292; see also 47 C.F.R. § 54.1006(a).

<sup>25</sup> *Leaco Phase I Authorization Public Notice*, 28 FCC Rcd at 8294, Attachment A.

<sup>26</sup> The study areas for which Leaco completed construction and reporting were SACs 498003, 498009, 498010, 498011, and 498012. See Letter to Marlene H. Dortch, Secretary, FCC, from Gregory W. Whiteaker and Robin E. Tuttle, *Leaco Rural Telephone Cooperative, Inc. Update to Request for Limited Waiver and Extension of Mobility Fund Phase I Public Interest Obligations*, WC Docket No. 10-90 and WT Docket No. 10-208 (filed June 1, 2016).

<sup>27</sup> Leaco defaulted on its winning bid for SAC 498005. Leaco has returned the initial disbursement of funds (\$571.13) and made the performance default payment of 10 percent of the total winning bid (\$171.34) for SAC 498005.

<sup>28</sup> This waiver request covers SACs 498001, 498002, 498004, 498006, 498007, and 498008. See *Leaco Rural Telephone Cooperative, Inc. Request For Limited Waiver And Extension Of Mobility Fund Phase I Public Interest Obligations, Connect America Fund, Universal Service Reform – Mobility Fund*, WC Docket No. 10-90 and WT Docket No. 10-208 (filed Apr. 16, 2015) (*Leaco Waiver Request*).

<sup>29</sup> *Leaco Waiver Request* at 4. Leaco explains that these "greenfield construction projects," which required them to build five new towers, as well as their efforts to modify the construction of, or collocate on, existing towers, is a more demanding process than the network upgrades and RF optimization projects that were timely completed in their other study areas.

<sup>30</sup> See generally *Leaco Waiver Request*.

<sup>31</sup> *Leaco Waiver Request* at 5.

with the Bureau of Land Management (BLM). For instance, Leaco explains that BLM approvals were required for four of the 14 cell sites required for the waiver tracts. While BLM approvals for new tower construction typically take six to eight weeks; here, because of unusual circumstances that were beyond its control, the process took twice as long.<sup>32</sup> Leaco also maintains that the discovery that one of its tower sites would encroach on a Native American burial ground caused additional unforeseeable permitting delays, and required the selection and approval of an alternative site, a process that delayed initiation of construction and was also still ongoing at the time of the submission of its Waiver Request.<sup>33</sup>

13. Likewise, Leaco's Waiver Request states that additional time was required for another site because it required an unexpected environmental impact review under NEPA.<sup>34</sup> For this site, Leaco explains that its consultants determined certain building locations were within the habitat of a protected species.<sup>35</sup> Research and field surveys to address the habitat issue stretched from October 1, 2014 through April 27, 2015, with approvals for construction having to wait until after the close of a required FCC notice and comment period. Leaco also states that it experienced the abrupt loss of both its CEO and CTO, had to switch contractors during the building process after determining that its initial hire could not complete the permitting and negotiations process expeditiously, and it also had to switch electrical contractors for certain sites, compounding its delays.<sup>36</sup> For other cell sites, the tower owner's unexpected delays in issuing a notice to proceed with construction prevented moving forward.<sup>37</sup>

14. While its initial waiver request was pending, but after the June 2015 deadline, Leaco completed construction, testing, and reporting for two of its study areas within the time frame requested in its waiver.<sup>38</sup> In a series of amended filings, however, Leaco explains that due to additional challenges it encountered in dealing with the BLM, it required additional time beyond the 180 days of its original request to complete the construction of three other study areas.<sup>39</sup> For the remaining sixth study area, Leaco concedes that it was unable to resolve the siting problems it had experienced, and acknowledges that it is in default on its performance obligations for that winning bid.<sup>40</sup> As a result, Leaco acknowledges it must re-pay the initial disbursement of \$103,671.04 and pay the performance default payment of

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<sup>32</sup> *Id.* at 9-10. For example, in one instance, Leaco represents that the BLM acknowledged that it had lost Leaco's application. *Id.* at 10-11.

<sup>33</sup> *Id.* at 11.

<sup>34</sup> *Id.* at 12.

<sup>35</sup> *Id.*

<sup>36</sup> Leaco Waiver Request at 6-7, 13-14, and 15.

<sup>37</sup> *Id.* at 14.

<sup>38</sup> Leaco filed a brief Letter Amendment to the Waiver Request on July 31, 2015, announcing that it had reported its final coverage in SAC 298004 on July 21, 2015, and seeking to limit the Waiver Request in that winning bid area to the time actually required to submit the data, *see* Letter to Marlene H. Dortch, Secretary, FCC, from Gregory W. Whiteaker and Robin E. Tuttle, Amendment to Leaco Rural Telephone Cooperative, Inc. Request For Limited Waiver And Extension Of Mobility Fund Phase I Public Interest Obligations, WC Docket No. 10-90 and WT Docket No. 10-208 (filed July 31, 2015).

<sup>39</sup> Leaco subsequently amended the Waiver Request to request additional time until March 15, 2016, for construction completion and testing reporting for SACs 498008 and 498006. *See* Leaco Rural Telephone Cooperative, Inc. Second Amendment of Request For Limited Waiver And Extension of Mobility Fund Phase I Public Interest Obligations, *Connect America Fund, Universal Service Reform – Mobility Fund*, WC Docket No. 10-90 and WT Docket No. 10-208 (filed Nov. 24, 2015) (Leaco Second Amended Request); and Letter to Marlene H. Dortch, Secretary, FCC, from Gregory W. Whiteaker and Robin E. Tuttle, Leaco Rural Telephone Cooperative, Inc. Further Amendment to Request for Limited Waiver and Extension of Mobility Fund Phase I Public Interest Obligations with respect to SAC 498002, WC Docket No. 10-90 and WT Docket No. 10-208 (filed Dec. 4, 2015).

<sup>40</sup> Leaco defaulted on its winning bid for SAC 498001. Leaco Second Amended Request at 4 and fn. 5.

\$31,101.31 for SAC 498001.<sup>41</sup>

### III. DISCUSSION

15. The Commission may waive its rules and requirements where there is good cause shown to do so.<sup>42</sup> However, a waiver is appropriate only if “special circumstances warrant a deviation from the general rule and such deviation will serve the public interest.”<sup>43</sup>

16. Here, based upon permitting delays that were not reasonably anticipated, and the reasonably related period of the requested extensions, we find that granting a waiver of the performance deadlines applicable to Pine Belt and Leaco is warranted, and that it would be contrary to the public interest to apply the rules without waiver under these unique and unusual factual circumstances.<sup>44</sup> We conclude such a waiver is appropriate where each carrier actively pursued working with the proper governmental and Tribal authorities and private landowners to obtain the necessary permissions to extend mobile voice and broadband service to rural areas, and was delayed by unusual circumstances beyond their control.<sup>45</sup>

17. Bidders in Auction 901 were cautioned by the Commission to perform their due diligence research and analysis before participating in the auction; to confirm the availability of transmitter sites and assure themselves that if they became winning bidders for Mobility Fund support, they would be able to build and operate facilities that will fully comply with all applicable technical and legal requirements.<sup>46</sup> Prospective recipients of support should be aware that employee issues, vendor problems, and last minute delays should be expected in the regular course of business, and that these occurrences alone will not support waiver of Commission deadlines.<sup>47</sup> We find that Leaco’s internal business issues, including its personnel changes, do not in themselves warrant a waiver. Nevertheless, here both Pine Belt and Leaco demonstrated conscientious efforts to complete their construction as expeditiously as possible under unusual circumstances, and to provide service to the rural areas identified as eligible for Mobility Fund Phase I support.<sup>48</sup> Based upon their respective filings, we find that Pine Belt and Leaco each made

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<sup>41</sup> See Letter to Marlene H. Dortch, Secretary, FCC, from Gregory W. Whiteaker and Robin E. Tuttle, Leaco Rural Telephone Cooperative, Inc. Update to Request for Limited Waiver and Extension of Mobility Fund Phase I Public Interest Obligations, WC Docket No. 10-90 and WT Docket No. 10-208 (filed June 1, 2016).

<sup>42</sup> 47 C.F.R. § 1.3. See also 47 C.F.R. § 0.131(a). See also *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164 (D.C. Cir. 1990).

<sup>43</sup> See, e.g., *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

<sup>44</sup> See generally Leaco Waiver Request and Pine Belt Waiver Request.

<sup>45</sup> See e.g., *In Re Monet Mobile Networks, Inc.*, Order, 17 FCC Rcd. 18381 (2002) (*Monet Order*) (licensee would have been able to satisfy its construction requirements but for unforeseen delays in establishing its backhaul connections due to inability of third parties to complete installation).

<sup>46</sup> *Auction 901 Procedures Public Notice*, 27 FCC Rcd at 4748, para. 73.

<sup>47</sup> See, e.g., *Redwood Wireless Minnesota, LLC*, Order, 17 FCC Rcd 22416 (WTB 2002) (construction delays resulting from business disputes were exercise of business judgment and were not outside Petitioner’s control); *Eldorado Communications LLC*, Order, 17 FCC Rcd 24613 (WTB 2002) (licensee’s determination to initially deploy TDMA system and subsequently to adopt GSM with months remaining before construction deadline was business decision within its control); *Bristol MAS Partners*, Order, 14 FCC Rcd 5007 (WTB 1999) (equipment installation or delivery not delayed for some unique reason and licensee failing to obtain equipment was business decision); *AAT Electronics Corporation*, Order, 93 FCC 2d 1034 (1983) (decision not to market service aggressively because of equipment uncertainties is within licensee’s control); *Business Radio Communications Systems, Inc.*, Order, 102 FCC 2d 714 (1985) (construction delay caused by zoning challenge not a circumstance beyond licensee’s control); *Texas Two-Way, Inc.*, Order, 98 FCC 2d 1300 (1984), *aff’d sub nom.*, *Texas Two-Way, Inc. v. FCC*, 762 F.2d 138 (D.C. Cir. 1985) (licensee is responsible for delay resulting from interference caused by construction adjacent to construction site because site selection was an independent business decision).

<sup>48</sup> *USF/UCC Transformation Order* 26 FCC Rcd at 17663, 17667, para. 2.

reasonable plans and efforts to timely fulfill their Mobility Fund obligations, and unusual permitting and processing delays that were outside of their control prevented their ability to do so.

18. Both Pine Belt and Leaco appear to have actively pursued engagement in the critical processes associated with safeguarding public lands and enhancing Tribal sovereignty by respectfully working with the appropriate authorities and private landowners to resolve the matters that were impeding their ability to complete their Mobility Fund Phase I performance obligations. For instance, Leaco engaged in close and frequent coordination with the BLM throughout the permitting process and found private land alternatives for construction through its on-going negotiations and efforts.<sup>49</sup> Pine Belt, likewise, conscientiously worked through the notification and information-sharing process with each Tribal government to ensure that the Commission's Tribal engagement policies would be fulfilled, even as it rectified its unusual equipment delays that caused further difficulties in keeping to its original schedule.<sup>50</sup> Moreover, both Pine Belt and Leaco were in a position to satisfy their Mobility Fund Phase I construction and drive testing requirements and begin providing 3G service to rural areas that previously lacked such service within a relatively short time beyond the deadline. In these circumstances, the additional time Pine Belt and Leaco request is reasonable in relation to the nature of the delays they experienced and their efforts to overcome them. We believe that the public interest would be served by ensuring provision of such service consistent with the objectives of Mobility Fund Phase I, and that a waiver would not undermine the Commission's policy of ensuring adherence to the performance requirements established thereunder.

19. We therefore conclude that there is good cause for granting the requested waivers. Based on the facts before us, we find it serves the public interest to waive the deadlines applicable to Pine Belt and Leaco for completing construction of a 3G network, conducting drive testing, and submitting a report demonstrating coverage for 75 percent or more of the designated eligible road miles, and we therefore grant Pine Belt and Leaco's waiver requests through the dates they requested.

#### IV. ORDERING CLAUSES

1. Accordingly, IT IS ORDERED, pursuant to section 4(i) of the Communications Act, as amended, 47 U.S.C. 154(i), and section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, and sections 0.131, 0.331, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331, and 1.3, that the Request for Limited Waiver and Extension of Time for Mobility Fund Phase I SACs, as amended, of Pine Belt Cellular, Inc. is HEREBY GRANTED to permit extension of the construction and reporting deadlines for the amended request of 52 days for SACs 258004, 258005, 258012, 258014, and 258015, and 55 days for SAC 258011.

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<sup>49</sup> Leaco Second Amended Waiver Request at 8-9.

<sup>50</sup> See generally Pine Belt Waiver Request.

2. IT IS FURTHER ORDERED, pursuant to section 4(i) of the Communications Act, as amended, 47 U.S.C. 154(i), and section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, and sections 0.131, 0.331, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331, and 1.3, that the Request for Limited Waiver and Extension of Mobility Fund Phase I Public Interest Obligations, as amended, of Leaco Rural Telephone Cooperative, Inc. is HEREBY GRANTED to permit extension of the construction and reporting deadline for SACs 498002, 498004, 498006, 498007, and 498008 through December 5, 2015, and further extension of the construction and reporting deadline for SAC 498002 through December 23, 2015, and further extension for SACs 498006 and 498008 through March 15, 2016.

FEDERAL COMMUNICATIONS COMMISSION

Margaret W. Wiener  
Chief, Auctions and Spectrum Access Division  
Wireless Telecommunications Bureau